

From: Kara Brunetta <kabrunetta@hotmail.com>
Sent: Friday, July 17, 2020 9:38 AM
To: Testimony HWM Judiciary (HOU)
Subject: Mass Law Enforcement

To Massachusetts Reps:

I am in favor for:

- 1) Qualified Immunity for Officers
- 2) Due Process/Arbitration
- 3) Have members with law enforcement experience on the POSAC board

Please help our country by supporting the law enforcement men/women who give their life to protect citizens.

Thank you,
Kara Brunetta
Sterling, MA

From: Dalida Rocha <dalida.rocha@gmail.com>
Sent: Friday, July 17, 2020 9:38 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Dalida Rocha
75 Bellevue st. #2R
Dorchester, MA 02125

Dalida Rocha

"It is our duty to fight for our freedom. It is our duty to win. We must love each other and support each other. We have nothing to lose but our chains" Assata Shakur

From: Candelaria, Jesus R. <CandelariaJR@worcesterma.gov>
Sent: Friday, July 17, 2020 9:38 AM

To: Testimony HWM Judiciary (HOU)

This senate bill is anti labor legislation. It removes our rights to due process, collective bargaining & inserts a board that has no training, experience or background in law enforcement. Please consider our public safety! This is hand cuffing all police officers rather than the bad police officers that really need to be handcuffed, and weeded out. Thank you for you time.

Jesus Candelaria

Sent from my iPhone

From: Caroline Thibault <carolinerthibault@gmail.com>

Sent: Friday, July 17, 2020 9:37 AM

To: Eldridge, James (SEN); Testimony HWM Judiciary (HOU)

Subject: Support for the Reform, Shift + Build Act

Hello,

I hope you are doing well in this time of so much uncertainty and change. While the past few months have been difficult, I believe that these struggles have brought important issues to the forefront of our minds. These times of strife have exacerbated deep-rooted issues that have existed in this country for a long time, like racial injustice. I think the positive part of this situation is that this new context has captured the country's attention. These issues demand to be solved, and what better time to make positive change than now? What better way to make use of this new normal, than to improve this country and this Commonwealth, to create a new reality that is actually new, and to build a future that is better than the present and the past? Together, we can use this time to build a new normal that is better than the old.

We need to address the police brutality in this country and the disgusting treatment of Black Americans. We need to do something. We need to make change. The time is now.

We need to reform police standards. That is why I am expressing my support for the Reform, Shift + Build Act (S.2800). I am asking you to please do the same. Please make sure that the qualified immunity language stays in the bill. It is so important to make sure that police officers are held accountable for their actions. We need this change to stop abuses of power and dismantle systemic racism in our policing.

Thank you for your consideration.

Best,

Caroline Thibault
17 Edmund Brigham Way
Westborough, MA 01581

From: RE Smith <ruhamahsmith@icloud.com>
Sent: Friday, July 17, 2020 9:37 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

Sent from my iPadFrom: Benyamin Meschede-Krasa <benmk@mit.edu>
Sent: Friday, July 17, 2020 9:37 AM
To: Testimony HWM Judiciary (HOU)
Subject: Massachusetts needs police reform

Hello, my name is Benyamin Meschede-Krasa with the Greater Boston Interfaith Organization (GBIO). I live at 221 Langley rd. Newton MA. I am writing to urge you and the House to pass police reform that includes:

* Civil service access reform

- * Commission on structural racism
- * Clear statutory limits on police use of force
- * Qualified immunity reform

These measures above are the bare minimum and must be viewed as a small first step in reimagining public safety. If you face roadblocks and opposition in moving this legislation I urge you to compromise and take out the requirements for trainings and certifications. Grassroots organizations like Families for Justice and Healing and Blackd and Pink Boston have called out the bill for including the language on training so it is unclear why they were included in the first place if the goal is to respond to communities' calls for police reform.

Thank you very much.

Benyamin Meschede-Krasa

benmk@mit.edu

6177626828

221 Langley Rd, Newton Centre, MA 02459

Technical Research Associate, NSRL
<[Picower Institute for Learning and Memory, MIT
Dept. of Anesthesia, Critical Care and Pain Medicine, MGH, Harvard Medical School
\(he/him\)](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.neurostat.mit.edu_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIinjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=jpBL1nsXIkYpzFDEOpQ0vKZAJAP0dZs3ttT4zu-fTfM&s=GLzIa_0EsjHHDI0hUUUpMByxaMR2voQKgOBcjty-nNSs&e=></p></div><div data-bbox=)

From: thedkmurphys <thedkmurphys@yahoo.com>

Sent: Friday, July 17, 2020 9:37 AM
To: Testimony HWM Judiciary (HOU)
Subject: FW: Bill S.2820

Please do not pass bill s. 2820. If passed we will be in a horrible position as a state and not only does it not protect the good officers out there it puts our society in grave danger

KERRYANN MURPHY 508 868 4943

WEST BOYLSTON Ma

Sent from my Verizon, Samsung Galaxy smartphone

From: Woods, John <john.woods@carverma.gov>
Sent: Friday, July 17, 2020 9:37 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Good Morning! This bill seems very unfair to me. If we are all supposed to be equal why are we trying to pass bills that focus on one race? That seems racial to me. We all need to work together and not pass bills that only focus on certain races. Just my opinion.

John Woods

Deputy Director

Operations & Maintenance

108 Main Street

Carver, MA 02330

Public Records Disclaimer: All electronic mail messages which are sent to or received by this account are subject to Public Records Law and may be disclosed to third parties.

From: Tina Collins <teemarie_collins@yahoo.com>
Sent: Friday, July 17, 2020 9:36 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill S.2820

Dear Representatives,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me

in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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

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

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

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

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

Tina Collins
19 Bonney St
Westwood, MA

Sent from my iPhone

Sent from Yahoo Mail on Android
<https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-

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VZVf503G6zKluD5LegaMuMy0IoFnAE3iK3o&e=>
From: crystal patsavos <cpatsavos1@yahoo.com>
Sent: Friday, July 17, 2020 9:36 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Responded from my rep=>Fwd: [External]: Bill S.2800

Please scroll down to read the original email sent opposing this police bill.

Sent from my iPhone

Begin forwarded message:

From: Jennifer Smith <jls_7@hotmail.com>
Date: July 16, 2020 at 8:48:12 PM EDT
To: crystal patsavos <cpatsavos1@yahoo.com>
Subject: Responded from my rep=>Fwd: [External]: Bill S.2800

?
FYI-I got this response

Sent from my iPhone

Begin forwarded message:

From: "Mirra, Leonard - Rep. (HOU)" <Leonard.Mirra@mahouse.gov>
Date: July 16, 2020 at 5:15:12 PM EDT
To: Jennifer Smith <jls_7@hotmail.com>
Subject: RE: [External]: Bill S.2800

?Dear Jennifer,

Thank you for writing to me about this bill, I've heard from countless people on it and I agree with you entirely. It would be a terrible idea to remove qualified immunity protections from police officers and the other professionals that we rely on every day.

While I could certainly support a bill that provides some reforms I will not vote for or support a bill that takes away this vital protection from law enforcement officers.

The bill will be getting a full public hearing and it's my hope that we will make the appropriate changes so that we can have a bill that has the full support of the public, the police, and elected officials. I will certainly do all I can to make that happen.

Sincerely,

Lenny Mirra
State Representative, 2nd Essex District

From: Jennifer Smith [jls_7@hotmail.com]
Sent: Thursday, July 09, 2020 9:06 PM
To: DiZoglio, Diana - (SEN); Mirra, Leonard - Rep. (HOU)
Subject: [External]: Bill S.2800

My name is Jennifer Smith and I live at 8 Denworth Bell Circle, Bradford MA 01835. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,
Jennifer Smith

From: Nico Bocour <nbocour@giffords.org>
Sent: Friday, July 17, 2020 9:36 AM
To: Testimony HWM Judiciary (HOU)

Cc: DeLeo, Robert - Rep. (HOU); Cronin, Claire - Rep. (HOU); Gonzalez, Carlos - Rep. (HOU)
Subject: Testimony from Giffords, fmr Congresswoman Gabby Giffords' organization

Dear Speaker DeLeo, Chair Cronin, and Chairman Gonzalez:

On behalf of Giffords, the gun violence prevention organization founded by former Congresswoman Gabby Giffords, I urge you to work to ensure Massachusetts leads on efforts to enact comprehensive measures to reform policing, justice, and public safety policies in the Commonwealth.

After decades of systemic oppression of Black, Indigenous, and People of Color communities, and in the wake of the recent killings of George Floyd, Breonna Taylor, Tony McDade, and thousands of others at the hands of law enforcement, people have risen up across the country to demand meaningful reforms to the systems that continue to allow killings like these to occur without consequence.

For years, Americans have been presented with a false choice between just and effective policing, but the evidence is clear: transparent, accountable, community-oriented policing that builds community trust is vital to both officers' and community safety. Policing reforms help prevent excessive force and police violence, build community trust necessary to effectively protect, serve, and solve crimes like homicides and shootings, and help avert cycles of vigilante retaliatory violence from taking root when the formal justice system has failed.

The evidence is clear that abusive and unaccountable policing, by contrast, results in more death and violence to victims of police violence, to officers, and indirectly to whole communities. As we discussed at length in an in-depth report released in January, *In Pursuit of Peace: Building Police-Community Trust to Break the Cycle of Violence*, there is a strong link between community distrust and community violence. Research has shown that significant numbers of people, especially in BIPOC communities, do not report violent injuries to law enforcement, not because they do not care or seek justice for violence, but because they do not trust law enforcement to justly or effectively keep them safe or treat them fairly. Research has also shown that police brutality and killings weaken community trust, lead to significant drops in crime reporting and 911 calls, and lead to sharp spikes in gun violence in turn, like the ones we've seen in recent months in cities across the country.

Policing is at its most effective at its most vital task--keeping people safe and when it is performed with a commitment to respect, equity, transparent and accountable procedural justice, and meaningful partnership with community-based service providers working to help people break free from cycles of violence, desperation, trauma, and retaliation. Giffords encourages Massachusetts to take the important and necessary steps toward police, justice, and public safety reform with an eye toward equity, accountability, respect, justice, and community participation.

We have endorsed the provisions of the George Floyd Justice in Policing Act, which recently passed the U.S. House of Representatives, and urge you to ensure Massachusetts crafts a comprehensive police reform bill with the following essential principles and provisions in mind:

1. Hold officers and agencies accountable for unconstitutional or abusive policing practices.

* End Qualified Immunity for law enforcement to allow people to recover damages for constitutional violations.

* Create a state civil rights statute to empower Massachusetts' Attorney General to conduct "pattern and practice" investigations to identify abusive and/or unconstitutional policing practices and bring civil actions to eliminate patterns or practices of unconstitutional policing.

* Publicly disclose records from investigations into officer misconduct and use of force.

* Create a police officer standards and accreditation committee or agency, with the authority to certify, renew, revoke, and modify LE officer certifications.

* Require certification from this agency as a condition of employment by a law enforcement agency.

* Prohibit recertification and hiring of officers who have records of abuse.

2. Establish transparency about the current state of policing in the Commonwealth through data collection, analysis, and study.

* Require collection and reporting of data, including race of person stopped, from instances when officers stop a vehicle or person or issue traffic citations.

* Require collection and reporting of data, including race, on law enforcement-related injuries and deaths.

* Create and maintain publicly accessible databases with information about officers' employment, certification, misconduct, and complaints of misconduct.

3. Invest in BIPOC communities, and in community-based violence intervention responses.

* Ensure that Massachusetts continues to build on its critical investment in SSYI and other community-based violence intervention initiatives that help hire and deploy professional violence interrupters, street outreach professionals, youth counselors, and similar violence prevention professionals as a critical part of Massachusetts' crisis response and public safety infrastructure.

* Foster safe and welcoming schools by investing in mental health and de-escalation professionals rather than assigning law enforcement with firearms and arrest powers to schools on a regular basis.

* Clarifying Massachusetts' recently enacted expungement laws to authorize more people with lower-level juvenile offenses to expunge their criminal records, gain full employment opportunities, and fully reenter society.

4. Modify law enforcement training and standards with an eye toward racial equity and harm reduction.

* Prohibit racial, religious, and other discriminatory profiling.

- * Establish stronger standards for use of force by law enforcement officers that prioritize the sanctity of life, ban chokeholds and similar neck compression holds, and require the use of de-escalation tactics when feasible.
- * Require officers to intervene when they observe colleagues using excessive force.
- * Train officers on de-escalation in crisis response, and consider the use of trained non-law enforcement staff in crisis response when a law enforcement response may be excessive.
- * Place strong limits on the use of 'no-knock' unannounced entry warrants.
- * Restrict the use of chemical irritants and militarized police tactics against civilians for crowd control.
- * Limit the transfer of military-grade equipment to state and local law enforcement.
- * Require body and dashboard cameras, and establish strong requirements for their use that account for privacy concerns of civilians and crime victims.

Thank you for your time and consideration,
Nico Bocour
Government Affairs Director, Giffords

Nico Bocour

Government Affairs Director

Giffords: Courage to Fight Gun Violence

973-715-9385 | giffords.org

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Explore our Annual Gun Law Scorecard

<https://urldefense.proofpoint.com/v2/url?u=https-3A__lawcenter.giffords.org_scorecard_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=s3jh7J2LHTmdY0x893zzaos5ijj2pc0pevSSrZkmZ3E&s=tOhownQjSxA2nyX7dglLZZjCtF8tTdnGyH_QNulT--s&e=> - Is your state doing enough to save lives?

gunlawscorecard.org <https://urldefense.proofpoint.com/v2/url?u=https-3A__lawcenter.giffords.org_scorecard_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=s3jh7J2LHTmdY0x893zzaos5ijj2pc0pevSSrZkmZ3E&s=tOhownQjSxA2nyX7dglLZZjCtF8tTdnGyH_QNulT--s&e=>

From: kclifford1995 <kclifford1995@gmail.com>
Sent: Friday, July 17, 2020 9:36 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Representative Keating,

My name is Kimberley Clifford and I live at 103 Old Colony Dr. in Mashpee. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Kimberley Clifford

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

From: kclifford1995 <kclifford1995@gmail.com>

Sent: Friday, July 17, 2020 9:35 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Dear Senator Warren,

My name is Kimberley Clifford and I live at 103 Old Colony Dr. in Mashpee. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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Sincerely,

Kimberley Clifford

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

From: Susan Flaherty <clintoninn81012@comcast.net>
Sent: Friday, July 17, 2020 9:35 AM
To: Testimony HWM Judiciary (HOU)
Subject: Acceptance of Written Testimony

Dear Chair Aaron Michlewitz and Chair Claire Cronin

Re: S2820

Please DO NOT pass bill S2820. This will endanger the police that have sworn to protect us and the lives of the citizens if it is passed which is why I am writing to express this bill SHOULD NOT PASS. It is exactly two years since we lost our police officer Michael Chesna as he was just doing his job, protecting the Weymouth residents. I can never repay him or his family, but I can try to protect his brothers/sisters in blue and the rest of the residents of my town.

Please contact me if you have any questions.

Thank you

Susan Flaherty
Weymouth, MA resident
508-345-3777
From: kclifford1995 <kclifford1995@gmail.com>
Sent: Friday, July 17, 2020 9:35 AM
To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Dear Senator Markey,

My name is Kimberley Clifford and I live at 103 Old Colony Dr. in Mashpee. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

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Sincerely,

Kimberley Clifford

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

From: Marc Osborne <marc.osborne@gmail.com>

Sent: Friday, July 17, 2020 9:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please pass S.2820

Good morning Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms. I'm all for this one!

Marc J. Osborne

14 Harwich Road

Brockton, MA 02301

From: Jane Fanning <janefanning@gmail.com>
Sent: Friday, July 17, 2020 9:35 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Representative DeCoste,

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

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

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous

impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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

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

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

Jane Fanning
46 Arthur Matthew Dr
Hanover MA

Sent from my iPhone
From: Audrianna Harrington <audriannakharrington@yahoo.com>
Sent: Friday, July 17, 2020 9:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Opposition letter

My name is Audrianna Harrington and I live at 10 A Powers Street, Spencer MA 01562. I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers, of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all public servants including myself working for the Department of Public Works in the City of Worcester.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees from frivolously unrealistic lawsuits. I deserve to have this continue for me in my job working for the City of Worcester.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and the dignity they deserve.

Respectfully,

Audrianna K. Harrington

From: Mackenzie Coakley <mcoakley8@yahoo.com>
Sent: Friday, July 17, 2020 9:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

and restrictions on excessive force. These goals are attainable and are needed now.

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

Thank you,

Mackenzie Coakley

206 Federal Hill Road

Oxford, MA 01540

Mcoakley8@yahoo.com

From: Kate Canny <kcanny71@gmail.com>
Sent: Friday, July 17, 2020 9:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to House Bill S.2820 as written

Good Evening

My name is Kathryn Canny and I live at 191 Hillside Drive in Hanover. I write to you today with regard to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Officer. Over the first 20 years of my husband's career I had the obvious worries of any law enforcement spouse, but those worries were relatively small and I always felt confident that he would come home safe at the end of his shift. It was a different world then. Police Officers were respected and appreciated for the job they did. As the wife of a Police Officer in today's world things are different. Like all police wives, I watch my husband leave and hope and pray that he comes home safely every day. My last words to him every time he leaves are "be safe". The last words our children say to their dad when he leaves are "be safe". In our world this is "normal" but not everyone lives in the same world we do, not all families need to say "be safe" when their loved one leaves for work.

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

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform.

Like many, I support enhanced training and appropriate certification standards that apply to individual officers. I also support the accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when

we focus on the idea that this bill is about constructive police/law enforcement reform.

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

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

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

Sincerely,

Kathryn Canny

191 Hillside Drive

Hanover

From: Mark Schafer <msmexico2@gmail.com>

Sent: Friday, July 17, 2020 9:35 AM

To: Testimony HWM Judiciary (HOU)

Subject: I urge you to pass serious, transformative police reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

My name is Mark Schafer with the Greater Boston Interfaith Organization (GBIO). I live at 13 Highland Ave. #3, Roxbury, MA 02119. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Mark Schafer
msmexico2@gmail.com
617 238-5776
13 Highland Ave. #3
Roxbury, MA 02119

From: Jeff Brown <jeffmbrown30@gmail.com>
Sent: Friday, July 17, 2020 9:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

To Whom It May Concern,

My name is Jeffrey Brown and I live at 34 Stone Gate Drive, Plymouth, MA. As your constituent, I write to you to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,
Jeffrey M Brown

From: MARK GABRIELE <mark.gabriele@comcast.net>
Sent: Friday, July 17, 2020 9:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass a strong police accountability bill with key provisions from S.2820

Members of the committee:

It seems our national is finally having a moral reckoning, dealing with the original sins of its creation: black peoples captured and sold into slavery, and native peoples dispossessed of their homelands. Unfortunately, it seems police unions are trying to resist this process. I urge you to pass a strong bill, which preserves the vital reforms in the Senate bill, such as the following:

1. Creating an independent and civilian-majority police certification/decertification body
2. Limiting qualified immunity so that victims of police brutality can sue for civil damages
3. Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
4. Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities

Throughout your deliberations, I hope you will feel in your hearts the weight of 400 years of oppression, and the loss of uncounted beautiful lives of color... all sacred in God's eyes.

Thank you,

Mark Gabriele

45 Amy's Way

Wellfleet, MA 02667

From: Jarrod Gobbi <jarrod.gobbi@yahoo.com>
Sent: Friday, July 17, 2020 9:33 AM

To: Testimony HWM Judiciary (HOU)
Subject: Opposition to s.2800

To whom it may concern,

My name is Jarrod Gobbi and I live In East Boston. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Jarrod Gobbi

Sent from my iPhone
From: Jane Fanning <janefanning@gmail.com>
Sent: Friday, July 17, 2020 9:33 AM
To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Senator Brady,

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

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

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

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

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

Jane Fanning
46 Arthur Matthew Drive
Hanover Ma

Sent from my iPhone
From: Kevin Hart <hartks@gmail.com>

Sent: Friday, July 17, 2020 9:33 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

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

Thank you,

Kevin Hart

1026 Brook Rd.

Milton, MA

From: Cj .Bumpus <cjbumpus11@gmail.com>
Sent: Friday, July 17, 2020 9:33 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Christopher Bumpus and I live at 13 algerine st Berkley, Massachusetts. I work at MCI-Norfolk and am a Corrections officer 1. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

responsible and qualified individuals on any committee should be first and foremost.

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

Sincerely,
Christopher Bumpus

--

Christopher Bumpus
Cjbumpus11@gmail.com
(508)-692-7113

From: Danielle Maynard <dmaynard34@yahoo.com>
Sent: Friday, July 17, 2020 9:33 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform testimony

Good morning,

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

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

Danielle Keyes
Belchertown, MA

Sent from my iPhone
From: dorothy hanna <dorothy.hanna@gmail.com>
Sent: Friday, July 17, 2020 9:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: Supporting Strong Police Reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Dorothy Hanna with the Greater Boston Interfaith Organization (GBIO). I live at 17 Wainwright St, Dorchester 02124. I am writing to urge you and the House to pass police reform that includes:

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

* Qualified immunity reform

Thank you very much.

Dorothy Hanna

dorothy.hanna@gmail.com

781-859-6134

17 Wainwright St, Dorchester Center, MA 02124

From: Danny McNulty <dtmcnulty12@gmail.com>
Sent: Friday, July 17, 2020 9:33 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform Shift Build Testimony

Hello MA House Ways and Means Committee,

As Senate Bill 2800 enters the House Ways and Means, Massachusetts has a unique chance to change Qualified Immunity and start the path towards police accountability. Believe me: I am a unionist, and want to support police as workers for all they help they truly do, but NO worker is extrajudicial. We need this important change to qualified immunity to put us on the path to true racial justice for our communities.

Thank you for your consideration,

Dan McNulty

Resident of Quincy, MA
From: Ryan C <rjcl3b@gmail.com>
Sent: Friday, July 17, 2020 9:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill S 2800

To the Representation of the Commonwealth,

It seems as this Police Reform Bill affects more than reforming police interaction with the public. As this bill does not in fact deliberately improve the quality of training officers will receive. Also the fact of adding an additional certification to become a police officer does not help the situation of police interaction with the public. Instead this bill seeks to charge police with the full responsibility of protecting the public without receiving any support in return. Without protection from civil lawsuits police officers cannot in good faith carry out their duties to protect the public. Also, with even more restrictions for police officers in less than lethal options, you are only making

situations more unsafe for the general public by limiting what can and cannot be used in a life and death situation.

This bill honestly sounds like a room full of people who have never policed a thing in their lives came up with a way to increase their voting platform by sowing racial and economic dischord into the public. With most Representatives in this state having an anti police track record, it is no surprise this vote was pushed through easily.

Which brings me to this process. How on earth do you pass a bill that has such legal ramifications for not just police officers and the general public, but all public officials to include teachers, firefighters, and so on with no public testimony? And you can say how this needed to be quick because of George Floyd and racism was afoot, or any little reason. It doesn't matter, the representation of Massachusetts has clearly shown that they will put a bill up to vote without at least hearing anyone speak on the matter, TO INCLUDE BLACK POLICE OFFICERS. But no, our representatives couldn't even get that right.

I must say thank you very much for failing the people of Massachusetts. You are encouraging entitlement, anarchy, and the liquidation of the core values that made Massachusetts the spirit of America. It is troubling to think of the wars that were fought since the inception of this nation to prevent the very thing this bill is looking to accomplish.

No one is more free or more safe as a result of this bill. In fact it is quite the opposite. Most people I talk to about this bill find it comical that you can sue a police officer in a civil case, over almost anything. However, there is a different tone when I remind them that there is less liability for a police officer to simply do nothing and watch violent crime take place. I wonder if our teachers would be willing to discipline unruly children with the thought of potentially being sued. I know my mother had threatened lawsuits to teachers, and principals. It's an entirely different thing where this is nothing to stop someone suing you out of spite. What do you think will happen to test scores? Maybe more houses will get burned down because firefighters can be sued after carrying someone out of a burning house. Maybe police officers back from intervening in a violent crime. As a result, we will become uneducated, poor mannered, constituents of an unsafe society where decisions are made for the people without any form of consideration or public testimony. George Floyd didn't die in Massachusetts. We do not have a public immunity problem, we have a problem with legislators who think they can pass any bill they want with no future ramifications. So in short I DO NOT support this bill at all.

Sincerely,

A veteran

From: frabittz@aol.com

Sent: Friday, July 17, 2020 9:33 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a

commission to study and make recommendations regarding policing with a lopsided membership.

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

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

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

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

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely, Keith Howe

Sent from my iPhone
From: Jim Wironen <jimw98@gmail.com>
Sent: Friday, July 17, 2020 9:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Chair Aaron Michlewitz and Chair Claire Cronin,

?I am a resident of Templeton and a police officer for 9 years in the town of Winchendon. S2820 is causing major concern for me and my family. This will remove the protections that allow me to do my job without the worry of personally being targeted by baseless lawsuits. Over the last nine years I have seen law enforce officers become more and more hesitant to take the necessary actions to do their job safely because of fear that their leaders will not back them when needed if their actions would cause the suspect harm. This has resulted in several officers being harmed and risking their safety while doing their job because of fear of what could happen to them just because they are doing their job. This bill will just add to their hesitation while doing their job further increasing their risk of being injured in the line of duty. I have personally considered my options as an officer as I am no longer willing to put my families lively hood at risk because leadership no longer supports law enforcement and is willing to put criminals ahead of those who protect the

citizens. The last 9 years I have seen the state of Massachusetts as one of the leading states in law enforcement. There are fewer use of force cases and fewer law enforcement Officer deaths here because we are better trained and better educated. With the passing of S2800 I fear there will be a mass exodus of experienced and quality officers no longer willing to work under the risk of losing it all for their family. I also fear the number of officers needed to backfill that number of officers leaving will be filled with sub par candidates as it is already hard finding a few officers qualified. No one will want to be an officer if they are not supported by their leaders. Sorry for the crude email as I am currently on vacation and have to use my phone. I have spent the last week on vacation watching S2800 be pushed through without proper debate or thought. The idea of the bill is great, more training and accountability is always supported but risking Law enforcements safety for a political statement is unacceptable. Please DO NOT PASS this. Thank you for your time reading this.

James Wironen

53 Brooks Rd Templeton MA 01468
978-790-8181

Sent from my iPhone

From: Derek Tronca <rsvlk@aol.com>
Sent: Friday, July 17, 2020 9:32 AM
To: Testimony HWM Judiciary (HOU)
Cc: ctelles@partners.org
Subject: S.2820

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

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

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

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified

Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

Thank you,

Derek Tronca
46 Wyman Road
Abington MA
02351

Sent from AOL Mobile Mail

Get the new AOL app: mail.mobile.aol.com

<[From: Lauren R <lola21r@msn.com>](https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiuk13zIsl6rchf_GkGDD&m=zf041qC0Tpeg2W2kSDQKwi_u7FjYxcZ5stt5FlUvVd8&s=XA2Icq0VKFR3J_pWl9PSYolPACSQ388Ht5M315CEi4&e=></p></div><div data-bbox=)

Sent: Friday, July 17, 2020 9:32 AM

To: Testimony HWM Judiciary (HOU)

Subject: Single Mom - 2 minute read

Good morning,

I won't take up more than 2 minutes of your time.

My name is Lauren Voellings. I'm a single mother of a beautiful 4-year old girl named Ava.

I'm her primary caretaker and the love of her life.

I'm also a police officer, a Sergeant in Worcester.

While I realize that it's often hard to associate an actual person to the title of Police Officer, I wanted to share with you the type of person that is being affected by the Police Reform bill. It's me. It's a mom. A daughter. A well-intentioned, hard-working person who goes to work every day to do good for the community.

The senate bill that was recently passed was completely anti-labor legislation. It removes our rights to due process, collective bargaining & inserts a board that has no training, experience or background in law enforcement.

While I do empathize with the unfortunate and unjust situations that have unfolded in our country, that isn't Massachusetts, that isn't the men and women of the police departments in Massachusetts, and that certainly isn't me.

This reform bill is not taking into account the real people, IN THE STATE OF MASSACHUSETTS, who truly do a mostly thankless job, but continue to do it with the very well-intentions of helping people, saving people, and keeping people safe in our communities. Please think of me, and the thousands of other "real people", that this bill will affect in a very negative, unfair, and action-limiting way. We need you to stand up for us, be fair, and remember the faces and families behind the uniform who truly need your support right now.

Thank you

Respectfully,
Lauren Voellings
774-670-8695
From: Center Makor <centermakor@gmail.com>
Sent: Friday, July 17, 2020 9:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

Dear Representatives,

I live in Stoughton, MA. It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

The very idea that such a thing as removing qualified immunity from police can be seriously proposed, let alone voted for 30 to 7, seemed totally absurd just a few months ago. Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function. And policemen, due to the very nature of their work, are the most vulnerable group.

This shameful legislation is unfair, immoral, and harmful to the extreme, especially to the people of color, whom it's supposedly designed to help - this group needs strong law enforcement and police protection more than anybody. By taking away qualified immunity from police the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen will retire, which is already happening. And nobody will be interested in joining the police force - the group that not only is unjustly vilified but now even deprived of any legislative protection.

A horrible death happened in Minnesota and everybody condemned it. But why the whole profession of policemen is punished for that? I talked to Brookline police and there has been not a single incident of police brutality for the years of existence of Brookline police. Massachusetts police in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Vladimir Foygelman,
58 Rosewood Dr.
Stoughton, MA

From: Lynn Mason-Small <lmason72@gmail.com>
Sent: Friday, July 17, 2020 9:32 AM
To: Testimony HWM Judiciary (HOU); Cyr, Julian (SEN)
Subject: S.2820

My name is Lynn Mason-Small and I live at 50 Wolfson Road, South Yarmouth, MA 02664. I write to you today to express staunch opposition to S.2820.

2 years ago Sean Gannon, a hometown police officer, was brutally murdered in our community. Those same politicians, who mourned alongside his grieving widow and his parents- vowing more protection for officers - are now quickly throwing together legislation that will take away the rights of those who protect us each and every day. I am strongly in favor of police reform, but only when well thought out by clear minds. Not minds reacting to our very current state we find ourselves in. Reactionary legislation is absurd.

I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for

improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits. I cannot imagine in our overly litigious world we live in, that this makes sense in any fashion.

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

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

Sincerely,

Lynn Mason-Small

From: DPS <midrosebud@gmail.com>
Sent: Friday, July 17, 2020 9:32 AM
To: Testimony HWM Judiciary (HOU)
Cc: Tarr, Bruce E. (SEN)
Subject: S2820 Please DO NOT pass this reform

S2820

An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Chair Aaron Michlewitz and Chair Claire Cronin

I am rushing to write before the narrow window for comments closes, to express my deep concern at the content of the bill S2800, now called S2820. I have read it and find numerous aspects of it to be of concern. In summary I would point to the power of this commission to advise, oversee, monitor, appoint, receive settlements for cases, determine and instruct according to a framework of racial equality which is not stated. This gives great power to this permanent commission to oversee all government activity, yet they have no governing oversight. They can solicit funding as well making them subject to influence and cronyism. Is there any other government commission that fundraises? And also receives settlement payments for cases? Is this not a conflict of interest for real justice?

They are given offices and access to information citizens are not. Police officers will have no privacy of information if they are investigation. This treats our law enforcement as sub citizens. Who is going to oversee the selection of consultants and the payment for such? There is not equity in justice if there is no balance. I am all for some aspect of police reform through training and support. But to allow this organization such power to control information, records, training requirements and oversight of training...there is too much power given to this group, as a knee jerk reaction to the current situation. There should at least be some representative of the police force on the commission where their voice is heard and true collaborative reform could happen. Is the history of slavery in US really what's important here? There are many cops of color. What is the real goal in this legislation? To push a narrative or to move forward as MLK would do for equal justice for all?

It gags school officials from reporting immigration status and whether a student is a member of a gang as dangerous as MS-13. It is involved in creating education for students. This bill is hurried through, passed in the darkness of the night and now being pushed through to vote. Reminds me of Nancy Pelosi's "let's pass the bill and read it later" mentality. This bill is fraught with power transfer and tentacles of control into too many areas not related to real reform.

Please REJECT this bill.

Sincerely,
Deb Safford
Hamilton MA
From: crystal patsavos <cpatsavos1@yahoo.com>
Sent: Friday, July 17, 2020 9:32 AM
To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill S.2800/2820

To whom it may concern,

Below is a letter I sent to the senators regarding the hastily put together Bill S.2800, now S2820. I, as well as many others are disappointed to say the least, with our elected officials who are trying to rush a bill into law for political reasons with blatant disregard for the safety of the majority of citizens in the state of Massachusetts. Just over a month ago law enforcement officers were regarded as heroes during the surge of Covid-19 here in Mass., many participating in birthday car parades for children unable to celebrate in normal fashion. They are still heroes, that hasn't changed. We should be doing MORE to protect not only law enforcement, but all of our municipal workers. We are watching the detrimental effects of giving more rights to lawbreakers and criminals than to those brave enough to uphold the law. Crime and violence is rapidly increasing throughout the country and especially in our major cities. Crime has been at multi - decade lows but that is now reversing at record pace. Boston will no doubt experience this extreme spike in crime if this bill is passed as is. What I know is that 5 other officers were shot in the past few years in the Southshore/Cape area alone; two of which paid the ultimate sacrifice with their lives; Officer Gannon and Officer Chesna and the latter because he hesitated taking necessary actions to stop the assailant who stole his gun and shot him. This bill will only lead to more of these dangerous situations. Cops will no longer be willing to take the risks necessary to do their jobs in fear of being persecuted for doing so. Policing will be reactive, not proactive as it has been. To my knowledge only one department- Springfield in a total of 357, has been investigated for any wrongdoing. This is not systemic. Please protect the rights of our public servants. This bill should not be passed without more careful consideration just to meet an unrealistic deadline or to satisfy a political agenda. It would be irresponsible and dangerous.

Respectfully,

Crystal Patsavos

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Dear Legislator,

I'm writing in regards to the S.2800 Police Reform Bill currently being discussed. I am the wife of Dennis, Ma. police sergeant Nicholas Patsavos who was a recipient of the George L. Hanna Award for saving the life of a complete stranger while risking his own without hesitation. He has been an officer for over 20 years serving the community with compassion and the utmost respect for all citizens regardless of who they are. The VAST majority of police officers are kind, decent people who enter the profession to SAVE lives, NOT take them. For these brave men and women it is a calling and a job few are able to do as most of us are incapable of the sacrifices they make, and the risks they face daily. I have never been more disturbed by the vilification and demoralization of these heroes today. All should not be punished for the poor actions of very few. For the many "hats" they wear on any given shift - a variety of emergencies and tragedies they witness daily, we ask and expect a lot from them. They too are only human. Perfection at all times for any human being

is not attainable yet some expect this from our officers. They deserve the respect and same constitutional rights that every citizen in the nation is entitled to. Though some form of police reform may be necessary - regardless of what any of you claim , this bill is being rushed and the consequences are not being fully thought through. Particularly, in regards to Qualified Immunity, which protects them from frivolous lawsuits when it is clear they are doing their jobs properly and in good faith acting reasonably in the eyes of the law. This does not protect those problem officers who don't act appropriately. Officers are in harms way at any given time and sometimes have to make life altering decisions that most of us can't even fathom in a matter of seconds. If they truly feel their life is in danger they should certainly have the right to protect it. They didn't sign up for the job to not have that right. Their loved ones constantly live in fear that one of these days they won't return home safely. I have two children and their dad is their hero. The choice they are left with in the event of a legitimate threat to their well being is either be killed or defend yourself and risk losing everything/possibly go to jail- just for doing the job we ask of them. Without qualified immunity officers are more at risk as well as every citizen because they won't risk taking the necessary measures to do their job effectively for fear of persecution for doing so. This is just wrong. I do not feel the majority of the public supports this, and far too many aren't even aware of this being pushed along by legislators at all. Laws and Bills need to protect EVERY citizen, police included. Most officers go way above and beyond the call of duty. They help citizens with so many different acts of kindness, Ive seen them do so- whether it's a meal for the homeless, shoveling a driveway for an elderly individual, giving a ride to someone in need, or emotional support to someone suffering loss and tragedy; not to mention rushing to aid anyone in need anywhere when off duty. My own husband has done so many times over the years because that's just what they do. They are our first line of protection always running towards the dangers the rest of us run away from. How quickly we forget the collapse of the Twin Towers/9-11, the marathon bombing, and countless other tragedies they've dealt with across this nation. Always in harms way rushing in to defend all of us- strangers of all colors. They deserve the same- to be protected and defended by every one of us. It is not fair for those who don't walk in their shoes to make decisions they are not experts on which will make it difficult for them to do their job. And that's if they even stick around long enough as many won't and are walking away across the country. Can't say I blame them. It will no longer be worth the risk for many of them. Please consider all of this to make the best possible informed decisions for ALL. I don't want to live in a world without police and one none of us are safe in. The treatment of police in general has been shameful and disgraceful. Those who decide to break the law should be held accountable on BOTH sides- law enforcement as well as the law breaker. Respectfully,
Crystal Patsavos, concerned citizen and police wife

Sent from my iPhone
From: Andrew Rezendes <andrew.rezendes@gmail.com>
Sent: Friday, July 17, 2020 9:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: testimony S2820

I am a Police Officer and I am writing to you regarding bill S2820, which I do not support. These opinions are of my own and do not reflect on my employer. I work for a Community College in Boston. There I can interact with people in positive ways. I can help people make the right choices and direct them away from the criminal justice system. However, my hands will be tied if bill S2820 is passed. Most importantly if qualified immunity is removed.

If qualified immunity is removed law enforcement in Massachusetts will struggle to move forward. Police Officers will leave the profession in such massive numbers it will take years to recover. I fear that Officers that do stay will be under qualified, overwhelmed and only looking for a paycheck. This will lead to long wait times for calls of service. Qualified immunity does not protect that bad Officers out there, it protects good Officers who are doing the right thing and acting in good faith.

If qualified immunity is removed what worries me for example is a scenario like this. I go to a call for a car accident, upon arrival I notice a person trapped in the car that is on its side and its on fire. I pull the person out and they break their arm in the process. The insurance company sues me for their medical bills to reduce their payout to this person.

In conclusion I do not support this bill as it stands and there must be changes done before I can support it. I know if it passes as it stands, I will have to consider and think deep about looking for a new career that won't have these same negative impacts on my family.

Respectfully,

Andrew Rezendes

Police Officer: Bunker Hill Community College

Cell: 401-662-7021

From: Julia Deter <jfiske42@gmail.com>
Sent: Friday, July 17, 2020 9:31 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass SB.2800, Reform, Shift, Build Act

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

My name is Julia Fiske. I am a resident of Maynard, MA and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified

immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Julia Fiske
19 Tobin Dr, Maynard, MA 01754

March like a Mother: for Black Lives
--

Julia Deter
Director | Choreographer | Educator

She | Her
646-281-5656

Something Rotten: <https://urldefense.proofpoint.com/v2/url?u=https-3A__theumbrellaarts.org_production_something-2Drotten&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=y6NYVvlUEMDYHFFSs9qrRpoHunT54-8yAnIYGZvulG0&s=_SjvXCT9lji87tG8kk8oQEKrbW7SylI2s1wpGsrhEuw&e=>> Oct. 30-Nov. 22, 2020
War Paint, <https://urldefense.proofpoint.com/v2/url?u=https-3A__theumbrellaarts.org_production_war-2Dpaint&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=y6NYVvlUEMDYHFFSs9qrRpoHunT54-8yAnIYGZvulG0&s=ZWxKr9UZCeFGVnJyDfiz3wN7PV5zuIrln13IXl-TnLQ&e=>>
RESCHEDULED: Feb. 26-March 21, 2021

From: Eric Desrochers <EDesro322@hotmail.com>
Sent: Friday, July 17, 2020 9:31 AM
To: Testimony HWM Judiciary (HOU)
Subject: Comment on Police Reform Bill

Honorable State Representatives

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me

in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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

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

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

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and

correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Eric Desrochers

435 Pleasant St, Bridgewater

EDesro322@hotmail.com

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=oiivvPv3EJ6bdTq0iOjpvEPOxrVYUG3QMYRmalL9mrjI&s=J3ep_QRfzGjpgDiccnpPPJ1n_P199HbC_-z5dLQQk6Q&e=>> for Windows 10

From: Jennifer Concannon <jennifer.concannon@gmail.com>
Sent: Friday, July 17, 2020 9:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

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

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as

an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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

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

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

Thank you,

Jennifer Concannon/jennifer.concannon@gmail.com

From: jeff saunders <jas2924@gmail.com>
Sent: Friday, July 17, 2020 9:31 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

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

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

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

Thank you,

Jeff Saunders, 20 Longmeadow Road, Tewksbury, 6174389168

From: Cheryl Clark Vermeulen <cclarkpoet@comcast.net>

Sent: Friday, July 17, 2020 9:31 AM

To: Testimony HWM Judiciary (HOU)

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

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

My name is Cheryl Clark. I am a resident of Jamaica Plain (Suffolk County). I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I have been disgusted by witnessing police brutality, particularly the inability to deescalate situations, use unnecessary force, and not to speak to the true humanity of all people.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Cheryl Clark
18 Kingsboro Park
Jamaica Plain, MA

From: Gideon Emmanuel <gideon.m.emmanuel@gmail.com>
Sent: Friday, July 17, 2020 9:30 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity, introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no-knock raids like the one that killed Breonna Taylor.

This is the time to act and make our state into a shining beacon of justice and peace.

Sincerely,

Gideon Emmanuel, Watertown

From: Rebecca <rebeccaagui08@gmail.com>
Sent: Friday, July 17, 2020 9:30 AM
To: Testimony HWM Judiciary (HOU)
Subject: I am a Hispanic female police officer

I am a 30 year Hispanic female police officer in Worcester and I'm extremely concerned with this new bill. It removes the right for due process, collective bargaining and inserts a board with no training, experience or background in law enforcement.

I'm proud to say that I work with an overwhelming amount of great police officers who are professional, kind, honest and caring. I back officers in my city and state because I HAVE PERSONALLY WITNESSED for the past 7 years as an officer, the overwhelming professionalism my fellow officers show on a daily basis. Officers who are NOT racist, unjust or violent people. To allow this bill to pass is a total betrayal towards me (a minority female officer) and my fellow officers who consistently put our lives on the line for our City.

We are not the issue. Do not categorize us with what is happening in different states and allow us to continue to do our job safely.

I want to go home to my son every night and be protected against vindictive people who have no regards or respect for the law and law obeying citizens.

PLEASE VOTE NO!!!

Sincerely,

A mom and police officer.

From: Klucznik, Keith <KlucznikK@worcesterma.gov>

Sent: Friday, July 17, 2020 9:30 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820 Bill Testimony

To Whom It May Concern,

I am reaching out to you today in regards to the proposed S.2820 bill. My name is Keith Klucznik and I have been a Worcester Police Officer for over four years now. I have taken pride in serving, protecting, and patrolling the neighborhoods of this great city I grew up in. Every day I enjoy putting on my uniform, getting in my cruiser, and interacting with the community. However, after reviewing the proposed bill, specifically the sections that involve Qualified Immunity, Collective Bargaining and Due Process, and the POSAC board, I am nervous as to how my career will be drastically affected.

I personally believe that these new proposals will make the job of a police officer extremely difficult and dangerous. Police Officers face dangerous and deadly situations constantly where split-second decisions need to be made in order to protect their own lives along with the lives of the citizens that call for our help. I believe that this new bill will cause myself and other officers to second guess our decision making in these dangerous situations. This brief pause in these situations can have deadly consequences for the lives of both Police Officers and citizens. I personally have had knives, machetes, and other weapons pulled on me while on calls in the city of Worcester. Just last night, July 16, 2020 I responded to two shootings, in which at one of them a two-year old female was struck by a piece of shrapnel in the leg. I am worried that this bill does not protect the rights of Police Officers, and we will not be able to

perform our duties to the full potential. Officers will be concerned that they will suffer consequences where they would lose their jobs, houses, families, and even their own lives.

In regards to "Qualified Immunity," I believe that Police Officers will not be able to fully perform their duties in volatile situations. It will be difficult to act knowing that there is no protection for your actions under the Good Faith Doctrine. I would be fearful that if something were to happen when I was attempting to save a life or apprehend a violent criminal, that I could be sued and lose my job. Furthermore, having those actions judged by the proposed make up of the POSAC board makes me even more nervous. It is difficult to understand the stress and danger that goes into this profession if you have never been in these dangerous situations before. I would not feel that my career is safe with this proposed bill.

I write this e-mail to you today to urge you to strongly reconsider the passing of this S.2820 Bill. Thank you for your time and consideration in reading my testimony.

Regards,

Officer Keith Klucznik

Worcester Police Department

9-11 Lincoln Square, Worcester, MA

Klucznikk@worcesterma.gov

(508)-769-9454

Sent from my iPhone

From: Lizbeth Ginsburg <user@votervoices.net>

Sent: Friday, July 17, 2020 9:26 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Lizbeth Ginsburg
17 Bay State Ave Apt 2
Somerville, MA 02144
lizbeth_ginsburg@hotmail.com

From: Cynthia MacDonald Andrade <maccind@gmail.com>
Sent: Friday, July 17, 2020 9:30 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

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

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

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous

impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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

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

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

Thank you, Cynthia Andrade 24 Oneil st Hudosn Ma

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Cynthia Andrade

From: Lucie Gulino <LGulino@gbls.org>

Sent: Friday, July 17, 2020 9:22 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Lucie Gulino
56 Cedar St Apt 2
Cambridge, MA 02140
LGulino@gbls.org

From: Dru Greenwood <drucgreenwood@msn.com>
Sent: Friday, July 17, 2020 9:30 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on S.2820

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Catherine (Dru) Greenwood with the Greater Boston Interfaith Organization (GBIO). I live at 66 Winchester Street, Brookline, MA 02446. I am writing to urge you and the House to pass police reform that includes:

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

I urge you to adopt the Senate language to reform the legal doctrine of qualified immunity. This reform will allow the few applicable cases to be heard by a jury without being dismissed because the particular violation of 4th amendment rights by a public official, such as a police officer,

has never been previously contemplated by a statute or a court precedent. Those cases deserve to be heard on their merits, not thrown out using a non-statutory legal doctrine. It is simply outrageous that those who have suffered from the egregious violations of police officers cannot get their day in court.

In addition, it is clear that qualified immunity reform will not have devastating financial impact on any police officers as they are indemnified by the municipalities that employ them. Any such claims are not based on fact and should not be considered as you consider this reform.

Thank you very much.

Catherine Greenwood

66 Winchester St.

Brookline, MA 02446

617-505.5071

drucgreenwood@msn.com

From: Kelly Dimbat <kellysells@gmail.com>
Sent: Friday, July 17, 2020 9:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: opposition to bill s.2820

kelly dimbat
26 Riverbank Terrace, Billerica MA 01821.

we need more time to review this bill! do not pass!

thank you,

kelly dimbat
--

Kelly Dimbat
@kdsellsma
Lamacchia Realty
Sent from mobile phone
From: pam goncalves <pamellagoncalves9@gmail.com>
Sent: Friday, July 17, 2020 9:29 AM

To: Testimony HWM Judiciary (HOU)
Subject: ACT TO SAVE BLACK LIVES

"Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Key provisions of the legislation include: ? Ban the use of chokeholds, tear gas, and other dangerous "less than lethal" weapons and tactics ? Reform policies to require de-escalation before force is used ? New independent oversight of misconduct investigations ? Creates a "Duty to Intervene" when an officer witnesses excessive use of force ? Establishes that unnecessary use of force by an officer violates someone's civil rights ? Data collection and reporting processes to prevent abusive officers from being hired ? Ban "No Knock" warrants ? Create public records of police misconduct investigations and outcomes

Yours in community endeavors

Pamela Goncalves

83 West Cottage Street

Dorchester, MA 02125

Pamella Goncalves M.Ed
pamellagoncalves9@gmail.com
857-249-0637

"BY ANY MEANS NECESSARY" Brother X

From: Luke J <luke2025@gmail.com>
Sent: Friday, July 17, 2020 9:29 AM
To: Testimony HWM Judiciary (HOU); Orrall, Norman - Rep. (HOU)
Subject: Bill 2820

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

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

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

Thank you,

Lucas Jorge

780 South Precinct Street

East Taunton, Ma.

Email: luke2025@gmail.com

From: Kathryn Cohen <kathryn@childrensleague.org>

Sent: Friday, July 17, 2020 9:29 AM

To: Testimony HWM Judiciary (HOU)

Cc: Tammy Mello

Subject: CLM Testimony on S.2820 - Expungement

July 17, 2020

Re: S.2820 to the House Ways and Means and Judiciary Committees,

Dear Chair Michlewitz, Chair Cronin, Vice Chair Day, and Vice Chair Garlick,

Thank you for the opportunity to submit written testimony in support of expanding the expungement law as the House takes up S.2820 to address Racial Justice and Police Accountability. S.2800 includes this expansion and directly relates to over representation of young people of color in the criminal legal system.

The Children's League of Massachusetts is an ever-growing statewide non-profit association of over 60 private and public organizations and individuals that collectively advocate for public policies and quality services that are in the best interest of the Commonwealth's children, youth and families. Many of our member provide services to children and families in the child welfare system - and hire qualified individuals with juvenile records that as a result of their lived experiences - are better able to serve as role models to children in residential, foster, and adoption programs.

CLM supports this bill in order to ensure that that individuals are afforded the opportunity to find and retain gainful without being held back by a juvenile record, particularly when their record does not serve a public safety concern. Juvenile records prevent access to higher education, employment, housing, becoming a foster parent and other

opportunities. This is true even for individuals who were not found to have done anything wrong - under current law, restrictions on expungement eligibility are true even if a case is dismissed or the child is found to have not committed the offense.

That being said, juvenile records create lifelong barriers to success. The lawsuit, Gregory v. Commonwealth filed by the Lawyer's for Civil rights on behalf of childcare workers impacted by their juvenile records, highlights a problem that also affects child welfare service providers - an already fragile workforce committed to serving the Commonwealth's children.

To explain this more: As you are aware, the Department of Early Education and Care (EEC) is one of the agencies that has access to juvenile records, including sealed juvenile records, for background checks for all employees, volunteers of agencies licensed by EEC - child care agencies, private child care providers - and residential placements (non-child care). As of October 2018, EEC began phasing in regulatory changes to its background record check process (BRC) which have unjustly excluded some prospective and pre-existing employees from serving children in child care, residential care, and foster and adoption placement services. Specifically, the new regulations have expanded and re-categorized Criminal Offender Record Information (CORI) findings, and the accompanying disqualifying offenses as well as how these findings are applied to both candidates for employment and currently employed staff, which is resulting in what appears to be biased permanent exclusion from the field.

EEC has applied its revised and expanded CORI standards retroactively, culminating in long time employees being notified by EEC that they are no longer considered "suitable" for employment and employers informed that they must terminate these employees due to things like minor juvenile records. In one example an exceptional candidate with lived experience, was told to walk away due to charges from over 32 years ago.

If passed, this legislation would ensure that juvenile records that are expunged would not be subject to a background check and would allow individuals a chance to succeed and not be haunted by irrelevant childhood transgressions. States where there are minimal barriers to clearing juvenile records have significantly reduced re-arrest, recidivism rates and increased college graduation and incomes as these young people transition to adulthood.

We respectfully urge the House to work diligently to retain the expungement expansion and work diligent for its passage.

Tammy Mello

Executive Director

Children's League of Massachusetts

From: dzabilski@comcast.net
Sent: Friday, July 17, 2020 9:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill No. \$2820

Good morning,

I am sending this email to ask you NOT to support \$2820. Supporting this will hurt the State in many ways. We don't need any more hardships .

Thank you for listening.

Deb Zabilski
978-430-8242

Sent from Xfinity Connect ApplicationFrom: Margo <margomph@yahoo.com>
Sent: Friday, July 17, 2020 9:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform now

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

I am writing as a member of the Greater Boston Interfaith Organization (GBIO). I live at 120 Dedham St in Newton, 02461.

I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Margo Michaels

Sent from Yahoo Mail for iPhone

<https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=lz9I4blAHdc13HkDg4itL8B2UDXVBXQRNlfgJ5F7omg&s=L_3QkxPuAOuKIzIfTyroraatDDHPSA2MXfBdayPhlkk&e=>

From: Mail.com <chanfan@mail.com>

Sent: Friday, July 17, 2020 9:29 AM

To: Testimony HWM Judiciary (HOU)

Subject: Senate bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Jacqueline M. Sueldo Guevara and I live at 579 Raymond Rd, Plymouth, MA, 02360.

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

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

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

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

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

Sincerely,

Jacqueline M. Sueldo Guevara

From: Ian Anderson <andersonian21@gmail.com>

Sent: Friday, July 17, 2020 9:29 AM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S2820 Testimony

Hello,

I am a resident of Brighton, MA and I unequivocally support the Reform, Shift + Build Act (S.2800).

Massachusetts has always been on the forefront of states passing legislation to support the people that live here and we've never shied away from decisions that seemed radical at the time. I have always been proud of MA being the first state to legalize gay marriage, and I hope to see us continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow. It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,

Ian

From: fmmooney1@verizon.net

Sent: Friday, July 17, 2020 9:28 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or

herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely, Francis Mooney

From: James Casey <jcasey@rehobothpd.org>

Sent: Friday, July 17, 2020 9:28 AM

To: Testimony HWM Judiciary (HOU)

Subject: Please support law enforcement and look at bill S2820 with a fine tooth comb

Dear Chairman Michelwitz and Chairwoman Cronin,

My name is James M. Casey and I am a Sergeant with the Rehoboth Massachusetts Police Department. I am writing to ask that you not support the now called bill S2820. As you know the State Senate recently passed bill S2800 in the wee hours of the morning earlier this week. That bill as it is written is a knee jerk reaction to what happened to Greg Floyd thousands of miles away. That incident was an unfortunate one and I can assure you that I nor anyone in the Law Enforcement community stands with and/or condones what former Officer Derek Chauvin did to Mr. Floyd. Mr. Chauvin deserves to go to jail for a very long time.

I have been a police officer in Rehoboth for almost twenty years. In that time I have met many fine men and women who I have worked along side in Rehoboth and from other agencies throughout the State of Massachusetts. I can tell you that I have never seen any behavior such as the behavior of Mr. Chauvin's during the course of my career from any of these officers. As we all have gone through a police academy taught by the MPTC none of use have been training in a "choke" hold. That is not a part of our defensive tactics continuum. In my twenty years of service I have never observed an officer place any subject we were dealing with in a "choke" hold. With that said, I do believe that there is one instance when such a hold should be permissible. That only instance would be if an officer is in the fight of their life with someone trying to retain their duty weapon. Should that officer feel as though they are going to loose their weapon then and only then should a "choke" hold be permissible. Under no other circumstance should it be allowed. I ask that when the time comes to vote you consider this point.

Bill S2820 as it is written looks to limit the use of tear gas and pepper spray. Again if you look at our use of force continuum you will see that a subjects actions determines what level of force we go to. During the academy we are all required to be spray with pepper spray so we experience the affect of the aerosol. It was not a pleasant one but as an asthmatic I survived. In my twenty year career I have had to utilize pepper spray a handful of times but have had to show it countless times in trying to gain control of a situation. Being able to communicate and deescalate situations has prevented me from having to utilize this tool. I ask that when the time comes to vote you consider this point.

Sir and Madame, I would also ask that you consider that should the qualified immunity that protects officers in the times that we have to make a split second decision be taken away not only is the individual officer going to suffer but the public that we serve will also suffer. That is not to say that we in law enforcement should not be held accountable for our actions should we violate the law or someone's civil rights. I do believe that we as law enforcement officer should be held to a higher standard than the citizens that we protect and serve. I did not get into this career to abuse the power that was granted to me as a privilege over the people I swore to protect and serve almost twenty years ago. If we loose the qualified immunity then officers will begin to second guess themselves in a time of crisis and that could be catastrophic for the officer, the person he is trying to protect along with that officer's family. I go to work every day knowing that it could be the last day I see my wife and my children. Some people would say well "he knew the risks when he took the job". That is true. I love my job. I love the my brothers and sisters that I work with. I love the people of the town I work in. If called upon to make the ultimate sacrifice for them I will. There are thousands of officers throughout the Commonwealth of Massachusetts that are willing to make the same sacrifice as I am.

Any changes to qualified immunity would not be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.

There are many other aspects of bill S2820 that I do not agree with but this email would go on and on. I ask that as you review this bill should you know any police officers personally speak with them about their experience and how this bill would change how they do their job.

In closing I would like to thank you both for your dedicated service to the people of what I think of as the greatest state in the country. As my job does, I know that your job takes you away from your families at times that are not the most convenient. Please stay safe and healthy.

Sgt. James M. Casey

334 Anawan St.

Rehoboth, Ma. 02769

(508) 252-3722 x 1131

(774) 226-0166 (cell)

jcasey@rehobothpd.org

From: Miles Kirsch <mileskirsch@gmail.com>

Sent: Friday, July 17, 2020 9:28 AM

To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820 Testimony

Hi,

I am voicing my support for Bill S2820. I am a Roxbury Crossing resident and I am ashamed with how Boston and Mass has treated our residents of color lesser, blatantly and consistently.

Now is a time for change. Not next year, not next month, now. People of color have been discriminated against, assaulted, and murdered in this country for over a century and continue to be victims today.

It's time we strive for true equity, time we make real progress, time we enact justice.

We're all watching, very, very closely.

Do the right thing.

Best,
Miles

Sent from my iPhoneFrom: Kelly Decollibus-Fillion
<kellydeco4537@gmail.com>
Sent: Friday, July 17, 2020 9:28 AM
To: Testimony HWM Judiciary (HOU)
Subject: Do not defund the police!

I'm against defunding the boston PD.
Kelly Fillion
508-333-0385

Sent from my iPhoneFrom: Courtney <cbendiksen1@gmail.com>
Sent: Friday, July 17, 2020 9:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

To Whom it May Concern:

My husband is a police officer and I am a nurse practitioner. We have put years and years of hard work, and our own blood, sweat and tears into attaining our dream careers. Ending qualified immunity puts our careers, as well as our lives and others at risk.

I am beyond frustrated, sickened and saddened over the divide in our country right now. I worked in a COVID-19 hospital during the pandemic, and saw more heartbreak, death and torn-apart families than I thought I would see in a lifetime. Essential workers like nurses and police officers worked tirelessly. Like many other nurses, doctors, paramedics, etc. , I truly put my life on the line everyday, and experienced a mere

taste of what my husband, a police officer, feels every single day he walks out the door.

These are unprecedented times, and our country should be coming together to lift each other up, but instead we are more divided than ever due to recent events. I have not met one police officer, or one person for that matter, that has not acknowledged the horrendous nature of George Floyd's catalytic death. I recognize and understand the need for change. However, I do not believe that abolishing qualified immunity is the appropriate way to achieve this change. Qualified immunity is NOT a "get out of jail free" card. It does NOT allow us to perform unlawful acts without consequence. It does NOT protect us from the law, reprimand, loss of our jobs, or paying back damages in money, time, etc. when we act negligently. It does NOT give us the excuse to act irresponsibly or unconstitutionally. It does NOT allow us to work incompetently or knowingly violate the law. It does however allow us some protection when are acting in a prudent and reasonable manner, based on the education, rules and regulations surrounding our jobs.

If qualified immunity is abolished, I fear that you will not only see a profound number of frivolous lawsuits, but a mass exodus of essential workers like myself and my husband. Both my husband and I have jobs where split second decisions sometimes have to be made, usually in high-stress environments. The lack of qualified immunity will cause hesitancy and delay when making these decisions, which can affect the safety of all involved- whether it be my husband's safety, the safety of the person he is trying to save, the safety of the patient I am trying to save.... the list goes on.

I urge you vote against ending qualified immunity. I acknowledge that there is room for change and improvement. However ending qualified immunity and the ability for public servants to perform their job to the best of their ability is not the right way to bring about change.

Thank you for your time and attention to this matter.

Sincerely,

Courtney Bendiksen, MSN, AGACNP-BC

From: Larry Napolitano <lpnapolit@gmail.com>
Sent: Friday, July 17, 2020 9:26 AM
To: Testimony HWM Judiciary (HOU)
Subject: Written Testimony for Police Reform Bill

To the Esteemed Members of the House of Representatives:

My name is Lawrence Napolitano. I am a police officer in the town of Shrewsbury. I graduated from the College of the Holy Cross with a

Bachelor's degree in sociology and received my Masters degree from UMass Lowell in Criminal Justice. I am writing today in regards to the police reform act that entails many different facets and will impact policing in the Commonwealth for years to come.

The first issue that I would like to discuss is in regards to Qualified Immunity. The changes made in regards to Qualified Immunity that were made in the Senate Bill will have a dramatic impact on not only police officers but all of our Massachusetts communities. State courts would have to develop a whole body of case law to interpret this new language. This will just lead to more uncertainty for everyone. As a police officer, I will constantly be asking myself can I be sued for this action.

For example, If police go to a domestic situation and lock up the husband for beating up his wife. When it goes to trial, as often happens in domestic situations, the wife invokes spousal privilege and refuses to testify against her husband. The case then gets dismissed, the husband can now come back and sue the police for wrongful arrest. He does not need to pursue these claims in federal court where most civil rights violations are currently heard, instead he will bring these claims forward in state court. Since these amendments will limit Qualified Immunity in Massachusetts, the majority of people will bring these cases to State courts.

Regardless of the outcome of the civil case, continue the scenario. The wife calls the police yet again for her husband physically attacking her, how do the police respond? They have a duty to act but should those officers have to once again worry about being sued for attempting to save this woman?

Yet another example, an officer arrests an impaired operator for Operating Under the Influence. The resulting case is found not guilty which happens more than 80% of the time in Massachusetts, even higher in some district courts as illustrated from the Boston Globe article from a few years back. That operator can now come back to sue the arresting officer and the town in which he was arrested. What do you think will happen next? Whether the officer and town are held liable or not, both parties are not going to want to go down this road again. The officer is going to stop making Operating Under the Influence arrests for fear of losing everything he worked so hard for and the town is going to encourage him to stop making those arrests.

Changes to qualified immunity does not just affect police officers, it affects all government officials. The number of lawsuits will skyrocket and flood state courts with the provision for attorney fees to be awarded to plaintiffs. There needs to be so much more careful consideration in regards to changes to qualified immunity. Legal scholars, academics and members of the judiciary committee need to carefully consider these changes and report back to the legislative body before any changes to Qualified Immunity go forward.

Some legislators may be pointing to lack of changes in the Indemnification Law as a reason why the Qualified Immunity changes are minor but that does not always apply to Municipal Officers like myself. The State Executive Branch and Legislators like yourselves are protected for up to \$1,000,000 for violations as long as you are not willful or malicious. Massachusetts State Police have a special statute of their own that also protects them from these claims. Most Municipal Officers have none of that. So now the burden will shift back to the towns and cities to create these protections in order to keep and protect police officers.

My second point of discussion in regards to this bill involves my Due Process Rights. Why should the board deciding my fate be made up of primarily non law enforcement personnel? Why can't this professional board be like every other professional board in the Commonwealth? In my opinion the board should be made up of a majority of law enforcement professionals, with appropriate and limited non-law enforcement representation.

I understand that some individuals are frustrated with the inability to get rid of unfit officers. No one dislikes a "bad cop" more than a "good cop". They make our job so much more difficult on a day to day basis. Police chiefs can get rid of unfit officers by following the appropriate guidelines. Civil service law acknowledges that processes at city and municipal levels are inherently biased. There needs to be an appeals process with an independent arbitrator to ensure that everyone has their due rights. The reason why public employees need just cause protections and appeals is to protect against political influence and other agendas. These changes will eliminate these protections and make political influence so much stronger.

I believe that most police officers in the Commonwealth take pride in doing the very best job that they can for all of the citizens of this great state. I do however completely understand the push for a change. If we as a society are not evolving and changing then we are for all intensive purposes dead. Massachusetts is not like other states, a lot of these recommendations are based on things that happen in other parts of the country not here. I am afraid that if these amendments pass as is, you will see many good police officers decide that the stress of the job is too much and the job is not worth it. You will lose way more than you gain and in my opinion, that does not make us any better as a society.

Thank you for your time and consideration.

Sincerely,

Lawrence Napolitano

From: Rob Capone <ccrc922@aol.com>
Sent: Friday, July 17, 2020 9:26 AM
To: Testimony HWM Judiciary (HOU)
Cc: Hogan, Kate - Rep. (HOU)
Subject: S.2800 Police reform bill

representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street <x-apple-data-detectors://2>

Boston, MA 02133 <x-apple-data-detectors://3>

Dear Chairs Michlewitz and Cronin,

My name is Robert Capone and I live at 53 Old Marlboro Road in Maynard, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard in the Massachusetts House of Representatives tomorrow for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant (most likely a police officer) before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far-reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Very truly yours,

Robert S. Capone

53 Old Marlboro Road

Maynard, MA 01754

Sent from my iPhone

From: Matt White <matthew.whitel2@gmail.com>
Sent: Friday, July 17, 2020 9:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support SB.2800

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

Good morning - My name is Matthew White, and I live in the Jones Hill neighborhood of Dorchester.

I am in favor of you passing SB.2800, the Reform, Shift, Build Act.

Our friends and neighbors of color deserve to be treated with the same dignity, and benefit of the doubt that I, a white man, am granted by law enforcement. The measures in this bill will help to ensure accountability in this area.

Thank you,

Matthew White

18 Windermere Rd

Dorchester, MA 02125

From: Fran Williams <fw2ndary@comcast.net>
Sent: Friday, July 17, 2020 9:26 AM
To: Testimony HWM Judiciary (HOU)
Subject: I vote NO

I am very concerned about defunding the police and I am voting against it.

From: Nancy McArdle <nancymcardle@comcast.net>
Sent: Friday, July 17, 2020 9:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Public testimony on police reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the
Judiciary

Good morning,

My name is Nancy McArdle and I'm with the Greater Boston Interfaith
Organization (GBIO). I live at 69B Holland St., Somerville. I am writing
to urge you and the House to pass police reform that includes:

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

I'm sure you will do the right thing to protect and serve all our
communities and ensure true public safety and justice.

Thanks for your attention to this urgent matter!

Nancy McArdle

nancymcardle@comcast.net

617 628 1341

69B Holland St.

Somerville, MA 02144

From: Scott <dotsdoherty@hotmail.com>
Sent: Friday, July 17, 2020 9:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

From: Scott <dotsdoherty@hotmail.com>
Sent: Friday, July 17, 2020 9:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

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

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

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

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

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

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

Thank you,

Scott Doherty

Weymouth MA

Dotsdoherty@hotmail.com

Sent from my iPhone
From: robynbird <robynbird@rcn.com>
Sent: Friday, July 17, 2020 9:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: No to new commission

We live in a country of rules and laws.

If people break those laws they are innocent until proven guilty.

A sentence is handed down.

If the police department wants to have social justice training, so be it...we have all been forced one way or another.

I disagree with your idea that a commission needs to be put into place to do anything that you stated.

I disagree with you of increasing the size government in my state of Massachusetts

What are you all thinking? No, is what I say to the new "commission".

"No" to bigger state government.

Respectfully,
Robyn Michel
Hyde Park

Sent from my Verizon 4G LTE smartphone
From: jeremylevine@umass.edu
Sent: Friday, July 17, 2020 9:24 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Good morning,

I'm writing today to voice support of the bill before the house to end qualified immunity, eliminate chokeholds, and take on other police reform. Police are treated as a protected class in our state – they rarely get in trouble if they do something wrong, yet they wield extraordinary power over the population. Simply put, a group that has this much power and abuses it constantly, in the supposed name of protecting the people, needs

to be dramatically re-thought. The police, in many instances, create more fear than they do safety. This bill would be a great first step in reducing some of that power and the culture of fear that the police propagate.

I've lived in Massachusetts for ten years. I've never had an especially negative interaction with the police. I'm also white. To me this represents that the story everyone has been telling – that the police target and terrorize Black people – is true. We then need a concerted effort on eliminating that bias – this means the history of racism training that this bill proposes.

It also means dramatically rethinking the role of the police in our state in the first place. We need to think hard about whether we need someone with a gun to check on a noise complaint or someone sleeping on a bench. We don't. This bill doesn't go here, I don't think. But that's the next step.

Again, I hope that the House votes to pass this bill. Policing is obviously broken – we won't get anywhere unless we try to do something to fix it.

Stay safe and healthy,
Jeremy Levine
PhD Student, UMass Amherst
From: rbsngrp@aol.com
Sent: Friday, July 17, 2020 9:24 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: URGENT!! S. 2820

Sent from my iPhone

Begin forwarded message:

From: "Chuilli, Kelly" <KChuilli@bridgewaterma.org>
Date: July 17, 2020 at 9:23:01 AM EDT
To: "'rbsngrp@aol.com'" <rbsngrp@aol.com>
Subject: URGENT!! S. 2820

With great urgency I ask that you exercise the utmost scrutiny to the police reform bill before you.

I have never had a complaint filed against me in nearly 20 years of service as police officer in the commonwealth of Massachusetts. I think that's the type of officer you strive to have in policing. I have boxes of cards and letters from the community and I have kept nearly every one as a reminder of the positive impact I have on people's lives. Nobody in my family was in law enforcement. Not one person. In fact, most of my family vehemently tried to persuade me against it. Still, after serving 4 years active duty in the U.S. Army, deploying Desert Shield and Desert Storm, I returned to Massachusetts to continue to serve yet again on a local level. When people say they support our troops but hate police, it blows my mind! In many cases, you're talking about the exact same person!

I am one of 3 females on my department. I have always been treated with respect and the utmost dignity. The men I work alongside are professional and respectful to a fault. I'm proud to belong among them in this noble profession.

The public, however has not always been so respectful. I've been called every name you can imagine. Every vulgar thing you can say to a woman has been hurled my way. I've been kicked, punched, spit on, concussed, threatened, and indecently assaulted. My family has vicariously endured this as well. The most that has ever been done over all these years to any person who has physically assaulted me or threaten to kill me and/or my entire family was probation! Even if they were already on probation, guess what happened? Just a little longer probation. What message does that send to the officer? I can tell you; it sends a message loud and clear that we aren't worth anything and our families don't mean much either! Our injuries are not taken into consideration and are "just part of the job". This is entirely unacceptable! Before now, NONE of this made me consider leaving this profession or walk away from my duty.

If you wonder why we are hyper-alert and suspicious of everyone, it's because we lose officers every day across our nation. We get the Officer Down alerts and it feels just a little bit closer. It's because courts are regularly turning people loose who are violent, carrying guns, ...stolen guns, repeatedly! We know we will surely be encountering those people; we just don't have the benefit of knowing in advance, it could be anyone at any time. I can't tell you the shock I am in when I encounter someone who is one their 2nd, 3rd, 4th or more illegal gun charge walking around free in society! What!? The public is not aware that this is even happening! We know it's happening and what these folks are capable of, and they have learned that minimal consequences, if any, will follow. The public doesn't have the benefit of this insight unless they unfortunately

fall victim. These are people that have no respect or regard for us, the public or even themselves!

The same is true for the soaring mental health problem. What I'm saying is that all of these problems are continuously dumped back on police and the involved agencies are letting us down! We are in a lose-lose situation where we are being set up to fail. Police cannot cure all that ails society, but we sure are taking the bulk of the blame for it, including race issues and claims that we are not "trained" enough. If I may agree in the training regard that when we routinely are called to a group home or ½ way house for someone that the trained professionals can no longer handle. Are we somehow supposed to be trained beyond the level of mental health professionals in that field? If it's beyond their scope, how would we ever become trained well enough that we surpass the career training of these mental health professionals?

Repeated calls to these situations are often violent and are among the most dangerous and challenging we face. Many group homes are housing people in residential area that are way beyond their ability and scope to treat in that type of environment. We are fully aware that we are likely going to be put in a situation where we need to protect ourselves and others but that any physical contact with these parties will be viewed as unnecessary or excessive. At times we have to take an officer off the road to ride in the ambulance in order to protect the paramedics, while they fight and spit, putting everyone at risk of biological hazards or injury.

Meaningful change needs to occur in our mental health response! Mental health related calls have exploded. They are the bulk of what we deal with now. If there is a belief that some funding should be moved from policing to social programs, and those programs include a SERIOUS mental health initiative, we are on board! Those calls however, need to be shifted away from police and toward those mental health agencies. They need to be removed from police responses, because that's where your calls will go bad and the liability comes in for the officer, agency and community. The things that nobody wants to deal with, routinely land in our lap. Go deal with it, but afterwards, "we don't like how you dealt with it". It's because it should not have been the police dealing with it in the first place.

Mental health is the root of the vast majority of our most serious issues. If you properly deal with mental health, you avoid the consequences of mental health problems. We have a "lack of coping skills" in this country. When people can't properly "cope", they hurt themselves, they hurt others, they abuse drugs and alcohol, self-medicate. This in turn causes people to commit property crimes, get involved in drug

activity or commit offenses to accommodate the lifestyle. It all truly comes back to not being able to properly cope in life and the result of that struggle.

Again, I cannot stress enough that we are failing at dealing with this key issue and we have been for a long time! Officers are routinely put in a position to take someone into custody for drugs/alcohol/mental health for a civil commitment against their will. The revolving door spits these folks back out without any meaningful assistance. I've personally taken some of the same individuals dozens of times. Now they are angry at the family members and they are angry at police. This doesn't make it easier. It makes it a lot harder!

Again, a recipe for disaster that does nothing to help anyone involved, builds frustration and creates a dangerous situation for everyone involved.

This reform bill that threatens qualified immunity and threatens to potentially bankrupt me and my family, makes me want to leave policing immediately.

I know I'm asked a lot of in policing, even risking my life and safety. I went into it knowing that. What I didn't know was that now they'd be asking me to potentially sacrifice my financial security on the whim of someone from the public making a claim against me, who wouldn't hesitate to lie or embellish the incident, after all, they're already willing to assault me and threaten me. Now place some monetary incentive behind it and you can imagine the potential.

How much is too much to ask of someone from their job? Well, I'll tell you that being at risk of criminal charges, and losing your assets when you believe you are doing the right thing, would be your answer. Where is the upside to this profession now? What is the incentive to keep doing the honorable thing when you are constantly vilified regardless of how you conduct yourself? Even when you're right, you could now be wrong based on a point of view from people who don't understand the pressure and circumstances of this job and what people are actually willing to do, even to a female (I'm someone's Mom).

I have been part of the CISM Peer Support Team for about 5 years. I don't get paid for this. I do it because it's important to help people. I care about the mental health of the folks in this profession who see the most gruesome, heinous, unimaginable things out there, all while trying to juggle their own lives and the inevitable struggles that come with it. A lot of folks are suffering from what they have had to respond to. This causes lasting detrimental effects. Poor mental health causes poor

decision making. Not a good combination when you must do it quickly and often!

I urge you to rethink this bill and some of the extreme things it's asking of our men and women in blue. I implore you to at the very least, see that this bill includes Critical Incident Stress Mgmt. and Peer Support Programs, and preserve our due process and qualified (not absolute) immunity. Our officers are being vilified for the actions of officers we've never even met and probably never would. I can think of no other profession that is punished across the board in this manner. We drop everything to come to everyone else's aid when they need help. Who will come to our aid? Who is helping us?

At the bare minimum, officer mental wellness needs to be a priority. We are going to need it!

I'm a member of our department's hiring board. It's a time consuming, rigorous, careful process. Over the past few years, the quality and quantity of candidates has dropped substantially. The best candidates, not surprisingly are going to jobs with better working conditions, hours, respect and pay. I worry what kind of candidates would now be willing to step up to do this job, as most intelligent, talented people will undoubtedly pass on this.

We welcome opportunities to improve our tactics and raise the standards of our chosen profession. The public needs to bring their standards up as well!

We no longer seem to be teaching respect and law-abiding behaviors. Every call we go on now is a debate or worse. It has become a sport to challenge officers in even the most minor interaction. We didn't get the benefit of safely working from home, time off or incentive checks during this COVID-19 crisis. We did what was asked of us despite the risk to ourselves and our families. We enjoyed a brief moment of gratitude from the public and then just like that, the sickening act of one distant officer made every single one of us monsters. Is that a best practice for raising the bar in any profession? Is that really how it's supposed to work?

It makes me sad for society going forward.

There are a lot a good people in our community, and many of them work alongside me. Our communities will lose compassionate, upstanding, professional officers who have years of experience and formal education. Many volunteer in the community or commit quiet acts of kindness that nobody ever hears about.

I ask that you do the right thing and consider the impact this will have on the men and women who give so much to people, who at times care so little for us.

Respectfully,

Kelly A. Chuilli

Bridgewater Police

508-697-6118

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From: John Kilcoyne <jfkilcoyne90@icloud.com>

Sent: Friday, July 17, 2020 9:24 AM

To: Testimony HWM Judiciary (HOU)

Subject: Fwd: S2820

Sent from my iPhone

Begin forwarded message:

From: John Kilcoyne <jfkilcoyne90@icloud.com>
Date: July 16, 2020 at 10:22:15 PM EDT
To: HWMJudiciary@mahouse.gov
Cc: jkilcoyne@solarkilcoyne.com, Ferguson Kim <kfergl294@charter.net>, Harold Naughton <hnaughtonjr@gmail.com>, Meghan Kilcoyne <meg.kilcoyne@gmail.com>
Subject: S2820

Dear Judiciary Committee;

As a taxpayer and resident of Sterling, I strongly urge you to vote "no" on this bill. Though some changes may be needed in police reform in our state, the changes to "qualified immunity" in this bill are misguided. Allowing plaintiffs to sue police officers, fire personnel, first responders and all municipal employees at the state level for any perceived wrong doing will lead to unlimited litigation subsidized by taxpayers in each and every town and city.

Given the current fiscal challenges all municipalities face each year, adding the sure to be enormous legal costs to each community would be a financial nightmare.

Please vote "no" on this version of S2820.

Respectfully;

John Kilcoyne
90 Beaman Road
Sterling, MA
978-697-7403

Sent from my iPhone

From: SHANNON MCLAUGHLIN <shanmac12@verizon.net>
Sent: Friday, July 17, 2020 9:24 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2800

Good afternoon, my name is Shannon Fabiano and I reside in Charlestown Ma. My husband is a 20 year member of the Boston Police department as well a Dad of 4 children. These past months have been a living hell for my children and I, we sit up worrying constantly about his safety. Now, we have to worry about if we will be sued for everything we worked hard for. This bill will limit his duties to serve and protect the residents of Boston who deserve the best from him. Please please I beg you to reconsider.

Sincerely,
Shannon Fabiano

Sent from my iPhone
From: Iueh Soh <iuehsoh@gmail.com>
Sent: Friday, July 17, 2020 9:24 AM
To: Testimony HWM Judiciary (HOU); Caro Murphy; Zienab Abdelgany; Shayok Chakraborty
Subject: GBIO: Caro Murphy Police Reform Story

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

My name is Caro Murphy with the Greater Boston Interfaith Organization and I've lived in the Greater Boston Area for the last decade. I live at 11 Parker St, Watertown MA. 02472. Like most white people, I grew up believing the police were here to protect us. I no longer believe that. When I see blue lights, I feel afraid, and this is just a fraction of what my BIPOC friends have felt for their entire lives.

I'd like to share with you a story about how our police behave, to show you how pressing it is for these reforms to be passed.

One spring day in 2018, my partner called me, asking me to remember the name and badge number of a Boston Police officer. He was terrified.

He had been walking along Chauncy Street in the city, and had tossed a peanut M&M aside, discarding it, and it had bounced off of a nearby vehicle. The driver of the vehicle became irate, revving his engines and honking excessively. He then u-turned around in the middle of the one-way street, and drove up onto the sidewalk to block my partner's passage. The driver got out of the car and started yelling at my partner. He then lifted his shirt to reveal a gun that he had tucked into his belt.

Next, he revealed himself to be a plain-clothes Boston Police Officer, and produced a badge which had previously been tucked into his shirt. Only after committing several traffic violations that endangered the safety of pedestrians and other vehicles, verbally abusing, and physically threatening a man with a gun did the officer bother to mention that he was a cop.

All this over a peanut M&M.

Now my partner is lucky. He's lucky because he's very well educated about his rights, and used this knowledge to let the officer know he was out of line. He's lucky because there were many building cameras directed at them that could verify the officer's improper reaction, and he let the officer he would be willing to let the legal system decide who was in the wrong. He's lucky because he kept his calm, and was able to get away from that situation unscathed. But most importantly-- my partner is lucky because he's white.

If he had not been white, it's not hard to imagine that the situation would have gone down very, very differently.

The stories we hear about police using unnecessary force and intimidation are so common it's laughable, but I'm not laughing. This is not just an isolated problem-- it is a massive systemic issue in our nation, and yes, our state, that needs to be addressed right now. We need to pass these police reforms, and we need them to be strong-- it cannot wait any longer.

I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Caroline A. Murphy
1 Parker St, Watertown MA. 02472.
From: Abby Flam <aflam@comcast.net>
Sent: Friday, July 17, 2020 9:24 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Police Reform Bill

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Abby Flam with the Greater Boston Interfaith Organization (GBIO). I live at 15 Weldon Rd. Newton, MA 02458. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Abby Flam

aflam@comcast.net

617-795-0219

15 Weldon Rd.
Newton, MA 02458

From: Maura Kelly <maurakelly10@gmail.com>
Sent: Friday, July 17, 2020 9:23 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Testimony

To whom it may concern,
I'm writing to you to in support of the bill on police reform. There is NO reason for murder and violence by police officers.
I write to you as a 31 year old, 5ft3inch, female who has worked on an inpatient psychiatry unit and in psychiatric emergency services for the last 9 years. I've been assaulted and threatened several times. I have no armor, no weapons, and I'm still here. I've learned how to use non violent crisis intervention. I've leaned now to use hands off de-escalation techniques. I spent the time to learn how to support those in need and manage my own fears rather than hit back. Why do police feel that they are in danger when they have weapons, shields, power. Chokeholds need to be banned. Chemical weapons need to be banned. Police constantly use the excuse of being "fearful of their life" and reacting yet an individual with no training is being asked to instantly be in complete control of their biological fight/flight response. This needs to change.
I also work with children who are living in a state of constant fear. These children see police not protecting them and feel alone. This violence is causing long term trauma which in turn leads to challenges

controlling emotional response. So how to you expect these children to grow up and not be fearful, not run, not be distrusting, when the violence that this system is build around puts them in this position. Boston has been a leader in this country on so many important issues. We need to step up and protect ALL of our people. Show the rest of the country how police reform works. Do it right, do better. Thank you for your time.
Maura Kelly, LMHC
--

Maura Kelly
(914)879-9853

"The best way out is always through"- Robert Frost
From: Shawn McIntyre <shawnmac48@yahoo.com>
Sent: Friday, July 17, 2020 9:21 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Good Morning,

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

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

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

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

officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

Thank you,
Shawn McIntyre
8 Dianne Road
Stoneham, MA 02180
Shawnmac48@yahoo.com
From: Katie Maliel <mmemaliel@gmail.com>
Sent: Friday, July 17, 2020 9:23 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Katie Maliel with the Greater Boston Interfaith Organization (GBIO). I live at 3 Elm Lawn St. In Milton, MA. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Katie Maliel

From: Siiri Morley <siiri.morley@gmail.com>
Sent: Friday, July 17, 2020 9:23 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass SB.2800, Reform, Shift, Build Act

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

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

I stand with March like a Mother: for Black Lives because I am a citizen that believes our liberation is all connected and that none of us are free until all of us are free. I am a white woman who is also a mother to a 3 year old white boy. I know that my son will move through his life in a privileged and safe way. He will be given the benefit of the doubt when encountering the police, while other boys his age who are Black and brown will be targeted and potentially murdered. My own brother, if he had been Black, would likely not be alive today - or would very likely be held behind bars. Instead, because he was seen as "a bright kid with a promising future" he has no record and is living a prosperous life.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Siiri Morley

95 Saint Rose Street #2, Jamaica Plain, MA 02130

March like a Mother: for Black Lives

--

Siiri Morley
siiri.morley@gmail.com

* www.linkedin.com/pub/siiri-morley/3/977/225/
<https://urldefense.proofpoint.com/v2/url?u=http-3A__www.linkedin.com_pub_siiri-2Dmorley_3_977_225_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=a_9QenlQ0utlEyaJiL1w5QJ9wo207du7C_Ax4TbVqk&s=rwZLdxtMC_8RGG2Cp13HeiOLzyftHMTuJ7jOuwVZNPw&e=>>

"Courage is the most important of all the virtues, because without courage you can't practice any other virtue consistently"

~ Maya Angelou

From: Irvienne Goldson <irvienne@gmail.com>
Sent: Friday, July 17, 2020 9:23 AM
To: Testimony HWM Judiciary (HOU)
Cc: Irvienne Goldson
Subject: Pass SB.2800, Reform, Shift, Build Act

My name is Irvienne Goldson I am a resident of Cambridge 02140 a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I support this bill because the reality is clear,

it is only Black/Brown folks who die in the custody of police from chokeholds that sitting on a humans' neck. Make that upstream move by voting to pass the "Black Lives depends on it" bill!

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified

immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Irviene Goldson

8 Lancaster Street, Cambridge MA 02140

March like a Mother: for Black Lives

From: Zachary Fritzhand <zfritz@gmail.com>
Sent: Friday, July 17, 2020 9:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: Must Pass SB.2800, Reform, Shift, Build Act

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

My name is Zachary Fritzhand. I am a resident of Somerville, MA and father of a 1 year old daughter. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I moved from Ohio nearly a decade ago and am proud that MA is considered a progressive state. This Bill is the minimum the State must do. We have a moral obligation to begin creating a more just and equitable society and this is a step towards achieving that. It is not OK for Black residents in 2020 to fear for their lives from the citizens whose very job is to protect their lives. If action is not taken, we will continue to be on the wrong side of history.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Zachary Fritzhand

22 Claremon St. #2, Somerville MA 02144
<[Zachary Fritzhand | ???](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.google.com_maps_search_22-2Bclaremon-2BSt.-2B-25232-2C-2BSomerville-2BMA-2B02144-3Fentry-3Dgmail-26source-3Dg&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=-vmEt6joyBxln8pXFIjTZugxndhMQIfvlv39uti8dig&s=B0yD4sIaNJEmOR-FR-euGg-6fi6elkeN17oZro66UsU&e=>
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+1 513 675 0680
Licensed Q Grader
From: John V. Zielinski <msp3378@yahoo.com>
Sent: Friday, July 17, 2020 9:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

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

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

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

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

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

Thank you,

John V Zielinski

9 Angelica Dr, Westfield, MA 01085

msp3378@yahoo.com

413-386-7004

From: William Cullen <cullen.wmj@gmail.com>
Sent: Friday, July 17, 2020 9:22 AM
To: Testimony HWM Judiciary (HOU); Madaro, Adrian - Rep. (HOU)
Cc: William J. Cullen
Subject: S2820

Representative Madaro,

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

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

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all

citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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

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

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

Thank you,

William J. Cullen

82 Saint Andrew Rd.

Boston, MA 02128

email: cullen.wmj@gmail.com

From: roxannem07131970@gmail.com
Sent: Friday, July 17, 2020 9:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform (S 2820)

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift

resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Thank you for your consideration

Roxanne Mather
876 Crescent St #2F
Brockton MA 02302

From: Dr Ali <rrinn@norwoodma.gov>
Sent: Friday, July 17, 2020 9:21 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

My name is Robert Rinn, I am a retired Police Officer, retiring after serving over 38 years in the Dedham (5) and Norwood (33+). I am currently serving as a Special Police Officer in Norwood.

I am writing to ask that the House vote no on this bill, or at least a large part of the bill for many reasons. I think you all know that Police officer's all over the country are disgusted and have made those feelings know over the death of George Floyd. Nobody hates a bad cop more than a good cop.

Regarding the bill I would like to say that the Commonwealth has some of the most highly trained Police Officers in the country that embraced training on Dealing With Persons Suffering Mental Health Issues long before other states. I've have been trained on this for approx. the last 10 years. We were also one of the states that began implementing Community Policing programs very early and many of these programs have become models for other police agencies across the country. Most police officers in Massachusetts hold college degrees (many with Master's degrees and several with Law degrees)related to policing as well as their Police Academy training, Specialized training, and yearly in-service training and updates.

Massachusetts has seen very few incidents of injuries or deaths due to police brutality or police misconduct. There will always be some injuries and deaths associated with policing and it is certainly the hope that none of these will be due to brutality or misconduct. No police officer puts his or her uniform on at the beginning of their tour thinking, "What can I get away with or who can I hurt today. ". Quite the contrary they get

ready thinking 2 things, I hope I can help someone today and I pray that I will go home safe to my family when the day is done.

This bill would make changes to Qualified Immunity for Police Officers and many other professions who are employed by the state or municipalities such as Firefighters, Teachers, EMT's, Paramedics, Nurses. All first responders who are called upon to act in emergency situations to save lives and property. It would not change the Absolute Immunity of the court employees or Judges though. Kind of a slap in the face to the people who RUN into trouble instead of away don't you think. These same people who were being praised after 911 and during the pandemic we are now living with.

It would also create boards and committees to judge and second guess police officers interactions with criminals and others. I am not opposed to oversight for officers actions but the bill proposes people sitting on these boards and committees who have no police or law enforcement experience. Wouldn't it make sense to have law enforcement representatives on these or at minimum have the people sitting and judging officers to have some experience.

The bill also wants to ban chokeholds I was never trained to use a chokehold and never have used one in 43 years of professional policing. It also addresses use of teargas or chemical agents, there are times that these need to be used as less than lethal means to quell a disturbance or take a violent person into custody.

It also talks about police departments securing or purchasing military grade equipment. Who is in a better position to know what a department needs to police their city or town. Lowell, Boston, or Lynn may certainly need different equipment than Brimfield or Whately. This cannot and should not be legislated with a broad brush by people who don't have experience. It is nothing more than an unnecessary knee jerk reaction to an incident that happened far away from Massachusetts.

In closing I would ask that this bill as written in a hurried and haphazard manner that will make many changes that will prove to be detrimental not only to the police but dangerous for every citizen of the Commonwealth be voted down.

It would make far more sense and be a far more educated and dignified response to vote it down and come back during the next legislative session and take the time to draft and adopt a bill that addresses citizen concerns with discussion and input from all sides so that we can get it right the first time. The citizens and the police deserve this instead of a kick in the head from the screaming minority and a knee jerk reaction by government.

Thank you for putting this on record and considering my thought during your deliberations on this bill.

Sincerely,

Robert Rinn
781-727-5326.

From: matthew hincman <matthew.hincman@gmail.com>
Sent: Friday, July 17, 2020 9:21 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

I would like to register my support for the following:

- * Juvenile Justice Data Transparency (as filed in H.2141)
- * End the automatic prosecution of teenagers, but raising the age of juvenile jurisdiction past the 18th birthday (as filed in H.3420)
- * Expand expungement eligibility (as passed in S.2820, Sections 59-61)
- * Protect the profiling of students in schools (as passed in S.2820, Sections 49)
- * End police placement in schools, and require Public accountability for what police do in schools. (as passed in S.2820, Section 50)

There can be no justice without these important reforms that hold police accountable for their actions, and begin to dismantle the militarized police state we find ourselves in.

Thank you very much,

Matthew Hincman

From: Carlie Clarcq <clarqc@gmail.com>
Sent: Friday, July 17, 2020 9:21 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for S.2800

Hello,

I am writing to you in my support for S.2800. I believe police reform is necessary to achieve true justice and equity in our MA community, and I am strongly in support of this bill. Thank you,
Carlie Clarcq

--

Carlie Clarcq

480 Parker Street, Boston MA

585-507-9697 | clarqc@gmail.com

From: Nancy O'Shaughnessy <irishseven62@gmail.com>
Sent: Friday, July 17, 2020 9:20 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

To whom it may concern:

This bill deserves more conversation. And I would appreciate it if you would take the time to really read what is written in the bill and how it will negatively affect everyone, not just whites, not just blacks, but

everyone. And then make revisions so that all people are treated fairly and with respect.

Qualified Immunity allows for an officer to save a child's life without concern of being sued. Or going forward, will a waiver need to be signed prior to an officer attempting to save a life? That seems a waste of time. For example: If he were to break the child's rib in order to save him, Qualified Immunity protects the officer from a civil lawsuit for accidentally breaking the child's rib. Same for a man or woman having a heart attack and CPR is administered by the officer. Qualified Immunity allows that officer to save that life without fear of being sued. Qualified immunity doesn't apply to officers in situations when they have worked outside the framework of lawful behavior. Nor should it. Therefore, if you were to limit or remove Qualified Immunity, basically you are jeopardizing the safety and well-being of the officers, their families and ultimately the communities and every single person in those communities.

Please don't just feed into what is happening elsewhere and jump on the bandwagon. Please really consider what is right for the residents of Massachusetts.

Thank you for your time in reading my comments.

Sincerely,

Nancy O'Shaughnessy
508-376-1202
Millis, MA 02054
From: Drew O'Malley <omalleyj17@gmail.com>
Sent: Friday, July 17, 2020 9:20 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2800

I am writing this in hopes that the House Judiciary Committee will re-evaluate the language of Bill S.2820. As a law enforcement officer with over 23 years of experience in Massachusetts I am horrified by the impulsive, agenda driven actions that some of our politicians are taking in this "police reform" bill. Everyone in our profession is open to improving the quality of service that we provide to our communities but none of us deserve to be treated as the problem and left out to dry by the communities that we have sworn to protect. We have worked in conjunction with our communities over the past 20 years to build relationships, increase transparency and accountability. Massachusetts is not Minneapolis and our law enforcement officers should not be painted with the same broad brush because of the actions of a few officers clear across the country. The media and politically driven narrative is painting all officers as racist and abusive, which is just plain not true and is eating at the core of the honest, hardworking men and women serving our communities with integrity every day.

It is alarming to me that some of the politicians putting together this bill have no idea the potential long-term repercussions it will have on our society as a whole. They are not educated, although many think they are, on what Qualified Immunity is and more importantly what it is not. They are making decisions based on philosophical ideals and not based on actual evidence or practical applications.

The origins of the situations that have happened throughout our country have many layers yet we are trying to solve them with one broad ranging and misdirected bill. For far too long the training, education and value of police officers has been deficient. How does it make sense in a modern society to expect a human being to be an expert in all of the areas that default to law enforcement yet many departments have minimum qualifications of a high school diploma? How are law enforcement officers expected to deal every day with violent, disrespectful, highly agitated people on their worst day under rapidly evolving tense situations and be Monday morning quarterbacked by individuals that have never been in those situations and do not know all of the circumstances? How do we expect officers to deal with individuals in mental health crisis or those situations of life and death but we cut and only provide minimal training to those officers? Why does society look at a police officer's salary and benefits with disdain and look to minimize their value to their communities? Yet with all of these issues, and others, the first option to default to when something goes bad, which is very rarely by the way, is to question the motives and integrity of the officer involved. How do well educated elected officials and others in our community come to these conclusions? I know one thing for sure that if this bill passes as written we will see a huge increase in experienced officers leaving the field and we will be attracting a lot less qualified candidates for this thankless job. We are tired of being vilified by those we serve!

Changes need to be made, there is no doubt about that. Let's make real changes to have positive impacts on our community. President Barack Obama addressed this issue back in 2015 by saying "Too often, law enforcement gets scapegoated for the broader failures of our society and criminal justice system. I know that you do your jobs with distinction no matter the challenges you face. That's part of wearing the badge". Let's stop looking for the easy answer, let's stop the scapegoating and let's start having the honest conversations that can create substantive change for all!

Andrew O'Malley

From: CLAUDE Lapointe <claudelapointe@comcast.net>
Sent: Friday, July 17, 2020 9:20 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

and restrictions on excessive force. These goals are attainable and are needed now.

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

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

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

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

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

Thank you,

Claude Lapointe

13 Bridge St. Millers Falls, Ma 01349

Claudelapointe@comcast.net

From: MB Smith <melissabowersmith@gmail.com>
Sent: Friday, July 17, 2020 9:20 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820: An Act to Save Black Lives by Transforming Public Safety

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Melissa Smith

223 South St.

Hingham, MA 02043

From: Kozak, Kenneth E. <KozakKE@worcesterma.gov>
Sent: Friday, July 17, 2020 9:20 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

To: The Chair of the House Committee on Ways and Means, Representative Aaron Michlewitz

From: Ken Kozak, Worcester Police Officer, 508-799-8674 (extension 28228)

I respectfully request the House of Representatives to reject S2820.

The bill will seriously undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals.

If the senate bill is passed in its current form, the cost to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

Respectfully sent,

P.O. Ken Kozak

From: Paul Dabene <pdabene@gmail.com>
Sent: Friday, July 17, 2020 9:19 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820..

Good Morning,

I write to you today to express my strong opposition to many parts of the recently passed S.2820.

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

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

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

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

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

Thank you,

Paul Dabene Jr.

1 North Bennet Court

Boston, MA 02113

From: sricco58@gmail.com
Sent: Friday, July 17, 2020 9:19 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Good Morning,

My name is Suzanne Ricco with the Greater Boston Interfaith Organization (GBIO). I live at 83 Wellington Hill Street, Boston, MA 02126. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Suzanne E. Ricco

83 Wellington Hill Street

Boston, MA 02126

617-296-5883

Sent from my iPad

From: jgr2 books <jgr2books@gmail.com>

Sent: Friday, July 17, 2020 9:19 AM

To: Testimony HWM Judiciary (HOU); Mark, Paul - Rep. (HOU)

Subject: S 2820 concerns from a loyal constituent - please read!

Rep. Paul W. Mark

Dear Rep. Mark:

I write to you as a constituent and most importantly as a proud mother of two law enforcement officer sons, one serving the Town of Northampton and the other serving the Massachusetts State Police. I did not choose these careers for either son. The boys decided their own life paths, and I have supported their decisions always despite the anxiety and fears those decisions have added to my life. My fears for their safety (and their happiness) have never been more palpable than they are today. I fear

passage of S.2820 will only make things worse for them. Please consider the following as you begin debate in the House.

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

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

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

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

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

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

Thank you.
Joan Pack

31 East Street
Northfield, MA
413-834-3434

From: Sarah Halloran <sarah.marie.halloran@gmail.com>
Sent: Friday, July 17, 2020 9:19 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

Hello,

I'm writing to offer my comments on Bill S.2820. I am thrilled that Massachusetts is taking a leadership position in re-balancing qualified immunity for police and other public employees. I am a municipal employee myself, and firmly believe that amending qualified immunity is one way that we can insure that state/city government works in the best interests of citizens. We need police accountability now-- please continue to prioritize these interests moving forward.

Sincerely,
Sarah

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Sarah Halloran

Macalester College '10

From: Abbe Neumann <neumann.abbe@gmail.com>
Sent: Friday, July 17, 2020 9:18 AM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony Email, Police Reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Abbe Neumann with the Greater Boston Interfaith Organization (GBIO). I live at 15 Ransom Road in Brighton, MA. I am writing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards & Training with certification
- * Civil service access reform
- * Commission on structural racism

- * Clear statutory limits on police use of force
- * Qualified immunity reform

Thank you very much.

Abb? Neumann

Neumann.Abbe@gmail.com

(617) 458-0492

15 Ransom Road, #1

Brighton, MA 02135

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"Being ignorant is not so much a shame, as being unwilling to learn."
---Benjamin Franklin

Please be advised that I do not read or answer emails on Shabbat. I will reply to all emails after Shabbat. Thank you.

From: Grace Govatsos <gracephd@mac.com>
Sent: Friday, July 17, 2020 9:18 AM
To: Testimony HWM Judiciary (HOU)
Subject: House Bill S2800

I am writing to you today to express my strong opposition to S.2800 which was passed by the Senate. I ask that you oppose this bill when it is debated in the House of Representatives. This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities.

S2800 establishes a review committee board with overly broad powers, including the power of subpoena and in active investigations. Review boards typically review a process or an event after it has occurred for the purpose of implementing a change. Reviews should not be conducted during the course of an investigation as that would in all likelihood jeopardize the investigation. Why is this language part of the bill?

The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment right (see Carney v. Springfield) and constitutional protections against double jeopardy. Qualified immunity protections (which are really the hallmark of sound and reasonable protections against frivolous lawsuits) are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability

protections for the police officers we send out to protect our communities and who often deal with the most dangerous of circumstances with little or no backup. Removing qualified immunity protections in this way will open up officers to personal liabilities the likes of which they cannot withstand. Current laws today adequately address any overreach by law enforcement officers.

I am also demanding that this bill be debated in the light of day and not in the cover of darkness. If you have to resort to sneaking a debate and vote in the middle of the night, then I assert it is "prima facie" a bad bill and "prima facie" bad faith on your part as my Representative.

In summary, I ask you set aside, for one moment, your partisan loyalties, then perhaps you will admit to yourself that it is a bad bill and bad policy. Furthermore, how can you or any other Representative reform something of which you know little about. Until and unless you have taken substantive police training, I would again ask that you oppose this bill. Passing a poor bill for the sake of passing a bill is not in the best interest of all citizens of Massachusetts.

For all the reasons stated above, I ask that you oppose this bill.

Sincerely,

Dr Grace Govatsos

44 Old Post Road East Walpole, MA 02032

From: Iueh Soh <iuehsoh@gmail.com>
Sent: Friday, July 17, 2020 9:18 AM
To: Testimony HWM Judiciary (HOU)
Cc: Valerie Bonds; Shayok Chakraborty; Zienab Abdelgany
Subject: GBIO: Valerie Bonds Police ReformTestimony

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Valerie A. Bonds with the Greater Boston Interfaith Organization and Alliance for Cambridge Tenants. I live at 808 Memorial Drive, Cambridge MA 02139. Please find below my public testimony I would like to submit to you.

My neighbors and I love to gather around the stoop of our apartments to chit chat and watch the children play. The day was pleasant. We wondered about the activities planned for the summer.

There seemed to be a raucous with a police officer and a young woman. The next moment police were everywhere. Families were trying to gather their children. I ran to get some of the children away from the scene. Police were grabbing children, teens and adults in the area.

When a police officer questioned me, I asked the police officer for his badge number. Before I knew what was happening I was slammed against the brick wall of the nearest building. My back and shoulder were hurting. I tried to ask the officer what had I done. A young boy came to my side. The police officer threw me to the side, arresting the young boy who simply stood beside me. He just wanted me to let him know I was okay.

I ended up appearing in court. The police officer addressed the court first. I could not believe he did not tell the truth. Guess I was naive at that time. I never knew a police officer would not tell the truth in court

The judge could see my despair and shock. I recess was taken and I was told to dismiss the case because I would be vulnerable. A single mother living alone. Not a wise position to be in especially pointing accusations in the direction of police.

I dropped the charges. I was afraid for my five year old son and I.

I believe in police reform. I believe that public safety must be administered by individuals who are not only certified but licensed as all professionals are required to be. Certification is indicative of the necessary training and skills required to be a police officer. The licensing of police officers requires mandated performance evaluation both must be successfully completed in order for license renewal.

I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Valerie A. Bonds

educatorvanbs@gmail.com

808 Memorial Drive, Cambridge MA 02139.

617-797-3465

From: Nichelle Sadler <nsadler@utecinc.org>

Sent: Friday, July 17, 2020 9:18 AM

To: Testimony HWM Judiciary (HOU)

Subject: Expungement Testimony

7/17/20

Public Testimony on S.2800 to the House Ways and Means and Judiciary
Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair
Garlick,

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

Our criminal justice system is not immune to structural racism and we join
you and all members in the great work needed to set things right. The
unfortunate reality is that people of color are far more likely to be
subjected to stop and frisk and more likely to get arrested for the same
crimes committed by whites. Black youth are three times more likely to get
arrested than their white peers and Black residents are six times more
likely to go to jail in Massachusetts. Other systems where people of color
experience racism are exacerbated, and in many ways legitimized, by the
presence of a criminal record. Criminal records are meant to be a tool for
public safety but they're more often used as a tool to hold communities of
color back from their full economic potential. Expungement can be an
important tool to rectify the documented systemic racism at every point of
a young person's journey through and past our justice system.

We also know that young adults have the highest recidivism rate of any age
group, but that drops as they grow older and mature. The law, however,

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

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

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

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

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

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Nichelle Sadler

--

Nichelle Sadler | Director, UTEC Training Center for Excellence

UTEC | 978-856-3902 Ext: 740 | nsadler@utecinc.org
Programs: 35 Warren St. | Café UTEC: 41 Warren St.
Mailing: 15 Warren St., No. 3, Lowell, MA 01852

Join our enews <[<\[From: Mackin, Kristine <kmackin@city.waltham.ma.us>
Sent: Friday, July 17, 2020 9:18 AM
To: Testimony HWM Judiciary \\(HOU\\)
Cc: Lawn, John - Rep. \\(HOU\\)
Subject: S2820 Bill\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_UTECinc_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=gBU1q9cMUNGFOWzWSYkn-S8fpg04Fm33rOc8nRN11F4&s=ZWuyyavs1KFUm2z1Ky01A8c_UZ5co8CVMW1ZZEcof74&e=>https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_utec-5Finc&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=gBU1q9cMUNGFOWzWSYkn-S8fpg04Fm33rOc8nRN11F4&s=G7s5WjwTooVBrB8mc8UU4Pv_Uhp2nUtADHXvIYYGRB8&e=>https://urldefense.proofpoint.com/v2/url?u=https-3A__www.linkedin.com_company_utecinc&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=gBU1q9cMUNGFOWzWSYkn-S8fpg04Fm33rOc8nRN11F4&s=VcH-0auZVKbNJEgYTqVtee6BIZWlVKBvLP2BuRsvLGw&e=></p></div><div data-bbox=\)](https://urldefense.proofpoint.com/v2/url?u=http-3A__tinyurl.com_UTEC-2DENewsSignup&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=gBU1q9cMUNGFOWzWSYkn-S8fpg04Fm33rOc8nRN11F4&s=2JlRPdDsxoSVDctmfJbZEd3rHa_j0-N_AmS2Xs21c6w&e=>https://urldefense.proofpoint.com/v2/url?u=http-3A__www.utec-2Dlowell.org_donate&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=gBU1q9cMUNGFOWzWSYkn-S8fpg04Fm33rOc8nRN11F4&s=yzfQWx9AruiANe_Dxthic-v6erGz_9v4U97M5UHOW14&e=></p></div><div data-bbox=)

Hello Chairpersons Michlewitz and Cronin,

I am writing as Waltham's Ward 7 City Councillor in support of the S2820 bill, and concur in large part with the previous statement made by the Massachusetts Municipal Association in favor of S2800. It is especially

important that municipalities have the ability to act on misconduct from police departments and that the collective bargaining reforms stay in place in the House version of the bill.

I have two additional requests I would like the House to consider as they work with the current draft of the bill. First, although it was defeated in the Senate, I believe that Amendment 58 should be reconsidered. It is important to remove all chokeholds from police "toolkits," and not attempt to rationalize the reasons a person would forcibly cut off another's person's ability to breathe. Second, the legislation needs to take a stronger position to fully remove qualified immunity in Massachusetts. This legal practice needs to be completely ended in this state, so I ask that you strengthen the bill to ensure officers can be held fully accountable for their actions.

Thank you for your consideration.

Kristine Mackin

Councillor, Ward 7

Waltham, MA

Sent from my iPhone
From: Kaitlin Silva <kaitlintsilva@icloud.com>
Sent: Friday, July 17, 2020 9:17 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony S2800

My name is Kaitlin Silva and I am a resident of Bridgewater but more importantly I am a wife of an officer.

Please accept this testimony against implementing S2800. Not only will the passing of this bill directly impact our officers in blue and their family's it will have a greater impact against all civil servants across the commonwealth.

While I completely agree we should use this opportunity to improve policing procedures hastily passing a bill without public input is not the way. We are at a point in history we will be proud to look back upon.

This bill in its current form will open our officers up unlike any other profession. In light of recent events cities and towns across our nation are experiencing an influx of retirement applications. S2800 will surely lead to more officers retiring and prevent potential new officers from enduring this career path. Our cities and towns will experience a lack of qualified officers who are not covered by their town immunity.

I ask to to open this bill up and make some serious improvements with public input.

Respectfully,
Mrs. Kaitlin Silva, a police officers wife.
508-577-4453

From: Holly Moore <hollycruise129@gmail.com>
Sent: Friday, July 17, 2020 9:17 AM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800 for House of Representatives Period of Open Comment

Representatives Michlewitz and Cronin
Massachusetts House of Representatives
24 Beacon Street
Boston, MA 02133

Dear Chairs Michlewitz and Cronin,

My name is Holly Moore and I live at 28 Ampere Avenue in Ludlow, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard in the Massachusetts House of Representatives tomorrow for consideration.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant (most likely a police officer) before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far-reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Thank you for your time,

Holly (Cruise) Moore

Ludlow, MA

From: Rebekah McPheeters <rrmcpheeters@gmail.com>

Sent: Friday, July 17, 2020 9:16 AM

To: Testimony HWM Judiciary (HOU)

Subject: Public Testimony/Police Reform

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

Hello, my name is Rebekah McPheeters with the Greater Boston Interfaith Organization (GBIO). I live at 93 Rockland Ave in Malden. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Rebekah McPheeters

rrmcpheeters@gmail.com

781-420-5002

93 Rockland Ave, Malden

From: Martina Ryan <martinaryan19@gmail.com>
Sent: Friday, July 17, 2020 9:16 AM
To: Testimony HWM Judiciary (HOU)
Subject: House bill S 2820

> ?I know the house says they have a different bill but looking at your bill it is actually worse than the senates. You will allow police to be personally sued even when they work within the law- the risk of liability is to high for anyone to continue in their job. Currently the immunity a police officer has allows them to only be protected if they work with in the confines of their job and the law. If they work outside the law then they are not immune to the consequences and can be personally liable- so I do not understand what is the difference with the new change in the law? secondly I'd like to know who decides when a police officer works outside the law and who decides if he is immune. As a nurse I would not want a plumber deciding if what I did was within my scope of practice since he has no idea what I do for a living. On the other hand, I would never judge a doctor for malpractice if I didn't understand his practice and his training. Also for both these examples we carry professional liability insurance. There is no liability insurance for a police officer. Here is one example that makes Me scared of this new law. A police officer arrives to a scene of a school bus accident- a fender bender but the bus driver is at fault. There are children on the bus and the police officer asked the bus driver for their license. She refuses. He calls the supervisor and the supervisor comes and asks for the license. The driver continues to refuse. Then she starts to fight the police officers so they place her under

arrest. They needed the license in order to file a report because there was children on board of a school bus. If that was your child would you want to know that the driver of that bus had been in an accident. It was brought to court and the judge threw out the case. The bus driver turned around and sued the police officer the supervisor and the city. This was deemed qualified immunity because they acted within the scope of the law but because the judge throughout the case which happens more frequently than not even in more serious charges she was able to sue and receive monetary damages. if this law goes through that means in this case, the driver could personally sue the officer. Even though they acted within the law, the judge threw out the case so she can sue. Who decides if he is immune? Judges? The DA? The panel of community members who have no law enforcement experience? I am not saying change is not needed. I am licensed and have to do a certain number of accreditation hours every two years. I agree that is important!! I agree that no one should be targeted due to the color of their skin. I agree that there are bad police just as there are bad nurses and doctors and teachers. As a nurse I would not work without insurance and protection from where I work. I still am held accountable if I act outside my practice but that doesn't seem to be the case here. I know you have a different bill than the senate but many good amendments were excluded. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. They also refused the need for education for the senate but require public employees to have that education- is that because elected officials do not need this education?

> Also a part that was taken out of the senate bill is included in yours- it allows any civilian to interfere if an officer that is using too much force. Do you know the consequences of this? Can you imagine how many people will assume anything is forceful and therefore attack the police office like what was done in NYC. The officer was placed in a Choke hold - the same one you deny officers to use if they are being attacked. So it is okay for myself as a civilian to resist arrest and attack the police and what do you think the police will do? Nothing - they are afraid to do anything. I ask again how many of you have risen with a police Officer in the worse areas of our city? How many of you understand their job? I am so afraid that this law will set us back decades in community policing. In Boston 2% of people commit the majority of the crimes. How much worse do you think crime will get when they know the police have their hands tied. Would you pass a law that would hold yourself liable and also risk an attack on yourself and your family. Politicians have no idea what police families have gone through. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. Thank you for your time and consideration.

> Respectfully,

> Martina Ryan

> Sent from my iPhone

From: Nelson Zayas <neljr33@comcast.net>

Sent: Friday, July 17, 2020 9:14 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me

in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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

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

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

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

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

Thank you,

Nelson Zayas Sr.
55 Angelica Drive
Springfield, MA 01129
413-342-1720

Sent from my iPhone

From: Vilma Cataldo <vilmacat@mac.com>

Sent: Friday, July 17, 2020 9:16 AM

To: Testimony HWM Judiciary (HOU)

Subject: Against removing qualified immunity from law enforcement

I am against removing qualified immunity from law enforcement

Vilma Cataldo

280 Boylston Street

Chestnut hill, MA 02467

Vilmacat@mac.com

Sent from my iPhone

From: nhraymond@aol.com

Sent: Friday, July 17, 2020 9:16 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

We are writing this to express our overwhelming concern about Senate bill S2800 (Police Reform Bill) currently in front of the House of Representatives. Between us we have served a total of 58 years with various agencies. Our experiences however do not bear up the publics perception of systemic racism within the ranks of the law enforcement community.

Given the current atmosphere within this country we do understand the legislatures desire to act upon this weighty matter. We need to understand and accept that we are all human beings. As such we will always suffer from weaknesses related to biases we individually develop. Secondly, when we mandate a portion of our society be empowered to "if necessary" use force to enforce the will of its society we will always have these problems. Human Nature!

The current Senate bill S2800 before you was passed in the middle of the night after a marathon session in the Senate. This matter is too important and costly to be pushed through in a haphazard fashion. It logically requires not only a public opportunity to weigh in, but more importantly the opportunity to have experts from all corners of this concerning topic be heard in order to craft effective and useful legislation . To "push" through legislation to leave an appearance of having done "something" does not do justice to any law. Emotional pendulum legislation is far too costly to its society before reaching any effective measure. Do not fall prey to this nonsense.

The most concerning elements of this bill for us involve qualified immunity and the effects it will have on hard working men and women in public safety and public service. When they become more consumed with worry about doing their jobs to avoid civil liability as opposed to in a good faith fashion, we create an environment where officers will be more prone to clean up messes left behind a criminal event than proactively heading off those criminal events. In the end it will disastrously affect the communities they police.

We are likewise concerned about a blanket approach to limiting officers abilities to use less than lethal tools. Thankfully during our tenure as police officers we never had to use lethal force. But we do not want to

see the advances that were made technologically over the years, merely be tossed aside because their use may have had negative effects at some point. Truth be told nothing is perfect, but to have options before resorting to lethal force is always the preferred methodology. One of us was also a K-9 handler for 25 years with one of the agencies we served. To see the possibility of that valued resource be so constrained would be crippling to the effectiveness of law enforcement. Don't put the officers in a position where no action or lethal force are their only perceived options.

We are also exceptionally concerned about any potential failure to insure that officers are properly afforded due process. We have watched the recent hysteria in this nation and the knee jerk reaction on the part of governmental authorities that clearly are acting without affording their officers such. In an appearance of placating the general public. Don't legislate in a fashion that would reinforce that.

Presently our police officers in the Commonwealth are very well educated and the training system has always evolved and will continue to do so. Do not legislate so ineffectively that you make it nearly impossible to either retain or recruit quality police officers. Take the time to get it right, don't act on hysteria! Remember this will have an enormous effect upon our communities!!

Neil and Cynthia Raymond

Retired (Massachusetts State Police), (US Navy Master at Arms)
413-243-0335

From: Merrill Forman <merrillforman@gmail.com>

Sent: Friday, July 17, 2020 9:16 AM

To: Testimony HWM Judiciary (HOU)

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

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

I support this bill because our current system is broken and change/reform is needed to ensure a more just world. I grew up the daughter of a police officer and understand the challenges inherent in this work, but it is time to reexamine our policies and institute systemic changes.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Merrill Forman

17 Kingsboro Park

Jamaica Plain, MA. 02130

March like a Mother: for Black Lives

From: Jaclyn Miller-Barbarow <jaclynmmb@gmail.com>

Sent: Friday, July 17, 2020 9:16 AM

To: Testimony HWM Judiciary (HOU)

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

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

My name is Jaclyn Miller-Barbarow. I am a resident of the Hyde Park neighborhood in Boston and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I support this bill because everyone deserves to be treated like a human being, with full dignity and respect -- even when it's hard, and especially by the police. The problems in our society can't be choked out, and violence will only beget more violence. I would rather the police improve themselves, but if they won't, the legislature has to. This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Jaclyn Miller-Barbarow

63 Hallron St.

Hyde Park, MA 02136

March like a Mother: for Black Lives

From: Louis C Rosa <lourosa@mit.edu>

Sent: Friday, July 17, 2020 9:16 AM

To: Testimony HWM Judiciary (HOU)

Subject: University Police Union Coalition Testimony Not In Favor of
Bill S. 2820

University Police Union Coalition

MIT Police Association, Harvard University Police Association, Boston
College Police Association, Boston University Police Association, Tufts
University Police Association and Northeastern University Police
Association

To the Honorable Members of the Massachusetts House of Representatives:

Police Officers within the University Police Union Coalition provide
public safety services at the six largest Universities in Eastern
Massachusetts. Our Coalition represents over 250 sworn law enforcement
Officers.

We are universally opposed to Massachusetts Senate Bill S. 2820 "police
reform" presently under consideration by the House of Representatives.
The reasons for this opposition is that we see Bill S. 2820 detrimental to
public safety in Higher Education Campus Law Enforcement, as well as all
Law Enforcement in the Commonwealth of Massachusetts.

This Bill lacks transparency for Law Enforcement Officers to have Due
Process and the Right of Appeal. Officers and their families will be
impacted the greatest from this Bill due to a loss of employment and the
degradation of their career path in Law Enforcement.

The measures under consideration are grounded in incidents of abuses in
other parts of our country. As deplorable as those are, there is simply
no body of evidence that compels drastic action at this time in
Massachusetts to eradicate non-existence abuse.

Passage of these measures under consideration are so lacking in due
process for police officers, so destabilizing to job security, and so
likely to leave police officers more vulnerable to violence, injury and
death from lawless elements.

We are urging the Massachusetts House of Representatives to not consider
Bill S. 2820 as it is currently constructed. The elimination of Qualified

Immunity and the lack of transparency in an appeals process needs to be replaced with new language that does offer Qualified Immunity and Due Process with the right of appeal for Officers.

We want to continue to serve our universities and their communities with the fair, compassionate and protective policing that has so consistently characterized our service over time. We urge you take a step back and allow for research, citizen input, debate, and thoughtful deliberation before you take extreme actions that may well have disastrous, unintended consequences.

Thank you,

Joseph S. West.

MIT Police Association

President

(Cell) 617-852-7627

jswest@mit.edu

David Sacco

MIT Police Association

Vice President

(Cell) 617-438-1583

dsacco@mit.edu

Louis Rosa

MIT Police Association

Secretary/Treasurer

(Cell) 617-852-0608

lourosa@mit.edu

Santos Perez

Boston College Police Association

Union Steward Representative

(Cell) 617-828-8151

Santos.perez@bc.edu

Michael Allen

Harvard University Police Association

President

Michael_Allen@hupd.harvard.edu

(Cell) 617-512-4965

Joseph Steverman

Harvard University Police Association

Vice President

Joseph_steverman@hupd.harvard.edu

(Cell) 781-727-0285

Stephen Brown

Tufts University Police Association

Vice President

Stephen.brown@tufts.edu

(Cell) 978-375-4959

Glenn Lindsey

Northeastern University Police Association

Vice President

g.lindsey@northeastern.edu

(Cell) 774-210-0023

?

From: tia tmanchuso <tmanchuso@hotmail.com>
Sent: Friday, July 17, 2020 9:15 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform Bill

Dear Chairs Michlewitz and Cronin,

My name is Tia Manchuso and I live at 51 Assabet Ave in Concord Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard in the Massachusetts House of Representatives tomorrow for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining

whether the doctrine will apply to a public official defendant (most likely a police officer) before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far-reaching implications of this bill. There is no doubt that there are things that

need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Very truly yours,

Tia Manchuso

Tia Manchuso

51 Assabet Ave

Concord, MA, 01742

Respectfully,

Your Local 260 E-Board Members

***Disclaimer:

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

From: Hindy Tucker <hindym@gmail.com>
Sent: Friday, July 17, 2020 9:15 AM
To: Testimony HWM Judiciary (HOU)

Subject: Police reform

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

Hello, my name is Hindy Tucker, with the Greater Boston Interfaith Organization (GBIO). I live at 111 Hammond Road, Belmont, MA. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Hindy Tucker
hindym@gmail.com
111 Hammond Rd, Belmont, MA 02478
617-283-5390
From: Jeremy Thompson <thompson.jeremyb@gmail.com>
Sent: Friday, July 17, 2020 9:15 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass S.2800: Reform, Shift, Build Act

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

My name is Jeremy Thompson. I am a resident of Jamaica Plain. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Jeremy Thompson

19 Kingsboro Park #1

Jamaica Plain MA 02130

From: Chief Loring Barrett Jr. <lbarrett@ashburnham-ma.gov>
Sent: Friday, July 17, 2020 9:15 AM
To: Testimony HWM Judiciary (HOU)
Cc: Zlotnik, Jon - Rep. (HOU); Gobi, Anne (SEN)
Subject: SB2820

Good Morning,

First, let me apologize for responding in an e-mail format, as I am out of the office and it is my only option. But, I felt I needed to respond on such an important issue facing the profession of policing. In May, I completed my 33 years in law enforcement and have been a police chief since 1998. I am a member and have been very active in many police organizations throughout my career and sit on the executive boards for the Central Ma Chiefs Association, the Ma Chiefs Association and the New England Chiefs Association.

Without getting into too much detail, I want to point out a few things:

- * No law enforcement officer that I know supports what happened to George Floyd and we condemn it.
- * I do support good thought out common sense changes to address real issues.
- * I do not feel that all police officers and police agencies should be vilified because of the actions of a few. This is not only unfair to the many great police officers in our state and country, but can and will have negative irreversible consequences to policing in general if passed as written.
- * Many of the suggested changes and additions in SB2820 in theory make sense and can be supported by members in our profession, but there are also areas that bring great concern and need to be amended or removed totally.

Therefore, I fully support the Ma Chief's Association's response to SB2820. I strongly suggest that something so important should not be rushed through this process, just because of pressure to get something done. Careful consideration and input and a common sense thorough process is needed in such an important Bill.

Thank you for taking the time in reading mine and I am sure many responses from law enforcement regarding SB2820.

Loring Barrett Jr.

Chief of Police

Ashburnham Police Department

99 Central Street

Ashburnham, Ma 01430

Tel. 978-827-4110 Fax. 978-827-5703

This e-mail message is confidential and/or privileged. It is to be used by the intended recipient only. Use of the information contained in this e-mail by anyone other than the intended recipient is strictly prohibited. If you have received this message in error, please notify the sender immediately and promptly destroy any record of this e-mail. When responding, please be advised that the Town of Ashburnham and the Secretary of State has determined that this e-mail could be considered a public record.

From: Edna Morse <elmo10188@gmail.com>
Sent: Friday, July 17, 2020 9:15 AM
Cc: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Good Morning:

I am just expressing my concerns over police reform. I agree reform and accountability is needed by all not just our police! There is corruption everywhere and we as a nation need to figure out how to fix.

Please, before you rule on anything take the time to figure out what is best for our city, state and country. We need to stop reacting before we truly figure what is best for all races. Just because some are more vocal and destructive until they get their way isn't a reason to turn against folks that are here to protect our great nation!

No one and/or organization is perfect; we need to built trust within our police department not hatred towards officers.

Thank you,

From: Emily Kibit <emilykibit@gmail.com>
Sent: Friday, July 17, 2020 9:14 AM
To: Testimony HWM Judiciary (HOU)
Subject: STRONG OPPOSITION S.2820

Hello,

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

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

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

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public

employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

Emily Holland
288 Greene Street
North Andover, MA 01845

Sent from my iPhone

Sent from my iPhoneFrom: Pinkham, John (POL)
<john.pinkham@pol.state.ma.us>
Sent: Friday, July 17, 2020 9:14 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820 section 18

Greetings,

I am concerned about many aspects of S.2820, including the composition of oversight committees and qualified immunity, however my main concern is about the possible impact on morale of appointing a Colonel from outside the State Police.

Prior to consolidation in 1992, the State Police had a sworn Colonel and a civilian Commissioner. This is the same model that the Connecticut State Police currently uses. Separating the duties of the Colonel and Superintendent would allow new leadership into the department, while preserving the esprit de corp that comes from knowing everybody that wears the uniform has come from the same roots.

I respectfully request that the language of Section 18 replace the word "Colonel" with "Superintendent," and strike the language about the appointment being as a uniformed member of the Department.

Sincerely,

John D. Pinkham

83G Bear Mountain Dr

Ashfield, MA 01330

413-824-0398

From: Marcia Hams <marciahams@gmail.com>
Sent: Friday, July 17, 2020 9:14 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in favor of police reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Marcia Hams with the Greater Boston Interfaith Organization (GBIO). I live at 95 Clifton St., Cambridge, MA.

We have an opportunity as a community to begin to address the deeply rooted problem of racism in policing that led to the tragic deaths of George Floyd and so many other people of color across the country at the hands of police, as well as the daily fear, arrests and insults that people of color endure as a result of unfair policing policies.

I am white, but I personally know people of color that have been stopped by police constantly while driving to their home in Cambridge, questioned by police while walking in their own Newton neighborhood and in Cambridge, and confronted and questioned by security people in stores in the Berkshires and Harvard Square. To put a stop to these dangerous inequities, the policies of law enforcement must be fundamentally reformed.

I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Marcia Hams

marciahams@gmail.com

617-233-5344

95 Clifton St. , Cambridge, MA 02140

From: Rosalind Joffe <rosalind@cicoach.com>
Sent: Friday, July 17, 2020 9:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass police reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello,

I am Rosalind Joffe with the Greater Boston Interfaith Organization (GBIO). I live at 287 Langlely Rd, Unit 42, Newton . I am writing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards & Training with certification
- * Civil service access reform
- * Commission on structural racism

- * Clear statutory limits on police use of force
- * Qualified immunity reform

Thank you very much.

Rosalind Joffe

Rosalind@ciCoach.com

617 969 5653

287 Langley Road, Unit 42, Newton,MA 02459

From: Brenden F. Greene <bgreene@norwoodma.gov>
Sent: Friday, July 17, 2020 9:14 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform Bill

I am writing to you today as a police officer who is asking for you to take a moment and really think about this bill. Police officers here in Massachusetts are being vilified for the actions of others that we had no part in. The media has stirred up a frenzy amongst the public and is attempting to create a larger divide amongst the public and those of us who have sworn to protect them. Our politicians are currently in the process of extending that gap even further.

I have heard many arguments about the defund the police movement. Politicians say that budget restrictions and cuts havent been implemented yet so they cant be to blame for a rise in violent crimes across the country. While cuts have not been in place yet i want you to imagine this. Imagine working a job where each day the media paints a picture of you being racist, discriminatory, power hungry and abusive. This picture is not based off the whole but based off an extremely small amount of officers, a literal handful. Yet the police continue to answer the call when someone needs help. Even while trying to help others we receive criticism ad abuse both verbal and physical from random strangers and passerby purely because of the uniform we have on. Do you think that would affect your job performance? How about if i told you hey we are going to defend you and eventually put you out of a job? Do you think that makes officers want to perform to their highest standard? Do you think that makes young adults want to get into the field of policing?

These reforms, cuts and the negative narrative being pushed are going to produce less qualified candidates because people do not want to be police officers. Yet whose fault will it be in the future when those officers make mistakes? will it be the politicians who and public that pushed for budget cuts that led to less training and less qualified candidates? No it wont. The public will always continue to expect more from us with less.

Police officers are not perfect. No one is. Everyday officers are forced to make split second decisions and then forced to live with the consequences after people sit back and review their decisions. We do the best we can with what we have. How many times have you been in a life or death situation? How many times have you had to fight with a violent felon who is refusing to comply with commands and starts reaching for some unknown item? The point being is with the committee this bill is requesting, the committee is going to have the ability to dissect an officers split second decision. Except they will be doing it in a nice comfy room all the while they havent had any training or experience in those situations. How does that make sense? In no other field would we expect people with no experience or training to judge those decisions. Imagine if i was reviewing a medical procedure that went wrong? Or a teachers failed school curriculum? Or a lawyer who failed to represent a client correctly? How can someone with no training and experience in law enforcement judge and have the power to revoke their certification?

I plead with you to please sit back and sit about the future. Think about how this bill will not only affect todays law enforcement but the future of law enforcement. You want changes and so does the public. But is this the right way to do it?

Thank you

Brenden Greene
Detective
Norwood Police Department

Work 781-440-5195
Cell 617-640-0362
FAX 781-440-5184
From: Chris Sanderson <csanderson517@gmail.com>
Sent: Friday, July 17, 2020 9:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

To Whom it May Concern,

My name is Chris Sanderson, I am a resident of the Town of Abington. I am married and have 3 children with another due in October. Also I am a police officer. I am always a police officer on and off duty, this isn't something I can put down when I go home from work. I reside in the same town I work. This has its benefits, but also its drawbacks. There are

people who I have had to arrest and seen later with my family. I have never had a negative issue during those circumstances, and you want to know why? I do my job to the best of my ability and treat people with respect.

With the proposal of this bill, I feel like there is a black cloud over my profession. An incident occurred 1500 miles away, it was egregious but its important to know that was an incident where someone made a very poor choice and is being held accountable for his actions. This proposed bill would not change the those circumstances. If an officer commits an act like that Qualified Immunity would not protect him, he made a decision which he has to deal with, there should not be a punishment for police officers because of this. Thousands of police officers have been injured since this started, some have paid the ultimate sacrifice. Having police officers walk on egg shells with this new proposed bill will not only hurt us as a profession but will reduce the quality of life across the state. Police officer want to go home at the end of their shift, not all of us are able to and with this bill we already have to make split second decisions to make sure we get home, now we also will have to worry about financially be held liable if we are acting in the best interests and good faith. The worst part is we will not have the same due process as the criminals we arrest. We will have no way of standing up for ourselves. This bill creates a board of non law enforcement personnel who likely have not been trained in use of force continuum, nor have ever been in the shoes of an officer making a split second decision. I'm sure Michael Chesna wanted to make it home to his family instead he was assaulted and killed by what the media would have classified as an "unarmed" individual who was "only throwing rocks".

This bill will only hurt public safety. I am all for reform, we are public servants here to serve the publics needs. We enforce laws that are placed on the table by legislature. We are the face of the issues we face as a society, its easy to point fingers at police officer because they are out there day in and day out within communities trying to make them a better place. Reform can be had but not with this proposed bill. Massachusetts is far and away more trained than other states, and has made many advancements in the way we are trained when on the job. I appreciate the hard work done to write this bill, but there needs to be more research done, look at the numbers out there and then look at what we are doing day in and day out. This should not be a knee jerk reaction to something that happened 1500 miles away. Take your time and get this RIGHT.

Thank you for taking the time to read this.

Respectfully,

Chris Sanderson
From: Beth <pokaski@comcast.net>
Sent: Friday, July 17, 2020 9:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Good morning, I am writing today to express my disappointment with what occurred regarding the police reform bill. No public hearings? Passed in the middle of the night? I'm concerned about the consequences of this bill. I think passing it, as is, is a knee jerk reaction. If you didn't rush this through and you actually spoke to the people you represent, I think they would share some of the same reservations that I have with the bill. Everyone I talk to supports the police, but I suppose they aren't being loud enough to be paid attention to. Please, Support the Police!!!!!!!

Beth Leary
Registered Voter
100 Myrtlebank Avenue
Dorchester MA 02124
617-438-5085

Sent from my iPhone
From: Lori Berry <loriabramsberry@gmail.com>
Sent: Friday, July 17, 2020 9:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

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

Hello, my name is Lori Berry, with the Greater Boston Interfaith Organization (GBIO). I live at 201 Freeman Street in Brookline. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Lori Berry
Loriabramsberry@gmail.com
From: Kathleen Fox <kathfox@verizon.net>
Sent: Friday, July 17, 2020 9:12 AM
To: Testimony HWM Judiciary (HOU)
Cc: Dooley, Shawn - Rep. (HOU)

Subject: S2800

My now deceased older brother was a police sergeant with some of his years being spent as a court officer. I have a nephew who is a policeman, and a great nephew and a friend who are state policemen. A grandson schooled in criminal justice but did not follow his dream because his wife did not want to live with not knowing whether or not he would return from work each day. I've heard the stories of what actually goes on, not what the media portrays. Our law enforcement people need support, not more restrictions placed on them. My granddaughter is an EMT. Recently she was called by a mother to transport to the hospital an adult son who had not taken his psych medicines. He was a strong, angry person. When the EMT's arrived, the person was in the middle of the street yelling at and chest bumping a policeman. People were on both sides of the street and on apartment balconies with their cameras out videotaping what was going on. Spectators were yelling, telling policemen what they should or shouldn't do. How many of us would like to be working under those conditions? I thank God for those who are willing to put their lives on the line every single day to care for us and protect us. They are good people. I do not want them to retire early, switch to alternate careers, or simply look the other way because enforcing the law will mean putting their livelihood in jeopardy. I beg you not to pass S2800.

Kathleen Fox
61 Boardman Street
Norfolk

Sent from my iPhone

From: Christopher Panarello <chrispan@charter.net>
Sent: Friday, July 17, 2020 9:12 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

Hi my name is Christopher Panarello and I am a 25 year veteran of the Worcester police department. I am writing to you to express my serious concern for the recently passed senate police reform bill. There are numerous issues that I as a police officer and union member have with the bill. It is anti labor legislation. It removes our rights to due process, collective bargaining & inserts a board that has no training, experience or background in law enforcement to review police actions. This bill will in turn hurt all union members across the commonwealth, if police aren't protected what's to stop others from stripping teachers, firefighters or any other union member of lawfully negotiated rights? I feel this bill is political pandering by many to score points at the expense of the easy target - police officers. No one is saying George Floyd's death was not abhorrent but that was in Minnesota. Massachusetts has the most well trained police officers in the country, and if people behind this legislation took the time to do a little research they would realize that. Massachusetts police aren't killing people in the streets, it's a lie. The only thing this will do is make it harder to find good people to do this

job. And in the end the people who really need the us aren't going to have them and that's the real shame

Chris Panarello

Sent from my iPhone

From: Peter Sherber <peter.sherber@verizon.net>

Sent: Friday, July 17, 2020 9:11 AM

To: Testimony HWM Judiciary (HOU)

Subject: Please Support the Police

My family, friends, neighbors and I support our police and are appalled that police officers are currently being vilified and scapegoated. The vocal few don't accurately represent the overwhelming majority of your constituents who love America and support our police.

Taking away police officers' basic legal and job protections like qualified immunity and due process rights will only make our communities less safe, cause crime to increase and sink property values.

Police officers cannot effectively do their jobs if they're at risk of being sued or fired for every difficult decision they have to make.

It has also come to my attention that the senate's language on qualified immunity could adversely impact teachers, nurses, corrections and firefighters. This is unacceptable.

Finally, the proposed police officer standards and accreditation committee needs more rank-and-file police officers included on the panel. Rank-and-file police officers better understand the perspective of the reasonable officer on the scene better than someone with zero law enforcement experience or a political appointee beholden to public pressure.

Please stand with our police officers and the overwhelming majority of your constituents who support our police and vote.

Thank you for taking my testimony.

Sincerely,

Peter C. Sherber

Nahant, MA 01908 <x-apple-data-detectors://0/1>

Sent from my iPhone

From: Ethlyn Davis Fuller <2014ethlyn@gmail.com>

Sent: Friday, July 17, 2020 9:11 AM
To: Testimony HWM Judiciary (HOU)
Subject: Strong Police Reform

Hello, my name is Ethlyn Davis Fuller with the Greater Boston Interfaith Organization (GBIO). I live at 8 Auburn Court in Brookline, Mass 02446.

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

Thank you very much

Name Ethlyn Davis Fuller

Email address 2014ethlyn@gmail.com

Phone 617-739-5939

Voting Address 8 Auburn Court #1 Brookline, Ma. 02446

Precinct seven

From: rterriol@verizon.net

Sent: Friday, July 17, 2020 9:10 AM

To: Testimony HWM Judiciary (HOU)

Cc: Campbell, Linda D. - Rep. (HOU)

Subject: Police Reform Bill

Hello,

As a teacher, now retired, I was required to certify every five years by accumulating course and/or workshop credits, this would be a good idea, including physical requirements, for police officers to remain current in their respective fields.

As far as making police liable for "excessive force" I believe that this may hamper men and women of the police department from making the correct judgements on how to handle an unruly suspect. Their own safety may be in jeopardy if the thought of litigation would affect their judgements.

Thank you for taking these ideas into consideration.

Robert Theriault

46 Hidden Rd.

Methuen, Ma.

From: Steve Seermon <steve.seermon@gmail.com>

Sent: Friday, July 17, 2020 9:10 AM

To: Testimony HWM Judiciary (HOU)

Subject: SB 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Steven Seermon and I live at 49 Dean St. Mansfield, MA. I work at MCI-Cedar Junction and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System

went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,
Steven Seermon

Sent from my iPhone From: Brian Henault <brianh@admin.umass.edu>
Sent: Friday, July 17, 2020 9:10 AM
To: Testimony HWM Judiciary (HOU)
Subject: Objection to S.2820

Representatives Michlewitz and Cronin, Committee Chairs

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Representatives Michlewitz and Cronin,

My name is Brian Henault, and my residence is at 37 Chartier Drive in Belchertown, Massachusetts. I am currently a Lieutenant with the University of Massachusetts/Amherst Police Department and have been employed as a police officer by that agency for the last twenty-five years.

I am writing to express my opposition to Senate bill S.2800, now S.2820. While the bill, in my opinion, does contain changes that I see as valuable - an overhaul of the training practices across the state, and a more professional and stringent certification/licensing process among them - it also contains changes, specifically to the practice of qualified immunity, that I see as extremely limiting and potentially even dangerous to police officers.

Currently, police officers, along with all public officials, cannot be held individually liable for actions taken in good faith that they reasonably see as lawful at the time. Eroding qualified immunity would put officers in a position where, while they are making split-second decisions under often trying and hazardous conditions, they would also possibly be factoring in the impact of potential litigation as a result of their actions. Will officers even want to take action on many occasions, knowing that an unscrupulous subject who may have an equally unscrupulous attorney will try to take from them their houses, their property, the assets that their families depend on? The hesitation that these issues create can easily result in officer injury or death, or the same to those whom they are trying to protect.

I would urge you to consider that rather than exposing our officers to what will likely be a barrage of frivolous lawsuits due to the erosion of qualified immunity, we use the other ideas in this bill as the impetus behind meaningful change in the training and deployment of our officers. Use the establishment of a POST system as the starting point of a hard look at how our officers are being trained, and dedicate appropriate resources to ensuring that the training of the officers reflects the expectations of our citizens.

The current actions and practices of police officers in Massachusetts are those that have been trained and developed over the years under the watch

of our Governors, Senators, Representatives, Mayors, and City/Town Councils. If those practices are now deemed unsatisfactory, then we all need to work together to train and develop a new paradigm. That will take time and effort, and it is a worthwhile effort in the long-term. However, S.2820 seems designed to simply pacify loud voices in the short term.

I spend each shift with hard-working, thoughtful co-workers who have worked to develop successful relationships within our community, and I know that the vast majority of police officers in this state are doing the same within their communities. Reform, that provides us with better tools and ideas to improve, is always welcome. Reform, that negatively impacts those same hard-working officers, especially being carried out in this rushed fashion, can only result in deeper problems down the road.

I thank you for your time and consideration in this matter.

Respectfully,

Brian Henault

Lt Brian Henault ID#111

University of Massachusetts at Amherst Police Department

585 East Pleasant St, Amherst MA 01003

Office: (413) 545-8095

From: dnoll@bostonproductions.com
Sent: Friday, July 17, 2020 9:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Immunity

Rep. Michlewitz and Rep Claire Cronin,

Please do not limit the qualified immunity provision for our Law enforcement officers. This is a ridiculous overreach and will lead to many police officers retiring as they are doing in droves in New York. There will be fewer men and women that are willing to join the police force and

the public will not have the level of protection we are entitled to. WE pay taxes to the state to ensure our safety and that is a key responsibility of the state. PLEASE do not turn us into New York! Your constituents fully support the police and as the senate passed this bill in the middle of the night with no public input is shameful.

I also believe that limiting school police officers I believe is a mistake. Many DARE officers have contributed immensely to reducing drug abuse and addiction among our students. This is just another move to insinuate that "police are bad and we don't want our students to interact with them." It will only be a matter of time before they are pushed out of our schools permanently. This is NOT good policy. Law enforcement connecting with our children early on and building trust and good relationships with law enforcement has been proven successful!

I am also dismayed that three of our senators voted "present." Do your jobs and take a stand.

Deb Noll

--

boston productions inc. | 290 vanderbilt avenue, suite 1 | norwood ma 02062
www.bostonproductions.com
<www.facebook.com/imaginewhatwedo
<From: Corinne Riley <corinneriles@yahoo.com>
Sent: Friday, July 17, 2020 9:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Please take time to review all that hastily got voted on the Police Reform Bill in the Senate. Knee jerk reactions are never the answer. Please do the right thing, especially public input on this matter to hear from those ot effects the most.

Thank you,
Corinne Riley
Saugus, MA

Sent from Yahoo Mail on Android

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From: Tim Landers <landerstnkb@yahoo.com>
Sent: Friday, July 17, 2020 9:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Senate Bill S.2800</p></div><div data-bbox=)

Representatives Michlewitz and Cronin
Massachusetts House of Representatives

24 Beacon Street <x-apple-data-detectors://2>

Boston, MA 02133 <x-apple-data-detectors://3>

Dear Chairs Michlewitz and Cronin,

My name is Timothy Landers and I live at 105 Summer St. in Maynard
Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800,
which was passed in the Massachusetts Senate this week and is being heard
in the Massachusetts House of Representatives tomorrow for consideration.

My oppositions to this bill are very simple and straight-
forward. First, this bill will change the current legal standard of the
Qualified Immunity doctrine in Massachusetts state courts. The present
standard allows the courts to consider past precedent and established
legal authority, and the information the public official possessed at the
time of their alleged illegal action when determining whether the doctrine
will apply to a public official defendant (most likely a police officer)
before a case can go forward.

S.2800 would change the established legal standard to only
allow the court to consider what every reasonable defendant would have
understood as being illegal at the time of their alleged illegal action
before allowing the case to go forward. This shift in legal doctrine would
completely ignore the bedrock legal doctrine of stare decisis and legal
precedent, and prohibit courts from benefiting from past decisions, both
mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far-reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Very truly yours,

Timothy R. Landers

105 Summer St.

Maynard, MA 01754

Sent from my iPhone

From: David bolvin <dbolvin7@gmail.com>
Sent: Friday, July 17, 2020 9:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: testimony

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

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

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

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

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

teachers, experts in law enforcement should oversee practitioners in law enforcement.

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

Thank you,

David Bolvin / 324 Mendon Rd. North Attleboro, Ma 02760 / dbolvin7@gmail.com

From: Michael Wilson <mwilson8936@gmail.com>
Sent: Friday, July 17, 2020 9:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Michael Wilson and I live at 14 Swan Pond Road in North Reading, MA 01864. I work at the Wilmington Police Department and am a Patrolman. As a constituent, I write to express my opposition to House Bill 2820/Senate Bill 2800. This legislation is detrimental to police and correction officers who work hard every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

???: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. An oversight committee with the power to certify, decertify, and make requirements on the law enforcement profession which is made up of not a single law enforcement officer? There is not another profession in this state which has its oversight done by those who are not in the profession. This would be like

having an oversight committee for dentists made up entirely of cops. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

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

Another really concerning part about this bill is the broad and far reaching language which it has. The bill was so hastily put together that its language in regards to collective bargaining and qualified immunity applies to all public sector employees. All public labor unions in the Commonwealth lose their effectiveness. Firefighters, DPW workers, and even Teachers are now on the hook personally if someone does not like the job they have done.

The Massachusetts Senate passed this bill in order to say that they are doing something, and in doing so insulted every citizen of this Commonwealth. This bill was not passed by means of a fair and democratic process. Instead it was a pathetic attempt to pander to vocal special interest groups which do not understand the intricacies involved in law enforcement. Why did they not have an open dialogue with members from the community and law enforcement? There is nothing that we as police would like more than to be able to communicate with our community members in a constructive and respectful way in order to provide a public service that is fair, just and safe for everyone involved. Senate Bill s2800 is not the means to have those conversations.

I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Michael Wilson
Patrolman #209
Wilmington Police Department
From: James and Judith Kimble <jkimble1020@gmail.com>
Sent: Friday, July 17, 2020 9:09 AM
To: Testimony HWM Judiciary (HOU)

Qualifying immunity means the public servant must qualify for exemption. They followed the rules and laws and qualify for this exemption. To take this away puts all of us at risk as police, fire, and emt will second guess themselves. Please do not leave this in the bill. Everyone's life depends on it. I am a teacher how will this affect us as well as a public

employee. We need the state support to help us do our jobs. Reform is important but please leave out qualify immunity.

Judith Kimble

From: Erin LeBlanc <erinosh2010@gmail.com>

Sent: Friday, July 17, 2020 9:08 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reform Bill s2800

I strongly disagree with the Police reform bill s2800. In my opinion, we can have a bill that includes productive reform without inducing negative effects to the Law Enforcement industry, Officers, their families and the community as a whole. Please vote "no" on this bill as it is written. Please rather, include discussion and input from the law enforcement community. Please remove adjustments to Qualified Immunity. Please include representation from all pertinent parties on any committee who would be charged for the review/over site of police involved cases.

We need to work together on enrichment. As this bill stands, it will destroy the law enforcement community. Like it or not, law and order is necessary in our free society. None of which will be accomplished with a mass exodus of Police officers retiring early and few prospects signing on to the positions in the future.

Please vote down Bill s2800. Let's come back to the table with enriching reform that is productive for everyone!

We can do better,

Erin LeBlanc

Independent Voter

erinosh2010@gmail.com

Sent from my iPhoneFrom: Piney Kesting <pineykesting@gmail.com>

Sent: Friday, July 17, 2020 9:08 AM

To: Testimony HWM Judiciary (HOU)

Subject: re: moving juvenile offenders

To whom it may concern I am

Writing in support of moving juvenile

Offenders out of the adult prison system.

Sincerely,

Piney Kesting

Sent from my iPhone

From: Janson, Paul <paul.janson@sturbridgepd.com>

Sent: Friday, July 17, 2020 8:58 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reform on police standards

Whom this may concern,

I want to start out by saying that no one disagrees with police corruption more than good police officers. The public questions police every time one bad apple is spotlighted on the news. The news hardly ever spotlights the great things police do every day. The men and women I work with are good people who only want what is fair and just. Actions taken by us are only to keep ALL people safe no matter their race, gender or financial circumstances. I have participated and witnessed officers going above the call of duty to help those in need who are either victims or suspects of a crime.

Bill No. 2800 would not only undermine what it stands for but will cause more crime to spread. Singling out one or two races is not fair. Police officers such as myself will no longer be as proactive in helping people due to fear of being personally liable. Criminals will look at this bill as a way to exploit our system and our citizens will suffer. I urge you to look at other ways to help those who are discriminated against such as community members partnering with police. I urge you to allow for studies of the negative effects of this proposed bill before innocent lives are destroyed.

--

Respectfully,

Paul Janson

Patrolman, #351
Sturbridge Police Department
346 Main Street Sturbridge, Massachusetts 01566

(508) 347-2525 ext. 371
(508) 347-7904 fax
From: Donald Young <donald4young@gmail.com>
Sent: Friday, July 17, 2020 9:08 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

Hello, I am writing in support of Bill S.2820 recently passed by the MA state senate.

I emphatically support the requirements for training in de-escalation alternatives to the use of force for police encounters with individuals and large groups, as listed in Section 4 of the bill, as well as the accountability measures in Sections 6.

However the most important component of this bill is the limitations on qualified immunity in Section 10. Well-meaning committees and training become meaningless if the public has no effective, timely remedy for police misconduct. Qualified immunity serves to perpetuate harmful misconduct and endangers our citizens.

Police are entitled to job security and good working conditions. But they MUST be held accountable when they break the law and do violence to our neighbors.

Thank you,
Donald Young
Charlemont

From: Barrie Desrochers <bjdesrochers@gmail.com>
Sent: Friday, July 17, 2020 9:08 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 opposition

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

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

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

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

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

oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

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

Barrie Desrochers

435 Pleasant St.

Bridgewater MA 02324

From: nicole desrochers <nmd6584@gmail.com>
Sent: Friday, July 17, 2020 9:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

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

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employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

Thank you,

Nicole Bolvin / 324 Mendon Rd. North Attleboro, Ma 02760 /
nmd6584@gmail.com

From: Jessica <jcapotosto920@gmail.com>
Sent: Friday, July 17, 2020 9:07 AM
To: Testimony HWM Judiciary (HOU)

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

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immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

Thank you,

Jessica Crowley
18 landmark drive
Methuen, MA 01844
Jcapotosto920@gmail.com

Sent from my iPhoneFrom: Nick Congelosi <ncongelosi@hubspot.com>
Sent: Friday, July 17, 2020 9:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Supporting Testimony

Please accept this testimony for S.2820 in SUPPORT of an expansion to the 2018 youth expungement law. This letter is co-signed by 90 youth organizations, unions, business groups, and gun violence prevention advocates across Massachusetts.

Thank you for considering this issue within the scope of a police standards and accountability bill. It will also help so many who are struggling with unemployment during the COVID-19 crisis to find renewed hope and new opportunities.

--

Nick Congelosi

Manager, Management & Leadership Development
HubSpot
ncongelosi@hubspot.com
508.284.0367

From: Lenny <lmarkowitz@yahoo.com>

Sent: Friday, July 17, 2020 9:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform legislation

Hello, my name is Leonard Markowitz with the Greater Boston Interfaith Organization (GBIO). I live at 45 Nikisch Ave, Roslindale . I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Leonard Markowitz

lmarkowitz@yahoo.com

617-325-6322

45 Nikisch Ave, Roslindale Ma. 02131

Sincerely

Leonard Markowitz
From: Sophia Rossicone <srossico@gmail.com>
Sent: Friday, July 17, 2020 9:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: S 2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,
My name is Sophia Rossicone and I live at 17 Magnolia Terrace. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.
Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Sophia Rossicone

From: Comcast <candklapointe@comcast.net>

Sent: Friday, July 17, 2020 9:06 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

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

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

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

Thank you,

Christopher M. Lapointe

147 West Gill Rd, Gill MA

Candklapointe@comcast.net

From: JAMES OLIVEIRA <jolive3281@verizon.net>
Sent: Friday, July 17, 2020 9:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2800

Being a second generation police officer my family has seen many changes in policing over the years. Although we know that it will continue to change it is unheard of that the voices of these officers were not heard by the Senate. This bill directly affects our job our family and the career we chose to pursue. The house needs to hold public hearings and receive input from the people that this bill directly affects failure to do so would be a total injustice to the men and women of law-enforcement the fire department teachers any public servant. If these public hearings are not held then our only choice is to voice our opinion at the ballot box and this will not be forgotten. Thank you for your time and consideration in this matter back the blue red and the teachers.

Sent from Yahoo Mail for iPhone
<https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMcaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=J0RH0jN3ylFf2T54I0PzzjmR712y-gQ5RtSOetli70U&s=gPvRvYJOFJzAVtrl-rDDOs3NHK708Lalwj4J1ABSlic&e=>>

From: Shaw, Michael <ShawM@websterpolice.com>
Sent: Friday, July 17, 2020 9:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Written Testimony

Please not that I support the Massachusetts Chiefs of Police Position.

Chief Michael Shaw
Webster Police Department
Unit Control Chief/CEMLEC SWAT
357 Main Street
Webster, MA 01570

508-943-1212 ext 1216
Fax 508-943-7979

Confidentiality Note

This email is covered by the Electronic Communications Privacy Act, 18 U. S. C. §§ 2510-2521 and is legally privileged. This electronic message transmission, which includes any files transmitted with it, may contain confidential or privileged information and is only intended for the individual or entity named above. If you are not the intended recipient of this email, please be aware that you have received this email in error and any disclosure, copying, distribution or use of the contents of this information is strictly prohibited. If you have received this email in error, please immediately purge it and all attachments and notify me immediately by electronic mail.

From: Catherine Lemay <catherine.lemay@icloud.com>
Sent: Friday, July 17, 2020 8:41 AM
To: Testimony HWM Judiciary (HOU); Blais, Natalie - Rep. (HOU)
Subject: S. 2820

Dear Representative Blais and Representative Michlewitz,

I am a resident of Ashfield. I have been following Bill S. 2800 closely and feel the following issues must be addressed.

Our Senate has failed the citizens of this state by filing this bill and trying to push it through legislation without sufficient discussion or analysis. This bill proposes big changes and it is wrong to rush these changes through in the name of making Massachusetts a pioneer in racial equality. That is not fair to anyone in this state and is not how a proper democracy functions. Being a pioneer in bad legislation may be more damaging than no new legislation at all.

Suggesting to change Qualified Immunity for police officers warrants more time and consideration than it is currently being given. Massachusetts has not had any of the incidents that have sparked outrage against the police in the news. We have good police officers who do hard work everyday and they deserve better than to become the example and be made so over the course of two weeks. The police officers and citizens of this state deserve more than a hasty bill pushed through before the end of the legislative session. Please consider tabling the issue of Qualified Immunity until further research can be conducted.

Any decisions that the Police Officer Standards and Accreditation Committee (POSAC) makes should be made by a 2/3 majority.

I continue to object to Section 223 (d) as the document does not make clear if this "searchable database" will include the officer's name (as opposed to 223 (e) which states it will "identify each officer by a confidential and anonymous number"). As you should be aware, in the small

towns in which we live, everyone already knows where the police officers and Troopers live. If you are to include names, it will not matter whether you include an address or not, for the officer's address will be known. In the current, tumultuous climate (June 26, 2020 "Kill A Cop Day"), this information would certainly be used for harassment purposes. To leave officers and their families vulnerable to attacks and retaliation is reckless.

I object to Section 24, 10A. In order to have more competent police officers who make the right decisions in difficult situations, one would want to attract the most intellectual candidates. Reading the laws set forth in this bill, it appears that the cadets would have to meet the same academic requirements as an academy provides, while circumventing any stress conditioning. If this is true, you will end up with officers less likely to make the right decisions under stress. If the goal of this bill is to create a police force that responds to pressure rationally, using de-escalation techniques, you will not get this by lessening training or bypassing stress conditioning! By matriculating less psychologically resilient candidates, you will have ended up undermining your own bill! If you want qualified and intelligent police, what you should be requiring is a college degree and a difficult academy.

Chapter 147A, Section 2 (e). In recent memory, there have been numerous instances where a vehicle was used as the sole weapon of attack on people, both nationally and globally. "Use of the vehicle itself" should constitute imminent harm. That line should be stricken from the bill.

Chapter 147A, Section 2 (f). I restate my previous suggestion that when the POSAC makes their decision "as to whether the de-escalation efforts taken in advance of the event and at the time of the event were adequate and whether the use of or order to use tear gas or other chemical weapons, rubber pellets or dog was justified.", they sustain or deny based on a 2/3 majority. Furthermore, perhaps it would be more logical to have a representative from the POSAC on scene at these incidents so they can determine whether the use of tear gas, etc., is justified, therefore avoiding any violation of rights. Without police body camera footage, a true understanding of the events would be difficult.

SECTION 64 (e). Body cameras should be made available to police officers as soon as possible. With the implementation of any of the laws in Bill S. 2820, body cameras should be made available to those requesting them for our citizens' and officers' personal safety and as assurance of lawfulness and truth. 2022 is a long time to wait. Why there is a task force assigned to study body cameras, but not to study changing qualified immunity does not make sense.

Thank you for your time and consideration.

Sincerely,
Catherine Lemay
605 Old Stage Road
Ashfield, MA 01330

From: Linda Storch <lindajstorch@aol.com>
Sent: Friday, July 17, 2020 9:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

I am writing in my opposition to Bill S2820. It will strip the rights of first responders, nurses and teachers. It will become impossible for them to do their jobs. This puts their lives and lives of others in danger. First responders, nurses and teachers will quit, retire and recruiting of first responders will be very difficult. I don't blame them why would anyone want to risk their lives when they are treated with such disrespect. Furthermore, judges and elected officials should also not benefit from absolute immunity. They need to be held responsible for their actions and decisions which are paving the way to a lawless society. No more paid security details by the taxpayers.

Linda Storch
Quincy

Sent from my iPhone
From: Ryan McCarthy <rmccarthy@mtwyouth.org>
Sent: Friday, July 17, 2020 9:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please Support Raise the Age/ Youth Expungement

To the Honorable Chairman Aaron Michlewitz, Chair Claire Cronin, Vice Chair Denise Garlick, Vice Chair Michael Day, and committee members:

Please accept this testimony for S.2820 in SUPPORT of an expansion to the 2018 youth expungement law. This letter is co-signed by 90 youth organizations, unions, business groups, and gun violence prevention advocates across Massachusetts.

I work for More Than Words with young people working for a second chance. Too many of them are hindered in their job search process by previous charges they have as minors. Please support the expansion of the youth expungement law.

Thank you for considering this issue within the scope of a police standards and accountability bill. It will also help so many who are struggling with unemployment during the COVID-19 crisis to find renewed hope and new opportunities.

Please reach out to us with any questions.

Sincerely,
Ryan McCarthy

--

Ryan McCarthy

More Than Words

Associate Director of Career Services

242 E Berkeley St.

Boston, MA 02118

Phone- 617-674-5554

Fax - 781-788-0037

More Than Words empowers system-involved youth to take charge of their lives by taking charge of a business.

Description: Description: Facebook

<[From: Shaun Collins <\[sfcollins11@gmail.com\]\(mailto:sfcollins11@gmail.com\)>
Sent: Friday, July 17, 2020 9:05 AM
To: Testimony HWM Judiciary \(HOU\)
Subject: Reform Shift and Build Act Support](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.instagram.com_mtwbooks_-3Fhl-3Den&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=7WapFUXMqcb1Kb5RzHW5eWG81L4JrkRVh-UTHpSvzXk&s=9V7WLV-B8WS38rx-PubMsk4zVxz8LJ5HqwOBmB324sQ&e=></p></div><div data-bbox=)

Hello,

I am a resident of Roxbury Crossing, MA and I unequivocally support the Reform, Shift + Build Act (S.2800).

Massachusetts has always been on the forefront of states passing legislation to support the people that live here and we've never shied

away from decisions that seemed radical at the time. I have always been proud of - and bragged about - MA being the first state to legalize gay marriage, and I hope to see us continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow. It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,

Shaun

From: Nicholas Latino <nicholas.latino@yahoo.com>
Sent: Friday, July 17, 2020 9:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: police reform bill

Good morning,

I'm going to make this short.

As a good hard working police officer I am so upset and taken back by this process. The men and women police officers of this state did nothing to deserve this. You are villifying a whole profession based on what one person did half a country away.

Now our lives will be in jeopardy because of what the senate and you are about to pass. What don't you understand about qualified immunity? It does not protect bad cops. They can still get sued. What it does is protect good cops acting in good faith doing the right thing. It protects them from frivolous lawsuits that tie up their whole livelihood.

I strongly ask you to reconsider this bill. Please don't pass it.

Work needs to be done, absolutely. Why rush? Take your time and get it done properly. So what if it goes into next legislative session? It will pass then. This is rushed. Beyond rushed. Get a bill to the governors desk by the 20th? 3 days of debate? This is unheard of.

Please, for the sake of my family, my children, the community I serve, stop this bill in its place, take your time and re do it.

This is not right

Respectively,

A concerned police officer.

Sent from Yahoo Mail on Android

<[This bill is one of the worst written bills I have ever seen. I am so incredible disappointed in the state senate for passing such a dangerous bill. It truly puts the lives of police officers and the public in danger. What has this world come to. I urge you to do the right thing and defeat this bill.](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=pK07rX_FRpXQojYGz2RvG0GgWPTFmCOrqV97sn_zfjw&s=1IMtmLQ0St1MGhi51Za7c_kiq1x9yu9vds_vhOrnvM8&e=>>
From: Michael Delaney <michaell_delaney@yahoo.com>
Sent: Friday, July 17, 2020 9:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill</p></div><div data-bbox=)

Michael Delaney

Sent from my iPhone

From: Mariann Dube <mariann.dube71@gmail.com>
Sent: Friday, July 17, 2020 9:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: S 2820

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

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

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

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified

Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

Thank you,

Mariann Dube

3 South St

Maynard, MA 01754

From: Katharine Esty <katharine.esty@gmail.com>
Sent: Friday, July 17, 2020 9:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: bill

Subject line: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure

agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

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

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

katharine esty, PhD

Newbury Court

Concord MA

9783695635From: chachi2257 <chachi2257@gmail.com>

Sent: Friday, July 17, 2020 9:04 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

Good morning

I am writing you today asking you to please not vote for this bill.

This will only put our officers lives and lives of our citizens in more danger, as the bill is written it will also allow an officer to be sued personally for anything and everything.

There are over 800,000 officers in this country who proudly serve everyday to keep us safe, yet they are being judged on the actions of a few.

Not long ago they were being hailed as heroes for being on the front lines and now because of the radicals who have waged war on them, they are left to fend for themselves.

These men and women have taken on this job in spite of the dangers they face everyday with every call, still they do it to make a difference and to be the line between harm and every citizen.

For all they have done for us we can not now turn our backs on them and put them in more danger from the very people who should be backing them when they need it.

Those who think they know what these officers face daily should go on a ride along some Friday or Saturday night, maybe they will understand.

Families watch their loved ones leaving for their shift and pray they come home safe and now they have to worry about their future and the future of every good citizen.

I am respectfully asking you to stand up and do the right thing.

Respectfully
Diane Bourisk

Sent from my Verizon, Samsung Galaxy smartphone

From: josh Winters <joshuadwinters@gmail.com>
Sent: Friday, July 17, 2020 9:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please Amend S.2820

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

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

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

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

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

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

Thank you,

Joshua Winters

8 Karen Dr Sterling, MA 01564

Joshuadwinters@gmail.com

From: Heavey, Daniel G. <HeaveyD@worcesterma.gov>
Sent: Friday, July 17, 2020 9:03 AM
To: Testimony HWM Judiciary (HOU)
Cc: Ferguson, Kimberly - Rep. (HOU)
Subject: Police Reform Bill S2820

House Committees,

Good Morning, My name is Daniel Heavey 508-826-7007. I work for the Worcester Police Department and have been a police officer for seven years.

I am writing to give my written testimony on the Police Reform Bill S2820. I first want to thank you for having a public hearing through written testimony. To me, policing is the greatest profession there is. The profession is extremely difficult and stressful but very rewarding and I couldn't imagine myself doing anything else, until now. What took place the last couple weeks in the senate along with the bill that was voted on has me stating to consider switching professions. For me to even write this is extremely difficult because I love what I do and see the positive impact the Worcester Police Department has on the City.

The Senate Bill that was passed is anti labor legislation, it removes our right to due process, collective bargaining and inserts a board that has no training, experience or background in law enforcement. We need the amendments that were filed in the senate bill to be adopted.

1. Qualified immunity
2. Due process/collective bargaining
3. Make up the POSAC board

Look what is already happening across the country. We are seeing the number of qualified applicants down, large number of veteran officers seeking early retirement that are needed as role models and mentors for young officers as well as smart well educated officers leaving the profession for other jobs. It concerns me what departments will look like in the future.

Like every profession we to need to strive to always do better and we are welcome to improving our policing methods but this is not the ways to do it. So I please ask that you adopt the above listed amendments.

Respectfully submitted,
Daniel Heavey

Sent from my iPhoneFrom: Elvis Nguyen <elvis.nguyen001@gmail.com>
Sent: Friday, July 17, 2020 9:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Whomever it might concern,

My name is Elvis Nguyen and I'm a resident of Marshfield. I'm writing to you to express my concern over the current police reform bill that the house is trying to pass in a rushed and uneducated manner. This bill will affect the well-being and livelihood of law enforcement families across the Commonwealth, in addition it will effect our officers judgement and have them second guessing when they are put in difficult situations. Situations, that people outside of this profession will never understand unless they do police work. Comparing the law enforcement profession to doctors and lawyers in regards to liability is comparing apples to oranges and quite frankly ridiculous. Doctors and Lawyers spend years and thousands and thousands of hours on education and have time to analyze the situation they're in. In addition people go to lawyers and doctors voluntarily to seek help. Law enforcement on the other hand, we deal with peoples freedom and at an instant a detention takes that away. This is done every single day as part of investigations for a crimes throughout your Commonwealth. Police officers aren't in school for years. As a matter of fact it's 6 months and you're sent out on the streets to do the job which requires you to detain people essentially taking their freedom away. If your only knowledge of law enforcement is what you see on TV then I invite you do a ride along with me or you can ask any police department for that matter and for a one day experience on what we experience. If you're too busy to leave your office, then you can still turn on a police radio scanner and listen to the calls.

I'm sure we can agree that the acts in Minneapolis on May 25, 2020 were excessive and flat out wrong in every aspect of humanity. I also agree that police reform is necessary in order to address the issues of injustice in our criminal justice system. There is no denial that this system needs to be fixed. However, it is detrimental to have the input of our officers on any such reforms. Officers who live the reality and answer

the call to respond to issues in our communities that others do not see. Violence that the media does not report on, and violence that our legislators do not live in every day. Proposing and passing anything without a conversation and fully understanding the issue can and will have negative effects on public safety and cause more harm to the community than good.

I entered this profession with a strong desire to help people, and that desire is still there. I do not seek praise or gratitude, nor do I want it. What I do ask for is our leaders to understand the changes you make and the positions you will be putting us in with these changes. Taking away qualified immunity and changing it in anyway shape or form, takes away my peace of mind when I go to work. This is what allows me to sleep at night knowing that I don't have to worry about the well-being of my family. Please don't use the police as a scapegoat for political agendas. In my short 8 years in law enforcement, I have personally seen the morale in Officers and Troopers decline each and every day. Anybody who tells you that morale is "good" is lying. Never have I seen so many people in this profession seeking different career alternatives. Fear that they could potentially lose everything they have worked so hard for to better themselves, their families and their communities.

To every Legislator. I am a Massachusetts State Trooper, I am a husband, a father and a son. I am a minority, first generation Vietnamese American. I grew up in the City of Boston, the Old Colony housing projects to be precise. I went to Boston Public Schools. I am where I am today because of the life choices I made. I am in this profession because of one positive interaction with the police when I was younger. I worked hard to get to where I am today. I'm proud of my accomplishments. Don't strip away at the fabric that protects me and my family. I am open to a conversation at anytime. Please give me a call or email me.

In the words of the father of modern day policing "The police are the public and the public are the police; the police being only members of the public who are paid to give full time attention to duties which are incumbent on every citizen in the interests of community welfare and existence." Sir Robert Peel

Thank you for your consideration.

Elvis Nguyen

35 Ryder Lane, Marshfield MA 02050 <x-apple-data-detectors://5>

<tel:617-372-2338> 617-372- <tel:617-372-2338> 2338 <tel:617-372-2338>

Elvis Nguyen

617-372-2338

From: Benjamin Zahner <benjamin.zahner@gmail.com>

Sent: Friday, July 17, 2020 9:03 AM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S.2820

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

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

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

oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

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

Thank you,

Benjamin John Zahner

3 Whitehorse Road Hingham, MA 02043

Benjamin.zahner@gmail.com

From: Alan Wishart <awishart@granbypd.org>
Sent: Friday, July 17, 2020 9:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate 2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,
Please accept the following testimony with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

Please know that most of the Bill I support. However, there are certain issues that will have a specific negative impact on policing in my jurisdiction and Massachusetts in general. First, qualified immunity is a protection that is necessary for officers who are working in situations that require split second decisions. I refer you to Chief Kyes and the MCOA comments in regard to that. I would expect any limitations to qualified immunity would have two possible effects. First, a likely massive exodus of good, dedicated and professional officers leaving for retirement or other professions where they are not in personal jeopardy for professional mistakes that are made. To be clear, the disgusting and criminal behavior, like that of the officers involved in the George Floyd murder, should never be protected in anyway. They should be held accountable for their despicable actions.

The other possible outcome will be, those officers that remain, will be very hesitant to act. That places both them and the public in danger.

Officers will look only to act in situations where they absolutely must. Effective and professional policing will be negatively impacted.

I am also very concerned about limiting the information sharing between school resources officers, school and police departments. That is possibly one of the most important aspects of the school resource officer position. Our jurisdiction has had an incredibly positive and long standing relationship between the school and the police department. The majority of information shared has nothing to do with criminal behavior. That free flow of information helps us make sure that the schools are aware of any concern related to safety, student health and other issues that occur outside of the regular hours of the school day that they would otherwise not know. The school shares information with us the same way, for the same purpose, and with the same goal to provide the best possible environment for our children both in and out of school. It literally follows the adage " it takes a village to raise a child". Limiting that exchange of information will have a significant negative impact on our Town's ability to provide optimal situations for our children.

The last concern is related to a deadly force exception to the ban on choke holds in situations where an officer is fighting for his life. If an officer's life or the life of a citizen is in serious jeopardy and deadly force is justified, any hold or other technique should be allowed as an exception in these very limited, specific and deadly circumstances.

Thank you for taking the time to hear my concerns.

Please feel free to contact me if you have any questions or if I can be of any service.

Respectfully,

--

Alan Wishart
Chief of Police
Granby Police Department
Ph. (413) 467-9222
Fax. (413) 467-2621
awishart@granbypd.org
From: denise harter <denise.harther00@gmail.com>
Sent: Friday, July 17, 2020 9:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for police reform bill

My name is Denise Harter, I'm a healthcare worker at Cape Cod Hospital, my phone number is 8572253681. My son's father is the recipient of 2 Purple Hearts and a Bronze Star.

I fully support this reform bill and only ask that instead of defunding the police money is moved from police salaries and into police education. I fully support that police officers be licensed and held accountable for their actions.

I have video of a police officer announcing they do not know what the law is (whether it is trespassing or not) while watching a man climb onto my balcony after I told him he did not have permission to be there, and then watching the man start trying to tear down my personal property, all because a member of my condo board works at the Weymouth police station and has been abusing their power. This happened after the board of health posted a letter that my balcony was not to be touched until an approved replacement for the fix I had put up was ready (it was not). It is upsetting when a police officer can announce they don't know if this is trespassing and stand by watching with a smirk while someone attempts to tear down your property.

I have had police tell me they can't do anything when a schizophrenic neighbor is threatening to stab my toddler son with a knife, unless she threatens to hurt herself. I have had police show up when I called them for the same schizophrenic woman knocking on my apartment door at 9pm at night accompanied by the same member of Weymouth police department Adrienne Colletti, calling out for a dead celebrity, Prince, that she is obsessed with. Then when the police show up they are rude and demand to search my home, for "a man" with no warrant or probable cause. Why? Because I had the nerve to run against a member of the police department for my condo board.

I work in healthcare, if I do not know something, it is not ok for me to just shrug and say that I don't know. If healthcare workers did that people would die. I speak to my peers to find out the answer or I let the doctor reading the case know the concern. I have to be registered and can be sued in my profession. The same accountability must be extended to local law enforcement. I have personally seen the abuse of power that goes on, and if you would like to contact me I can give you more information. It is not ok for multiple police officers to tell me they don't know if a man climbing on my second floor balcony is trespassing and then refuse to find out or do their job. Even going so far as encouraging the man that they "don't care what you do."

I have asked for information about certain police officers at my local police department that I would like to file complaints about and still have not received an answer.

This needs to change and a reform bill is the only way to do it. Police officers need to know it's not ok to just stand there and announce they aren't sure if something is illegal while it continues to happen. Training and education with a strong system for appropriate reprimanding and accountability will help strengthen the police force and strengthen the bond between the community and the police.

Sincerely,
Denise Harter

Sent from my iPhoneFrom: Beru1977@aol.com
Sent: Friday, July 17, 2020 9:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Please do not pass this bill and put handcuffs on our police. My sons life is on the line if you do. At least listen to the people involved and be informed before making a decision that can harm so many of our officers.

Sent from my iPhone
Beth Carman
From: James Ayotte <chiefayotte@townofhardwick.com>
Sent: Friday, July 17, 2020 9:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: Mass Chiefs Backing

Good Morning,

I Chief James Ayotte of the Hardwick and New Braintree Police Department endorse the Mass Chiefs opinion on the current matter. If the protection for officers enabling them to safely do their job is removed, it will greatly impact the safety of all.

Thank You,

Chief James Ayotte

Sent from my iPhone

Chief James Ayotte
Hardwick Police Dept.
413-477-6708
508-867-1170
Fax 413-477-6723From: Katie Radebaugh <katierades@gmail.com>
Sent: Friday, July 17, 2020 9:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

Good Morning Sir and Ma'am

I am opposed to Bill S.2800 for many reasons. One in particular is removing Qualified Immunity for Law Enforcement. Day in and day out the men and women in Law Enforcement in MA put on their uniform and do whatever is asked of them. They go into the worst situations that you could only have nightmares about. They rally up before riots and protests, not knowing if they themselves will be going home in one piece. The Massachusetts Law Enforcement are the best trained in the county. They have respect for the public and they know their jobs inside and out.

To take away Qualified Immunity in any way shape or form is a slap in the face to these brave men and women. They need protection now more than ever. They face unthinkable situations at all times and need to be able to make life saving decisions in mere seconds.

I implore to you to make a stance and stand behind your men and women in blue! Look at NYC or Seattle.... do we want our beautiful Commonwealth to end up like that? NO!! Vote NO on Bill S2800

Thank you for your time,

Katie Radebaugh
11 Cottonwood Rd., Brookfield
katierades@gmail.com
From: Maureen Tivnan <mtivnan13@gmail.com>
Sent: Friday, July 17, 2020 9:01 AM
To: Testimony HWM Judiciary (HOU)
Cc: O'Day, James - Rep. (HOU)
Subject: Concerned!

My name is Maureen Tivnan and I am a lifelong member of the Worcester community. I am emailing you today to please look over parts of the recently passed S.2820. I am a Worcester Public Schools educator where I have had the pleasure of working closely with the police, especially teaching in the Main South community. The students respect these officers and it creates a positive and strong relationship. Parts of this bill will not only effect police officers but all public employees such as myself.

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

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

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

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

Thank you,

Maureen Tivnan
66 Ridgewood Road
Worcester, MA 01606
From: Lindsay Jarvis <LindsayJ@lamacchiarealty.com>
Sent: Friday, July 17, 2020 9:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: Do NOT Pass S.2820

Good morning,

I believe the attempt to sneak attack the public by passing such harmful bills as this one within a tiny timeframe shows guilt on the behalf of the law makers.

If there was no real harm included in this bill then why not give even a week for it to be discussed and learned about by the public? It is because this bill contains truly harmful features like the loss of qualified immunity to all civil servants, and very few people in the state realize this, that the bill must not pass.

The loss of qualified immunity for police officers would change policing into a very "by-stander" type police force, where they could not do what they need to do to protect you for fear of losing their homes from a civil law suit. Same for teachers. Teachers would be subject to suing for a myriad of reasons, and I just do not think its right.

PLEASE DO NOT PASS THIS BILL AS IT STANDS.

Thank you kindly,

Lindsay Jarvis

REALTOR®, licensed in MA & NH
Cell - call or text: (508)948-8237
Office: (978)534.3400

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Manning Avenue, Suite 102, Leominster, MA 01453
Learn more about me, click here: [Lindsay Jarvis](#)

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From: Black, Paulette <paulette.black@riversideinsights.com>
Sent: Friday, July 17, 2020 9:01 AM
To: Testimony HWM Judiciary (HOU)
Cc: Rogers, Dave - Rep. (HOU)
Subject: Pass Police Reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Paulette Black with the Greater Boston Interfaith Organization (GBIO). I live at 723 Belmont Street, Belmont, MA . I am writing to urge you and the House to pass police reform that includes:

-Implement Peace Officer Standards & Training with certification

-Civil service access reform

-Commission on structural racism

-Clear statutory limits on police use of force

-Qualified immunity reform

Thank you very much for your support for this critical reform.

Paulette Black

Paulette.Black@riversideinsights.com

617-671-8146

723 Belmont Street, Belmont, MA 02478

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Paulette Black

Assessment Consultant

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630-467-6412 <tel:630-467-6412> | 617-671-8146 <tel:617-671-8146>

paulette.black@riversideinsights.com
<mailto:paulette.black@riversideinsights.com>

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One Pierce Place, Suite 900 W, Itasca, IL, 60143

From: Laurie Lankowski <ljlankowski@yahoo.com>
Sent: Friday, July 17, 2020 9:01 AM
To: Blais, Natalie - Rep. (HOU)
Cc: Testimony HWM Judiciary (HOU)
Subject: Testimony

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

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This

bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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

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

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

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

Laurie McComb, Firefighter/Paramedic
20 King Philip Ave
South Deerfield, MA
413-522-6822

From: Jammie <jammie.carty@gmail.com>
Sent: Friday, July 17, 2020 9:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please stop S.2800

My name is Jammie Carty and I live at 73 Oak Rd in Canton MA 02021
<x-apple-data-detectors://4> . I write to you today to express my

staunch opposition to S.2800, a piece of hastily-thrown-together legislation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,
Jammie Carty

From: Natalie Korik <nkorik@comcast.net>
Sent: Friday, July 17, 2020 9:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reforming Police Standards Hearing

Dear representative Aaron Michlewitz and representative Clair D. Cronin,

We have strong objection to the provisions in the Police Reform Act. We believe that negative effects of such provisions are obvious - frivolous

lawsuits against the policemen who attempt to use legitimate force against the people who violate the laws. This will make police less willing to enforce the laws (the major function) and will impede their recruitment efforts.

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

Respectfully

Natalie Korik

Newton

From: Katie Downes <kodownes@gmail.com>
Sent: Friday, July 17, 2020 9:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support SB.2800

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

My name is Kathryn Downes.

I live and teach 5th grade in Dorchester, and I am a new mother who recently joined March like a Mother: for Black Lives.

I write urging you to pass SB.2800, the Reform, Shift, Build Act in its entirety.

Please ensure that all aspects of this bill are intact. Do not be swayed by the panicked lobbying of police unions worried about the demise of their old comfortable ways of working the system and policing unfairly. The measures in this bill are BEYOND reasonable.

As a teacher, I cannot imagine resisting reforms that require me to act with more levelheadedness, equity, and lawfulness.

Thank you.

Sincerely,

Kathryn Downes

18 Windermere Rd, Dorchester, MA 02125

From: Rachel Fuller DeAmato <rachefuller@gmail.com>
Sent: Friday, July 17, 2020 9:00 AM
To: Testimony HWM Judiciary (HOU)
Cc: Wifey
Subject: S2820

My name is Rachel Fuller-DeAmato. I am the wife of Susan Fuller-DeAmato, an MIT Police officer. Susan has been an officer for about a year now. She left an amazing Monday-Friday, 9-5 job to follow her heart and her dreams to protect and serve. She wanted to be the change, the good. To help those in their darkest hours. And now she needs your help and support. Thank you for taking the time to read this.

The changes in S2820 are going to put our good officers in great danger. Also the people they are meant to protect and serve. They will be hesitant, for the fear of being sued for every single move, and decision they make. Police are meant to make split second decisions, and this bill is tying their hands. It will cause them to delay their response time, Can you really blame them? This delay in reaction, is not only dangerous, but could have deadly results for our officers. If the public wants better officers, stripping them of how to do their job correctly is not the answer. They need backing from local officials, they need community support. They need the tools to do their jobs correctly. More training. I feel we are quite lacking in Massachusetts. Our Officers and their training seems far beyond what is given in other parts of the country. This bill is not the solution for Massachusetts. I believe this will only make things much worse. We NEED our officers to have proper funding, and to have what it takes to do their jobs efficiently for the public's safety, and for their own.

It's incredibly sad, and disheartening what's going on in the rest of the country, But Ma, is not like the rest of the country. And it shows.

We are the moms of a 5 year old little girl. We are uprooting our family because we fear for our safety here in Somerville, Ma. There is so much disgusting hatred for police officers. Our city officials support this disgusting attitude towards Officers. My wife should be able to go to work every single day without worrying about having a target on her back. But sadly that is not the case. This bill will only make things worse for her and so many others like her. As a wife of an officer, you cannot imagine how stressful and scary it is when my spouse leaves for work. It's stressful and scary on a regular day. With this heightened hatred towards our officers, that's being stirred up and allowed by local officials, it's almost unbearable. My daughter picks up on this, as I'm sure many other children do as well. My point is this oath my wife has taken to protect and serve is scary as it is. Don't strip her of the tools, and protections to keep our community safe. To keep her and brothers and sisters safe.

I ask that you hear my words, my fears, and stand by my family, and the thousands of others just like us. Please. The changes to S2820 are not the answer.

Thank you again for your time.

Rachel Fuller-DeAmato
22 Clyde Street
Somerville, Ma
02145

774-644-5399From: Ingrid Klimoff <iklimoff@icloud.com>
Sent: Friday, July 17, 2020 9:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: support of S2800 +

?Good morning!

I urge you to support and vote for HD5128 (Rep. Liz Miranda),
And HB3277 (Rep. Michael Day).

Representative Miranda recently did a Zoom call with the League of Woman Voters, updating us on her bill (and that of Rep. Michael Day). It is time for change. It is time to hold police to higher standards, to hold police accountable, and to be certain that a policeman who has been fired for outrageous misconduct cannot go to another town, city or state and work again as a policeman.

Yours truly,

Ingrid Klimoff
18 Bacon St.
Lexington, MA. 02421
Sent from my iPhone
From: ericalee07@aol.com
Sent: Friday, July 17, 2020 8:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: S 2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Erica Lenner and I live at 23 Quannapowitt Avenue in Wakefield, Massachusetts. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Erica Lenners

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com
<[Dear Chair Claire Cronin and Aaron Michlewitz,](https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIuk13zIs16rchf_GkGDD&m=HSoBr0TFZkVf_BQHKOLzZiYFNc5lLZQx7pDNHKHX_b4&s=2kesgnEWZF-GDO-7pHfNOfrpIagUTbkt_b405RT9jbI&e=>
From: Christopher Williams <cwilliams@montague.net>
Sent: Friday, July 17, 2020 9:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB2820</p></div><div data-bbox=)

Please accept the following testimony with regard to SB2820, please see attached.

Respectfully,

Chief Christopher P. Williams

Montague Chief of Police

Christopher P. Williams

180 Turnpike Road
Turners Falls, MA 01376

413-863-8911 ex. 203

413-834-7215

From: Irene N <ireneneg@gmail.com>
Sent: Friday, July 17, 2020 8:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Act

Dear representatives Aaron Michlewitz and Clair D. Cronin,

I object to the provisions in the Police Reform Act restricting qualified immunity for police in Massachusetts. Such change will encourage frivolous lawsuits against the policemen who attempt to use legitimate force against the people who violate the laws. This obviously will make police less willing to enforce the laws and will affect our safety. This is a very unwise change and it will have very negative consequences.

Please consider modifying the incoming legislation in the way that prevents this from happening.

Respectfully

Irene Neginsky
Newton, MA

From: Leora Viega Rifkin <leora.rifkin@gmail.com>
Sent: Friday, July 17, 2020 8:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Leora Rifkin

51 Fayston St. Boston 02121

--

Sent from Gmail Mobile
From: A B <bunniegirl1399@gmail.com>
Sent: Friday, July 17, 2020 8:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

Dear Senators,

I am writing to request that you please oppose getting rid of or rebalancing qualified immunity. Please leave it the way it is. Our public servants deserve to have qualified immunity in order to have peace of mind to continue doing their jobs to the fullest of their abilities, without having the threat of a lawsuit hanging over them.

Sincerely,

Concerned Citizen
From: darrahgirl <darrahgirl@aol.com>
Sent: Friday, July 17, 2020 8:58 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

Sent from my Verizon, Samsung Galaxy smartphone

From: Amy Ruef <AMR4359@msn.com>
Sent: Friday, July 17, 2020 8:58 AM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony for S2820

To whom it may concern,

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

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

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

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

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

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

Thank you,

Amy M Ruef

amr4359@msn.com

(413) 822-7871

From: Linda Bisnette <bisnetteljb@gmail.com>
Sent: Friday, July 17, 2020 8:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: DEFEND THE POLICE

I am a relative of a Worcester police officer and a taxpayer of Ma. and I am ashamed to live in a state that would even consider having a policy to have an officer have the worry of criminals having the ability to civil lawsuits! Crime is brutal and the only way to stop it is with the great POLICE AND LAW AND ORDER! It will be catastrophic for you to adhere to the demands of this radical left movement, with this policy it will be very difficult to keep the police, who wants to do a thankless DANGEROUS job, with no support, and fear of ridiculous lawsuits by criminals? Please reconsider and LISTEN TO THE MAJORITY OF TAXPAYERS (WHO YOU WORK FOR)! This is a divided country but we need PEACE, FREEDOM and SAFETY, without POLICE THAT IS NOT POSSIBLE! There are some bad apples in every profession, work on that ,not punishing all! LINDA BISNETTE

Sent from my iPadFrom: Marie Smith <marieboston1190@yahoo.com>
Sent: Friday, July 17, 2020 8:58 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

I am writing to ask that you extend the period for public comments and delay it entirely until we as a state are allowed to meet as citizens to ask questions and provide comments in a PUBLIC forum. I do NOT support what is being considered and I am certain there are more like me who are unaware as you pass things at lightning speed. If you want to eliminate qualified immunity for law enforcement, I suggest you also eliminate qualified immunity for all civil employees, yourselves included so you can be held personally responsible for your destructive and dangerous legislation.

You can't be so ignorant that you are unaware at the state of New York, Seattle, Portland, Atlanta, Minneapolis and other cities being destroyed due to ill thought out legislation being passed overnight. Their cities are in shambles as the spineless leaders meet the illogical demands of a

highly organized, well funded international Marxist movement masquerading as a civil rights march.

What are the numbers of officers retiring, leaving or not joining? Where such ill thought out policies have now become the law, the cities are in chaos and the mobs have just increased their demands and have been emboldened. How many officers have been injured and even killed over the last few months? For what? How many early retirements or disability claims as of late? Stop blaming them for your feckless leadership and useless policies. I can't help but conclude that you are all just scared into silence afraid of being called "racist." It's a WORD that is so overused it's now become meaningless to anyone with a brain and I'd rather stand while we're still using words and not weapons.

How many innocent victims been killed? How many children have to die as police pull back from doing anything for fear of being charged as you legislate the criminals into the lawmakers? Are we going to have a Boston CHAZ zone soon? The legislation is pointless and you should be watching the law abiding citizens now amassing to counter the newly introduced policies, that's if they don't just pack up and move out as in NY.

You are doing nothing but pandering to an angry mob and not the rest of the citizens and as we are witnessing, there is NO appeasement. Bail has been reformed, prisons are being emptied and now you are essentially aiding in the elimination of law enforcement-- the anarchist's dream. Stop the gaslighting and get real with the situation you are supporting as I am not. And please read this part loud and clear for the record:

When they take over your police stations, what stops them from taking over your house?

Let that thought sit for a bit.

Ann Doherty
Ashland, MA

From: Colin Kennedy <kennec06@gmail.com>
Sent: Friday, July 17, 2020 8:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: S. 2800 amendments

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

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

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous

impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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

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

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

Thank you,

Colin Kennedy
98 Cleveland Street
Norfolk, MA 02056
Kennec06@gmail.com

From: Jim Williams <jimyweee@me.com>
Sent: Friday, July 17, 2020 8:57 AM
To: Testimony HWM Judiciary (HOU)

July 17, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is James Williams and I live at 14 Bristol RD Peabody, Massachusetts. I work at The Suffolk County Sheriffs dept @ South Bay. I am a corrections officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,
James Williams #917

Sent from Jim's iPhone

From: Daye, Pamela Jean <PDaye@CityofMelrose.org>
Sent: Friday, July 17, 2020 8:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill No. S2820

Rep. Aaron Michlewitz

Chair of the House Committee on Ways and Means

Sir:

I am writing to you, as a police officer of 30 years, to vote no on Bill No. 52820. The senate version of this bill will seriously undermine public safety by limiting police officers ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste without public hearing or input of any kind was extremely undemocratic and nontransparent.

Police Officers across the Commonwealth support uniform training standards and policies and have been requesting more training for years. The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law. I do not support any bill that does not include the same procedural justice safeguards members of the communities I serve demand and enjoy. The oversight board should consist of law enforcement officers as well as civilians. It needs to be fair and impartial.

Massachusetts police officers are among the highest educated and trained in the country. Qualified immunity does not protect bad officers, it protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn. The majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity which will open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.

I ask that you do not rush to pass this bill but meet with law enforcement officers around the Commonwealth to get their input in this matter.

Sincerely,

Officer Pamela Daye

MELROSE POLICE DEPARTMENT

Please be advised that the Massachusetts Attorney General has determined that email is a public record unless the content of the email falls within one of the stated exemptions under the Massachusetts Public Records Laws.

IMPORTANT NOTICE: This e-mail message is intended to be received only by persons entitled to receive the confidential information it may contain. E-mail messages may contain information that is confidential and legally privileged. Please do not read, copy, forward, or store this message unless you are an intended recipient. If you have received this message in error, please forward it to the sender and delete it completely from your computer system.

From: Rhea Eskew <rteskewjr@gmail.com>
Sent: Friday, July 17, 2020 8:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: Law Enforcement Reform

I support HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda bans choke-holds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

Rhea Eskew
9 Woodfall Rd
Medfield, MA 02052

From: Abdi Ali <ali.moabdi@gmail.com>
Sent: Friday, July 17, 2020 8:56 AM
To: Testimony HWM Judiciary (HOU)
Cc: Madaro, Adrian - Rep. (HOU); Rivas, Gloribel (HOU); Gingras, Steven (HOU)
Subject: Please SUPPORT & PASS the Reform, Shift + Build Act (S.2800)

Dear Committee Chair Aaron Michlewitz & Chair Claire Cronin,

As a Black man in America, I am no longer asking, I am demanding you and your colleagues to support and pass the Reform, Shift + Build Act (S.2800). Here is why! We have been dying in the hands of police for centuries and we have done everything possible to stop the police violence against Black and Brown people. We have voted, protested, marched, boycotted, went on hunger strikes, and conducted civil disobedience and sit-ins. Yet, we continue to be lynched, terrorized, traumatized, and dehumanized by the police in broad daylight, and justice always seems out

of reach. We are simply TIRED of asking and having the entire system's knee on our necks suffocating us for over 400 years!

For me, this is a matter of life and death. Black men are 3 more likely than white men to be killed by police during their lifetime. I already live in an overly policed neighborhood, so I am literally one incident away for being the next unarmed Black men killed by police. Living with such reality is truly horrifying only for me, but for my family and friends as well. More importantly, I have a 9-year-old Black boy and I don't want him to be living with the same constant fear. I don't want him to be fighting the same battle and experience the same trauma when he grows up. I want him to live in a state and country where his humanity and dignity matters. I want him to live in a state and country where its police force is held accountable.

I cannot raise my 9-year-old in a more justice society as long as the police power and violence remain unchecked. We cannot talk about dismantling systemic racism in policing without reforming the qualified immunity. Police accountability starts with getting rid of qualified immunity. To give you an idea, the qualified immunity is what made it possible for Derek Chauvin to still wear his batch after facing 17 complaints one of which was a fatal shooting. It is eventually what allowed Derek to brutally murder George Floyd in broad daylight and remain free until the world started demanding justice. It is what prevents victims and their families not to have a day in court. It is what shields racist cops and allows them to violate the civil liberty of Black and Brown lives

Passing this bill is simply the right and moral thing to do. We are in the middle of the largest civil rights movement in this country and I urge you and your colleagues to be brave and bold and be on the right side of history.

Thank you for your time!

Sincerely,

Abdi

--

"All of us do not have equal talent, but all of us should have an equal opportunity to develop our talents." President John F. Kennedy

From: B.J. Stitt <bj_stitt@yahoo.com>
Sent: Friday, July 17, 2020 8:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

Please know I strongly support S2800, including the limiting of qualified immunity.

I believe it reflects a much needed clarity of the responsibilities of those authorized to use deadly force in dealing with the public. The very fact of that capability is inherent in all interactions with the police. The implicit power should be balanced as per the provisions of S2800.

Thank-you for providing an opportunity for citizen input.

Sent from my iPhone

From: Holly Battelle <hollybattelle@gmail.com>

Sent: Friday, July 17, 2020 8:56 AM

To: Testimony HWM Judiciary (HOU)

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

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

My name is Holly Battelle. I am a resident of Somerville, MA and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I was born and grew up in Boston and am proud that MA is considered a progressive state. This Bill is the minimum the State must do. We have a moral obligation to begin creating a more just and equitable society and this is a step towards achieving that. It is not OK for Black residents in 2020 to fear for their lives from the citizens whose very job is to protect their lives. If action is not taken, we will continue to be on the wrong side of history.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Holly Battelle

22 Claremon St. #2, Somerville MA 02144

From: Amy Hambidge <amyhambidge@snet.net>

Sent: Friday, July 17, 2020 8:56 AM

To: Testimony HWM Judiciary (HOU)

Subject: Comments on Bill S.2820

Hello and good morning Massachusetts officials!

I am a resident of Buckland, MA and work for a small family business helping animals. I am writing to briefly extend my support for the latest

bill in the MA legislature, Bill S.2820. Specifically, I encourage you to end qualified immunity for police and law enforcement officers, to outline and make clear and legal accountability for police and law enforcement misconduct, and to reallocate my tax dollars, that are currently given to the police, to the education department.

That's all I have because I only just saw the 11am deadline and I need to get to work! And so do you! Have a great Friday.

Thank you so much,
Mx. Alphy Hambidge
Pronouns: They/Them

From: Diana Fisher Gomberg <dfgomberg@gmail.com>

Sent: Friday, July 17, 2020 8:55 AM

To: Michlewitz, Aaron - Rep. (HWM); Khan, Kay - Rep. (HOU);

claire.cohen@mahouse.gov; Testimony HWM Judiciary (HOU)

Subject: Please support police reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

CC: Representative Kay Khan

Hello.

I'm writing today as part of the Greater Boston Interfaith Organization (GBIO). I live at 290 Islington Road, Auburndale. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Diana Fisher Gomberg

DFGomberg@gmail.com <mailto:Richardgomberg@gmail.com>

(617) 243-9424

290 Islington Road

Auburndale, MA 02466

--

Diana Fisher Gomberg

From: Mariann Bucina Roca <mariannbucina@comcast.net>

Sent: Friday, July 17, 2020 8:55 AM

To: Testimony HWM Judiciary (HOU)

Subject: Virtual testimony to pass SB.2800 the Reform, Shift, Build Act in its entirety

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

I am a resident of Jamaica Plain, MA and I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

These are all reasonable, fair, and frankly common sense policies that better protect our community. On a human level, banning chokeholds and limiting qualified immunity are the right thing to do, given what we have seen in our country over and over again. And on a practical level, these are my tax dollars helping to pay for tactics that should be unacceptable to all of us in a society. The role of a police force, is to serve and protect.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration to give SB.2800 a favorable report.

Sincerely,

Mariann Bucina Roca

15 Kingsboro Park

Jamaica Plain, MA 02130

From: Cindy Levins <cmlevins@gmail.com>

Sent: Friday, July 17, 2020 8:55 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

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

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

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

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

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

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

Thank you,

Cindy Levins

59 Faunbar Avenue

Winthrop, MA

From: JEFF SULLIVAN <sull176@comcast.net>
Sent: Friday, July 17, 2020 8:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,
Jeffrey C. Sullivan

Sent from my iPhone
From: Kim <km323@aol.com>
Sent: Friday, July 17, 2020 8:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Good Morning:

I am writing to you this morning with great concern regarding the bill for police reform. As we are all aware there's a call for police reform and accountability in our nation. I am the wife of a police officer and our family has sacrificed a lot over the last 24 years to keep our city safe. I agree there is always room for reform, and I will never say police officers are perfect, but to be fair, neither are doctors, lawyers, nurses, teachers, etc. So I agree and believe change and scrutiny is always a good thing. My fear is our country is rushing to make decisions without thoroughly thinking through the consequences. Some of these changes I feel will be catastrophic to our police and more importantly our communities. Please look past some of the most vocal and demanding folks. Many people do not pay close attention to the day to day movements and my fear is in a the years to come it will be too late. Also, it appears the immediate reaction to "defund" the police has not presented any plan to reallocate the money for services. This may create a service gap that reduces services to vulnerable populations. There should be a plan how to implement change that is clearly thought out. These difficult decisions should not be made by emotion.

As a family we felt a need to voice our concerns to proposed changes that will potentially adversely impact our community. Please look closely and think of how each change in any law proposed will affect policing in our neighborhoods. Police are important, however, they are not perfect but neither are we. At this time, I am asking you to take the time necessary to make this decision and NOT to rush to please a small group of people who have become very vocal. I believe the most thoughtful decisions are made when time and consequences are considered.

Thank you for your time and I appreciate your consideration.

Kim Cogavin
27 Maxfield St
West Roxbury, Ma
02132
781-727-7617
From: Deborah Santoro <deborahasantoro@gmail.com>
Sent: Friday, July 17, 2020 8:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: testimony on S2800 from a constituent

Dear Elected Representatives in the Massachusetts State House,

I keep coming back to the fact that a police officer in Minneapolis knelt on George Floyd's neck for 8 minutes and 46 seconds, in full view of his fellow officers and other bystanders, on video. How do you countenance such an action in a civilized society? Let us not forget that black people are dying at the hands of people sworn to serve and protect, and that if we choose to ignore it and do nothing- we are complicit. Let us keep the focus on this one thing- how to prevent the killing of black people by police officers. People who commit such deeds dishonor their

profession. Doctors can be sued for malpractice, but apparently police officers have been immune to similar suits via the doctrine of qualified immunity. Asking for accountability does not mean we don't support, honor, and quite frankly need an honorable police force to serve and protect the Commonwealth. Honorable police officers will not be harmed by a call for accountability in their profession.

Please vote for S2800, the police reform act, in its entirety.

Thank you,

Deborah Santoro

59 Raddin Road

From: Danielle Stapleton <daniellelee215@yahoo.com>
Sent: Friday, July 17, 2020 8:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill No. S2820

To The Chair of the House Committee on Ways and Means, Rep. Aaron Michlewitz, in cooperation with Rep. Claire Cronin, Chair of the Joint Committee on the Judiciary,

It has come to my attention that the bill titled S2820 is under review and as it has been presented to you, I stand opposed to it.

The senate version of this bill as written will seriously undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste, without public hearing or input of any kind, was extremely undemocratic and nontransparent.

Police across the commonwealth support uniform training standards and policies and have been requesting more training for years. My strong, smart, dedicated husband is one of those officers.

The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police. I will not support any bill that does not include the same procedural justice safeguards members of the communities we serve demand and enjoy.

What the Senate has tried to do is pass a knee jerk reaction to an incident which occurred half a country away that everyone agrees was egregious, the Fraternal Order of Police nationally and in this state had quickly condemned it.

Massachusetts police officers are among highest educated and trained in the country. My husband has spent countless hours on and off the clock continuing his training. These training are not limited to the use of lethal weapons- but there are numerous trainings for less lethal and deescalation tactics, as well as ethics and community building.

This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers. It protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few.

Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.

If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

If the senate bill is passed, the future of this state, and this country as we know will be greatly impacted. Our officers cannot in good faith stand risk to lose their houses, their families, and their livelihood because someone got angry about a traffic ticket that was thrown out, and now seeks retribution. Our officers choose to be in this field because they WANT to HELP the community. Passing this bill as it stands may lead to a mass exodus of the GOOD officers. My husband has spent over a decade of his life dedicated to to his department and the community he serves. Our family stands in solidarity with our family in blue. Please don't let this bill pass and let our families pay the price for a knee jerk reaction.

Sincerely,
Danielle Mathias
36 Arnold st Ludlow Ma
01056
413-544-8769

Reference:
Bill No. S2820

Title: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

From: Inga Puzikov <inga909@yahoo.com>
Sent: Friday, July 17, 2020 8:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police

Please do not defund the police !!! They are the only ones standing between us, the people and total chaos. We are the emigrants and came from a socialist country where people could not speak up freely (only whisper in a kitchen) if they are not happy...we know all too well the price of a freedom of speech. We love America. Every life is precious and every life matter. Police is there to protect those lives because they are well trained, professional people. Please, do not fudge then based on one incident. But if they cannot get immunity and will be prosecuted for every move they make, they will simply do nothing...tax payers will pay their salary...and be not protected at all !!! You put innocent lives of law abiding Citizens at risk.
Please, do not do that !!!
Thank you.

Sent from Yahoo Mail on Android
<https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=kBq5qYnD9Z7qnPtVv2d0WUk70h4Ab-kKKj2YYOOeuUQ&s=6sK3rrJyN_073gdyqPoTRZUux3ueas5x9nTOVZBFGfw&e=>>
From: John Hubbard <john.hubbard80@gmail.com>
Sent: Friday, July 17, 2020 8:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill No. S2820 Title: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Good morning,

* I would like to voice my condemnation of Bill S2820 as it is written. This bill was rushed through the senate without much thought and it shows. I think that it is time for the House to show that cooler heads can prevail. By taking a step back and voting no on the bill, with proper research, a bill could be created that would benefit everyone in the commonwealth. There are certainly areas that could improve in law enforcement and I think that by voting no on this bill as written, it would provide time for a committee to be formed, research to be completed and an intelligent solution found and presented as a new Bill. The issues in this Bill are important ones that can't be thrown together haphazardly

and expected to have a positive outcome for our citizens. The public was excluded from providing important insight on this bill. The fact that there was no input from the public tell me that the creators of the bill were aware of what input would be given by the public and that there would be resistance. Instead, they created the bill days before it was to be voted on the senate floor. I urge you to vote no on this bill.

* Police across the commonwealth support uniform training standards and policies and have been requesting more training for years. This is a great idea, but I would like to see it researched in depth. Where will this funding come from and how will it be instituted? Will the local municipalities be left to carry the monetary burden for this mandated training? Again, I'm being repetitive, but more time has to be put into researching the implementation of these points.

* The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police. The FOP will not support any bill that does not include the same procedural justice safeguards members of the communities we serve demand and enjoy. This is a sticking point for police officers across the commonwealth. I could understand if there were serious issues regarding officers in Massachusetts but that's just not the case. We have some of the best trained officers in the state and an incident that happened in another state shouldn't dictate changes to a system that works without much issue in Massachusetts. Officers need these protections. You are going to welcome frivolous complaints against officers and these boards will hear those complaints. I can see this ending badly when you involve people that don't understand the job of policing, case and point, our Senators. With the Bill written the way it was it's clear that they don't understand the current climate of policing in Massachusetts. We don't want the bad apples on the job and we do a fairly decent job of rooting them out.

* Their proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth and as constructed incapable if being fair and impartial. There needs to be more thought put into this, and changes made. I think this can be accomplished by taking the time to do the proper research. Is this even really necessary?

* I've said this already, but the senate is jumping on a bandwagon with a knee jerk reaction and is changing a system that doesn't appear (in the 15 years of LE experience) to have been an issue here in

Massachusetts. Officers here are highly trained, and most are well educated individuals.

* This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers, it protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. Officers can still be criminally charged for their actions and can also be sued in federal court for civil rights violations. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few. The thought that Qualified Immunity should be taken away blows my mind. Any change to the way in which it is written will have officers second guessing themselves and god forbid, outright refusing to get involved for fear of losing their homes and property. Through the research I've done, if Qualified immunity is taken away or changed for any reason, I'll have more protection by not taking action. That's a scary thought. This doesn't just apply to police officers either. This will affect police, fire fighters, teachers, nurses, doctors and the list goes on. If you vote to change Qualified Immunity I can guarantee that there will be a mass exodus of officers from the job. You'll also have issues recruiting candidates. Think about that for a minute. Who is going to take a job or stay on a job any longer than they have to when you could lose everything for doing the right thing? I noticed that officers would be open to a law suit if the persons rights were taken away and in the context of the bill I can only imagine that if someone had been taken into custody and at some point during the arrest that person was found not to be the suspect or probable cause was not found, the officers would now face a personal lawsuit. That's just one example of how that change would affect officers. I could have misread that article but for some reason I doubt that. This article more than anything will affect how policing continues into the future. Officers will be afraid to make that split-second decision that might hurt them, their family, or take their home from them. Bottom line, this is scary, and the fact that the senate saw a need to attack this protection is just absurd.

* Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard. As for use of force incidents and choke holds, a complete ban on any defensive tactic is absurd. When an officer is in a fight for their life, you don't think they are going to second guess themselves in using a chokehold if that is all that stands between them going home or being killed? With all the oversight, the threat of being called a racist and being the next YouTube officer, guys are second guessing themselves every day. Take Sergeant

Michael Chesna for example. I can only imagine what went through his head in the seconds before his death, but he hesitated and for whatever the reason ended up not going home to his family that morning.

* If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

* I know that police reform is the hot button issue these days, but your focus shouldn't be in places where problems don't exist. You should be concentrating on the victims of crime. Whether the officer was the perpetrator or not, laws need to be changed to better protect them. I'm sure that you are aware of it but if not, with the recent court decision regarding interfering with a police officer, if someone commits a crime against you and it isn't an arrestable offense, Officers have no power to force the aggressor to identify themselves? As an example if someone commits an assault and battery against you, and we are called to the scene (disturbance is over and everyone is just standing around) and the person that assaulted you refuses to identify themselves, Officers have no way to force that person to identify themselves. Assault and Battery in the past is not arrestable. I then have to tell you as the victim to contact your legislator to change the law, where in the past I would have been able to arrest that person for interfering with a police officer. Under the new ruling we are powerless to help that person seek justice, and their aggressor walks away. Interfering with a police officer now has to be committed using physical force. This is just one example of ways in which our jobs are being made more difficult and when legislation like this is presented and voted forward, it makes the future seem that much dimmer.

Thank you for your time and consideration,

John Hubbard

29 Robinson Creek Rd

Pembroke, MA 02359

781-733-3365

John.hubbard80@gmail.com

From: Robert <robert_irvine100@hotmail.com>

Sent: Friday, July 17, 2020 8:54 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform

Good morning Ladies and Gentlemen:

Many of the thoughts produced on the legislation are encouraging. On the subject of immunity, what needs to be included are clear definitions of what would make an incident qualify for the individual officer to face litigation. I think the blanket coverage needs to be removed.

Additionally, any officer that uses his position to help someone escape the consequences of their actions (think fix speeding tickets, reduce charges) needs to be terminated. Look in any court house, this happens everyday.

The union contracts need to be looked at. For far too long cities and towns have just "gone along", we now have contract that make it hard to remove bad officers that are loaded with stipends that in the private sector are unheard of.

Lastly, do away with the Quinn Bill once and for all. Make it a requirement that to be hired you must have at least 60 college credits. In order to be promoted they must have continued their education. This is what happens in the real world.

I do not have much confidence in the state Legislature to make meaningful changes as you have had many opportunities but are afraid to show leadership. Prove me wrong.

Robert Irvine
Waltham, Ma
From: Michael Higgins <mphiggo@aol.com>
Sent: Friday, July 17, 2020 8:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

My name is Michael Higgins and I have been a Worcester Police Officer for 21years and have been in law enforcement for 25 years total. This bill was rushed and done without any public discussions. I have never seen anything that will effect so many done so quickly and so secretly. That alone has raised so many red flags. What you are doing with this bill is inviting problems into this state that we currently do not have. This bill takes away our due process, takes away our collective bargaining, and inserts a board with no training ,experience, or background in law enforcement. You will effectively be killing our profession. It will make the police officers you have now ineffective and our ability to hire qualified candidates in the future.

Thank you
Mike Higgins
785 Oxford Street South

Auburn MA 01501

Sent from my iPad
From: Jean Driscoll <jdris369@yahoo.com>
Sent: Friday, July 17, 2020 8:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill#S2820

To whom it may concern:

I am writing to express my opposition to Bill #S2820. As the wife of a career Police Officer, having lived the life of worry every single day he put on his uniform, I find it inconceivable to think that in the past month because of current events and the actions of few, this type of reform is being considered. I do not believe this Bill is well thought out and researched and implore upon this committee to rethink this bill and give ample thought to how this will ultimately affect the men & women who put their lives on the line everyday for those they serve.

A Faithful VOTER!!

Jean M. Driscoll
6 Huntington Ave.
Walpole, MA.

From: Lauren Woods <ljsmyth.woods@gmail.com>
Sent: Friday, July 17, 2020 8:53 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate reform bill to the house of reps

All that I ask is that you take the time to review and understand your version of a criminal justice reform bill: Understand the consequences... understand the pitfalls... understand that forcing a bill just to say you passed one is not the right thing to do.

YOU have an opportunity at this moment to make meaningful legislation. Law that will work to better both the citizens of the commonwealth and help law enforcement do their job better. Most law enforcement officers do their job well. It's the few and far between that have gotten society to this point. I feel the senate hastily passed something that some even admitted to being confused on aspects of it.

Please note these two main points below:

WHY DUE PROCESS MATTERS- Any legislation must allow fair and equitable due process under the Law. Currently, when an officer is disciplined, he/she is entitled to due process and an appeal process with the employer. A new outside board (like the POSA Committee) should allow this process to complete before instituting a review. This will not only maintain

fairness, but will allow the new Committee to have a full record and make determinations after a thorough and neutral process has been undertaken. Other public employees such as teachers go through a similar process; police officers deserve the same respect and rights.

WHY QUALIFIED IMMUNITY MATTERS - Qualified immunity does NOT protect bad officers who knowingly violate the rights of members of the community. It's worth saying again. It does not protect bad cops. Instead, it protects good officers who play by and follow the rules. The doctrine allows lawsuits to proceed if a government official (not just a police officer) had fair notice that his or her conduct was unlawful, but acted anyway. The standard is objective reasonableness. By abolishing or changing qualified immunity as it exists today, police officers will not know what is lawful or not. This creates hesitancy and uncertainty in how they perform their duties. This is UNSAFE for all communities.

In closing, we are NOT Minneapolis. So, changing due process or qualified immunity in Massachusetts, which would affect police officers only in Massachusetts, would only serve to punish the men and women in blue for something that happened 1000 miles away. Instead of penalizing and scapegoating, we should be celebrating and promoting the fact that our police officers, some of the best in the nation, are impressive examples of how policing should be done.

On a personal note,
Every officer I have personally spoken to does not condone what happened to George Floyd. It was wrong. But we as a society can't jump 180 degrees and fault all officers for what that one officer did and those 3 officers watched. I know there can be police brutality incidents but the percentage of all interactions do not escalate and do not cause harm to others. Most officers join the profession to do good for others and good candidates are still joining the ranks even knowing what lies ahead with all this hatred against them just for wearing a uniform. In a day and age where an officer is killed in the line of duty every 61 hours in this country, people are still willing to step up and serve and protect. Yes, that's right, every 61 hours... and it's only getting worse because leaders think it's ok to cave to social media and hatred. There can be mutual respect in both sides. Officers can always be trained better but officers also have shown significant restraint over and over in the commonwealth, specifically in the city of Boston. If you aren't willing to better yourself and continue to improve at anything you do you shouldn't be doing it. That's why I'm asking the house of reps to not dig their heads in the ground and think they know everything. Be open to hear all perspectives. Be willing to listen learn and lead for the safety of all.

Sincerely,

Lauren Woods
98 Myrtlebank Avenue
Dorchester
From: Mary <mep5155@aol.com>
Sent: Friday, July 17, 2020 8:53 AM
To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

PLEASE!! Don't sue the people who will save you no matter what...

PLEASE!! Rethink this bill...

From: Sal P <spaci51@gmail.com>
Sent: Friday, July 17, 2020 8:53 AM
To: Testimony HWM Judiciary (HOU)
Subject: Email testimony

To members of the House Committee on Ways and Means.

I am writing to you as a plea. A plea for sanity and a plea for law and order. Events throughout the country have triggered a very vocal minority wanting to defund, change and dismantle law enforcement.

These issues have arisen from the murder of George Floyd by an officer using unjustified use of force.

Issues of police brutality in Massachusetts are one of the lowest in the country. The MPTC run academies do a great job of teaching recruits how to be Police Officers. They teach us de-escalation and appropriate use of force.

Currently the hot topic is Qualified Immunity(QI). The news and other media have made the public believe that QI exempts police officers from civil liability. This is not the case and US code 42 U.S.C 1983 is the vehicle which to hold Police civility liable.

What QI does do, it prevents frivolous claims from ruining the lives of Police officers. These frivolous claims are going to jam up the already overwhelmed court system, and they are going to cost municipalities millions in legal defense. This bill to limit QI not only effects police officers, but every government entity acting under the color of law.

Ending QI would be the end of proactive policing, which is what the vocal minority wants. They want lawlessness and believe it will be a Utopia. The real world does not reflect the views they dream of. Please look at New York City as a warning. NYPD eliminated their anti-crime unit. So far, shootings have gone up, and a one year old child was murdered.

Thousands of people are arrested every day. Most people arrested go into custody without incident. A small percentage resist arrest, which is still a crime. The laws that are being written are protecting these people who committed an initial crime to be arrested, then an additional crime in resisting arrest. These laws are not going to effect the general law abiding population, but are only going to benefit criminals who are looking to prey upon that population, then go after a pay check filling frivolous lawsuits after being arrested. Currently an officer arresting this individual would be protected by QI, and if the officer did violate that persons rights, would be held accountable under 42U.S.C. 1983.

In closing, ending or even changing Qualified Immunity would be a mistake and an injustice. The brave men and women wearing a badge patrolling the streets deserve to be protected from frivolous claims. The average citizen deserves to live in a peaceful society. The criminals who prey upon law abiding citizens deserve to be held accountable. Ending Qualified Immunity puts all of this at risk.

Thank you for your time,
Salvatore Paci

From: Sara Ting <sarating@worldunityinc.org>
Sent: Friday, July 17, 2020 8:52 AM
To: Testimony HWM Judiciary (HOU)
Subject: Your leadership for change is needed now more than ever...

"Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms." Now more than ever we need to implement these changes to ensure all citizens are justly treated,

Sara Ting

2 Eliot Place

Jamaica Plain, MA 02130

Sara Ting

Founder & President, World Unity, Inc.

2 Eliot Place

Jamaica Plain, MA 02130

Email: sarating@worldunityinc.org

Website: <http://worldunityinc.org>

<https://urldefense.proofpoint.com/v2/url?u=http-3A__worldunityinc.org_d=DwMFAg&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=fqw21ah8NFhzT0OvOunh68_3HYwVgg3PyBe-iQNd_fw&s=PXaxSMKoi-Fdrs_UXtW6R9GF5JJe4ep3OPnMgRoztoc&e=>>

Phone: (617) 971-0317

From: Elizabeth Iminski <naf43@gmail.com>

Sent: Friday, July 17, 2020 8:52 AM

To: Testimony HWM Judiciary (HOU)

As a firefighter for almost 21 years we have always had the support & backing of the police. They secure & make the scene safe, deescalate heated and often violent situations, and protect us as well as our community. It makes me utterly sick to my stomach and disgusted to hear about all the defunding of police & to take away their rights, immunity, and protection. I strongly stand with & support the thin blue line and if our politicians do not WAKE UP & Support them this great country of ours

will only continue to quickly deteriorate. I strongly urge you to vote NO on this proposed bill.

Respectfully submitted,
Elizabeth Iminski

Thank you, stay safe, and God Bless America.
From: Sarah Ehlinger <ssehlinger@gmail.com>
Sent: Friday, July 17, 2020 8:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Dear Representatives Michlewitz and Cronin,

My name is Sarah Ehlinger, I live at 15 Wilsondale Street in Dover, and I am a member of the Greater Boston Interfaith Organization (GBIO). I am writing today to urge you and the House to pass police reform that includes:

- Peace Officer Standards & Training with certification
- Civil service access reform
- A Commission on Structural Racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Sincerely,
Sarah Ehlinger
(617) 755-3010
15 Wilsondale St.
Dover, MA 02030

From: jnlcgrmn@bu.edu
Sent: Friday, July 17, 2020 8:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Testimony

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Justice Committees,

My name is Jean-Luc Germany. I am a medical student at Boston University and a resident of Boston.

I am writing to you in favor of bill S.2820 to bring desperately needed reform to our policing and criminal justice system. I urge you to swiftly pass this bill and strengthen it.

The bill in its current form does a lot of good things that I know will help fix some of the problems my patients of color face with the police and the criminal justice system; but it also leaves a lot to be desired.

The final bill should be stronger in three areas:

1) Eliminate qualified immunity. We must be able to hold our police accountable. This should not be controversial. The current language in the

bill is simply too weak. Qualified immunity is a loophole that should be completely closed.

2) Completely ban the use of tear gas. The amendment introduced in the Senate to ban tear gas passed unanimously, except it did not actually ban the use of tear gas. The use of tear gas is an archaic crowd control measure that can permanently harm protesters and bystanders; it causes serious respiratory issues that will only increase the burden on our healthcare system, especially in a respiratory disease pandemic like the one we are currently in.

3) Completely ban the use of chokeholds. In its current form, the bill does not actually ban the use of chokeholds due to the narrow definition of a chokehold that includes intent. Under the current definition, Derek Chauvin's chokehold of George Floyd would not be illegal until the last minutes. That is outrageous. I believe intent language should be removed to ensure no one is killed on our streets like George Floyd was.

Thank you,
Jean-Luc Germany (Boston)

978-771-3192

From: Kenny Downey <kdowney14@gmail.com>
Sent: Friday, July 17, 2020 8:51 AM
To: Testimony HWM Judiciary (HOU)

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

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

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

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability

protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

Kenneth Downey

2 Countryside Ln. Walpole

From: Kevin Reen <ktreen62@gmail.com>
Sent: Friday, July 17, 2020 8:38 AM
To: Testimony HWM Judiciary (HOU)

The Massachusetts Senate hastily passed a bill on police reform without doing their due diligence, having hearings and educating themselves to what the serious consequences will be to their actions.

Under Senate Bill 2800 (2820 final version), the elected officials have effectively tied the hands of not only the police but all public officials. This bill removed qualified immunity from all public employees (except themselves of course).

What does that mean? That means that even if myself or my brothers and sisters in blue and red act in good faith under rule/color of law we will now be responsible and open to civil lawsuits. This also opens the municipalities we work for up to frivolous lawsuits for anything, costing you the taxpayers even more.

An example of this is we respond to a medical call where you have a loved one who requires CPR, we arrive on scene do everything we can within the scope of our training and department policies for your loved one but they

unfortunately don't make it, we are now open to civil lawsuits for damages.

This is just one major issue with this hastily drafted and passed bill.

It is also important to know that the elected officials who sold us a bill of good and promises of things they would do or stand behind are nothing but wimps who succumb to the bullying of higher ranking elected officials to ensure they keep their positions on appointed committees. I know this is probably no great shock to some but this is the stuff that needs to get out to the masses!!

People are calling for police reform for systemic racism and other injustices that occur. Well reform needs to and should start from the top. If our elected officials are so influenced by bullying and pressure from higher ranking elected officials then maybe the reform needs to start with our elected officials and work its way down. Our representatives, at least in the State senate don't give a crap about the people who they serve and the people who voted them into those positions. What they also don't realize is how easily it is for them to loose the support of their constituents and be voted out next election.

--

Kevin Reen
Swampscott Ma
781-718-3589
Police Officer

From: DEBBIE BELANGER <debbie.belanger@comcast.net>
Sent: Friday, July 17, 2020 8:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

To Whom It May Concern:

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

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

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous

impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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

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

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

Thank you
Debbie Belanger
59 Sharlene Lane
Plainville, MA 02762
508-643-0954
debbie.belanger@comcast.net

From: Lynne Weiss <lynneweiss23@gmail.com>
Sent: Friday, July 17, 2020 8:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: S. 2820

Dear Rep. Cronin and Rep. Michlewitz,

I support for S.2820 the Senate's police reform bill and I urge the House to enact a similar bill as soon as possible so it can be signed by Governor Baker by the end of July. At this moment in the history of the United States, when glaring inequities in police behavior toward vulnerable populations have been made increasingly visible, it is essential to start addressing policing throughout the Commonwealth and I believe the provisions included in S 2820 will move us toward that.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection

of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

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

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Lynne Weiss
617 504 8459
member, Safe Medford
40 Greenleaf Avenue
Medford MA 02155
From: Siera Barton <siera.a.barton@gmail.com>
Sent: Friday, July 17, 2020 8:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please advocate for Expungement in Massachusetts in house bill focused on racial justice

Dear MA Judiciary,

My name is Siera Barton and I am from Cambridge, MA. I am reaching out about the effort to expand the existing youth expungement law so that it is more accessible to young people in Massachusetts. As a public health professional, specifically working in community violence intervention and prevention, I want our state to commit to upstream solutions, such as financial investments in communities, housing first, and a robust social safety net, which all contribute to safer communities. I want to live in a society that prioritizes growth, not punishment.

Let's amend the expungement law applying our understanding of young adult recidivism rates (young adults have a 76% recidivism rate over three years), cognitive brain development (people are more risk averse before their mid-twenties), and the seven year expiration of a criminal record's effectiveness as a tool for public safety.

The current law is very exclusive and most young people cannot qualify. It doesn't even distinguish between a conviction versus a dismissed case. Race plays a central role in the problem with criminal records. Black youth are three times more likely to be arrested than their white peers. Black individuals are six times more likely to go to jail than whites despite being just 7.5% of the population. People of color are over-represented at every stage of the legal system and expungement will go a long way to undo the harm from this systemic racism. Criminal records stay with people forever and prevent many from getting good jobs and education which puts an unnecessary strain on our economy. Records also have a very negative impact on mental health and they particularly hurt communities of color.

We respectfully ask for an amendment that will:

- * Allow for multiple offenses to be expunged (prior to age 21).
- * Remove the list of 150+ charges that automatically disqualify and let the judge decide. Charges don't reflect the reality of an individual's character, guilt, likelihood of future risk, or ability to contribute to society in a positive way. Instead we should allow for judicial discretion. Since the 7 year felony and 3 year misdemeanor wait periods only begin at the end of one's sentence, the most severe charges like murder and aggravated rape which come with life sentences will never be eligible.
- * Differentiate between convictions and dismissed cases. Not all charges are equal.

I know that the Legislature is planning to pass legislation to address police accountability and racial justice and I would really appreciate your support to make sure an expansion to the expungement law is included. As your constituent, I would appreciate your leadership on this issue.

Thank you for your consideration! This issue is very important to me, the young people in our community, and the entire Commonwealth of Massachusetts.

Sincerely,

Siera Barton

From: Susan Feeney <feeney_s@msn.com>

Sent: Friday, July 17, 2020 8:50 AM

To: Testimony HWM Judiciary (HOU)

Subject: Opposed

Good morning,

I am strongly opposed to bill S.2820. This bill ties the hands of our police officers and creates a dangerous situation for our communities and our police. I would also like to point out that we have not had any problems with policing in this state and have been congratulated for our great practices and the professionalism of our police. An incident that took place 1,200 miles away should not dictate what we do here, as it does not in any other situation. This is an obvious political move and disgraceful.

* Altogether banning any type of force is dangerous as the public can use any type of force against those who protect us. If a police officer is fighting for his life, you are saying he/she is not able to save his/her life if a chokehold is his/her only option. Yet, a person can use a chokehold to kill a police officer. Chokeholds are already limited to lethal force. Limiting force in certain situations is more logical than outright banning it.

* Creating a certification process without the opportunity or due process is a dangerous road to go down with all of the frivolous complaints that are made against police officers just due to the nature of their job. The argument keeps coming up that most other states have a certification process. Well, most other states do not have the level of training our police officers have and that is why Massachusetts won't accept other state's certifications already. Again, other states with certification have had the problems where Massachusetts has not.

* Qualified immunity is what allows a police officer to do his/her job. I will leave you with a few scenarios

* One of your loved ones drops from a heart attack. There is no pulse when the police arrive, they immediately start CPR. During CPR, trying to save your loved ones life, they break a rib (very common with CPR), As it stands now, police are covered by qualified immunity because they were acting upon their training, in good faith, and trying to save a life. Without qualified immunity, the Supreme Court has ruled that a police officer would be more protected to NOT try and save a life then try and help. Without qualified immunity, that officer could be sued for breaking that rib while trying to save a life.

* You and your family members are involved in a horrific car accident, a police officer activated his blue lights and siren and follows his training and legal authority to get to the scene as quickly and safely as possible to save your child's life as you look on helpless stuck in the car. On the way, the officer is involved in an accident themselves rushing to try and help your family. Without qualified immunity, this officer can now be personally sued by the other party involved in the accident even though they were acting in good faith and within the boundaries of the law and their training. Do you think that officer is going to get there so quick next time to try and save your family when seconds count?

* Domestic violence may take a turn for the worse with officers afraid to arrest and be sued.

* A person calls because a dog is in distress in a hot car. Before, the officer would break the window to save the dog. Without qualified immunity, that officer could be sued for breaking that window and therefore may not feel comfortable doing so. According to the Supreme Court, officers are not required to act.

* There are a million scenarios that are running through my head. Think of any situation that an officer responds to and there is the possibility to be sued without qualified immunity for simply doing their job. Without qualified immunity, officers will either hesitate to act or not act at all.

* Some things you could do to help:

* Stop pulling training funding for police.

* Bring back the Quinn Bill to bring in higher educated police officers who are proved to use less force.

* Fund body cameras to hold everyone accountable. I have a feeling this one is not in there because you do not want proof that goes against your party line. You don't want to see what police officers really deal with on a daily basis.

* Stop taking away non-lethal force options so you only leave a police officer with a lethal force option.

There is no need to villainize the men and women of the Commonwealth who lay their lives on the line every day or you. I know some of you use even them on a regular basis for your own protection at home or at the office. Policing is a noble profession and should be treated as such as nothing has happened with Massachusetts trained police officers to make you think otherwise. Passing this bill and changing policing under the guise of national rhetoric is dangerous and irresponsible. Please use some common sense, read actual facts and studies (not the media) and think about the citizens in the state, and the children who have to grow up in this state, who need police services on a daily basis rather than your political party line. Most of all, do not make knee jerk decisions without the proper time to research and be sure a safe and effective bill is being passed.

Thank you for your time.

Susan Feeney
Beverly, MA

Sent from my iPhone

From: Carolyn Marsden <carolynvmarsden@gmail.com>

Sent: Friday, July 17, 2020 8:43 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter, and I want to stand up for all families that have lost loved ones to police violence. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Carolyn Marsden
1057 Main St Apt 9
Walpole, MA 02081
carolynvmarsden@gmail.com

From: Christine McElroy <cmcelroy52@gmail.com>

Sent: Friday, July 17, 2020 8:50 AM

To: Testimony HWM Judiciary (HOU)

Subject: Accountability for Police

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Christine McElroy with the Greater Boston Interfaith Organization (GBIO). I live at 4 Morrison Ct in Cambridge. My family and I have had encounters with the police and realize how broad their powers of discretion are to use for restraint and moderation or to use for power and force. They need to know that they are not above the law.

I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Christine McElroy

Cmcelroy52@gmail.com

617-852-8065

4 Morrison Ct

Cambridge, MA 02140

Sent from my iPhone
From: jboggs76@gmail.com
Sent: Friday, July 17, 2020 8:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Senator Julian Cyr,

My name is Jennifer Boggs and I live at 58 Osprey Lane in East Sandwich Ma. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While

there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Jennifer Boggs

Sent from my iPhoneFrom: Alden C <alden1003@gmail.com>

Sent: Friday, July 17, 2020 8:49 AM

To: Testimony HWM Judiciary (HOU)

Subject: Please pass bill SB.2800

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

My name is Alden Cowap. I am a resident of Cambridge and I support Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

As recent events have brought to light, the police system in this country is far from perfect. It was built to be a racist system, and has maintained that to this day. While reforms are only the first step to protect black and brown lives against excessive police violence and lack of accountability, they are an important first step. I strongly support this bill and believe you should too. It will not hinder the police officers' efforts to maintain peace, but will signal that Massachusetts is a place that cares about the health, safety, and life of every one of its residents.

SB.2800 bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Best,

Alden Cowap

Cambridge, MA

From: Katie DiMasi <katie.dimasi@gmail.com>
Sent: Friday, July 17, 2020 8:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

To Whom It May Concern,

I'm appalled at the desire to remove qualified immunity from our first responders.

Qualified immunity does not protect bad police officers that break the law. They are still prosecuted. It protects good, hardworking police officers and other first responders who risk their lives daily to diffuse situations and actively protect our citizens.

By removing qualified immunity, you are making it possible for individuals to present frivolous lawsuits against our first responders. This is a waste of both time and money, and I fear that our police officers will constantly question their actions therefore endangering their lives and the lives of those they've sworn to serve and protect.

I fear for my husband's life when you look to remove protections from his job. He wanted to be a police officer his entire life, to be viewed as a helper, someone who serves his community, please don't take his rights from him.

Sincerely,

Kathleen DiMasi

From: Judi Harrington <jdharr123@gmail.com>
Sent: Friday, July 17, 2020 8:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: 2820 Opposition Letter

My name is Judi Harrington and I live at 1 Debbie Drive Spencer, MA 01562. I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers, of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all public servants including my husband working for the Department of Public Works in the City of Worcester.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees from frivolously unrealistic lawsuits. My husband, police, fire and EMT's all deserve to have this continue for them working for the City of Worcester.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and the dignity they deserve.

Respectfully,

Judi A. Harrington

From: Suja Agireddy <sagireddy@gmail.com>
Sent: Friday, July 17, 2020 8:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Chair Michwelitz, Chair Cronin and members of the House Ways & Means and the Judiciary Committee,

I'm writing in favor of S.2820 to bring highly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Sujatha Agireddy
Town: Sudbury, MA 01776

From: Vera Broekhuysen <vera.broekhuysen@gmail.com>
Sent: Friday, July 17, 2020 8:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Supporting S2820

To the honourable Committee Chairs, Reps. Claire Cronin and Aaron Michlewitz, and members of the committee,
I am writing to voice my support for S.2820, the bill under consideration for reforming some of our Commonwealth's police standards and create more resources for Black and Brown people in our community as our entire judicial and law enforcement system continues to work towards becoming free of racial bias.

I am delighted to see the scope of the bill, which does so many needful things at once: reduce the potential for qualified immunity so that when law enforcement infringe on civil rights, they're called to answer for it; establish standards for law enforcement training and education in the equally crucial areas of de-escalation and appropriate use of force, AND the history of racism in this country, so that the implicit biases we all

carry can be fought before they turn deadly in a police officer authorized to carry a weapon and use force; and establish committees to monitor, report on and work to improve the disparities in the application of justice that racial biases inflict on Black and Brown people in our commonwealth.

In the course of the past month, I have been saddened to hear stories come pouring out of the woodwork in North Andover, where I live, and Haverhill, where I work, about Black and Brown people - including educators and clergy - being stopped more frequently by police and treated with more hostility by them than the average White person driving or walking by. I know from my work in immigration, how much more likely a Latinx person is to be stopped, asked for documentation of status in this country and possibly detained, than a White person.

In both North Andover and Haverhill, and throughout MA, we have the good fortune to be served by many, many, many phenomenal officers and other members of law enforcement. My advocacy for this bill casts no aspersions on them personally. But nobody, not one of us here in America, is free from implicit bias, and until we adopt changes like those proposed in this bill - accountability, data collection on instances of racial discrimination in law enforcement, strengthening of community relationships, and mandatory training on both racism and de-escalation for our officers - implicit bias unaddressed in law enforcement will continue to humiliate, oppress and sometimes kill Black and Brown MA residents.

Please support S.2820.

Sincerely,
- Vera Broekhuysen
30 Leanne Drive
North Andover, MA 01845
617.372.3245

--

Cantor Vera Broekhuysen
<http://verabroekhuysen.com>
<[From: Anna Nowogrodzki <anna.nowogrodzki@gmail.com>
Sent: Friday, July 17, 2020 8:47 AM
To: Testimony HWM Judiciary \(HOU\)
Subject: Testimony for House hearing on police reform bill](https://urldefense.proofpoint.com/v2/url?u=http-3A__verabroekhuysen.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=A7c7Uo1_r11jjSxnraJ9BjjloDdQ0vktmu4WoymsLUM&s=eSy_sdLX-lZ2_89fDGL81GLj8iHVPx5-NfEL9CrUxI0&e=>>
vera.broekhuysen@gmail.com
617.372.3245</p></div><div data-bbox=)

Hi,

I'm a Massachusetts resident submitting testimony for the House hearing on the police reform bill.

Name: Anna Nowogrodzki
Phone number: 607-252-6803

Thank you for your attention to this important matter. I strongly support many provisions of the Senate bill and it is imperative that the House include these provisions in their version of the bill:

- The same limits to qualified immunity that the Senate included. This is vitally important to protect the constitutional rights of Massachusetts residents.
- Amendment 80, which gives superintendents and school committees the ability to authorize a school resource officer, rather than the current unfunded mandate for every district to have SROs. Districts should have local control over their own budgets and policies.
- Amendment 108, which prevents schools from sharing personal information about students into local, state, and federal databases.
- Amendment 65, which bans tear gas, a chemical weapon banned in warfare.

Anna Nowogrodzki
Medford, MA

From: Segur, Timothy <SegurT@worcesterma.gov>
Sent: Friday, July 17, 2020 8:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Good morning,

Thank you for taking the time to read this email. I am a police officer with the city of Worcester where I have worked for the last 15 years. I am an instructor in our police academy as well as a defensive tactics instructor for the state of Massachusetts. I take great pride in training police officers and believe that Massachusetts has the best officers in the whole country.

The recent reform bill that was passed in the Senate is going to have severe negative consequences for not only the police but also the public that we serve. There are a few areas of major concern that I would ask that you please give your attention to. First I believe what was passed is anti labor legislation. Second it removes the rights to due process. Third it also removes collective bargaining. Finally it inserts a board that has no training, experience or background in law enforcement.

I believe that these areas of the bill are of the utmost concern and should receive the most consideration. I ask that you please make the

proper changes to these areas Thank you again for taking the time to read this email.

Officer Timothy Segur
Worcester Police
Training Division
From: Samuel Botsford <sambots@gmail.com>
Sent: Friday, July 17, 2020 8:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: Securing Police Reform

Hello, my name is Samuel Botsford with the Greater Boston Interfaith Organization (GBIO). I live at 24 Monmouth Court Brookline, MA. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Sam

From: Lauren Kleutsch <lauren.kleutsch@gmail.com>
Sent: Friday, July 17, 2020 8:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

To whom it may concern,

I strongly support many provisions of the Senate bill and it is imperative that the House include these provisions in their version of the bill:

- The same limits to qualified immunity that the Senate included. This is vitally important to protect the constitutional rights of Massachusetts residents.

- Amendment 80, which gives superintendents and school committees the ability to authorize a school resource officer, rather than the current unfunded mandate for every district to have SROs. Districts should have local control over their own budgets and policies.

- Amendment 108, which prevents schools from sharing personal information about students into local, state, and federal databases.

Lauren Kleutsch
2036876687
Boston Public Schools teacher
Arlington, MA

Sent from my iPhone From: Mariellen Fidrych <mfidrych@endicott.edu>
Sent: Friday, July 17, 2020 8:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to S 2820

As a Massachusetts citizen, taxpayer and parent of a law enforcement officer, I stand opposed to S 2820. To fast track this bill without debate on policy implications and fiscal impact is woefully irresponsible. There is no regard for the courageous men and women who put their lives on the line every day. If passed, I will join fellow citizens to pass an initiative petition to overturn key provisions of this bill that are not only morally wrong, but dangerous to our society and to the people who keep us safe.

Mariellen Fidrych
Assistant Professor, Experiential Learning

Endicott College
Samuel C. Wax Academic Center 152
Beverly, MA 01915
978.232.2083

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For students: please sign-up for an appointment on Handshake
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For potential internship sites and employers:

<https://endicott.joinhandshake.com/>

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From: Rachel Upshaw <rachelupshaw@gmail.com>

Sent: Friday, July 17, 2020 8:46 AM

To: Testimony HWM Judiciary (HOU)

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

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

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

It is imperative to pass this bill in order to right the wrongs of the past, create a safer city for all citizens, and hold police accountable. Boston must be a leader in this area in order to serve all its residents.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Rachel Upshaw
59 Wachusett St,
Boston, MA 02130

March like a Mother: for Black LivesFrom: Jim Weston
<jamesrweston@gmail.com>
Sent: Friday, July 17, 2020 8:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Jim Weston with the Greater Boston Interfaith Organization (GBIO). I live at 4 Lantern Ln, Bedford, MA.

I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

James R. Weston

jamesrweston@gmail.com

Home: 781 275 8934

Voting Address: 4 Lantern Ln. Bedford, MA 01730

From: Kathleen Colwell <kbcollwell@comcast.net>
Sent: Friday, July 17, 2020 8:46 AM
To: Testimony HWM Judiciary (HOU)
Cc: Minicucci, Christina (HOU)
Subject: S.2820

Good morning,

I urge the House to preserve the Senate language in S.2820 that:

- * Creates an independent and civilian-majority police certification/decertification board
- * Limits the qualified immunity so that victims of police brutality can sue for civil damages
- * Reduces the school-to-prison pipeline and removes barriers to expungement of juvenile records

I request that the House improve the Senate bill by:

- * Strengthening use of force standards
- * Fully prohibiting facial surveillance technology
- * Lifting the cap on the Justice Reinvestment Fund

Thank you,

Kathleen Bradley Colwell
253 Hickory Hill Road
North Andover, MA
From: patrick574@aol.com
Sent: Friday, July 17, 2020 8:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: S 2800 Police Reform Bill

I am asking for you to NOT support S.2820 as written. This bill was hastily written, with insufficient public comment. More so, it will impede law enforcement officers to fulfil their duties as they do today. Massachusetts has some of the best trained officers in the U.S. If this bill passes as written, all officers will now be second guessing every decision they have to make which could take precious seconds away from them possible resulting in serious injury or death to either themselves or the public they are trying to protect and serve. Almost every officer I know, of which I am a mother to two of them, are considering leaving the profession they love if this bill passes as written. Again, I ask that you NOT support this bill. Thank you

Sincerely,

Andrea Hennessy
636 Chickering Road
North Andover, MA 01845
978-771-8938
From: Philip Nassise <fdcollector@yahoo.com>
Sent: Friday, July 17, 2020 8:45 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Legislation

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

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

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

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

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

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

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

Thank you,

Philip Nassise

7 Mockingbird Lane

North Easton, Ma. 02356

fdcollector@yahoo.com

From: Julia Gittleman <juliagittleman@gmail.com>

Sent: Friday, July 17, 2020 8:45 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill Testimony

Good morning,

I am writing to urge you to support the need by the state to raise the age at which emerging adults are processed in the juvenile system from 18 to 20 years-old as part of the Police Reform Bill under consideration.

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

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

Thank you,

Julia Gittleman

From: kate stephens <kelizabeth6726@yahoo.com>

Sent: Friday, July 17, 2020 8:44 AM

To: Testimony HWM Judiciary (HOU)

Subject: bill S.2800

Good Morning,

I write to you today to express my strong opposition to the recently filed S.2800 and I ask that you vote NO when this bill is debated in the House of Representatives. This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of this bill:

In Section 55, this bill authorizes "any person" to "intervene" if they believe an officer's use of force is excessive. This language will be exploited and used as a defense by anyone who is charged with assaulting a police officer. This language will result in more cops being hurt and killed.

In Section 56, this bill authorizes for treble damages if a police officer is found to have submitted a false pay record. This would make police officers the ONLY public employees subject to this punishment.

In Section 6, this bill the POSAC Committee is granted broad powers, including the power of subpoena, in active investigations- even when the original law enforcement agency has conducted it's own investigation. The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment rights against self-incrimination (see Carney vs Springfield) and constitutional protections against "double-jeopardy".

In Section 10, qualified immunity protections are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections essential for the police officers we send out on patrol in our communities and who often deal with some of the most dangerous of circumstances with little or no back-up. Removing qualified immunity protections in this way will open officers up to personal liabilities so they cannot purchase a home, a car, obtain a credit card, or other things for the benefit of them and their families. I know 3 Officers I work with who stated they will quit if qualified immunity is removed. I am unable to retire this year but I will take an inside job and never work the street again.

Additionally, this bill re-writes sections of the 2018 Criminal Justice Reform Bill (see record expungement and corrections) as well as the Hands-Free law the legislature just adopted. Those bills were signed into law after the normal and appropriate legislative process of filing a bill, holding public hearings to accept testimony from citizens and thoughtful debate over a span of many months.

As your constituent I ask that you vote NO on S.2800, for the reasons stated above, and others. Policing has become increasingly dangerous and difficult over the years. We have seen difficulty in recruiting Officers. Legislation such as this will further deter people from seeking a career in Law Enforcement and it will force many Officers into early retirement.

Thank you,

Sergeant Kate Stephens, Salem Police Dept.
From: Daniel Girard <dan@g9financial.com>
Sent: Friday, July 17, 2020 8:44 AM
To: Testimony HWM Judiciary (HOU)
Cc: Frost, Paul - Rep. (HOU)
Subject: Senate Bill 2800 (now S.2820)

From: Daniel Girard Jr. <Dan@G9Financial.com>
Sent: Tuesday, July 14, 2020 12:38 PM
To: 'Paul.Frost@mahouse.gov' <
Subject: Qualified Immunity Bill

Afternoon Representative Frost,

Wanted to reach out and praise the work you and your peers are doing at the State Capital during these insane times. Also, wishing you continued success and health as we move forward with COVID-19 and everything else that 2020 is throwing at us all.

However, I'm reaching out today in regards to the Qualified Immunity Bill that has recently been presented on Capitol Hill and that our local state government is considering. I can tell you I am an informed voter. I pay attention not only to issues within the financial services field, which I've been deeply involved in over the last 20 years as a NAIFA member, but also to those bills that would deeply affect our community such as this one.

Any bill that would jeopardize and negatively affect our local and state police forces in Massachusetts from doing their jobs without hesitation and will result in those protecting the citizens of the commonwealth, from being unprotected in executing law enforcement... I find to be unacceptable.

Clearly, there are current provisions that allow for action to be taken against any government officials who willfully abuse their roles, such as what happened in the George Floyd case in MN. However, additional regulations can be seen as nothing more than a rush to action based on political pressures.

I ask that you vote against any bill that will make it even more difficult for our police departments, those who protect the good people of the commonwealth, to do their jobs to the best of their abilities and

effectively. Anything that would change the existing Qualified Immunity regulations will do just that and make our community less safe and create a distinct disadvantage for our current and future police forces to do their jobs.

Respectfully,

Daniel F. Girard, Jr., LUTCF

Managing Partner, G9 Financial

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P: 508-865-9599 x102 F: 508-635-6846

7 South Main Street, PO Box 678, Millbury, MA 01527

? We help those that want to be helped

? It's our responsibility to care

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From: Joe Nabstedt <jnabstedt@gmail.com>
Sent: Friday, July 17, 2020 8:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Standards

Chair Aaron Michlewitz and Chair Claire Cronin,

I'm writing this to show my support for the police officers of Massachusetts and to ask you to not pass this bill which would make their jobs much more difficult to do.

We were all horrified by the actions of the officers in Minneapolis, but those actions can NOT be aligned with Massachusetts police.

If this bill passes then officers will face a constant barrage of frivolous lawsuits and will be reluctant to perform necessary duties to keep citizens safe. Qualified immunity does not protect officers who commit crimes, it protects officers who act in good faith.

We need you to be the adults in the room and have the courage to do what is right. We've all seen the escalating violence across the country. This violence will continue if police aren't allowed to do their job. Thank you.

Joseph Nabstedt
Quincy Police Department
617-962-9363

From: Gary Quitadamo <quitagq@charter.net>
Sent: Friday, July 17, 2020 8:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

?Hi Subject: S.2820

?

Dear House Committee on Ways and Means,

Hello my name is Gary Quitadamo and I am a Lieutenant for the Worcester Police Department and have been a police officer for approximately 30 years. First I want to personally thank you to allow public written testimony relative to House Bill S.2820. Unlike your Massachusetts Senate brethren, I firmly believe it is of utmost importance to elicit and allow public testimony when the legislature attempts to grapple with such an important public issue like Law Enforcement Reform. However, I respectfully would suggest the legislature and Governor Baker should not expedite such an all-encompassing and complicated topic and place unnecessary deadlines on this important issue. I firmly believe, no matter where you stand in the political aisle, we all believe a civil conversation must occur where all sides of this argument has the ability to be heard. All too often rushed legislature typically results in ineffective legislature/statutes.

As a police officer and registered voter I ask that you support the following issues of S.2820;

Ø Qualified Immunity (QI) - The Senate Bill significantly alters the language would eliminate Qualified Immunity for Police Officers and many more public employees (i.e. correctional officers). At minimum a committee should be established to study the resulting profound effect on Law Enforcement if QI was eliminated. The Senate bill significantly alters language that has been historically supported by federal case law.

Ø Due Process / Collective Bargaining for Police Officers - The Senate Bill as written will remove the right of due process for police officers. It will eliminate the right to be heard by an independent and neutral arbiter which has been the our right for more than 50 years.

Ø Police Officer's Standards & Accreditation Committee (POSAC) - The proposed Senate Bill establishes the aforementioned committee which will have power to decertify an officer when complaints are filed, reviewed, and adjudicated. My issue with this proposal is the make-up of

the committee, which will be mostly civilians with no experience or knowledge of law enforcement practices. Like all other professions (doctors, dentists, teachers, and all public employees) our goal is to ensure the make-up of the committee (at minimum the majority) include law enforcement representatives and/or civilians with law enforcement background, degrees, and/or experience.

Respectfully,

Gary Quitadamo

30 Leela Lane

Rochdale, MA 01542

(508) 340-7558

From: Adam Lang <ajlang@bu.edu>
Sent: Friday, July 17, 2020 8:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in Support of Police Accountability

July 17, 2020

The Honorable Rep. Aaron Michlewitz

Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin

Chair, Joint Committee on the Judiciary

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

Dear Chairs Michlewitz and Cronin,

As a Brighton resident and a clinical social worker, I write in strong support of the many provisions in S.2820 designed to increase police accountability. In particular, our organization urges you to:

1. Adopt strict limits on police use of force,
2. End qualified immunity, because it shields police from accountability and denies victims of police violence their day in court, and
3. Prohibit government use of face surveillance technology, which threatens core civil liberties and racial justice.

I spent my clinical internship last year working with school-aged children of color, and I often worry about how, in a few short years, they may no longer be seen as children by police officers. I'm reminded just how many victims of police brutality are young people. I am deeply troubled to know that my clients of color are not truly safe in their communities due to laws that protect police when they exploit abusive practices. We've seen the tragic outcomes of this many times before - enough is enough.

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

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

Of critical and urgent importance: Massachusetts must abolish the dangerous doctrine of qualified immunity because it shields police from being held accountable to their victims. Limits on use of force are

meaningless unless they are enforceable. Yet today, qualified immunity protects police even when they blatantly and seriously violate people's civil rights, including by excessive use of force resulting in permanent injury or even death. It denies victims of police violence their day in court. Ending or reforming qualified immunity is the most important police accountability measure in S2820. Maintaining Qualified Immunity ensures that Black Lives Don't Matter. We urge you to end immunity in order to end impunity.

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

Long-term, efforts should focus on reducing police budgets, removing police officers from schools, and funding community resources that prevent violence. I stand by my colleagues in social work and other health professions in addressing violence as a public health concern. Our field offers a rich array of evidence linking youth unemployment, economic neglect, lack of access to health and mental health services, and chronic stress with violence. It is critical that we divest from policing and incarceration - which are shown to be ineffective in addressing root causes of violence - and put our money towards what communities are actually asking for.

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

Sincerely,

Adam Lang (He/Him/His)

MSW Candidate, 2021

Boston University School of Social Work

From: James Palmeri <bernchief1@yahoo.com>
Sent: Friday, July 17, 2020 8:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Concerns to 2820 as amended

Dear Chairwoman Cronin and Chairman Michlewitz,

After reading the letter drafted by my association, MA Chiefs of Police President, Chief Jeff Farnsworth and Major City Chiefs Association President, Chief Brian Kyes, I am in Full support of their (our) concerns.

Rather than overloading the same message in my words, regardless how important our concerns are, I am signing on to this letter as a Massachusetts police chief.

I have been a successful law enforcement professional since 1997, becoming a police chief in 2008. I strongly believe any changes to the qualified immunity law would be detrimental to law enforcements daily functions in keeping a decent quality of life for our communities.

Please consider our outlined concerns drafted by both chiefs mentioned above.

Thank you for your time.

Respectfully,

James Palmeri

Sent from the road via Yahoo Mail on Android, of course not while driving. Buckle up and Drive Safe...

Chief James Palmeri
Bernardston Police Department
256 South Street, P.O. Box 194
Bernardston, Massachusetts 01337
(413) 648-9208 Station
(413) 648-0244 Fax
(413) 625-8200 24hr Dispatch
From: Thomas Brunton <tbrunton7202@gmail.com>
Sent: Friday, July 17, 2020 8:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

To Whom it May Concern,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me

in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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

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

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

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

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

Thank you,

Thomas Brunton

246 W 5th St, Apt 1, Boston, MA 02127

(413) 374-2396

From: K Williams <manwil98@gmail.com>
Sent: Friday, July 17, 2020 8:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good Morning Sirs and Ma'am's- my name is Keller Williams and I am a Massachusetts State Police Trooper assigned to the Violent Fugitive Apprehension Section. I was in the Coast Guard for 10 years and an Amherst Police Officer prior to joining the State Police. I have been assigned to one of our tactical teams and have also been a Drill Instructor for 9 years spanning 6 classes where I trained over a 1,000 Troopers.

My partners and I provide a unique service to the State and local communities, we arrest the worst of the worst. Suspects wanted for murder, kidnapping, rape, child sex offenses etc. I have never felt more disenfranchised and demoralized by my elected leadership. I implore you to support us and by us I mean every law enforcement officer in the state. We need your support on putting more experienced law enforcement on the PSOA. We need your support regarding Due Process, which is a right afforded to all citizens. We need your support on Qualified Immunity, which allows us to do our job to our fullest ability and allows to feel confident we will go home at night to our families.

My family's nucleus is made up of my beautiful and loving wife Mandi and daughters Logan (21) and LiLi (18). They may have met some of you. I am a recipient of the Hanna Award. I am also the recipient of two Medal of Valors and the Medal of Lifesaving from the State Police, the Chicopee Medal of Honor and the MPA Medal of Valor. These have been the result of 3 separate shootings and saving a 5 year old girl from her mother who was trying to kill her. I'm proud of my service and wouldn't change a thing, but this environment being created around us cannot continue.

Respectfully- Trooper Keller Williams #3374
Cell#413-977-8176

Sent from my iPhoneFrom: AMY FEMINO <AMJ1178@hotmail.com>
Sent: Friday, July 17, 2020 8:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: NO TO POLICE REFORM BILL!

To whom it may concern:

Stripping Law Enforcement of qualified immunity takes away their protection and due process!! This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more!!

Do NOT pass this bill!!!

From: David Smolski <davidj-smolski@gmail.com>
Sent: Friday, July 17, 2020 8:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony - Bill S.2820

To Whom It May Concern:

I am writing to you about the proposed bill to reform police standards. I am just an "average" citizen living in Charlton, MA. None of my family members, or close friends, work in law enforcement. I know, and have worked with, a number of police officers in my community though and am compelled to write to you.

There seem to be some reasonable points to the now revised 70+ page proposed bill, but I am alarmed for a number of reasons. I would like to explain my point of view on a handful of them.

First, it seems our state government has worked on this "under the cover of night." I cannot imagine how circumventing the legislative process with no public input, or input from police officers (or possibly the police unions) is appropriate in any way. Thankfully, it sounds like the House Ways and Means Committee and the Judiciary are soliciting public testimony now.

Requiring officers to carry their own insurance and removing qualified immunity seems like an utter disaster of an idea to me. Who in their right mind would want either to remain as a police officer, or to become a police officer in the future, if they could risk everything because someone's abbreviated video from a cell phone camera portrays an interaction with an officer in a less than perfect light?

And if / when this door is opened, what other professions will be subject to similar "standards?" How about public school teachers, our firefighters and EMS, etc.?

Who would ever want to provide a public service for a living if they could lose everything over a misunderstanding or the inability to go through due process to discover the facts about a situation vs. what much of the biased, mainstream media seems compelled to report on?

However, if that is what our government puts in place, the mainstream media must also be held responsible for the never-ending stream of misinformation that is being peddled to the public. I firmly believe they are one of the biggest dangers to Americans.

Removing school resource officers seems like another slippery slope. I've heard nothing but good things about the connections that Officer Brian Cardrant has at our regional high school, Shepherd Hill. Why would we want to remove a valuable resource who is building relationships with students? He provides support for them in ways that members of a school's administration and staff do not. He is also a positive role model who influences kids in their formative years to contribute in positive ways to society and not succumb to the many, negative peer pressures that they encounter.

To my knowledge, extrajudicial justice in the form of lynching was not conducted in Massachusetts. If that is not correct, at least the NAACP website lists Massachusetts among several states where there were no lynchings for a period of nearly 90 years. In that case, why should Massachusetts taxpayer dollars in 2020 and beyond go to fund a requirement for police officers to be trained on the history of lynching, slavery and racism in general?

Governing.com's 2013 data for safety and justice (most recent available) indicates that the Boston Police Department has a total minority share of 34.5% with 507 black officers. Would minority officers, including those

who are black, be required to complete this training? If that is the case, will every public servant, including our elected representatives at all levels of town, city and state government, our educators and administration, those who represent these groups (unions), etc., also be required to complete this training? If not, why not? After all, they are directly involved with public policy and interactions with the general public of all ages, gender, backgrounds, beliefs and ethnicities.

There is plenty more in the 70+ page document, but I don't intend to write you a 70+ page e-mail outlining my concerns.

I am neither a registered Republican, nor a Democrat, but I implore you to craft a police reform bill that doesn't likely put the lives of our officers, their families, and our citizens, in grave danger.

In closing, I believe...

- * That there is a thin, blue line that separates chaos from order
- * It doesn't need to be a thick blue line
- * Some people want to eliminate or erase that line all together, which would be disastrous
- * There are good and bad people in every walk of life and profession, including the ranks of law enforcement and public service of all kinds (including police, security, military, government, etc.)
- * We are on the brink of a national disaster if dangerous bills like S.2800, or S.2820, are allowed to pass without opposition or common sense amendments
- * This shouldn't be about hasteful expediency because the Governor wants something on his desk by July 31st
- * It should absolutely be about doing the right thing, for the right reasons
- * Meaningful reform shouldn't include a bunch of bundled trade-offs encompassing "everything and the kitchen sink," just to appease representatives in our two party system; it shouldn't be about political agendas - it should be about the people
- * And now, more than ever, we need the logical and pragmatic voices of our state representatives and officials to be heard on behalf of people who can clearly see what will jeopardize our future

Thank you for this opportunity to express my perspective. I hope you will truly consider what the public has to say about this critical matter.

Sincerely,

David Smolski

Charlton, MA

From: Rachel Isaacson <raisaacson4@gmail.com>
Sent: Friday, July 17, 2020 8:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please advocate for Expungement in Massachusetts in house bill focused on racial justice

Dear MA Judiciary,

My name is Rachel Isaacson and I live in Cambridge, MA. I am reaching out about the effort to expand the existing youth expungement law so that it is more accessible to young people in Massachusetts. As a public health professional, I want our state to commit to upstream solutions, such as financial investments in communities, housing first, and a robust social safety net, which all contribute to safer communities. I want to live in a society that prioritizes growth, not punishment.

Let's amend the expungement law applying our understanding of young adult recidivism rates (young adults have a 76% recidivism rate over three years), cognitive brain development (people are more risk averse before their mid-twenties), and the seven year expiration of a criminal record's effectiveness as a tool for public safety.

The current law is very exclusive and most young people cannot qualify. It doesn't even distinguish between a conviction versus a dismissed case. Race plays a central role in the problem with criminal records. Black youth are three times more likely to be arrested than their white peers. Black individuals are six times more likely to go to jail than whites despite being just 7.5% of the population. People of color are over-represented at every stage of the legal system and expungement will go a long way to undo the harm from this systemic racism. Criminal records stay with people forever and prevent many from getting good jobs and education which puts an unnecessary strain on our economy. Records also have a very negative impact on mental health and they particularly hurt communities of color.

We respectfully ask for an amendment that will:

- * Allow for multiple offenses to be expunged (prior to age 21).
- * Remove the list of 150+ charges that automatically disqualify and let the judge decide. Charges don't reflect the reality of an individual's character, guilt, likelihood of future risk, or ability to contribute to society in a positive way. Instead we should allow for judicial discretion. Since the 7 year felony and 3 year misdemeanor wait periods only begin at the end of one's sentence, the most severe charges like murder and aggravated rape which come with life sentences will never be eligible.
- * Differentiate between convictions and dismissed cases. Not all charges are equal.

I know that the Legislature is planning to pass legislation to address police accountability and racial justice and I would really appreciate your support to make sure an expansion to the expungement law is included. As your constituent, I would appreciate your leadership on this issue.

Thank you for your consideration! This issue is very important to me, the young people in our community, and the entire Commonwealth of Massachusetts.

Sincerely,

Rachel Isaacson, MPH
From: Natalie Smith <nataliejsmith62@yahoo.com>
Sent: Friday, July 17, 2020 8:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police bill

As voting citizen in the state of Massachusetts, I feel that the police bill should be voted on by the citizens not the representatives. It is time to give the voting population the power of major decisions and how those decisions affect the people of the state. Give the people the power to decide what they want. I, myself, think this political atmosphere has to change and it will only change if you give back the power to the people not the few politicians at the State House. Do not pass this police bill!

Sent from my iPhone
From: Katherine Kelliher <katherine.a.kelliher@gmail.com>
Sent: Friday, July 17, 2020 8:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: Include an end to qualified immunity

Good morning,

I'm writing today regarding policing reform, specifically in conjunction with the Senate's passing of S.2820. I urge the you to specifically include an end to qualified immunity in all possible outcomes put forward and, more generally, put police accountability in the forefront.

Sincerely,
Katherine Kelliher
12 Hamden district
Springfield, MA

From: Aideen Jenkins <aideenjenkins@gmail.com>
Sent: Friday, July 17, 2020 8:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Raise the age limit - PLEASE

I have been a foster parent to a young woman who came into our family at age 16. She is now 22 and, while she has not had any crime or drug problems, her emotional and maturity development are clearly delayed. I ascribe this to early trauma. Fostering this teen into early adulthood has provided me a lens into the struggles other kids face. Layering race into the equation makes this bill more urgent. I believe reform is possible, and likely with proper intervention and continued emotional support. Sending youth into adult prisons derails chances for positive change.
Sincerely,
Aideen Jenkins

Aideen Jenkins
781-956-6663
From: Walch, Kimberly <WalchK@sudbury.ma.us>
Sent: Friday, July 17, 2020 8:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

Please accept the following testimony with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

You are being inundated with email communication from leaders within the police workforce asking the house to work in partnership with us law enforcement officers and take the necessary time to write this bill in the best interest of every US resident/citizen. I love my job and worked unbelievably hard to attain the position of School Resource Officer. I

think you are making a horrible mistake by enacting this bill so quickly with such drastic changes to our justice system. Our society needs law and order. It pains my body to walk around carrying 35lbs worth of gear around, but I do this to protect our residents and my own life so I may return home safe to my family at the end of the day.

Please listen to our Police Leaders, we are the best in the nation. Let their experience help you mold the appropriate changes to police training. Please please do not let tyrants burn, destroy and vandalize our beautiful state. My friends, family and co-workers need you more than ever.

Kim

Officer Kimberly A. Walch

School Resource Officer

Sudbury Police Department

75 Hudson Road

Sudbury, MA 01776

978-443-1042 or 978-443-5651

From: Mark Thomas <markthomas803@gmail.com>
Sent: Friday, July 17, 2020 8:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

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

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

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

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

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

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

Thank you,

Mark E Thomas

65 Jordan St.

Haverhill, MA 01830

Markthomas803@gmail.com

From: christine lyons <chrissylyons79@gmail.com>
Sent: Friday, July 17, 2020 8:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition of bill S2820

To Whom It May Concern:

I am in opposition of bill S2820 - a bill regarding police reform. The way the bill is written is unacceptable. Anyone who moves forward to pass the bill, will not have my vote.

I support Massachusetts law enforcement officers and this bill does not support them.

The problem in this world is not police violence, it is fear which is displayed as racism. Passing some obscure bill at 4 AM is sneaky and is written in such a way that, instead of enhancing public safety, it will destroy it.

Sincerely,
Christine F. Lyons
Citizen of Norton, MA
Sister of a Norwood police officer
Registered nurse at BIDMC

I stand with law enforcement officers

Sent from my iPhoneFrom: Bob McCorkle <mccorkle49@yahoo.com>
Sent: Friday, July 17, 2020 8:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: urgent request for action

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Robert McCorkle with the Greater Boston Interfaith Organization (GBIO). I live at 39 Clark Rd., Brookline. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Robert McCorkle

mccorkle49@yahoo.com

(617) 699-1618

39 Clark Rd., Brookline

From: Eric R. Gagnon <gagnon.er@gmail.com>
Sent: Friday, July 17, 2020 8:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820 testimony

Good morning,

I am strongly opposed to bill S.2820. This bill ties the hands of our police officers and creates a dangerous situation for our communities and our police. I would also like to point out that we have not had any problems with policing in this state and have been congratulated for our great practices and the professionalism of our police. An incident that took place 1,200 miles away should not dictate what we do here, as it does not in any other situation. This is an obvious political move and disgraceful.

* Altogether banning any type of force is dangerous as the public can use any type of force against those who protect us. If a police officer is fighting for his life, you are saying he/she is not able to save his/her life if a chokehold is his/her only option. Yet, a person can use a chokehold to kill a police officer. Chokeholds are already limited to lethal force. Limiting force in certain situations is more logical than outright banning it.

* Creating a certification process without the opportunity or due process is a dangerous road to go down with all of the frivolous complaints that are made against police officers just due to the nature of their job. The argument keeps coming up that most other states have a certification process. Well, most other states do not have the level of training our police officers have and that is why Massachusetts won't accept other state's certifications already. Again, other states with certification have had the problems where Massachusetts has not.

* Qualified immunity is what allows a police officer to do their job. I will leave you with a few scenarios

* One of your loved ones drops from a heart attack. There is no pulse when the police arrive, they immediately start CPR. During CPR, trying to save your loved ones life, they break a rib (very common with CPR), As it stands now, police are covered by qualified immunity because they were acting upon their training, in good faith, and trying to save a life. Without qualified immunity, the Supreme Court has ruled that a police officer would be more protected to NOT try and save a life then try and help. Without qualified immunity, that officer could be sued for breaking that rib while trying to save a life.

* You and your family members are involved in a horrific car accident, a police officer activated his blue lights and siren and follows his training and legal authority to get to the scene as quickly and safely as possible to save your child's life as you look on helpless stuck in the car. On the way, the officer is involved in an accident themselves rushing to try and help your family. Without qualified immunity, this officer can now be personally sued by the other party involved in the accident even though they were acting in good faith and within the boundaries of the law and their training. Do you think that officer is going to get there so quick next time to try and save your family when seconds count?

* Domestic violence may take a turn for the worse with officers afraid to arrest and be sued.

* A person calls because a dog is in distress in a hot car. Before, the officer would break the window to save the dog. Without qualified immunity, that officer could be sued for breaking that window and therefore may not feel comfortable doing so. According to the Supreme Court, officers are not required to act.

* There are a million scenarios that are running through my head. Think of any situation that an officer responds to and there is the possibility to be sued without qualified immunity for simply doing their job. Without qualified immunity, officers will either hesitate to act or not act at all.

* Some things you could do to help:

* Stop pulling training funding for police.

* Bring back the Quinn Bill to bring in higher educated police officers who are proved to use less force.

* Fund body cameras to hold everyone accountable. I have a feeling this one is not in there because you do not want proof that goes against your party line. You don't want to see what police officers really deal with on a daily basis.

* Stop taking away non-lethal force options so you only leave a police officer with a lethal force option.

There is no need to villainize the men and women of the Commonwealth who lay their lives on the line every day or you. I know some of you use even them on a regular basis for your own protection at home or at the office. Policing is a noble profession and should be treated as such as nothing has happened with Massachusetts trained police officers to make you think otherwise. Passing this bill and changing policing under the guise of national rhetoric is dangerous and irresponsible. Please use some common sense, read actual facts and studies (not the media) and think about the citizens in the state, and the children who have to grow up in this state, who need police services on a daily basis rather than your political party line. Most of all, do not make knee jerk decisions without the proper time to research and be sure a safe and effective bill is being passed.

Thank you for your time.

Eric Gagnon
Beverly, MA

From: whitey4634 <whitey4634@gmail.com>

Sent: Friday, July 17, 2020 8:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Municipal Counsel Opinion on Qualified Immunity Impacts

As a career professional firefighter for over 20 years, I am vehemently opposed to the proposed law change. Unless you have worked a day in our shoes, you will never understand the risks we take on a daily basis. To be hung out to dry and not backed by our local politicians is unacceptable and I consider it an absolute betrayal. I urge you to vote no on the proposed bill.

Respectfully submitted,

FF James White
Whitey4634@gmail.com
978-767-0997

Sent from my Verizon, Samsung Galaxy smartphone

From: Eileen & Tom <tomeileen@comcast.net>
Sent: Friday, July 17, 2020 8:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for S2820

Hello Chair Michlewitz and Chair Cronin:

I grew up in Ireland during the 70's and 80's. The police officers, Gardaí, did not carry guns. Rubber bullets, tear gas and attack dogs were only used by the British Army in the north. Moving to the US and seeing armed police officers was very jarring. As a naturalized citizen, I have seen the police force become increasingly militarized over the 20+ years I've lived here. During my commute, I have noticed more, and more, people of color being pulled over. I have come to question if they are safe from the police officers.

As a result, I am writing in support of S2820 currently being considered by the Massachusetts House of Representatives. This bill is a crucial part of reforming our police departments and addressing systemic racism within our society.

In particular I support the restrictions on obtaining military grade property, the banning of choke holds, and the restrictions on the use of chemical weapons, rubber bullets and dogs. The emphasis on training and de-escalation tactics is an absolutely necessary part of law enforcement reform.

In addition, I support the change in the requirement for school resource officers only at the request of school superintendents. There have been too many stories from students, particularly students of color, of the racism they have encountered or observed from SROs. Studies are clear that

the criminalization of matters that should be handled by schools are hugely detrimental to students both during their time in school and afterward.

I know there has been a tremendous amount of resistance from the law enforcement community regarding this bill, particularly with respect to the modification of qualified immunity. In my opinion the changes made by the bill are reasonable and will help to hold police officers accountable for their actions.

Thank you for taking the time to read this and consideration in passing the bill.

Eileen Kelly
75 Leanne Drive,
North Andover,
MA 01845

Sent from my iPhone
From: Judith Leemann <judithleemann@gmail.com>
Sent: Friday, July 17, 2020 8:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: pass SB.2800 in its entirety

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

My name is Judith Leemann I am a resident of Boston, MA. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

As the white mother of a Black son I have experienced a profound shift in understanding over the last decade of parenting him as to how policing is enacted on different communities and constituencies. It has been a painful process of having my sight become clear. From where I stand now, and in solidarity with the powerful voices lifting in this moment, I ask that you pass SB.2800 as the MINIMUM reform and as a beginning of much greater additional reform.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Judith Leemann

27 Kingsboro Park #2

Jamaica Plain, MA 02130

--

www.judithleemann.com <[From: Claudia Cellucci <cscellucci@me.com>
Sent: Friday, July 17, 2020 8:40 AM
To: Testimony HWM Judiciary \(HOU\)
Subject: Reject Senate Policing bill SB 2820](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.judithleemann.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=iAzZA_piq_W3Z6PBjEuPCjB0-yOEAGjh_5AfLbPoaC4&s=xtVhJTBZ7dR8Xy-bAcUmZfSDJCvZIFzWLzvZroTjVOW&e=>></p></div><div data-bbox=)

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

Claudia Cellucci
Marshfield

Sent from my iPadFrom: Jason Haas <jason.m.haas@gmail.com>
Sent: Friday, July 17, 2020 8:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

With thanks for your attention,

Jason Haas & Jessica Nargiso
Medford, MAFrom: Rosanne Lyons <jrl155@aol.com>
Sent: Friday, July 17, 2020 8:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation

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

From: cgbatson@yahoo.com

Sent: Friday, July 17, 2020 8:39 AM

To: Testimony HWM Judiciary (HOU)

Cc: Tyler, Chynah - Rep. (HOU)

Subject: In Favor of S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

As a cis, white male I still feel responsible for how our city treats every resident. The police should not be above the law. They should treat everyone with the same respect I receive. There is a double-standard at play and we can do better. I encourage you to strongly consider what is right for us as individuals and collectively as a state. Let us stand by our democratic and liberal morals and show the rest of the nation that a demilitarized police force is possible, while maintaining, if not improving, public peace.

Sincerely,

Christopher Batson

20 Highland Avenue

Unit 2

Boston, MA 02119

From: Ainsley Cray <ainsleymcray@gmail.com>

Sent: Friday, July 17, 2020 8:39 AM

To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep Michlewitz:

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July. I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious. Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Regards,

Ainsley Cray
715-493-0487
Medford, MA
From: Chris Santley <santley07@gmail.com>
Sent: Friday, July 17, 2020 8:38 AM
To: Testimony HWM Judiciary (HOU)
Cc: Frost, Paul - Rep. (HOU)
Subject: Police Reform Bill

To All,

I am writing in my concerns regarding the police reform bill. I feel this bill is anti labor legislation and will drastically change the way law enforcement conducts business as it has for so many years. This bill removes the rights of due process, a concept I cannot make any sense of. I am opposed to removing collective bargaining and inserting a board that has no experience or background in law enforcement. It is absurd to have impactful career decisions made by someone with no knowledge of how law is applied and how law enforcement operates.

I am requesting all involved to stop the rush to pass this bill and take the time to make it right for law enforcement and the public as it will have a huge, negative impact on both.

Thank you,
Christopher Santley
Worcester Police Officer
8 Dale Ave
Auburn, Ma 01501
774-253-6718
From: PatandAmanda Winslow <winslowfamily17@gmail.com>
Sent: Friday, July 17, 2020 8:38 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for S2820

To The Chair of the House Committee on Ways and Means, Rep. Aaron Michlewitz, in cooperation with Rep. Claire Cronin, Chair of the Joint Committee on the Judiciary,

It has come to my attention that the bill titled S2820 is under review and as it has been presented to you, I stand opposed to it.

The senate version of this bill as written will seriously undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste, without public hearing or input of any kind, was extremely undemocratic and nontransparent.

Police across the commonwealth support uniform training standards and policies and have been requesting more training for years. My strong, smart, dedicated husband is one of those officers.

The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police. I will not support any bill that does not include the same procedural justice safeguards members of the communities we serve demand and enjoy.

What the Senate has tried to do is pass a knee jerk reaction to an incident which occurred half a country away that everyone agrees was egregious, the Fraternal Order of Police nationally and in this state had quickly condemned it.

Massachusetts police officers are among highest educated and trained in the country. My husband has spent countless hours on and off the clock continuing his training. These training are not limited to the use of lethal weapons- but there are numerous trainings for less lethal and deescalation tactics, as well as ethics and community building.

This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers. It protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few.

Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.

If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

If the senate bill is passed, the future of this state, and this country as we know will be greatly impacted. Our officers cannot in good faith stand risk to lose their houses, their families, and their livelihood because someone got angry about a traffic ticket that was thrown out, and now seeks retribution. Our officers choose to be in this field because they WANT to HELP the community. Passing this bill as it stands may lead to a mass exodus of the GOOD officers. My husband has spent over a decade of his life dedicated to to his department and the community he serves. Our family stands in solidarity with our family in blue. Please don't let this bill pass and let our families pay the price for a knee jerk reaction.

Sincerely,
Amanda Winslow
51 Libby St.
Ludlow, MA 01056
9787932641

Reference:

Bill No. S2820

Title: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

From: jennifer kreiter <jenkreiter@gmail.com>
Sent: Friday, July 17, 2020 8:38 AM
To: Testimony HWM Judiciary (HOU)
Subject: SN.2800

Dear Friends,

This week, the Massachusetts State Senate was able to pass SB.2800 <<https://malegislature.gov/Bills/191/S2800/Amendments>> --Reform, Shift, Build Act--on police reform. It bans chokeholds, propotes de-escalation tactics, certifies police officers, prohibits Testimony.HWMJudiciary@mahouse.gov <<mailto:Testimony.HWMJudiciary@mahouse.gov>> . After Friday, the Legislature will have two weeks to finalize a policing reform bill that Gov. Charlie Baker can sign before the end of formal sessions on July 31.

In solidarity,

Email Address: Testimony.HWMJudiciary@mahouse.gov
<<mailto:Testimony.HWMJudiciary@mahouse.gov>>

Email Title: Pass SB.2800, Reform, Shift, Build Act

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

My name is Jennifer Kreiter. I am a

Resident of Bedford MA and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

Paragraph 2:I believe that the police should be held accountable and we the people should not have to fear them. I look forward to a day where police are thought of as our protectors and community friends

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Jennifer Kreiter

8 Sheridan Rd, Bedford, MA 01730

March like a Mother: for Black Lives

From: Janice <janicedehart1@comcast.net>
Sent: Friday, July 17, 2020 8:38 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Good day, I strongly oppose the proposed changes taking away qualified immunity.

While I support the need to punish public servants who deliberately harm individuals, or those who stand by and don't intervene, my concern is the extent to which this will be implemented.

As a former RN and mother of a firefighter/EMT who is currently becoming a paramedic, I am concerned that any public servant could be held liable for inadvertent negative outcomes during the performance of their duties. This will negatively affect the performance of duty, making public servants more cautious about aggressively performing their duties when necessary.

Please do not throw the baby out with the bath water! While the intention is good to punish "the bad cops", please do not hamper the rest of your public servants, and the community, by taking away qualified immunity.

Yours truly,
Janice DeHart
108 Wakefield Street
Reading, MA

Sent from my iPhone
From: Cheryl O'Connell Riddle <oconnellcheryl@hotmail.com>
Sent: Friday, July 17, 2020 8:38 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony Re: Bill S.2880

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

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

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

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

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

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

Cheryl O'Connell Riddle
12 Iris Court
Lunenburg, MA 01462
Oconnellcheryl@hotmail.com

Get Outlook for iOS <[Dear Members of the Massachusetts House of Representatives:](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_o0ukef&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=LL3ukF6nNVL_jzHFwyY14EFZvlnjuZzWmSDYK7vS3Dw&s=ndJFp0XFauqthZ7WUcmhzN0nNKYIL9qEnLsldA4Pnw8&e=> >
From: Shelley Austin <shelllduc@yahoo.com>
Sent: Friday, July 17, 2020 8:37 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820</p></div><div data-bbox=)

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

with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Shelley Austin
Concerned citizen
From: My Email <clewicki17@comcast.net>
Sent: Friday, July 17, 2020 6:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please review

Dear Senators,

I am imploring you to review every aspect of this law. We DO NOT want to become NYC. We have wonderful police in the State of Massachusetts that deserve respect and have proved who they are. Do you remember the Boston bombing? I certainly do. I know many police officers who are feeling like they've been sucker punched by their Government. Please don't become "that" state. Many people will pick up and leave I know I will consider leaving. It's not the place I'd want to raise a family or see my grandchildren grow. Criminals do not matter more then police.

Again please reconsider more training and do not let this horrible bill go through as it's written.

Sincerely
Cynthia Lewicki
17 High St
Plainville MA. 02762
Sent from my iPhone
From: David Bamford <dbamford70@yahoo.com>
Sent: Friday, July 17, 2020 8:37 AM
To: Testimony HWM Judiciary (HOU)
Cc: Howitt, Steven - Rep. (HOU)
Subject: S.2820

Good morning. I am writing as a private citizen. I currently reside in Norton, MA. I would like to comment on Bill S.2820 before the House.

The proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth and as constructed incapable if being fair and impartial.

What the Senate has tried to do is pass a knee jerk reaction to an incident which occurred half a country away that everyone agrees was egregious, police nationally and in this state quickly condemned it.

Massachusetts police officers are among highest educated and trained in the country.

This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers. It protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few.

Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.

If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

The issues facing our state are significant. They are too important to hastily pass a bill and so that elected officials can say that they checked the box and fixed racism.

Many of the issues truly are systemic and it is unfair to target the police, just one part of a system that has failed minorities for centuries.

I respectfully ask that you reject this bill and initiate a thorough and proper review of the matter.

Respectfully,

David W. Bamford
24 East Hodges Street

Norton, MA
508 285-9972

From: Meryl Finkel <meryl@finkelfeldman.com>
Sent: Friday, July 17, 2020 8:37 AM

To: Testimony HWM Judiciary (HOU)
Subject: Strong police reform needed now!

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Meryl Finkel with the Greater Boston Interfaith Organization (GBIO). I live at 6 Peck Ave in Arlington. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Meryl Finkel

Meryl@finkelfeldman.com

781 249 7658

6 Peck Ave.

Arlington, MA 02476

From: Cesare Del Vaglio <cesared@aol.com>
Sent: Friday, July 17, 2020 8:37 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

Cesare J. 'Skip' Del Vaglio
Master Beekeeper

Sent from my iPhone
From: Mia Bink <mcbink85@gmail.com>
Sent: Friday, July 17, 2020 8:35 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for police bill

Good morning!!

Just voicing my support for the police bill on the floor today! Vote yes!

Thanks!!!
M Scotto

Sent from my iPhone
From: a v <av_mv_jv@hotmail.com>
Sent: Friday, July 17, 2020 8:35 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

To whom it may concern.
I absolutely oppose this bill!
There will be law suits for every 911 call for all first responders! This bill threatens the safety of everyone.
Do not "throw" this bill together because people want change.

"Put" it together responsibly. You haven't done anything thus far why rush now?
Make change, but don't threaten the lives of our first responders.
I hope that if I ever have to dial 911 someone answers the call.
I will blame YOU if they don't..... MY LIFE MATTERS too!

Get Outlook for Android <[joel@finkelfeldman.com](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=MENM6ixAYgQpEOldoDW9xgN6ki7HDmQqagzqHkEsZkQ&s=F5wYXPQLdpsrldA3T1-lOmUwDCEJveE2mOz3hFkcXxE&e=> >
From: Joel Feldman <
Sent: Friday, July 17, 2020 8:35 AM
To: Testimony HWM Judiciary (HOU)
Subject: Strong Police Reform needed now!

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Joel Feldman with the Greater Boston Interfaith Organization (GBIO). I live at 6 Peck Ave in Arlington. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Joel Feldman

joel@finkelfeldman.com

781 690 2052

6 Peck Ave.

Arlington, MA 02476

From: Peter & Holly Lankowski <lankowski@verizon.net>
Sent: Friday, July 17, 2020 8:31 AM
To: Testimony HWM Judiciary (HOU)
Subject: Concerns on S.2820

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

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

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

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

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

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

Thank you,

Peter & Hollace Lankowski
35 Stage Road, South Deerfield, MA 01373
lankowski@verizon.net or 413.665.7322

From: Ptl. Trevor Clark <trevorclark@randolphmapolice.com>
Sent: Friday, July 17, 2020 8:34 AM
To: Testimony HWM Judiciary (HOU)
Cc: Ptl. Trevor Clark
Subject: S2820

The Chair of the House Committee on Ways and Means, Rep. Aaron Michlewitz, in cooperation with Rep. Claire Cronin, Chair of the Joint Committee on the Judiciary

- I have been employed as a police officer in the Town of Randolph for about 5 1/2 years now. Due to this bill, if it were to pass, I have been considering looking for a new career or even moving out of state to become a police officer else where. There are many officers that I work with and know throughout the state that are contemplating the same ideas.
- How do you think small towns will be impacted when say 20% of their department quit and/or retire? I can tell you one thing, crime will skyrocket and police productivity will come to a halt.
- Massachusetts police officers are some of the most highly trained officers in the country. Our academies are some of the best in the country and models for elsewhere. Also, we have in-service every year to go over updates on all aspects of our job. Then, on top of all this, most officers are so enthused to work that we actually pay to go to training on days off or take vacation days to go to trainings. In the past year I had to take vacation days and spend almost \$1000.00 to attend trainings I thought would help me become a better educated and higher trained officer. I had to pay for these trainings because departments are already underfunded and can't afford to send officers to trainings.
- We go out, put our lives on the line to apprehend criminals and protect our cities and towns, only for judges to release these violent and heinous criminals. When the judge releases criminals after committing a violent crime or violating probation or any other crime, it's a slap in our face. Now the politicians want to tie our hands behind our back and expect us to do our job. You're making our job harder and the judges make being a criminal easier.
- Good police hate bad police more than anyone.
- Police aren't saying we don't want reform, we'll take extra training, in fact, we want more training!
- Qualified Immunity needs to be erased from this bill. If you want to take away our qualified immunity, then you, the politician and the judges

need to have yours revoked as well! No one should have it, strip it away from everyone!!

Thank you for your time,

Officer Trevor Clark
?Randolph Police Department
Patrol Division
41 South Main St
Randolph, MA, 02368
Station: 781.963.1212
Cell: 781.437.2493
Fax: 781.961.0968

From: Alice Napoleon <napoleonjones17@gmail.com>
Sent: Friday, July 17, 2020 8:35 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Alice Napoleon with the Greater Boston Interfaith Organization (GBIO). I live at 66 Dane Street in Somerville. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Alice Napoleon

napoleonjones17@gmail.com

617.460.4375

66 Dane St, Somerville, MA 02143

From: Earl Rowland <erowl99@aol.com>
Sent: Friday, July 17, 2020 8:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Comittee members,

I would like to state my opposition to the Police reform bill , especially the qualified immunity portion. How can we expect officers to do all that is asked of them without this provision , impossible. I don't hear any of you giving up that very benefit in a Much less strenuous position. All we need to do is look at what is going on in other cities to see how important law enforcement is to quality of life.

Thank you

Sent from my iPhone

From: Everett L. Moody <ELMoody@lancasterma.net>
Sent: Friday, July 17, 2020 8:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: Worth a read

If you believe law-enforcement is here to help protect and serve, I need your help. If you believe that in living in a civilized, equality opportunistic world is worth fighting for, we need your help. Help law enforcement now so that we can be there to help you when you need us in the future.

We all know that police reform is the number one topic sweeping across our nation. Defunding the police is the new solution for every problem in America. I assure you, no one believes police reform is more necessary than your local law-enforcement officers. We would love to have mental health workers by our side working with us with the ever-growing mental Health crisis in America. We would love to have ample social service personnel along side while we deescalate every domestic situation with perfect success. We would love to go back to a world where toy guns look like toy guns. We welcome more training, higher education, and change in policies. We believe and represent a safer more diverse and equally equitable future for all. Justice and equality are at the very core of our community policing initiatives. We have invested our lives, our health, and the safety of our families in an effort to uphold the laws that our country has created. With your help we have built community relationships and raised the quality of life in our city's and towns. We overwhelmingly respond to the public's call for help in good faith, we maintain public order, we protect and we serve. With society ever evolving it is abundantly clear that the style of policing and the nature of what is to be policed has not evolved equally to reflect the needs and desires of the people. We understand reform is a path to close the gap of what is

being done and what needs to be done. We know how important it is to do this quickly but we know better than anyone it needs to be done carefully. If we move too fast, if we dissolve protection with out clarity we risk the collapse of our community's first line of defense. The current language to remove qualified immunity from law-enforcement would create a world where justice cannot be served unless compliance is given voluntarily. Unfortunately America, there are bad people in this world, those who will not comply to law and order, those who will not live by civilized rules and yes at times those who will need to be physically taken into custody, sometimes by all legal levels of force necessary. To allow any government official to be held civilly liable in the LEGAL execution of the job that society has created is unacceptable. This can not happen! Reform, rebuild, re-educate, repurpose, those are the platforms to a sustainable future for your law enforcement professionals. Taking away CIVIL protection for doing everything RIGHT, is WRONG America!

Have a great day.
Lieutenant Everett L. Moody.

The contents of this email and any attachments are the property of the Town of Lancaster Massachusetts and subject to the Public Records Law, M.G.L. c. 66, section 10. When writing or responding, please remember that the Massachusetts Secretary of State's Office has determined that email is a public record and not confidential.

From: B K <bkubiak9@gmail.com>
Sent: Friday, July 17, 2020 8:33 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill - Testimony

Good Morning,

My name is Brett Kubiak and I am a Police Officer employed by the Worcester Police Department.

In addition to serving as a Police Officer, I am a proud Father to two young sons, Zackary (3) and Matthew (1) and a husband to an amazing and supportive wife, Sarah.

I am writing today to ask you to please consider the ramifications of passing legislation that exposes myself and my family to undue frivolous litigation, by removing qualified immunity. The removal of such basic labor protections tears at the very fabric of civilized society and places undue financial pressure on blue collar working class families.

In addition to the proposal of "removing" qualified immunity is the idea of due process. I am greatly troubled that a review board of untrained civilians may have the ability to remove my certification as a Police Officer. I encourage anyone voting on such a House Bill to ride-along with a Police Officer on a shift and attend a 'Use of Force' training before voting on such an important issue.

I will tell you that if this legislation passes I will be looking to leave the profession of law enforcement - a career I pursued after working in the private sector for several years. It has always been a lifelong dream

to serve my community as a police officer, but without the support of my legislators and the public it simply does not make sense to risk my life or my families finances anymore.

I implore you to use common sense and think about how this proposed legislation will affect your communities as you consider your vote.

Thank you for your consideration and for allowing law enforcement to have a voice in such an important issue.

Respectfully Submitted, Brett Kubiak

Sent from my iPhoneFrom: Deschenes, Robert
<rdeschenes@TempletonMA.gov>
Sent: Friday, July 17, 2020 8:33 AM
To: Testimony HWM Judiciary (HOU)
Subject: FW: House Bill 5128 Police Reform

From: Deschenes, Robert
Sent: Thursday, July 16, 2020 2:22 PM
To: bostonhockey1989@icloud.com
Subject: FW: House Bill 5128 Police Reform

From: Deschenes, Robert
Sent: Thursday, July 16, 2020 10:34 AM
To: Donald.berthiaume@mahouse.gov
Cc: Bennett, Mike <mbennett@templetonma.gov>
Subject: House Bill 5128 Police Reform

Sir, Good Morning. My name is Robert J. Deschenes I am currently a Police Officer with the Templeton Police Department, & a resident of Hubbardston. After reviewing Bill proposal #5128 regarding Police reform I was shocked. I understand times are tough right now, but some of the regulations proposed will be a huge safety risk not only to Police Officers, but also the Civilian Public we protect. We are not looking for any sympathy, but Police Work is incredibly tough, and continues to get tougher every year. We make split second decisions in an attempt to protect innocent lives and ourselves, and unless you have been put in that position you would not understand the pressure that is involved with that. Our goal is to never use force, and deescalate every situation peacefully, but that is simply not possible all the time.

Although Police Reform may be needed in some situations, myself along with many other Officer do not agree with Bill #5128, and fear the safety issues it will cause. The Bill also seems very rushed along. How can effective reform be efficient if the time is not taken to truly investigate and discuss the real issues? Thank You for taking the time to read this, its greatly appreciated.

Respectively;

Patrolman Robert J. Deschenes

From: S Krause <smkrause67@gmail.com>
Sent: Friday, July 17, 2020 8:33 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition S.2820

Dear Representatives

I am writing to state I am against S2820 as presented.

The senate version of this bill as written will seriously undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste without public hearing or input of any kind was extremely undemocratic and nontransparent.

Police across the commonwealth support uniform training standards and policies and have been requesting more training for years

The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police. A bill that does not include the same procedural justice safeguards members of the communities we serve demand and enjoy will not be supported.

The proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth and as constructed incapable if being fair and impartial.

What the Senate has tried to do is pass a knee jerk reaction to an incident which occurred half a country away that everyone agrees was egregious.

Massachusetts police officers are among the highest educated and trained in the country.

This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers, it protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few.

Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.

If the senate bill is passed in its current form, the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

Again, I reiterate that you consider voting against S2820 as presented.

Thank you for your consideration,
Sharon Krause
44 Como Road
Hyde Park Ma 02136

Sent from my iPhone
From: Dan Mendelsohn <danmendelsohn17@gmail.com>
Sent: Friday, July 17, 2020 8:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill Testimony

Good Morning,

My name is Dan Mendelsohn and I am a school social worker in Springfield, MA. I am writing to strongly support increasing the age at which emerging adults are processed in the juvenile justice system from 18 to 20 years old. My background studying both sociology and social work has shown me conclusive data that young adult brains are not fully formed which directly affects their risky decision making. I have also seen, through my academic and professional life, the cascading downward effect of an adult criminal justice conviction for a young adult, on them individually and also on their family members and community. Please strongly consider raising the age from 18 to 20 and saving lives using science and reason.

Sincerely,
Dan Mendelsohn
From: Jen Lynch <lynch.sheehan@gmail.com>
Sent: Friday, July 17, 2020 8:32 AM
To: Testimony HWM Judiciary (HOU)
Cc: Lovely, Joan B. (SEN); Sternman, Mark (SEN)
Subject: Testimony S.2800

To Whom It May Concern,

I am writing to voice my support for Senate bill S.2800. I read through the bill earlier this week and was encouraged to see that the legislature was taking the matter of police accountability seriously. I think an independent commission is a good first step, and I also would like to encourage the Senate to consider including all or a portion of the following two related bills:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety. There is no reason police need to use choke-holds, no knock warrants, or tear gas. Personnel decisions, such as hiring abusive officers should be informed by public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth. Ends the practice of qualified immunity. Police officers are hired to enforce the law, and serve and protect citizens. They absolutely should be personally liable if they are found to have violated a person's civil rights, as any other citizen would be. Rather than hold them above the law, they should be held to higher standards.

Thank you for taking my testimony. I look forward to reading that Massachusetts is a leader in progressive police reform.

All the best,

Jen Lynch

Salem, MA

From: Alicia Powell <powellshrink@yahoo.com>
Sent: Friday, July 17, 2020 8:30 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass SB 2800, Reform, Shift, Build Act

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

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

I have previously worked for law enforcement agencies, so I value my fellow citizens who serve as our police force. Now, as a physician caring

for some of our city's most vulnerable citizens & the mother of a biracial child, I believe when my patients, child & her friends tell me about their experiences with police violence. I know that our police officers are expected to handle too much, with too little training & support (anything short of a full clinical degree in a mental health field is too little). Law enforcement culture rewards toxic masculinity & makes very little space for humanity. This must change at the structural level.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Alicia Powell, MD

3 Newsome Park

Jamaica Plain, MA

From: Elizabeth Wieman <elizabeth.wieman4@gmail.com>
Sent: Friday, July 17, 2020 8:30 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Rev. Elizabeth Wieman with the Greater Boston Interfaith Organization (GBIO). I live at 235 Beech Street, Roslindale MA. I am writing to urge you and the House to pass real police reform that includes:

-Implement Peace Officer Standards & Training with certification

-Civil service access reform

- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

These reforms will restore much needed trust in law enforcement in the Commonwealth.

Thank you very much.

Elizabeth Wieman

elizabeth.wieman4@gmail.com

From: jan nassise <jannassise@gmail.com>
Sent: Friday, July 17, 2020 8:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on Police Reform bill

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

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

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

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

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

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

Thank you,

Janice Nassise

7 Mockingbird Lane

North Easton, Ma. 02356

jannassise@gmail.com

From: Josephine Henry <henrycarver3@aol.com>
Sent: Friday, July 17, 2020 8:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

Sent from my iPad
From: William Gibbs <wbrooksgibbs@gmail.com>
Sent: Friday, July 17, 2020 8:28 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Hello,

My name is William Gibbs. I am a Board Certified Prosthetist at the West Roxbury VAMC. 508 317 3806.

I fully support the maximum amount of reform possible for police in MA. The complete elimination of qualified immunity. Significant reduction in police funding to reduce their roll in society to just policing. Not mental health. Not homelessness. Not crisis management. Accountability is necessary. Public database of misconduct and rule preventing the hiring of officers with histories of misconduct.

As a medical professional, if I hurt a patient or break rules regarding safety I would be personally liable for that harm. Why should police be any different. If I can help serve America's Veterans under close scrutiny, then I think local police can be held to a much higher standard.

Thank you,

William Gibbs CP

From: Tim Lash <jtimlash@gmail.com>
Sent: Friday, July 17, 2020 8:28 AM

To: Testimony HWM Judiciary (HOU)
Subject: Support for police reform (GBIO)

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is James Timothy Lash with the Greater Boston Interfaith Organization (GBIO). I live at 22 Highland Ave #2 in Roxbury. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

James Timothy (Tim) Lash

682-472-7460

22 Highland Ave #2

Roxbury, MA 02119

From: warzo64@verizon.net
Sent: Friday, July 17, 2020 8:26 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Dear House of Representatives,

My name is Matthew Warren and I live at 21 Millbrook Ln in Wakefield, Massachusetts. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together

legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Matthew Warren

From: Terri Driscoll <terridriscoll15@outlook.com>
Sent: Friday, July 17, 2020 8:28 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good Morning,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and

reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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

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

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

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

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

Thank you,

Theresa Driscoll
Of Reading

Get Outlook for iOS <https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_o0ukef&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=mJsIPxseFOjjnKBVGPkplA6vzAij_2w5y10D49eATFw&s=1r13-EgUUFpB3E_9bi9EzPrxagla4VbG7SuDx2hObbY&e=>>
From: Margaret Heitz <heitz.up@gmail.com>
Sent: Friday, July 17, 2020 8:28 AM
To: Testimony HWM Judiciary (HOU)
Cc: Ciccolo, Michelle - Rep. (HOU); shayok.chakraborty@gbio.org
Subject: Testimony for House Police Reform Bill

Dear Representative Aaron Michlewitz and Representative Cronin,

I volunteer with GBIO. I live at 335 Marrett Road in Lexington. I am very disturbed that even in my reputedly liberal community police would profile, stop, and humiliate motorists---even just one motorist---who pass through Lexington.

I urge you and the House to pass a strong police reform bill that is at least as strong as the Senate bill and that includes:

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

Thank you for your attention to this matter.

Yours,

Margaret Heitz

heitz.up@gmail.com

781.861.0191

335 Marrett Rd, Lexington, MA 02421

--

Margaret Heitz

Register to vote.

Sign up for election reminders.

<https://turbovote.org> <https://urldefense.proofpoint.com/v2/url?u=https-3A__turbovote.org&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=pOI8sAoB83s3vQZZbNSCxysWm_upMbFw_JxkgmrFITw&s=pj0edrto tvBQsaHffxbFozZilbWfjLUfzTrKRSqMokc&e=>>

From: Mike Cusolito <mdcusol24@comcast.net>

Sent: Friday, July 17, 2020 8:27 AM

To: Testimony HWM Judiciary (HOU)

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

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

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

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

officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

Thank you,

Michael D. Cusolito

533 Old Barnstable Rd

East Falmouth, MA 02536

Mdcusol24@comcast.net

Sent from my iPhone
From: Joseph Twomey <joe2mey8@yahoo.com>
Sent: Friday, July 17, 2020 8:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

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

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

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

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

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

Sincerely,
Joseph Twomey

From: Donald McCormack <donmack6@comcast.net>
Sent: Friday, July 17, 2020 8:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: police/corrections reform

Sent from my iPhone

Begin forwarded message:

From: Donald McCormack <donmack6@comcast.net>
Date: July 17, 2020 at 8:19:26 AM EDT
To: donmack6@comcast.net

????????????? July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Donald McCormack and I live at 6 Norman rd in Billerica Ma. I work at MCI Concord and am a Correctional officer . As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,

Donald W McCormack

Sent from my iPhone

From: Kimberly Mahoney <krmahoney72@gmail.com>

Sent: Friday, July 17, 2020 8:27 AM
To: Testimony HWM Judiciary (HOU)
Cc: ryno; Jones, Bradley - Rep. (HOU); Michlewitz, Aaron - Rep. (HWM)
Subject: Police Reform Bill

Dear MA State Representatives,

I am writing to you today as the wife of a career well educated Law Enforcement Officer who has served the public for 33 years as a dedicated member of the Boston Police serving many ranks.

To say I am saddened and angry by the severe scrutiny and quite frankly lack of support for Massachusetts Law Enforcement Officers is an understatement. Over the last several months my family has witnessed MA Police Officers being pelleted with bottles of urine and other waste, police cars being lit on fire, and vulgarities being screamed at them by strangers who know nothing about the person who wears the uniform. All the while the Officers are holding the line not wearing any riot gear and exercising great patience. These Officers are able to do this because it's how they were trained.

In our house, we don't hear many stories about what happens at work because the Dad of two great kids and my husband usually leaves his job at the front door when he enters our home. Every work day I've watched him put on his uniform and before he walks out the door he gives me and the kids a hug and I love you. Once the door closes, I often imagine who he is going to protect, help and what tragic situation he will witness today. I never doubt that he will respond to the call and give nothing but his very best. Because you see one thing about my husband and his colleagues is they have been trained so well to handle any situation and most important respect anyone they encounter. The majority of men and women who wear that badge understand the importance of the oath they took. They treat every citizen equal and fair.

I completely understand the outrage from the tragedy that occurred in Minneapolis but we are not that state. We are Massachusetts! Our Police Officers are the very best of the best. If you look at the Boston Police, we have the first black Police Commissioner in the history of the City. He is a great well respected leader who pushes his department to be better everyday. Their Community Policing model is admired by many. The BPD has great established relationships with Community Leaders and residents. Most parts of the City heavily depend on the police to be patrolling their areas so they can put their heads on the pillow knowing their families are safe. The positive impact that BPD Officers have with kids throughout the City is amazing. I've seen it first hand through the many non profit groups I volunteer at. Shop with a Cop, BPD National Night Out, Cook Outs, Ice Cream Truck, and sometimes just a patrol car stopping in the neighborhood to share a hello and a small conversation with the kids. These are some of the things departments are doing to create that trust with their Communities. Now in a blink of eye after many years of hard work that trust has been lost. Primarily because of the media and the lack of support for the MA Police Departments.

There is no doubt MA Police Departments can always find way to improve themselves and do better. In order to achieve this, you must allow them a seat at the table for them to be able to listen, learn and share their experiences as well. Conflict is never resolved and nothing is accomplished by lack of communication.

Like I stated at the beginning of my testimony when my husband leaves for work, says his goodbyes and the door closes him and I know both know it might be for the last time. We both know that unspoken truth that if something happens our family will always be protected financially. We both know that when he has to answer that call to put himself between a domestic partner trying to murder his/her spouse with a knife, or someone on the street pointing a gun at innocent people and/or my husband, or a terrorist holding a bomb attempting to blow up a marathon...we both know that if my husband has to shoot his gun or use the take down techniques he learned by the tremendous amount training he's received...we both know he and our family will be protected from liability from the municipality in which he is employed. Let me tell you if these Officers now have to pause and question their instincts their lives and the lives of those they protect will be in a far more dangerous situation.

I am asking you today to please protect the brave men and women of Law Enforcement by not stripping them of their qualified immunity. This is not answer. I am also asking for you the MA Representatives to stand up and support all sides. For some reason most political leaders are afraid to say hey, you know what...overall LEO's in this state are doing a pretty good job.

As a kid who grew up in Charlestown, I am actually stunned that we have reached this point. I grew up, like many kids in Boston, involved with many youth programs which led me to interact with other kids for all over the city. It was awesome! Most became my friends. We shared our background and stories about the many struggles we had faced. We all understood one another a lot better and respected each other's opinions. This was 32 years ago. I've carried that teenage experience, as I'm sure many others kids did, my entire life. It is my belief that the MA community relationships has only improved since then. I'm not sure how we got to where we are today expressing such distain for Law Enforcement in the Commonwealth. Sure we've had ups and downs along the way but I've always felt we were a step ahead the rest of the Country.

Thank you for the taking the time to read my testimony. I completely understand the taunting task you have before you and I truly hope a fair outcome will prevail.

Take Care,
Kimberly Mahoney

Sent from my iPhoneFrom: Justin du coeur <jducoeur@gmail.com>
Sent: Friday, July 17, 2020 8:26 AM
To: Testimony HWM Judiciary (HOU)
Subject: Regarding the Reform, Shift + Build Act

I would like to express my support for this bill, S.2820, and urge the State House to pass it largely in its current form.

Police reform is necessary at all levels -- even us middle-class, middle-aged white voters can see that by this point. No, the situation in MA isn't as horrifying as it is in some places, but that's a terribly low bar: we can, and should, do much better.

There is a lot in the Senate bill that moves in the right directions: an independent review board, tightening the use-of-force standards, downplaying the use of police in schools. Perhaps above all, limiting qualified immunity like this should be a matter of common sense, and it is appalling that that isn't *already* in state law.

This needs to happen, and it needs to happen now. I urge the House to avoid the temptation to water the bill down, and also to avoid nitpicking it to death in the name of improvements. While I believe that we can do yet more going forward, it's important to begin making smart, measured progress.

Please support this bill, and get it passed in this legislative session.

Sincerely,

Mark Waks

617-718-1800

Somerville, MA

From: Nancy Bettinger <nancybettinger@comcast.net>

Sent: Friday, July 17, 2020 8:26 AM

To: Testimony HWM Judiciary (HOU)

Cc: Meschino, Joan - Rep. (HOU); Murphy, James - Rep. (HOU)

Subject: Racial Justice Legislation

Dear Chairs Cronin and Michlewitz and Members of the Ways and Means and Judiciary Committees,

The League of Women Voters advocates against systemic racism in the justice system and supports preventing excessive force and brutality by law enforcement.

We urge you to support legislation that includes the protections proposed by the following bills:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, filed by State Representative Liz Miranda, which bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

H.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, filed by State Representative Michael Day, which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

It is time at last to ensure that all citizens of the Commonwealth benefit from basic health, safety and civil rights protections.

Sincerely,
Nancy Bettinger
Hingham League of Women Voters Legislative Envoy

From: Crista <crista0217@yahoo.com>
Sent: Friday, July 17, 2020 8:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Acceptance of Written Testimony Only

Dear Senator Julian Cyr,

My name is Jane Lesanto and I live at 609 Great Neck Road South, Mashpee, MA. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and

correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Jane Lesanto

Sent from Yahoo Mail for iPhone

<[From: Leah McGowan <\[mcgowanleah@gmail.com\]\(mailto:mcgowanleah@gmail.com\)>
Sent: Friday, July 17, 2020 8:25 AM
To: Testimony HWM Judiciary \(HOU\)
Subject: Bill for Police Reform S2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Lxl4XeQ6_iiCXvw8IuvWDYoJgvpP5sYPJTO4XI537ZE&s=93DvL_V3hNIK_KzriiEei71-PdhDdP0-C08trErbZcE&e=></p></div><div data-bbox=)

To whom it may concern,

Thank you for drafting Bill S2820. I want to make sure you are aware that constituents are proud to live in Massachusetts when Police Reform bills like S2820 are being crafted in response to Black Lives Matter protests and public outcry. I support this bill and hope that we will actually get to see reform in the streets. I also hope that the money spent on policing Black people can be redistributed to actually support and uplift these communities and families.

I thank you for your work to make our country a safer, more respectable place to call home. We have hundreds of years of oppressive laws and law enforcement actions to reverse and heal from. I am glad we are taking a step in the right direction.

Leah McGowan
20 Beal St
Canton MA 02021

(413) 522-0899

From: Stacey & Jay Cappello <jnscappello@verizon.net>
Sent: Friday, July 17, 2020 8:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good Evening

My name is Stacey Cappello and I live at 57 Bellevue rd in Braintree. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Dectective As the wife of a Police Dectective in today's world things are different. Like all police wives, I watch my husband leave and hope and pray that he comes

home safely every day. My last words to him every time he leaves are "be careful". In our world this is "normal" but not everyone lives in the same world we do, not all wives need to say "be careful" when their loved one leaves for work.

I also write to you as a member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered. I will never forget sitting on our back deck having coffee when my husband got the initial call about Mike. I will never forget him running upstairs to get dressed to go to work and help wherever he could. I will never forget where I was when he called me to tell me the news that Mike had died. I will never forget attending Mike's wake and funeral with my husband, my Blue Family and the Chesna Family. Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will never forget. A police wake and funeral are things NONE of us ever want to attend again.

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform.

Like many, I support enhanced training and appropriate certification standards that apply to individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. Qualified Immunity, as I understand it, does not excuse criminal conduct. It is, instead, a legal protection offered to all public employees and serves as a protection against losing one's home or life savings in a civil suit. As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform. If they don't make those decisions quickly enough they face the very real chance of death or injury. Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried about liability. They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in. They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones. Is there a chance that Sergeant Michael Chesna chose not to use his weapon on the morning of July 15, 2018 because he was worried that such use would have been viewed as use of excessive force? Was he worried that if he used his weapon he could potentially lose his family's home? The answers to those questions we will never know. It does seem reasonable to assume,

however, that had Sergeant Michael Chesna chosen to use his weapon to shoot Emanuel Lopes he would still be here today. He would still be here with his family who miss him every single day. Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them. Police Officers who are forced to stop, pause and think about potential liability before they act are Police officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

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

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

Sincerely,
Stacey Cappello

57 Bellevue Rd

Braintree, Ma

From: Jerry Cuellar <cuellargerald@gmail.com>
Sent: Friday, July 17, 2020 8:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: PLEASE FOLLOW UP: LACK OF A PUBLIC HEARING CONCERN, Police Reform Bill (S 2800)

?

To Whom It May Concern:

I am a citizen, a taxpayer and a voter of the Commonwealth. I am writing to express my concern on the lack of a public hearing on the Senate's bill (S 2800) which is a major point of contention for police unions and other critics who felt excluded from the development of the bill. I would ask that police unions and We The People be allowed to have input on the bill as it directly effects police and the safety of our citizens.

I can be reached at 954 245 2206 if you have any questions.

Respectfully,
Gerald Cuellar

Sent from my iPhone
From: Phyllis Ellis <phyllis@naacp-brocktonbranch.org>
Sent: Friday, July 17, 2020 8:21 AM
To: Testimony HWM Judiciary (HOU)
Cc: DeLeo, Robert - Rep. (HOU); Ron.Marlano@housema.gov; Gonzalez, Carlos - Rep. (HOU)
Subject: Testimony

PO Box 1535
Brockton, MA 02302

July 17, 2020

Claire Cronin, House Judiciary Committee

Aaron Michlewiz, Chair, House Ways and Means Committee

Good Morning,

As president of the Brockton Area Branch NAACP, I write in support of a strong policing reform bill. I support the Massachusetts Black and Latino Legislative Caucus position and priorities.

This is not Black vs White. It's about accountability vs non-accountability. Police should be held accountable for their actions and not be shield. We look to police to protect us, yet some, not all, are becoming the predators. This reform may hinder that.

Phyllis Ellis

President

Brockton Area Branch NAACP

From: Camy Ducasse <cducasse24@gmail.com>
Sent: Friday, July 17, 2020 8:24 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

July 17, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Camy Ducass and I live at 1 Marshall Circle Peabody Ma. I work at the Suffolk County Sheriff's Department and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made

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

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

Sincerely,

Camy Ducasse

From: Christine Del Favero <cad7@cornell.edu>

Sent: Friday, July 17, 2020 8:24 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass Police Reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Christine Del Favero with the Greater Boston Interfaith Organization (GBIO). I live at 18 Dartmouth Place, Boston, MA 02116. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Be well,

Christine Del Favero

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Christine Del Favero
cad7@cornell.edu
702-743-7902
18 Dartmouth Place,
Unit 2
Boston, MA 02116

From: Wendy Cunniff <wwcunniff@gmail.com>
Sent: Friday, July 17, 2020 8:23 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on S 2820

Wendy Cunniff
22 Naples Road
S. Hamilton, MA 01982
wwcunniff@gmail.com

Dear Representatives of the People of Massachusetts,

I am not a member of any special interest group. I want to express my concern as a regular citizen of the Commonwealth of Massachusetts. Qualified Immunity protects the people of Massachusetts just as much as it protects first responders. Without it we will have our first responders afraid to act because of the threat of being sued. We will have good first responders forced to leave the profession in order to protect their family. As a citizen, I want to be able to call a first responder, knowing without question that if needed an action, such as performing CPR will be performed without hesitation. There will be people who will target first responders with lawsuits. It will be a nightmare for society. Please pass common sense reform, not knee-jerk reaction reform. Thank you for your time.

Sincerely,

Wendy Cunniff

From: Arthur McIver <apmuci@aol.com>
Sent: Friday, July 17, 2020 8:23 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

To whom it may concern:

I am totally against what you are doing. You are wasting your time and mine. But that seems natural for you.

Once again you have missed the mark. First of all it's not the Police who have the problem(.5% maybe) it's the people breaking the law. They have no respect for themselves or anyone else. If an officer asked you to stop you stop if they ask you a simple question, you answer. Why is this so difficult.

As for the Michael Rodrigues comments: "We took bits and pieces on many different ideas, and we did what we always do in the Senate: we tried to put together the best piece of legislation that we could... It's disappointing that we're not going to do the business that we were elected to do today. We know it's hard. We know it's difficult. It's just going to be as difficult the next day." He "tried to put together the best piece of legislation that we could", but it's not and it is being rushed through the process.

You have to take care of Massachusetts and any issues we might have here. Stop looking at the out of control cities across the country and focus on Massachusetts.

I strongly suggest you add a weekend ride along with Police officers for every politician elected. Let them see first hand how people react to the Police and how they have to make instant life and death decisions. The people breaking the law are the enemy not the Police. Why doesn't Sonia Chang-Diaz name the white people involved in Police shootings? It doesn't fit his narrative. Most of you political puppets are ruining this great country. POLICE are a MUST. Give them more money.

Thank you for listening.

Sent from my iPhone
From: Kristina Lauer <kristina_j_lauer@hotmail.com>
Sent: Friday, July 17, 2020 8:23 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

My name is Kristina Lauer with the Greater Boston Interfaith Organization (GBIO). I am writing to urge you and the House to pass police reform that includes:

-Implement Peace Officer Standards & Training with certification

-Civil service access reform

-Commission on structural racism

-Clear statutory limits on police use of force

-Qualified immunity reform

Thank you very much.

Sincerely,

Kristina Lauer

12 Morrison Ave.

Somerville, MA 02144

505-550-8324

From: Pete Skerritt <peter@shilohnv.com>

Sent: Friday, July 17, 2020 8:23 AM

To: Testimony HWM Judiciary (HOU)

Cc: 'Pete Skerritt'

Subject: police reform bill (S2820)

Hello,

I recall a story from my father (a lifelong Democrat) about how, when the United States Air Force was being formed, he was standing at attention with a line of other Army soldiers, and when they asked for volunteers to move over to the Air Force, the rest of the line took one step back, leaving him and just a few others as the only volunteers. Now I know this was probably just a story from him, but it leads me to the situation that we see here with this new police reform bill. Those of you with courage (seemingly only a handful) were abandoned by those with no backbone, falling to the pressure of the mob, and having no guts to stand against that mob. You should all be ashamed of yourselves... I know I'm ashamed of you.

Everything, every concept, every invention created by man can be improved upon. Nobody argues that the police are perfect, not even close. But they are nevertheless the defenders of society when that society needs defending, and that includes the removal of those from society that threaten the lives and property of the innocent. Do what is right for a change.

Thank you,

Peter Skerritt

email: pete@shilohnv.com

phone/text: 775-560-9219

From: Liz McGuire <lizmcguire@gmail.com>
Sent: Friday, July 17, 2020 8:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: Re: Urge you to pass S.2820 into law

Correction: I'm writing in favor of S.2820—sorry about the typo in my last email.

On Thu, Jul 16, 2020 at 9:05 PM Liz McGuire <lizmcguire@gmail.com> wrote:

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban teargas, chokeholds, and no-knock raids like the one that killed Breonna Taylor.

Thank you,

Elizabeth A. McGuire

Brighton, MA

From: Alice Santarlaschi <arae41@yahoo.com>

Sent: Friday, July 17, 2020 8:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

Thomas Graziose
Newburyport, MA

Sent from my iPhone
From: Khalid Johnson <khalidjohnson80@gmail.com>
Sent: Friday, July 17, 2020 8:22 AM
To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is Khalid J. Johnson and I live at 55 Wayland St Apt 1 Boston, Ma 02125. I work for the Suffolk County Sheriff Department and am a Deputy Sheriff. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several

years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

Sincerely,

Khalid J. Johnson
From: Jennifer Casali <jenn32975@hotmail.com>
Sent: Friday, July 17, 2020 8:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

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

and restrictions on excessive force. These goals are attainable and are needed now.

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

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

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

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

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

Sincerely
Jennifer Donahue
of Saugus Massachusetts
jenn32975@hotmail.com

Sent from my Verizon, Samsung Galaxy smartphone
From: Josh <jrucho@charter.net>
Sent: Friday, July 17, 2020 8:21 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

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

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and

correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Joshua Rucho

26 Suomi St Paxton

Jrucho@charter.net

Sent from my iPhone

From: Alice Santarlaschi <arae41@yahoo.com>

Sent: Friday, July 17, 2020 8:21 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

Ali Santarlaschi
Newburyport. MA

Sent from my iPhone
From: nickpadellaro@gmail.com
Sent: Friday, July 17, 2020 8:20 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform bill

Good morning,

I am a firefighter in North Andover, MA. I love this work and am grateful every shift I get to serve my town, it's truly a privilege. I write to you to express my deepest disappointment in our politicians who have supported this outrageous bill. It cannot be over stated how ridiculous this restrictive proposal is. To suggest that public safety professionals should be exposed to legal action for simply performing their jobs, selflessly at that, is not right. The women and men of my local union are nothing short of spectacular in the way they serve our community and the public day after day. This bill takes away all power our unions have fought to uphold to keep our working conditions fair. To have people who are elected to serve the public, many of whom, who have been backed by unions like mine turn around behind closed doors and sneakily pass this crazy bill is staggering. I find this act shameful and am wondering since when sitting at a table to talk things out went out the window?!

We support our police and take this attack on them as an attack on us, which it is.

Any person who has never served in a first responder capacity has no place telling trained professionals how to handle situations that they could never fathom themselves. The professionals and civil servants I know are exactly that, professional, and to remove all hope they have of a fair process if something goes wrong is maddening. Our members will continue to serve our communities and put our lives on the line every day. I hope that this bill is destroyed like it should be.

Respectfully,
Nick Padellaro
978-885-6649
From: Matt Cronin <mcronin359@icloud.com>
Sent: Friday, July 17, 2020 8:20 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Police Reform Bill

As a long-standing Massachusetts resident and taxpayer, I am adamantly opposed to this bill S2820. All profession has bad apples and must be dealt with the full backing from the law. With all the violence that has taken place in Boston and around the country its time to increase police budgets. No, first responders should have a potential lawsuit against them.

Matthew Cronin
Georgetown, MA
Sent from my iPad
From: Allison Rosenthal <alkrosenthal@gmail.com>
Sent: Friday, July 17, 2020 8:19 AM
To: Testimony HWM Judiciary (HOU)

Subject: Bill no. S2820- public testimony

To Whom It May Concern:

I am writing to you in strong opposition to Bill No. S2820. Law Enforcement officers put their lives on the line every time they go to work. They deserve the protections that qualified immunity provide them. I believe now more than ever it is an essential that this protection remain in tact for those honest and hard working individuals tasked to protect ALL of the residents of Massachusetts. I strongly believe that the silent majority of Massachusetts residents feel the same way. Please join me in opposing this bill.

Sincerely,

Allison Rosenthal

From: Aimee Petronglo <a.petronglo@gmail.com>

Sent: Friday, July 17, 2020 8:19 AM

To: Testimony HWM Judiciary (HOU)

Subject: No not push bill no S2820

Dear Chair of the House Committee,

I am writing to you to ask you to not push the S2820 bill through the House. While I understand it is vital that we take a hard look at our country's police force to discover where reform is needed, I feel as though bill S2820 is rushed and poorly thought out.

By taking away qualified immunity from our officers, we are putting them at great risk for being the subjects of legal suite on a daily basis. There are numerous times when officers have to destroy property to rescue a civilian and times when they may need to use force to prevent someone from hurting themselves or another person. This bill will make officers hesitant to do their jobs which in turn will affect the public.

Please reconsider pushing this bill forward. I strongly believe that if we slow down and take some more time a bill can be drawn up that takes into account both officer safety and civilian safety.

Thank you for your time,

Aimee Petronglo, the family member of Law Enforcement

From: Judy Kendall <judyakendall@verizon.net>

Sent: Friday, July 17, 2020 8:19 AM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill 2800 Written Testimony

My name is Judy Kendall and I live at 68 Early Red Circle, Plymouth, MA 02360. I work at Plymouth North High School as a secretary. As a constituent, I write to express my opposition to Senate Bill 2800. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several

years to develop. I am dismayed at the hastiness that this bill passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified Immunity doesn't protect officers who break the law or violate someone's civil rights. The erasure of this would open up the floodgates for frivolous lawsuits causing officers to acquire additional Insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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

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

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although officers are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the Correction Officer alone in a cell block, surrounded by up to 100 Inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely
Judy Kendall
Sent from my iPad
From: Adam Hakkarainen <adamhakkarainen@gmail.com>
Sent: Friday, July 17, 2020 8:18 AM
To: Testimony HWM Judiciary (HOU)
Subject: Re:

Please redact my home address from any publications related to this communication, or public records.
Thank you,

On Fri, Jul 17, 2020 at 8:06 AM Adam Hakkarainen
<adamhakkarainen@gmail.com> wrote:

My name is Adam Hakkarainen and I live at 73 North Road in Chesterfield. I have been a police officer for 27 years. As a constituent,

I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. In contrast, I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public. In fact, I believe it does a grave disservice to our citizens by limiting input from the public. We will all have to live with whatever bill becomes law. There are consequences, good and bad to every piece of legislation. Without public comment and input, and the input from our stakeholders, and those whom understand the problems of criminal justice the best, the consequences are unknown and untested. With such important endeavors such as criminal justice reform, we must get it right.

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

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

I am asking you to stop and think about the rush to reform policing in such haste. Our law enforcement officers are some of the best and well-trained officers anywhere. Although we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the law enforcement officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Adam Hakkarainen

From: Dan4th Nicholas <dan4th@gmail.com>
Sent: Friday, July 17, 2020 8:18 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Good morning!

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

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

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

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Danforth Nicholas
781-258-5628
93 Richdale Ave
Cambridge MA 02140

--

Danforth Nicholas
dan4th@gmail.com

From: Emmy Rainwalker <emmyrain@gmail.com>
Sent: Friday, July 17, 2020 8:17 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

As a citizen of Massachusetts, I am in favor of S.2820, bringing reform to our criminal justice system.

I am especially in favor of eliminating qualified immunity. As a social worker, I have to purchase liability insurance every year at my own expense in order to maintain my license. So does my husband who is a contractor.

I would like to see the final bill stop qualified immunity and hold police accountable, as the rest of us are, for their actions. I am in favor also of banning no knock raids, tear gas and chokeholds.

Please act swiftly.

Thank you,

Emilia Rainwalker
8 Carruth St.
Dorchester, MA 02124

From: Julie Reece <jareece611@gmail.com>
Sent: Friday, July 17, 2020 8:17 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Mass Senate Police Reform Bill

Dear Mass Senate,

This week, at 4am, the MA senate betrayed Massachusetts law enforcement and put a nail in the coffin of good faith policing. 4 am! When you vote on a piece of controversial legislation without a public hearing at 4am, you display to the citizens that you had an agenda that you wanted to push through, without proper dialogue and debate, a cowardly act.

Just 8 weeks ago, the Mass Senate and politicians in general did not have issues with how law enforcement policed our cities. In fact, some of you were calling local PD's daily asking help to celebrate birthdays, graduations, and more by driving by your houses blaring their sirens and waving to your children! These are the officers, first responders, who helped and continue to help people afflicted with COVID-19. But now,

because of one murderous cop in Minneapolis, you have painted all officers as villains and calling for new "reforms." This is highly hypocritical, as it profiles and stereotypes officers because of their job. Most officers give selflessly to their communities every day in ways the public never hears about from the media and politicians.

We see you , cowards who refused to take law enforcement calls to discuss this legislation before the 4am vote and who wouldn't return emails. We see you, all of you who voted at 4am. We will remember this when you are up for reelection.

This legislation DOES NOT make communities safer. If someone has a heart attack, and an officer uses chest compressions, breaking a rib in the process (which almost always happens), the officer can be sued. If a baby is left in a hot car and an officer smashes a window to save the baby, the car's owner can sue the officer for property destruction. The list goes on and on. Good cops will be sued, fired, and even incarcerated in their efforts to help citizens. They will be afraid to help at all. The consequences are anarchy. This is appalling at every level. Qualified Immunity protects public servants who are doing their job and acting in good faith from litigation. This new legislation must not be passed.
Sincerely,
Julie Reece

From: pjm84 <pjm84@yahoo.com>
Sent: Friday, July 17, 2020 8:17 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

Will the perpetrators show the same restraint while being taken into custody?

This issue requires much more debate.

Sent via the Samsung Galaxy S8, an AT&T 5G Evolution capable smartphone

From: Justin Green <justin.greenaa@gmail.com>
Sent: Friday, July 17, 2020 8:16 AM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2820

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Justin Green and I live at 87 County Rd in Huntington, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought

in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts, and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far-reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in an attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition, and objection are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Justin Green

From: Laura Vecchione <lauravecch@gmail.com>
Sent: Friday, July 17, 2020 8:15 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass Police Reform to Include

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Laura Vecchione with the Greater Boston Interfaith Organization (GBIO). I live at 53 Appleton St. Arlington, MA 02476. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Laura Vecchione

53 Appleton St Unit 4

Arlington, MA 02476

617-461-0525

Voting Address usually Arlington Town Hall unless changed for Covid

--

Laura Vecchione (Veck-ee-oh-nee)

Singer/Songwriter/Private Music Teacher

617-461-0525

[www.LauraVmusic.com](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.lauravmusic.com_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ntdGdloo-V7pxeImvbe0RV-fI6YAh4YKRE-sKHP2H1A&s=82f7kjbvPRx1Xb7zbsj_dBnJjfohIYubJ-LwwCWy-nYM&e=>) <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.lauravmusic.com_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ntdGdloo-V7pxeImvbe0RV-fI6YAh4YKRE-sKHP2H1A&s=82f7kjbvPRx1Xb7zbsj_dBnJjfohIYubJ-LwwCWy-nYM&e=>>

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From: Ann Dickinson <annflynn@dickinson@gmail.com>
Sent: Friday, July 17, 2020 8:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity

July 17, 2020

Whom It May Concern:

I'm hoping that the citizens can count on your support to fix the severely flawed legislation labeled S2800.

If qualified immunity is changed from its current definition, the safety of the public will be severely jeopardized.

It is unfair and immoral to change current collective bargaining agreements without negotiations

When you view these considerations along with other problems with the bill, no one will desire to be (or will be able to afford to be) a police officer, firefighter or nurse.

Look around the country and see what's happening. New York City Police Officers are retiring in droves. Minneapolis Police Officers are leaving on medical stress. Atlanta Police Officers stopped answering calls on shifts.

Do you really want inevitable similar events to occur here in the Municipalities of Massachusetts?

If the subject bill passes in its present form, no young person with any sense of self-preservation will enter public service.

When the police are gone, there will be no one to protect innocent civilians of all colors from the evil that the political radical left refuses to acknowledge.

Please consider your actions on this issue extremely carefully. Be completely aware of the unintended consequences. The Citizens of the Commonwealth do not want to live in a society of complete chaos due to the inability of public servants to do their jobs. Your careful review and consideration is critical.

Sincerely

Ann Flynn Dickinson

58 Coolidge Ave

Weymouth, MA 02188

781-706-6743

annflynn@dickinson@gmail.com

From: Brenda Breed <gbmacbreed@gmail.com>
Sent: Friday, July 17, 2020 8:14 AM
To: Testimony HWM Judiciary (HOU)
Subject: Subject: Testimony in support of Senate bill S.2820

Dear Chair Michlewitz and Chair Cronin,

I am writing in support of Senate bill S.2820.

Over the years, the ability of our city and town governments to create and manage policing that meets the needs and aspirations of our communities has been dismantled, including by the non-statutory judge-made doctrine of qualified immunity, and the Chapter 150E collective bargaining law and the Joint Labor Management Committee statute that together eliminate local government options for effective police accountability.

This bill provides important legislation that begins to return those rights to our communities. It also creates a much needed system for the training and certification of police officers, and makes other necessary changes to law and policy to improve and enhance the accountability of policing in the Commonwealth. This is landmark legislation that would help transform how law enforcement is practiced in Massachusetts, with a long overdue focus on racial equity in our justice system.

Thank you for your consideration on this matter.

Sincerely,
Brenda Breed
19 Crescent St.
Medford, MA 02155
781-391-6825

From: Julie Kelly <jkelly@newtonma.gov>
Sent: Friday, July 17, 2020 8:14 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S.2800

I'm writing to beg you not to pass that bill. Yes there are always ways to improve things. But there are major problems with that bill.

It was passed at 4am with no public comment. You are destroying all the great police officers in this state. I have never seen the people I work with so down and defeated as right now, and I've worked there 29 years. They feel under attack by everyone. How about we deal with the bad police officers, and LET THE GREAT ONES KNOW HOW MUCH WE APPRECIATE THEM! What are you all going to do when all the good ones have been driven away? This is disgusting.

As a public safety worker myself, 29 years as a 911 dispatcher, you have me scared out of my mind that I'll try to help someone, something goes wrong, I get sued, and lose my home. And I worry for all of my coworkers now. I've spent my entire adult life helping people, and this is how you repay people like myself and all of my coworkers along with all of my coworkers across the city/state.

Please do not pass this current bill. Yes there may need to be some changes but not the way that's written, and not giving the public only two days to respond.

Sincerely,

Julie Kelly
AFSCME Local 3092 President
City of Newton

Sent from my iPhone

When responding, please be aware that the Massachusetts Secretary of State has determined that most email is public record and therefore cannot be kept confidential.

From: d0cness@comcast.net
Sent: Friday, July 17, 2020 8:14 AM
To: Testimony HWM Judiciary (HOU)
Subject: Immunity for public safety employees

To whom it concerns,

As a 20+ year veteran of the Massachusetts Fire Service, I am writing to voice my concern of my state's pursuit of removing immunity for my brothers and sisters currently employed to serve our communities.

In the wake of events perceived by certain individuals of political power as systemic racism, ALL of us are being cast (profiled) as racists. Because of this rush to judgement ALL of us now are at the gravest of threats from working in an environment that already is as dangerous as it is but now causes undue stress and hardship.

The safety net of immunity provides US the protection from baseless lawsuits from opportunists looking to cash in on perceived slights or "civil rights" violations.

To lump 99% of the dedicated, lawful and hardworking men and women in with the 1% of perceived "racists" is unfair and quite frankly offensive. How would you (politicians) feel if this false narrative was unjustly cast upon yourselves?

If immunity is stripped from US I can guarantee there will be a mass exodus of my brothers and sisters from a career that we've performed tirelessly and with honor. We will have no other choice. Can't you see it's already happening in police departments all around this nation?

This new proposal will put the lives of OUR communities at serious risk. Who will the citizens call for an emergency? You are aware that this situation has already occurred in cities all over the country and will continue to do so if WE are threatened with the loss of immunity.

If WE are stripped of immunity then isn't it only logical that YOU should be "lumped in" with the rest of the public servants (US)? It's only fair and "just" to do so.

I will not support this measure and I can safely say that the 99% of US will not either. Do not take a knee over a false narrative. YOU are literally putting YOUR knee on OUR necks!

With Respect,

Ryan Nicolosi FF/EMT
Local 2035

Sent from Xfinity Connect App

From: Engine 4 <engine4@quincyma.gov>
Sent: Friday, July 17, 2020 8:14 AM
To: Testimony HWM Judiciary (HOU)
Subject: S 2820

Richard Bryan
PFFM
617 697 2219.

Full qualified immunity needs to be reinstated.

The current language on qualified immunity should be removed from S 2820

Get Outlook for Android <https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=8uu5bA0PeiGw8OQo9jUpLZegAc6Y1RX6u8VADNdSrSI&s=_7b00ZDC6uEclDemY9uvwqNY1XmHLpc0sXAjdQt8ZmA&e=>

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From: Brian <bsueldo@mail.com>
Sent: Friday, July 17, 2020 8:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Oppose SB 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Brian Sueldo-Guevara and I live at 579 Raymond Rd in Plymouth, MA. I work at MCI-Norfolk and am a Correction Officer I. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,
Brian Sueldo-Guevara

Sent from my iPhone
From: Bavosi, Anthony <ABavosi@bellinghamma.org>
Sent: Friday, July 17, 2020 8:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

To Whom It May Concern,
Below is the testimony of a coworker that I would like taken into consideration.
He asked that I send it over on his behalf. As a fellow police officer and his union president I feel his voice should be heard. As should the voices of my brothers and sisters throughout the state and country for that matter.

I am writing to you as a concerned police officer and a concerned resident of the Commonwealth. I was told a number of things about the bill but wanted to read it for myself and draw my own conclusions.

I did not finish reading it.

I immediately started asking questions. There will be a commission overseeing law enforcement that is based on race rather than their knowledge on the subject matter? Isn't that going against what we're working towards? Not even any law enforcement representatives on the commission? Are the commissions and task forces for everything else not made up of, or at least have a few subject matter experts? And that's just the first one mentioned. There are a number of commissions/committees to be created with this bill. So we're going to cut police funding and put the money back into the community and at the same time spend millions and millions on these (many unnecessary) commissions and committees?

I quickly realized that the authors of this bill did little to no research nor did they confer with the law enforcement community. There are aspects of this bill that are already in place. They seem to have a lack of understanding of how things currently work and why certain things are in place. It was clear with what is proposed in regard to qualified immunity. There are decent ideas, but funding hasn't been there for them to happen yet, at least not in every town and city, and with this bill more funding is being taken away. People want better trained officers but when budget cuts are needed, police training is one of the first to be cut.

I'm not much of a conspiracy theorist, but I'm not quite sure what to think. There are 3 possibilities:

1. Are the authors and supporters of this bill anti-police and this is their roundabout way to defund/abolish the police? Seems that way. Higher standards for officers? This bill could ruin good officers' careers, lives, their families' lives even when they did nothing wrong. With the very real potential of losing your job or being charged with a crime and going to jail for doing what you have been directed to do by law, laws that were written in the same manner, who would want to stay in this profession? Who would want to get into it? Not the people they want.

2. Are the authors and supporters of this bill in line with the anarchists? Seems that way. This bill has the potential to have financially devastating ramifications, particularly to less wealthy

towns...first. I don't want to see that happen to my town, or any other town or city for that matter. Add #1 to that. Towns and cities going bankrupt and lack of police...right in line.

3. Or, the most likely option, are the authors and supporters of this bill basing this bill off of a tragedy that no police Officer in the Commonwealth condones? Something that took place in a city, in another state, halfway across the country, where a lot of things are different than they are here, without doing any research on those differences or the effects the bill will have, without communicating or working with law enforcement, just to placate the mobs and say "look what we did, see how much we care" in the typical knee-jerk reaction that is all too common today?

I'm trying to as respectful as possible while being as honest and straight forward as possible. However, it makes it very difficult when I see this garbage (S.2820) being presented by our elected officials.

Massachusetts law enforcement is pretty highly regarded around the country. Forcing such a poorly thought out bill for the sake of "doing something" is a horrible decision at best. How quickly we forget all of the issues that came up with the juvenile law reform. The law enforcement community generally agrees that there are changes that could be made. We are more than willing to work with our community members and legislators on improving things and resolving issues, we just need to be invited to the table.

Respectfully,

Brandon Perella

From: Michael Luth <mluth@townofgroton.org>
Sent: Friday, July 17, 2020 8:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

The Honorable

Sheila Harrington

First Middlesex District

Mass. House of Representatives

24 Beacon Street, Room 237

Boston, MA 02133

Dear Representative Harrington,

I would like to thank you for meeting with some of the police chiefs from your district.

In consideration of debate for a Police Reform addressed by the House of Representatives we

would urge you not to change or remove the qualified immunity protection. We ask that you apply language from Amendment #51 to the Senate Bill S.2800 that would have stricken the POSAC section of the Bill S.2800 and replace it with the Governor's language filed in his original POSAC bill.

We are concerned and opposed to efforts to change the qualified immunity protections for police officers. Qualified immunity is a foundational protection for the policing profession and any modification to this legal standard will have a devastating impact on the ability of the Police to fulfill their public safety mission.

Qualified immunity provides police officers with protection from civil lawsuits, so long as their conduct does not violate clearly established law or constitutional rights of which a reasonable officer would have known. Further, qualified immunity does not prevent individuals from recovering damages from police officers who knowingly violate an individual's constitutional rights. Qualified immunity is an essential part of policing and American jurisprudence. It allows police officers to respond to incidents without pause, make split-second decisions, and rely on the current state of the law in making those decisions. This protection is essential because it ensures officers that good faith actions, based on their understanding of the law at the time of the action, will not later be found to be unconstitutional.

Some of the benefits to the language from the Governor's Bill are:

- Included input from Law Enforcement and Black and Latino caucus',
- Creates balanced and objective process for certification and de-certification of police officers,
- Requires POSAC membership 1/2 racially diverse,
- Certifies every officer in Commonwealth,

- Makes Law Enforcement accountable for their conduct

Some of the shortcomings of S.2800:

- Widespread undefined authority: unlimited subpoena power without oversight and authority to conduct investigations,
- Language does not provide process or standard of proof for investigations, could step into DA and police internal investigations,
- Creates an arbitrary process, subpoenas can be issued by the Chair alone or just 3 members,
- There is no standard to the basis for investigation

The Use of Force language moves away from the US Supreme Court case, *Graham v. Connor*, which established that the amount of force used by police had to be Objectively Reasonable is being changed to Necessary. Also, the Reasonable Officer standard is being replaced with Reasonable Person standard. The Senate bill is leaving the "reasonable officer" standard and replacing it with "reasonable person".

"The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer rather than with the 20/20 vision of hindsight".
Graham v. Connor

The new language changes the amount of force to "Necessary" from "Objectively Reasonable".

Necessary is subjective (who makes that determination?)

Objectively Reasonable was established under the 4th Amendment decided by USC, *Graham v. Connor*,

* "Allows for the fact that police officers are often forced to make split-second judgements - in circumstances that are tense, uncertain, and rapidly evolving - about the amount of force that is necessary in a particular situation."

* An officer's evil intentions will not make a Fourth Amendment violation out of an objectively reasonable use of force; nor will an officer's good intentions make an objectively reasonable use of force constitutional. See *Scott v United States*, supra at 138 citing *United States v. Robinson* 44 U.S. 18 (1973)

These language changes have very serious implications as to how officers perform their duties and how they will be judged in a court of law.

This is very important legislation and we need to get it right and not rush something out just to do something. We appreciate you considering the

above points and use of the information when formulating the House of Representatives Police Reform Bill.

Respectfully,

Chief Michael F. Luth, Groton
Chief Fred Alden, Ashby

Chief David Scott, Pepperell
Chief James W. Dow, Dunstable

Chief William A. Murray, Ayer
Chief James P. Sartell, Townsend

Michael F. Luth

Chief of Police

Groton Police Department

99Pleasant Street, Groton, MA 01450

(978) 448-5555

(978) 448-5603 (fax)

From: Kristina Harrison <kristina.e.bradford@gmail.com>
Sent: Friday, July 17, 2020 8:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony Emails

Dear Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

and Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Kristina Harrison with the Greater Boston Interfaith Organization (GBIO). I live at 39 Willis Ave Medford. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Kristina Harrison

Kristina.e.Bradford@gmail.com

978.384.8178

39 Willis Ave, Medford, MA 02155

From: Allison Cooley <nosillamc0604@gmail.com>
Sent: Friday, July 17, 2020 8:12 AM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony - PASS POLICE REFORM

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Allison Cooley with the Greater Boston Interfaith Organization (GBIO). I live at 95 Edgemere Road, West Roxbury, MA. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Allison Cooley

nosillamc0604@gmail.com

857-707-0059

95 Edgemere Rd, West Roxbury, MA 02132

From: NC <clocknoah@yahoo.com>
Sent: Friday, July 17, 2020 8:12 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an

already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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

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

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

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

Thank you,

Noah Clock

235 Carver st

Granby Ma 01033

Clocknoah@yahoo.com

From: Robert Fish Jr <fishjrrobert@gmail.com>
Sent: Friday, July 17, 2020 8:12 AM
To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is Robert Fish Jr and I live at 101 Walker St Newtonville, MA 02460. I work at Suffolk County House of Corrections and am a Deputy Sheriff. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,
Robert Fish Jr

Sent from my iPhoneFrom: Lilliane Szwaja <lszwaja@comcast.net>
Sent: Friday, July 17, 2020 8:12 AM
To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

Lilliane Szwaja
Swansea, Ma. 02777
From: JOHN <JOHNSOUZA41@comcast.net>
Sent: Friday, July 17, 2020 8:11 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Representatives,

I am writing this email to you in an appeal to stop the mass police reform bill as it stands. Instead, I am asking that you suspend vote on this bill until the public can be heard at an actual open forum instead of only being allowed to send emails in an extremely limited time frame that will not likely be highly disregarded.

This bill is a transparent attempt by lawmakers to gain votes preying on public emotions. Sentor Tran stated the bill was "ill conceived and politically driven" and "The bill's main goal and objective is to attack and discredit law enforcement". I and all of the law enforcement officers I have spoken with could not agree more with Sentor Tran's statement and

assessment on this horrendous bill. Senator Tran also stated "Democracy is about working together and getting things done right. This bill should be driven by collaboration and not politics". I could not agree more and ask that you suspend vote on this bill and meet with law enforcement officials, including minority police officials, who could be heard at an actual forum where we can work out details to make a bill that is fair, works for everyone, and will keep police and innocent people safe opposed to this horrendous bill that will endanger the lives not only of police officers but of innocent people.

When Covid-19 began, law enforcement was praised along with health care workers for being on the front lines and still keeping communities safe during a dangerous world wide pandemic. This bill's interpretation may also include firefighters and health care workers with law enforcement to frivolous lawsuits based on a reaction to a despicable incident in Minneapolis, that no one condones. Lawmakers are now trying to pass a bill encompassing all law enforcement as bad based on those awful police officer's actions. We will be open to frivolous lawsuits that will cost the tax payers ridiculous amounts of money and will further clog our courts with these frivolous lawsuits.

Taking away qualified immunity from law enforcement will make officers hesitate which will result in catastrophic consequences not only to law enforcement officers, but also to the innocent people they are sworn to protect. Please do not hesitate or second guess themselves while acting as situations unravel in the blink of an eye.

Police officers have to arrive on scene, assess a situation, determine what is the safest and best course of action to take, and then act all in the blink of an eye. The average person takes 400 milliseconds to blink. There are 1000 milliseconds in a second making it less than half a second to arrive, determine what's going on, make the best decision possible in chaos, and then act while the rest of the world had a lifetime to second guess the actions of an officer and unfairly question the officer's motives.

We have seen what defunding the police has done in Seattle, New York City, along with other cities where chaos has ruled supreme, endangering the lives of innocent people often resulting in catastrophic injuries and the death of innocent people including innocent children.

Our society regards multi millionaire celebrities and professional athletes in the highest of regards. Several, but not all professional athletes have gang affiliations where they funnel money from their multi million dollar contracts to these highly dangerous and highly violent gangs. Many athletes condone and are sponsored by Nike who pays children of indigent countries, extremely low wages in sweatshops to make their products that are endorsed by professional athletes in our country. Again, these athletes are adored and praised while law enforcement works for a minimal fraction of professional athletes salaries.

If you speak to any police officer, they will most likely tell you that policing is not about money or becoming wealthy financially, but is a calling not only to serve and protect but also serving for the better good of our communities putting our lives on the line every day to protect those who cannot protect themselves. Those of us that are lucky enough to make it home at the end of our shift, when we lay our heads down at night, we see dead people, mutilated people, innocent victims violated and taken advantage of, and evil that is every single community in our country. We wonder if we did enough, second guess and pray we did the

right thing, and are thankful we came home physically safe if we are lucky to do so, but knowing the mental aspects of a days work will linger with us forever. We wake up, get ourselves ready physically and mentally, press our uniforms, kiss our loved ones goodbye as they and we know we may never see each other again, and we go to work to do it all over again.

I would respectfully ask that you suspend this bill and meet with actual law enforcement officers and agencies, to hear us and work with us in a democratic fashion to make a bill that will keep officers and our communities safe for the better good of of everyone. Thank you.

John Souza

FOP

(978) 869-7468From: James Johnson <johnson0707@charter.net>

Sent: Friday, July 17, 2020 8:10 AM

To: Testimony HWM Judiciary (HOU)

Subject: Public Safety

My name is Jim Johnson and I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather

prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration.
Jim Johnson (registered voter)

Sent from my iPhone

From: Taryn O'Hearn Andrea <tarynohearn@gmail.com>

Sent: Friday, July 17, 2020 8:10 AM

To: Testimony HWM Judiciary (HOU)

Subject: In support of the Senate police reform bill, S.2800

Hello,

I am in support of the Senate police reform bill, S. 2800. I urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety (State Representative Liz Miranda
<[HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth \(State Representative Michael Day\) which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_voteliz_-3F-5F-5Ftn-5F-5F-3D-2DUK-2DR-26eid-3DARAoqrvxqxbqxcHkbaGFFDal2duSLy5lzQwskyyWjSckN0ysQRjD-5FhYuVo9hUS8qQ7GsXpQxRtDfuqyFxu-26fref-3Dmentions-26-5F-5Fxts-5F-5F-5B0-5D-3D68.ARCpDwXSSsBCAR4mlQWUG89eamUATJiOejOVVzTb-5Fh5TYPOtPwTxxZ2JtqfZoMTFI-2D1fSGgJE-5FAdM69hnlW0GxpWGCmB-2DDeQIkK4gMQFDv9KdbZTqybbTQab81GkdWQqCJ16NpVz0rWrm5Tat7OE-2Dj1U99acZzdP8YctIDwCI-2DQfxYjvYfn5aO-5F-2DtZqgE1N7OCvfaYTnFPi6-26-5F-5Fcft-5F-5F-5B0-5D-3DAZXDvPJ2ViV9rcnde4JjRUVF2UwDyDEzXIkgrX6-2D-2D0ZH-2DtjNJyfcN3xSuBBbyxR7gKp-2DSPXKS5eelr7WxCowQ1Iaenuedwg6JyzZzK87-5FEaisOs9X16jy9l9qjLVUGCbztmcjfdv1VwKqDEmUk9sx-2Ds5Rtvy3-5FQQatTcdla-5FMjUnxeliNgEryqEck-5F5lQ4HkbTs&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl16rchf_GkGDD&m=EB7jzzYh_GIu5tEv5e3IGWs2MK_sJQIGRQxW3wIun2Q&s=-p-pamWaNwGy87ElMZkCvsncEVszGgD5LbP1YW86Tn0&e=>) bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.</p></div><div data-bbox=)

Thank you,
Taryn Andrea
508-364-0971
Plymouth, MA

From: Feraco, Thomas A. <FeracoTA@worcesterma.gov>
Sent: Friday, July 17, 2020 8:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: Law Enforcement Bill

To all my state representatives the senate bill that was passed was anti labor legislation. It removes our rights to due process, collective bargaining & inserts a board that has no training, experience or background in law enforcement.

Please look into this further.

Thank you Tom Feraco
From: Parker Tobon <parkerwtobon@gmail.com>
Sent: Friday, July 17, 2020 8:09 AM
To: Testimony HWM Judiciary (HOU)
Cc: Madaro, Adrian - Rep. (HOU)
Subject: Concert about the Reform Shift Build Act.

Hello,

I am 16 and am getting ready to register with a political party. I am leaning towards the Democrat party but am not seeing the issues I care about being addressed in a meaningful way.

Please keep the Senate's qualified immunity reforms, ban facial surveillance, and actually ban chokeholds/tear gas/no-knock raids/other abusive tactics? Please give me a party to believe in.

Parker Tobón
East Boston, MA

From: Donna Forand <donnaforand@gmail.com>
Sent: Friday, July 17, 2020 8:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

I would like an opportunity to be heard today.

I believe police need more funding. We have the very best trained officers in this state.

Let's continue to support them. Let us be heard.

Being the daughter of a police officer, deputy sheriff, and a daughter presently in training all of you have no idea what we as children have been through over the years. We've been enduring our parents not home for holidays, parents not at the dinner table for the holiday dinner, we've been enduring our parents not at our school appointments, we've been enduring parents running out the door to fill-in a day when they were going to host a birthday party for us, we've been enduring a lot. We were raised with parents who had to make those unexpected calls at the door of parents to let them know that their children wouldn't be coming home. Or witness a suicide.

I ask you have you ever done that, have you ever put your life on the line, have you ever stood up and protected a politician, have you ever stood guard outside when the governor is inside speaking, have you ever ridden beside the governor in a car to protect him, have you ever stood outside of school, have you protected a school, if you've done none of those things then you need to listen and you need to let us as children or employees in these ranks speak. Not giving us the right to speak is not fair.

Thank you I do not support this bill entirely. We need special funding to police not defunding. We need to protect their rights. You are protected, what about EMS, Nurses Doctors you take our protection away that's not right.

Thank you,
Donna Forand
7744543392
Donnaforand@gmail.com
--

Kindly,
Donna-Marie Halunen-Forand
From: Tom Bakey <bughillbilly@gmail.com>
Sent: Friday, July 17, 2020 8:08 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Representatives Michlewitz and Cronin:

Thank you for the opportunity to be heard on S2820, the police reform bill.

I am a lieutenant with the State Police and am going into my twenty-seventh year of service, all of which I have served in Western Massachusetts. Over those twenty-seven years I have largely been assigned to uniform patrol or detectives attached to the Hampden and Hampshire/Franklin District Attorney's Offices.

Every shift I work I attempt to render the highest standard of professionalism, to the utmost of my abilities and capabilities, for the benefit of every resident and guest of the Commonwealth. I have never been accused of excessive use of force. I have never been accused of bias against a minority group, religion, orientation, etc. When someone- anyone- asks for my help, I do my best to assist them whether it be providing them directions, medical assistance, or attempting to bring them justice and resolution if they claim to be the victims of a crime. And when I am investigating someone accused of a crime, I do my best to approach the investigation objectively and guide my actions by the facts discovered, without any consideration to whatever social, ethnic, or other group to which they may belong.

I do not think I am an exception; not with the State Police and not with the local police officers with whom I have had the privilege of working. The animosity and, quite frankly, hatred, displayed against Massachusetts police officers these past few weeks has been upsetting, not least because I find it is so utterly unjustified. We are not Minneapolis Police. We are not Atlanta Police. In my twenty-seven years I'm not aware of the Northampton Police Department ever having shot anyone and I had never heard of a choke hold being employed by police officers at all until the Eric Gardner incident in New York. Regardless, I was present in Northampton last month where dozens of protesters were shouting profanity and insults at us and demanding our jobs. This was followed by the Northampton Police having their budget cut by ten percent. Last week I was in line at Pita Pockets in Northampton before my shift and was called a 'pig' by another customer. There is a vocal mindset among some members of our communities that reminds me of the mobs from the French Revolution and I am extremely concerned that it might be influencing legislation affecting policing in Massachusetts.

State Police training and policy repeatedly prohibits profiling and discrimination and has done so for years.

The State Police does not and never has employed choke holds and I'm not aware of any other department in Massachusetts that does.

The State Police has been providing traffic citation data for years. And, from all I have read, the data continues to show that race, gender, etc is not a factor when troopers stop cars.

The State Police has excellent firearms and other use of force training and discipline and, I have come to realize as I learn of other departments throughout the nation, has remarkably few officer involved shooting incidents. From the Worcester area west to the New York state line, I can at this moment recount three instances of troopers discharging their firearms at people over the past several years: five or six years ago when the suspect wanted for murdering Auburn Officer Tarantino ambushed troopers with a firearm; earlier this year in West Springfield when a wanted felon burst from a residence firing at officers; and a few weeks ago in the Shelburne area when a trooper attempting to deploy tire deflation on a fleeing vehicle had that vehicle driven at him. And we deal with armed people barricaded and/or engaged in criminal activity on a regular basis. As a member of the State Police Crisis Negotiation Unit for many years, often paired up with members of the State Police Special Tactics and Operations Team at armed barricade call outs, I can assure you of this. No one hears about all the armed, violent people taken into custody safely on a regular basis by the State Police and local police agencies.

You need only recall back to the hunt for the Tsarnaev brothers in the Boston area to be reminded why, sometimes, police officers need armored

cars and patrol rifles and other 'military' gear and training in order to safeguard the Commonwealth. Sandyhook, CT, Jersey City, NJ, San Bernardino, CA, are a few more examples among too many in this country.

I have no problem with oversight of the State Police. I have no problem with the State Police being asked to continually review policies and training to keep them in step with the wishes of the community to respect and defend the lives and property of all members and guests of the Commonwealth. But I urge you to take a measured, careful approach with S2800 and to not kick the legs out from under your police officers doing their best to keep our communities safe.

I have read Senator Hinds' explanation of the history and purpose of the bill and what he believes it will and will not accomplish. I have also watched Senator Brownsbergers' Zoom presentation of the bill to his constituents. Overall, I find this proposed bill fairly well balanced and the expectations and requirements it puts on police officers understandable and reasonable (with many already effectively in place with most of the agencies I am familiar). My greatest concern is how the proposed POSAC and the 'tweaking' of qualified immunity will in reality affect the day to day work of officers. Despite your best intentions, these two portions of the bill will result in increased hindsight analysis of the reactions and decisions of police officers during charged, volatile situations and, almost certainly, increased litigation.

Thank you for hearing me out and considering what I have to say.

-- Tom Bakey
PO Box 458, Ashfield, MA 01330
(413) 320-9975

From: Linda Preston <ljpreston7@yahoo.com>
Sent: Friday, July 17, 2020 8:08 AM
To: Testimony HWM Judiciary (HOU)
Subject: Vote NO Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation

of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: John Miceli <miceli.john@gmail.com>
Sent: Friday, July 17, 2020 8:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2800

It is with great sadness that I write this letter to you. In my 70 years, I have never written a letter to the House or any political organization asking for consideration for a Bill/Law. Unfortunately, with our state and country being torn apart from within I must know not just my feelings but the feelings of the thousands who have remained silent while all this turmoil has played out over the last couple of months.

The efforts of a very vocal and sometimes violent movement are looking to dismantle our local police departments and force their socialist views on all of us. My grandparents came to this country to escape the violence that we are now seeing on our streets because we were a country of law and order. More recently, I don't have to look further than my daughter in law who came here from El Salvadore to escape the violence there. She sums it up best by saying "I love this country, people don't understand how bad it can get if you don't have the police to protect you." PLEASE, don't condemn all the police for the sins of a few. A great majority of the police work hard to keep you and me safe and are as mad as the protesters that one of their own would take away someone's rights and life.

I am asking that the House delay any vote on Bill S.2800 for at least six months so we can all take a hard look at the impact of the bill and truly see what the impact would be to our society. This Bill as any major decision in our life must not be passed hastily without proper thought and input from ALL.

PLEASE, consider a six month delay to allow proper discussion by all on this bill.

Sincerely,
John Miceli
192 Mill Street

Burlington, MA 01803
miceli.john@gmail.com
From: jerkbait@aol.com
Sent: Friday, July 17, 2020 8:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

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

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

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

Sincerely,

Matthew McCabe
22 Hollywood Drive
Charlton, MA 01507

774-230-0919

From: Diana <naomimoon@yahoo.com>
Sent: Friday, July 17, 2020 8:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform legislation

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

Hello, my name is Diana H Perretta with the Greater Boston
Interfaith Organization (GBIO). I live at 275 Main St., Apt. 401,
Watertown, MA 02472. I am writing to urge you and the House to pass police
reform that includes:

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

Thank you very much.

Diana H Perretta
dnhrstn@yahoo.com
781-290-8596
275 Main St., Watertown, MA 02472

??????

From: Adam Hakkarainen <adamhakkarainen@gmail.com>
Sent: Friday, July 17, 2020 8:07 AM
To: Testimony HWM Judiciary (HOU)

My name is Adam Hakkarainen and I live at 73 North Road in Chesterfield. I
have been a police officer for 27 years. As a constituent, I write to

express my opposition to Senate Bill 2820. This legislation is detrimental to police officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. In contrast, I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public. In fact, I believe it does a grave disservice to our citizens by limiting input from the public. We will all have to live with whatever bill becomes law. There are consequences, good and bad to every piece of legislation. Without public comment and input, and the input from our stakeholders, and those whom understand the problems of criminal justice the best, the consequences are unknown and untested. With such important endeavors such as criminal justice reform, we must get it right.

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

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

I am asking you to stop and think about the rush to reform policing in such haste. Our law enforcement officers are some of the best and well-trained officers anywhere. Although we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the law enforcement officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Adam Hakkarainen

From: Lisa R. Benson <lisarbenson@gmail.com>
Sent: Friday, July 17, 2020 8:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please Pass a strong version of S2820!

I am writing to ask you to please pass a strong version of S2820. I have lived in Waltham for the past 5 years and am raising my family here. We

are a white family living in a diverse Multi-racial community. As a mother I appreciate help and safety that local police departments provide the community. For example, I recently heard a loud noise on my block and a Waltham police officer came out immediately to investigate upon my phone call. However, for far too long, there has been legislation passed that has changed policing so that it is much more aggressive, more detrimental to our communities, and completely inequitable. As my daughter is growing up, I fear for the lives of her black friends and no one should have to feel this way. Supporting this bill does not mean that I think police officers are bad people. It means the system and structures in place are inequitable and they need to change. Now.

I'm writing to ask you to please support prohibiting violent police tactics -- this includes ANY choke holds that could come close to injuring a person! These have no place in our community, especially since implicit bias exists; racism exists. We, as white people, are all racist because we are part of a racist system. It doesn't mean we are bad people. It means that it is OUR JOB to strive to be antiracist and to find all the ways in which we can consistently fight racism day to day to create a more just and equal society. That includes not harming or killing community members, especially when a disproportionate number of individuals stopped by police are people of color.

I also ask that you impose meaningful restrictions on qualified immunity. Police officers need to be held accountable for their actions. Maybe if police officers are held accountable, more police officers will make a greater effort to strive to be antiracist and the amount of tragic deaths, injuries, and violence at the hands of police officers will be diminished. As a member of the diverse Waltham community, I am on my own journey of becoming antiracist and I strongly believe that if I do not fight to be antiracist (through educating myself about race, racism, whiteness, and my personal biases, decolonizing my curriculum, using culturally responsive teaching methods, analyzing and changing racist policies in my district, etc), I am not doing what's right. Police officers should be learning how to be antiracist in their profession as well - in their preparation would be best!

Finally, please support a BAN on the use of dangerous and discriminatory facial recognition technology. This technology is not valid and has been proven to make policing even more racist than it already is.

I am a mom, a wife, and a resident of Waltham. I know many of my neighbors support these same ideas. You are in a unique position to fight for antiracist policies - I am doing my part by sharing my opinions with you, but I cannot vote to change the law. Please do your job and fight for anti-racist polices; fight for our community.

Thank you for your time.

Sincerely,

Lisa Benson

From: Jessica Parlon <jparlon@me.com>
Sent: Friday, July 17, 2020 8:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Statement against S2820 as presented

To: The Chair of the House Committee on Ways and Means, Rep. Aaron Michlewitz, in cooperation with Rep. Claire Cronin, Chair of the Joint Committee on the Judiciary

I am writing to state I am against S2820 as presented.

The senate version of this bill as written will seriously undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste without public hearing or input of any kind was extremely undemocratic and nontransparent.

Police across the commonwealth support uniform training standards and policies and have been requesting more training for years

The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police. A bill that does not include the same procedural justice safeguards members of the communities we serve demand and enjoy will not be supported.

The proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth and as constructed incapable if being fair and impartial.

What the Senate has tried to do is pass a knee jerk reaction to an incident which occurred half a country away that everyone agrees was egregious.

Massachusetts police officers are among the highest educated and trained in the country.

This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers, it protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few.

Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.

If the senate bill is passed in its current form, the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

Again, I reiterate that you consider voting against S2820 as presented.

Thank you for your consideration,

Jessica Parlon

43 Bird Street

Quincy, MA

From: Sue Cunningham <suebee1710@aol.com>
Sent: Friday, July 17, 2020 8:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should

specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Jim <jimatsoc@comcast.net>

Sent: Friday, July 17, 2020 8:06 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

Sent from my iPhone

From: Sean McKiernan <smckiernan819@gmail.com>

Sent: Friday, July 17, 2020 8:04 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

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

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

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

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

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

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

Thank you,

Sean P. McKiernan

Worcester

smckiernan819@holdenma.gov

From: Pauline <paulineoleary@comcast.net>
Sent: Friday, July 17, 2020 8:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Against

I am AGAINST Bill S2820 to reform police standards.
Please do not pass this bill.

Pauline Oleary
Constituent
617-694-9716

Sent from my iPad
From: Susan <poisonsuemac9@yahoo.com>
Sent: Friday, July 17, 2020 8:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

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

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police.

The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

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

Sincerely,

Susan Pulcini
Resident
137 Spring Lane
Canton, MA 02021
781-883-5859

From: James D. Payne <jdpayne@norwoodma.gov>
Sent: Friday, July 17, 2020 8:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Too whom it may concern,

I have been a police officer since 2006 and have worked in the State of New Hampshire and the Commonwealth of Massachusetts as police officer. I am currently employed as a Sergeant with the Norwood Police Department. I am born and raised in Massachusetts and I attended Westfield State University (College when I was there) in order to receive my Bachelor's Degree in Criminal Justice. I am a second generation officer as my father before me was employed with the Norwood Police Department as well as my step-mother. In order to pursue the career that I had envisioned since childhood I needed to leave Massachusetts and join the Derry, NH Police Department due to budget/hiring shortage in Massachusetts at the time. However, I was afforded the opportunity to return to Massachusetts and I gladly accepted.

I am deeply concerned at the pace and speed that Bill S2820 is attempting to be passed. I am also very concerned as to some of the contents of the bill. I ask that you all please take into consideration the men and women

that thanklessly protect the citizens of Massachusetts without hesitation each and every day. I also ask that the bill be reviewed and studied as others are and with an appropriate time frame. Please do not just pass this bill as a result of emotion, please utilize logic and strategy while reviewing the bill.

I am the patrol sergeant for the 4pm-12am shift at the Norwood Police Department and I supervise several of the departments younger officers. The training that the men and women of the Norwood Police Department is phenomenal and it is shown in the work and the care and compassion that each officer displays towards their profession and the citizens they serve. I would be lying if I said that the officers are not concerned with this bill and the possible outcome and repercussions of it. The morale of the officers as well as morale of officers across the Commonwealth unfortunately is at an all time low. No good Officer, or person for that matter, condones or even comes close to seeing the actions by the horrendous human being in the George Floyd case as appropriate or justified. We are all disgusted by the actions.

I have concerns with the bill S2820 as many officers do, however I do agree with some of the issues that the bill addresses.

I am in agreement that it would be beneficial for the Commonwealth of Massachusetts to adopted universal standards and training for the entire state. As many states already do this it would ensure across the state that officers are receiving the correct and appropriate training.

However, I am concerned with the issue of adjusting/changing the qualified immunity of an officer. Qualified immunity does not protect bad officers nor do I want it to. It works to protect an officer that acts in good faith and as a result of their actions/enforcement an individual attempts to hold them civilly liable. It DOES NOT protect officers that act outside the confines of the law...nor should it.

Also of concern is the establishment of a disciplinary review board to review potential police misconduct. The idea of the board is not my concern and any good cop agrees with it. The requested make up of the board is my concern. At this time the bill suggests that the board be made of a majority of civilians that have no experience in law enforcement and the law enforcement professionals are the minority in of the board. As with other review boards, such as the bar association reviews and medical review boards the boards consist of attorneys and medical professionals. Why I ask then are police officers careers possibly in review by a majority of people that have no idea about the law enforcement profession?

Another concern is the issue that officers that conduct a stop and frisk even during a consensual manner must be required to issue a receipt. First off the term "stop and frisk" indicates that randomly an individual is stopped and automatically frisked for no reason by an officer. This practice is forbidden in Massachusetts and as many other officers I know not at all practiced. Many times this occurs because officers are called to the area for suspicious activity and an individual, described by a calling party, matches the description and the involvement of a weapon is either described or made known to the officer based on indicators. The

fact that an officer must issue a receipt for instances like this is absurd and in fact places an officer safety and life at risk.

I am proud to serve the Town of Norwood in my capacity of a Sergeant and I will continue to do so. However, I am concerned with the speed that this bill is attempted to be passed and implore you to please properly review, conduct research, and accept some of the suggestions from the law enforcement field in adopting this bill.

Respectfully submitted,

Sergeant James Payne Jr
Norwood Police Department

Sent from my iPhoneFrom: Brian Gerardi <bgerardi1433@gmail.com>
Sent: Friday, July 17, 2020 8:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

Good morning,

I am writing this email to voice my opposition and displeasure with the recently passed police reform bill in the senate. I am a current law enforcement officer with 16 years experience and I find this bill to be extremely anti labor/anti union. Further it tramples on collective bargaining rights. I plead with you to examine these parts of the bill before passing it. I truly believe there can be policing reforms without throwing out these rights we have fought hard for and give us the protection we need to do our jobs effectively. Thank you for your time.

Respectfully
Brian Gerardi
Shrewsbury, MA and Worcester PD (proudly)

Sent from my iPhoneFrom: jllqk2003@yahoo.com
Sent: Friday, July 17, 2020 8:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

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

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

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

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

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

Thank you,

Joshua Look

3 Lancaster Ln

Bourne, Ma 02532

Josh.look@comcast.net

From: Aimee Binette <islandgirl810@gmail.com>
Sent: Friday, July 17, 2020 8:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Police legislation

Subject: Police legislation

?I am the wife of a police officer who has served our city with dignity and an oath that he serve his community and the citizens in it. For 26 yrs . During his career I have been in awe of how he and his fellow officers can see humanity at its worst on the calls he has had to respond to. And still see good in this world. Let me ask you a question Have any of you ever sat down and listened To any officer say what they have to endure on a regular basis. Or even in their career. It is not pretty they see ugliness so often. And right now it is horrific what is happen to law enforcement by our elected officials.

As a wife of a police officer let me tell you what it is like for the family of these officers. I kiss my husband goodbye before he leaves for work not knowing if I will get a call that he is injured or has been killed . I am on edge until he is safely at home. An FYI I have gotten 5 calls that he was injured and was at hospital !!! One incident he had to be out of work for a year!!! He has been spit on not knowing if the criminal had a disease that could be transmitted thus bringing it home to us! He has seen so much hate and death caused by criminals!!! It is amazing he still sees the human race as good.. and he does he does not group all people in one category he sees the individual. He has helped so many that were on a path to destruction find a way out of it by taking a chance on the person. He uses every tool he can to assist a person if they need help.

I can only imagine how it feels to him to put on a uniform to protect and serve, something he has been proud to do only to see a false police narrative play out all over. It is disgusting to watch this legislation that is proposed!! Shame on you for trying To slide this pass. With no real talk on issues. It is a sad day that you are making a respectful job(duty) as a police officer into a disrespected profession.

I told my husband if this bill is passed to look into retirement because it will be a cold day in hell before a criminal has more rights then he does. And I have no faith in a fair panel of anyone to decide my husbands fate in his job. When the rhetoric is so anti police it is shameful.

If you want to be productive then how about looking into ways to assist law enforcement and support them and not tear them down for protecting us. There truly is a thin line between peace and anarchy and we are seeing it played out in communities that have already belittled and dismissed law enforcement.

Can we please be better than that.

Sincerely

Aimee Binette

Sent from my iPhone

From: Samara Gross man <novelunknown@gmail.com>
Sent: Friday, July 17, 2020 8:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

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

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

I want to live in MA assured that my neighbors and myself are not going to be intimidated, hurt or killed by police. I want to live in my community assured that we have the funds to promote health, enjoyment, employment for everyone, not just the most privileged. Redirecting funds from police will assist in this. I was shocked when I learned the proportion of funds channeled to police.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely

Samara Grossman

28 Forbes St

Boston MA 02139

Sent from my iPhone
From: Cathy W <cathylwaldman@gmail.com>
Sent: Friday, July 17, 2020 8:03 AM
To: Testimony HWM Judiciary (HOU)
Cc: Cathy Waldman
Subject: Please pass police reform

Hello, my name is Cathy Waldman with the Greater Boston Interfaith Organization (GBIO). I live at 13 Old Colony Lane, Arlington,

Massachusetts. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Cathy L. Waldman

cathylwaldman@gmail.com

617-595-0540

13 Old Colony Ln, Arlington, MA 02476

From: Tracy Williams <tml3084@yahoo.com>

Sent: Friday, July 17, 2020 8:03 AM

To: Testimony HWM Judiciary (HOU); tracy williams; Ehrlich, Lori - Rep. (HOU)

Subject: Fw: S.2820 Swampscott

Dear Representative Ehrlich,

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

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor

and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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

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

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

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

My son is a MSP Officer and we are very concerned about these Bills being passed with expediency. The Police in Massachusetts have done nothing wrong, and are being punished for what others, and another State did, very unfair.

Thank you,

Tracy Kennedy
3 Galloupes Terrace
Swampscott, MA 01907
tml3084@yahoo.com
781-771-4433 C

From: Amaral, Rick <RAmaral@JORDANS.com>
Sent: Friday, July 17, 2020 8:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: In reference to Passed S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and

accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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

Thank you,

Ricky Amaral

663 Wareham St unit 7

Middleboro MA

From: Joanie Weaver <weaver.joanie@gmail.com>
Sent: Friday, July 17, 2020 8:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for Bill S.2800

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in to voice my support for S.2820, to bring badly needed reform to our criminal justice system.

I also wanted to advocate my support for these additional measures that the final bill should include:

- * language about raising the age on the juvenile justice system so that young people ages 18-20 can be moved out of the adult justice system and into the more developmentally appropriate juvenile system
- * eliminate qualified immunity (to hold public employees accountable for illegal and unconstitutional offenses)
- * introduce strong standards for decertifying problem officers
- * completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor

Joan Weaver
59 Elm St
Somerville, MA
From: Ariel Schwartz <ariel.schwartz31@gmail.com>
Sent: Friday, July 17, 2020 8:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Ariel Schwartz with the Greater Boston Interfaith Organization (GBIO). I live at 20 Tufts St, Arlington, MA. I am writing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards & Training with certification

- * Civil service access reform
- * Commission on structural racism
- * Clear statutory limits on police use of force
- * Qualified immunity reform

Thank you very much.

Ariel Schwartz

ariel.schwartz31@gmail.com

From: Kaye Ingalsbe <kayeingalsbe@gmail.com>
Sent: Friday, July 17, 2020 8:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Hello,

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

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

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

Thank you,

Kaye Ingalsbe

21 Smallwood Street <x-apple-data-detectors://1/0>

Indian Orchard, MA 01151 <x-apple-data-detectors://1/0>

Kayeingalsbe@gmail.com

From: Erica Vozzella <egvozzella@gmail.com>

Sent: Friday, July 17, 2020 8:03 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

I am writing this email because as a resident of Massachusetts, I am strongly against the passing of the police reform bill as it is currently written. This bill will greatly affect how police respond to calls due to qualified immunity possibly being taken away. How an officer is able to do their job will ultimately affect the residents of Massachusetts. I hope that you will consider not passing this bill which will only hurt us the people.

From: Ed Brunton <eddiebrunton@gmail.com>

Sent: Friday, July 17, 2020 8:02 AM

To: Testimony HWM Judiciary (HOU)
Subject: S2820

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

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

Thank you,

Edward Brunton

21 Smallwood St Springfield, Ma

eddiebrunton@gmail.com

From: Pierce VanDunk <vandunkp@bu.edu>

Sent: Friday, July 17, 2020 8:01 AM

To: Testimony HWM Judiciary (HOU)

Subject: Correctional Chaplain in Favor of the Reform, Shift, Build Act

Hello Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

My name is Pastor Pierce VanDunk, and I am the Religious Services Coordinator at the Middlesex House of Correction in Billerica, MA (I speak only for myself, not on behalf of the Sheriff's Office).

I am in favor of S.2820, and I encourage you to pass this bill into law swiftly. It will be beneficial to our communities to implement things like banning chokeholds and limiting teargas use, the duty to intervene, and expanding training for deescalation and racial justice.

I also agree with limiting qualified immunity to NOT include officers who break the law or operate completely outside of their training.

I DISAGREE, though, with those who call for banning qualified immunity entirely. In my experience in correctional chaplaincy, there are inmates (and I presume people in the community as well) who intentionally cause problems and provoke officers in an attempt to create a situation where they can file and win lawsuits--some falsify information and twist details to try and win money. In situations like these, law officers who follow the law and their training (but may have the details twisted against them in court) should not have their assets and families at risk. If there is not already, the bill should have a provision that clearly addresses the issue of people trying to create a situation where they can sue, requiring courts to pay special attention to the possibility that the claimant is disingenuous.

Thank you,

Pastor Pierce VanDunk

Chaplain, Middlesex HOC

Antioch Community Church, Waltham

Resident, Lowell

From: Cara Hart <cara.hart5@yahoo.com>

Sent: Friday, July 17, 2020 8:02 AM
To: Testimony HWM Judiciary (HOU)
Subject: Written Testimony

Dear Senator Julian Cyr,

My name is Cara Giuca and I live at 3 Delancy Drive, Plymouth, MA. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Cara Giuca

From: Alexandra Sweet <alexandra.b.sweet@gmail.com>

Sent: Friday, July 17, 2020 8:02 AM
To: Testimony HWM Judiciary (HOU); Lovely, Joan B. (SEN)
Subject: Support for Law Enforcement

Good morning,

As your loyal constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I implore you to take a moment and consider these following notes.

I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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

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

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

This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

My husband has been a Massachusetts State Trooper for almost 15 years now. This is something that has significant meaning to me and our family.

Thank you,

Alexandra Sweet

55 Endicott St, Danvers, MA 01923 <x-apple-data-detectors://1/1>

978.473.3962

Sent from my iPhone

From: Noelle Stork <noelle1015@hotmail.com>

Sent: Friday, July 17, 2020 8:01 AM

To: Testimony HWM Judiciary (HOU)

Subject: A Mother's Cry Against the Current Proposed Changes to S2820

Good morning,

My name is Noelle Stork. I have been an employee of the Commonwealth of MA for the last 12+ years. Prior to that, I worked with the Middleboro Police Department as an Administrative Assistance. My husband is a Detective

Lieutenant with the Middleboro Police Department. He is also a Veteran of the United States of America. Our family had dedicated years of service to our local communities, the Commonwealth of MA, and the United States as a whole. We are in desperate need of your support. I thank you in advance for reading and considering my message here.

The proposed changes to S2820 are going to suppress police, and other professions, from doing their jobs. It is going to make ALL people less safe. As you know, qualified Immunity does not apply if you knowingly break the law. It protects public servants that act in good faith while doing their jobs. Why in the world would we take that away? MA has had one unarmed Police death in the last 5 years. One - and not that it matters, but that man was white. This legislature is not going to fix anything in MA. In fact, it is going to make things much worse. It will result in a lot of professions hesitating to do their job.

I am the mother of three little girls. They are ages 6, 3, and 1. How will I ever explain to them that we have lost our home because of a frivolous lawsuit against their Daddy? How will I ever explain to them that Daddy isn't coming home because he hesitated to protect himself? (Michael Chesna) How will my husband ever look us in the eye knowing he hesitated to help someone on the job due to fear?

Please don't leave us in the dust. The proposed changes to S2820 will do just that. Please protect our family the way my husband has been protecting others for the last 18+ years of his life.

Respectfully,

Noelle Stork
Marion, MA
(774) 263-0659
From: Kathy Laskowski <kathy.laskowski@gmail.com>
Sent: Friday, July 17, 2020 8:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support of S.2820

Dear Chair Michelewitz, Chair Cronin and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820 to bring needed reform to our criminal justice system. I urge you to work to pass this bill into law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Qualified Immunity for police officers is directly linked to the unaccountability that allowed slaveholders to murder black men with

impunity. In Frederick Douglass's 1892 autobiography "The Life and Times of Frederick Douglass", he described the situation thusly:

"While I heard of numerous murders committed by slaveholders on the Eastern Shore of Maryland, I never knew a solitary instance where a slaveholder was either hung or imprisoned for having murdered a slave. The usual pretext for such crimes was that the slave had offered resistance. Should a slave, when assaulted, but raise his hand in self-defense, the white assaulting party was fully justified by southern law and southern public opinion in shooting the slave down, and for this there was no redress."

Substitute "slaveholder" with "police officer" and "slave" with "black man". This issue of white, authoritarian dominion over Blacks runs deep in the collective unconscious of our society. It's time for us to do better. In light of the numerous murders of black men that the nation has witnessed with our own eyes at the hands of the police, there MUST be accountability. We cannot sit idly by and allow this unchecked violence against Blacks to continue.

Thank you for your consideration,
Kathleen Laskowski
25 Tuckernuck Avenue
PO Box 156
Oak Bluffs, MA 02557
610-389-1405

From: William Enright <wenright@napd.us>
Sent: Friday, July 17, 2020 7:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Testimony

Hello my name is William Enright,

I am a police officer for the town of North Andover, Massachusetts. I have been working as a police Officer for 5 years , been through 2 academies (MLETA and the NECC Police Academy), and obtained hundreds of hours of training on a variety of aspects to policing. I have worked patrol and am now the School Resource Officer at North Andover High School. After reading the purposed bill I feel that aspects of the bill will effectively destroy municipal policing, cost millions of dollars to local governments and innocent individuals in civil law suits, and cause mass retirement from the field with very little incentive to draw high quality candidates. This will not only hurt police officers but in turn crime will rise and low income areas which tend to be majorly minority in Massachusetts will be hit the hardest effectively hurting the demographic of people this bill is designed to protect.

Section 10 (qualified immunity) need to be removed. Qualified immunity does not protect police that have operated outside the law, policy and procedure, or outside the scope of their training. Many myths about qualified immunity have been floating around and if the legislation would take the time to look at statistics qualified immunity has never been an

issue and has been an involving concept which protects people who have a duty to act from frivolous law suits. The language proposed to replace the already well working system is general, left open to individual interpretation , and will take a decade of case law to even have a guideline for how it can work. If section 10 is not removed from the bill you will see a civil suit happy culture which are currently targeting police flood the court system with allegations and accusations which will not only effect police officers but their innocent families, children and community. SECTION 10 is a HUGE problem and needs to be removed. Qualified Immunity has no recorded issues in Massachusetts and police officers that are breaking the law or do anything that is considered a violation of people's rights are currently liable civilly, it does not protect bad police that do bad things.

The bill also wants to institute a board that reviews police officers and decides if they can be re certified as they go though their career. This board must consist of members that have an expertise on MPTC training, law enforcement policies and procedures, and a back round in law enforcement and criminal law. All other professions that have review boards allow only experts in the field. Putting people that don't understand policing in Massachusetts at an expert level on a review board with such declared powers and influence will bring misinformed and bias guided discussions. Also the language in the bill appears to supersede unions collective bargaining agreements and essentially over power civil service. Parts of the proposed appeals process and the sharing or testimony from all process is currently written horribly and I would consider is in violation of an individuals rights to fair due process.

Insert language that we use in criminal court for this bill. Reasonable suspicion, Probable cause, beyond a reasonable doubt, (Gram vs Connor) . At certainty will an officer face civil and and criminal allegations. Nothing Is discussed.

Insert mandatory statistic keeping to the FBI data base on use of force.

Look at Massachusetts and all the accredited departments. That is the gold standard here we are doing things above and beyond what is even asked when it comes to training but how I'll this be funded. Add a section on the program that will generate this funding or mandate the state to put forth the money to get these trainings.

Thank you

All email messages and attached content sent from and to this email account are public records unless qualified as an exemption under the Massachusetts Public Records Law
<<http://www.sec.state.ma.us/pre/preidx.htm>> .

Visit us online at www.northandoverma.gov
<https://urldefense.proofpoint.com/v2/url?u=http-3A__www.northandoverma.gov&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=1HlH5KHjw5E1WS6NMVHJRpAsYH5KxsYz6sxxMhp_1Nk&s=P6ytHqkg3Uib1vJvXDPHSaD-7DdBIZFAqzy7v7rjTHM&e=>> .

From: luke stevens <lukestevens@gmail.com>
Sent: Friday, July 17, 2020 8:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Public Testimony

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Luke Stevens with the Greater Boston Interfaith Organization (GBIO). I live at 82 Partridge St, Boston. I am writing to urge you and the House to pass police reform that includes:

Implement Peace Officer Standards & Training with certification

Civil service access reform

Commission on structural racism

Clear statutory limits on police use of force

Qualified immunity reform

Thank you very much.

Luke Stevens

lukestevens@gmail.com

617.637.0835

82 Partridge St, West Roxbury, MA 02132

From: Mary Bennett <marybennett118@comcast.net>
Sent: Friday, July 17, 2020 8:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a

commission to study and make recommendations regarding policing with a lopsided membership.

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

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

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

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

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

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

Sincerely,

Mary Bennett

From: Carly Burdick <carlynburdick@gmail.com>
Sent: Friday, July 17, 2020 7:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and

irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Carly Burdick
215 Ash St Apt 4
Waltham, MA 02453
carlynburdick@gmail.com

From: Laura Foner <laura.foner@gmail.com>
Sent: Friday, July 17, 2020 8:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please support the passage of SB.2800 - public testimony

Dear Chairman Aaron Michlewitz and Co- Chair Rep. Claire Cronin:
My name is Laura Foner and I am a resident of Boston. I am submitting this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is th minimum and the bill must pass both houses of the MA State Legislature in its entirety.

It is past time for us to create a version of public safety for our Commonwealth which truly protects communities and prevents police abuses. This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, limits qualified immunity for police to help ensure accountability, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. This is an important historical moment that calls for bold action. We in Massachusetts can set an example of how to meet the demands of this moment.

Thank you for your consideration. Please give SB.2800 a favorable report.

Sincerely,
Laura Foner
24 Kingsboro Park
Jamaica Plain, MA 02130

From: Samantha Kain-Call <skaincall@yahoo.com>

Sent: Friday, July 17, 2020 8:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

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

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

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

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

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

Thank you,

Samantha Kain-Call
42 Dell St Turners Falls Ma
Skaincall@yahoo.com
From: Alexandra Sweet <alexandra.b.sweet@gmail.com>
Sent: Friday, July 17, 2020 7:59 AM
To: Testimony HWM Judiciary (HOU); Speliotis, Theodore - Rep. (HOU)
Subject: Support for Law Enforcement

Good morning,

As your loyal constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I implore you to take a moment and consider these following notes.

I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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My husband has been a Massachusetts State Trooper for almost 15 years now. This is something that has significant meaning to me and our family.

Thank you,

Alexandra Sweet

55 Endicott St, Danvers, MA 01923

978.473.3962

Sent from my iPhone
From: Sarah Eknaian <sarah.eknaian@gmail.com>
Sent: Friday, July 17, 2020 7:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Written Testimony SB2800

Good morning,

My name is Sarah Eknaian. I am a Massachusetts resident and a social worker in the Commonwealth of Massachusetts. I am reaching out to you in regards to SB2800.

In the wake of the tragic murder of George Floyd, our country is facing ugly truths about how racism and discrimination are embedded in us and in systems in place. It is an uncomfortable place to be in, when we face the fact that we aren't as progressive as we thought we were or how systemic oppression lingers in our society. This has been an extremely challenging time for me. I work for the Newton Police Department as a jail diversion clinician. I love my job. It is my passion and I look forward to going to work every day. My job entails co-responding with police to calls for service involving mental health crises. As a crisis clinician, I am deployed with the police as a part of compassionate justice. I work closely with the police to ensure that the residents have the most appropriate and safe outcomes on a call. I follow up with individuals that may need mental health or substance use help based on referrals by the police. My office isn't just a desk, it's a cruiser with a police officer. This job is perfect for me. I want to help and better others. Massachusetts is at the forefront of what 21st century policing should look like with embedded and trained mental health clinicians in their departments to work alongside police on calls for service.

With all this being said, it has been especially challenging seeing the policing profession demonized by the actions of some. I can't speak for the actions of every police department in the country and there is no excuse for the accounts of police brutality that continues to occur in our nation. That being said, I have been able to get to know various police officers throughout the state. Good police officers do still exist. Any officer that has allowed me to sit next to them in their cruiser or asked for my assistance on a call has been a representation of progressive policing. It is these officers, who I hear today that are downtrodden, discouraged, and feel hopeless in the face of reform, which will greatly affect how they do their jobs. It has been so difficult hearing good, proactive police officers say they regret ever becoming police officers.

While I can't say that I disagree with the entire proposed bill, what concerns me is the potential negative effects on school resource officers and qualified immunity. From the departments I work in and especially the department I work in presently, there are police officers that have a heart for the students they serve. They want to ensure kids get the best life they possibly can and want to work with them. Qualified immunity is a way to protect police from frivolous lawsuits when they are trying to do their job. I've been hearing from police that if qualified immunity is gone, they will be open to civil lawsuits if they accidentally break someone's ribs while trying to administer CPR. Does this mean police will stop performing life saving measures on calls? I've been on calls where police have had to perform these lifesaving measures and have been able to save lives. I've seen the look on family's faces as their loved one comes back to life, saving them the grief and heartache of having to lose a loved one when they could live. The thought of our police, firefighters, and EMTs not being able to save a life because of a civil suit is baffling and unacceptable.

As a social worker, it is part of my responsibility to stand up for others. I have been trying to figure out my voice when I feel I am in the middle. Black lives matter. I need to uphold the rights of black communities and work against a racist system. At the same time, the mental health of my officers is suffering greatly and I feel a responsibility to stand up for them too. I've had the pleasure of working in police departments in Massachusetts that are progressively and can be a model to policing nationwide. Part of this email is my story and I wanted to share it. I would gladly share any story or encounter I've had during my career. I hope to continue this line of work for years to come. Please consider my experience and please re-think this proposed bill. Please don't penalize hard-working men and women that stand for something larger than themselves.

Thank you for your time.

Respectfully,

Sarah Eknaian

From: Josh Dankoff <jadankoff@gmail.com>

Sent: Friday, July 17, 2020 7:59 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony in favor of SB.2800, Reform, Shift, Build Act with important amendments

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

Please see below the message I sent to my representative this morning. I submit this as testimony in favor of SB.2800, with these important amendments.

Thank you.

Joshua Dankoff
12 Holbrook St
Jamaica Plain, MA 02130

----- Forwarded message -----

From: Josh Dankoff <jadankoff@gmail.com>

Date: Fri, Jul 17, 2020 at 7:56 AM

Subject: Pass SB.2800, Reform, Shift, Build Act with important amendments

To: <nika.elugardo@mahouse.gov>

Dear Rep. Elugardo,

My name is Joshua Dankoff, and I am a resident of Boston and a constituent of yours. Thank you for committing to confront racial injustice in our communities. I am writing asking you to urge the Speaker to include the below youth-focused policies in the House race equity bill. These proposals will address racial disparities in our justice system and hold law enforcement accountable when interacting with young people in our communities and in our schools:

* Require transparency and accountability by reporting race/ethnicity data at each major decision point of the juvenile justice system, as filed by Rep. Tyler (H.2141). Require law enforcement and other juvenile justice agencies to report data on young people at major decision points with the juvenile justice system to improve the state's policy and planning. For too long, we have waited for transparency
<<[* End the automatic prosecution of older teens as adults, as filed by Rep. O'Day and Rep. Khan \(H.3420\): Massachusetts' youth of color bear the harshest brunt of our legal system with their over-representation in the adult criminal justice system. By raising the age at which a teenager can be automatically tried as an adult, we can hold young people accountable in a more developmentally appropriate setting, giving them a better chance to succeed and turn away from offending and reduce the harms of legal system involvement all while reducing crime in our communities. FACT SHEET
<\[* Expand eligibility for expungement to rectify the collateral consequences of the over-policing and criminalization of communities of color, as filed by Rep. Decker and Rep. Khan \\(H1386\\) and as passed in S.2800: There is overwhelming evidence
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that racial disparities against Black individuals at every stage of the
legal system - from policing and profiling, court proceedings to
sentencing and every stage in between. Expungement is an important tool to
rectify the over-policing and disparate treatment of people of color be
expanding. The current law limits does not distinguish if a case ended in
a conviction or a dismissal. We ask that eligibility is modified so that
(1) all non-convictions are eligible for expungement; (2) change the
limitation on the number of cases on a record, to length of time since
last conviction (3 years for misdemeanors and years for felonies); and (3)
limit the list of offenses ineligible for expungement to only those
resulting a felony conviction. FACT SHEET
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* End the surveillance and profiling of students in schools as amended
in S.2800 Section 49 by prohibiting school police from sharing student
information they gather through their interactions with students with the
Boston Regional Intelligence Center (BRIC) and the Commonwealth Fusion
Centers that are accessed by local, state and federal law enforcement.
FACT SHEET <[https://urldefense.proofpoint.com/v2/url?u=https-
3A__docs.google.com_document_d_1YmlnfAJUax0G03Qo05Ch4IUiBYbVb2q1fUC1v4WF0E
M_edit-3Fusp-3Dsharing&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-
fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk
13zIs16rchf_GkGDD&m=xtPLQgyI__m-VK2u2b-
PtdQtXTP82dQTu3UqNS0vPrM&s=E0DHvU5SSfE9gBwbWcHFrOmfhTakvNkQFrXJWYfQr80&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__docs.google.com_document_d_1YmlnfAJUax0G03Qo05Ch4IUiBYbVb2q1fUC1v4WF0EM_edit-3Fusp-3Dsharing&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=xtPLQgyI__m-VK2u2b-PtdQtXTP82dQTu3UqNS0vPrM&s=E0DHvU5SSfE9gBwbWcHFrOmfhTakvNkQFrXJWYfQr80&e=>)

* Prohibit law enforcement restraints of minor children in a prone or
hog-tie position and require that de-escalation techniques are
developmentally appropriate and require that law enforcement consider
calling parents/guardians to de-escalate a situation with a child. Some of
these provisions passed in S.2800 amendment 41.

* National and local studies have overwhelmingly shown that Black and
Latinx students are significantly more likely to be suspended, expelled,
and arrested in school than their white peers. Repeal the state mandate
that every school district be assigned at least one school resource
officer; require school committee approval by public vote for assigning
SROs; require that law enforcement officers be stationed in a police
station and on-call for schools, rather than being stationed on school
property; and mandate that school districts and police departments comply
with the reporting requirements of school-based arrests to qualify to have
an SRO. These provisions passed in S.2800 amendments 25 and 80.

This is such an important bill as it bans chokeholds, promotes de-
escalation tactics, certifies police officers, prohibits the use of facial

recognition, limits qualified immunity for police, and redirects money from policing to community investment.

Thank you and I look forward to hearing back from about your position on these priorities.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Joshua Dankoff
12 Holbrook St
Jamaica Plain, MA 02130

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Joshua Dankoff
jadankoff@gmail.com
@joshdankoff <[+1.312.608.8871](https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_joshdankoff&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=xtPLQgyI__m-VK2u2b-PtdQtXTP82dQTu3UqNS0vPrM&s=DUt867fctZBF0-kWNkmky8d15_cezSJT8IH09h-Ub9c&e=>+1.617.396.1889></p></div><div data-bbox=)

From: Michael Kenney <MGKenney@comcast.net>
Sent: Friday, July 17, 2020 7:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

Whom it may concern,

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

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

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and

fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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

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

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

Thank you,

Michael Kenney
28 Cooper Ln
MGKenney@comcast.net
From: Sean Hussey <hussey976@msn.com>
Sent: Friday, July 17, 2020 7:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: No on 2800

My name is Sean Hussey and I am a Police Officer with the Malden Police Department. I ask that you do not support bill S.2800.

This bill will eliminate collective bargaining for police officers. This is detrimental to our ability to negotiate a fair contract with municipalities. As a member of our union executive board, I have worked hard to represent the men and women of the Malden Police Patrolmen's Association in seeking fair contracts with the city. This bill would put us at the mercy of the city and ultimately lead to unfair working conditions.

This bill also removes due process for police officers. This would result in officers being handled unfairly. No other profession in the world is as publicly and harshly judged after the fact than police work. Everyone makes immediate judgements on police incidents with little to no information. Due process ensures officers get a fair chance to

defend their actions. This process does not protect bad officers but does protect good ones.

Most importantly, this bill would eliminate qualified immunity for police officers. I truly believe this will be a huge mistake. This absolutely WILL lead to frivolous lawsuits brought against police officers personally. Political activists will be chomping at the bit to sue officers personally at absolutely no cost to them but at an out of pocket expense to officers and their families. I have a family to support and the way I support it is by going to work every day to protect the life and property of the citizens of Malden. I would love to continue to do that for the rest of my career. If this bill passes and eliminates qualified immunity, the job no longer becomes financially feasible. I can not expose my family to the financial burdens that will come along with performing my basic job functions.

Police departments have been struggling more and more each year to find quality candidates. I can only imagine this is going to force even more desirable candidates into other fields. Once the good, professional officers are gone, who is going to be left to handle the true criminal element that does exist in society? Less qualified, bottom of the barrel candidates are going to lead to more problems. Less qualified officers are going to make bigger mistakes.

While watching the senate hearings, it was mentioned several times that they needed to make what happened to George Floyd illegal here in Massachusetts. What happened to George Floyd is illegal in Massachusetts and every other state in the country. Just like all lawmakers are not held accountable when one lawmaker commits a crime, I would hope you would not hold law enforcement accountable for the criminal behavior of one officer.

I ask that you support the great men and women in Massachusetts that go to work every day to protect perfect strangers and have done so for years. Please look at facts here in Massachusetts and do not overreact to the actions of one officer in Minnesota. Please consider the true long lasting impacts of this bill down the road once the public pressure relents. We already seeing the results of officers afraid to do their job. Violent crime is already starting to rise. Please keep this in mind as you consider this bill.

Thank you,

Sean Hussey

781-520-1195 From: joseph clark <jmclark0491@icloud.com>

Sent: Friday, July 17, 2020 7:59 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill. I don't want our lawmakers to react to mob rule. George Floyd death was horrible. I don't know anyone defending it. The out of control mob actions turned a protest into a sad reason to turn against police and our way of life. Some c...

Sent from my iPhone

From: Steve Schnapp <schnappintosh@gmail.com>
Sent: Friday, July 17, 2020 7:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on Senate Bill 2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing with great urgency to express support for S.2820, the Senate's police reform bill. It is critical that the House enact a similar bill as soon as possible, and then get it through a conference committee, and on Governor Baker's desk, by the end of July.

I also want to call attention to the Senate bill's approach to:

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

I am also in favor of allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. This is exactly what we in Medford are in the process of doing and all municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Again, it is most importantly that a good police reform bill be enacted by the end of July. Thank you for your attention to this important priority.

Steve Schnapp
36 Hillside Ave.
Medford, MA 02155
617-999-0433 (cell)
From: Jeff <jconnolly17@gmail.com>
Sent: Friday, July 17, 2020 7:57 AM
To: Testimony HWM Judiciary (HOU)

Subject: S.2820

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? Dear Representative Cutler,

My name is Jeffrey Connolly and I live in your district at 30 Driftwood Drive, Duxbury and I am a huge fan of those who protect and serve our community. As you consider legislation that affects police officers and their safety, and thus the safety of our entire community, please understand that protection and preservation of due process and qualified immunity are non-negotiable and must be defended. Failure to protect both will undoubtedly put all public employees in harm's way while drastically and negatively impacting public safety for us all.

WHY DUE PROCESS MATTERS- Any legislation must allow fair and equitable due process under the Law. Currently, when an officer is disciplined, he/she is entitled to due process and an appeal process with the employer. A new outside board (like the POSA Committee) should allow this process to complete before instituting a review. This will not only maintain fairness, but will allow the new Committee to have a full record and make determinations after a thorough and neutral process has been undertaken. Other public employees such as teachers go through a similar process; police officers deserve the same respect and rights.

WHY QUALIFIED IMMUNITY MATTERS - Qualified immunity does NOT protect bad officers who knowingly violate the rights of members of the community. It's worth saying again. It does not protect bad cops. Instead, it protects good officers who play by and follow the rules. The doctrine allows lawsuits to proceed if a government official (not just a police officer) had fair notice that his or her conduct was unlawful, but acted anyway. The standard is objective reasonableness. By abolishing or changing qualified immunity as it exists today, police officers will not know what is lawful or not. This creates hesitancy and uncertainty in how they perform their duties. This is UNSAFE for all communities.

In closing, we are NOT Minneapolis. So, changing due process or qualified immunity in Massachusetts, which would affect police officers only in Massachusetts, would only serve to punish the men and women in blue for something that happened 1000 miles away. Instead of penalizing and scapegoating, we should be celebrating and promoting the fact that our police officers, some of the best in the nation, are impressive examples of how policing should be done.

Sincerely,

Jeffrey Connolly

Sent from my iPhone

From: Sara Kinnas <sara.kinnas@gmail.com>
Sent: Friday, July 17, 2020 7:57 AM
To: Testimony HWM Judiciary (HOU); Gobi, Anne (SEN); Ferguson, Kimberly - Rep. (HOU)
Subject: S.2820 Police Reform Bill

Good morning --

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

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

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

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

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

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

Thank you,

Sara Kinnas

33 Vista Circle

Rutland, MA 01543

Sara.Kinnas@gmail.com

From: Alice Dean <alice0552@aol.com>
Sent: Friday, July 17, 2020 7:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate S2820

Sent from my iPhone

Begin forwarded message:

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety

issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due to the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools, organized retail theft and terrorists.

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

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

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

Sincerely,

Alice M Dean

Resident
17 Wildewood Drive
Canton, Ma 02021

781-562-1147

From: CATHLEEN CLARK <cathleen.clark@me.com>
Sent: Friday, July 17, 2020 7:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

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

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

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

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

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and

correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Cathleen Clark
36 Bowdoin Street, Winthrop, MA 02152

Cathleen.clark@me.com

From: Beverly Williams <mizbevy@gmail.com>
Sent: Friday, July 17, 2020 7:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: Submitted yesterday-no receipt you received it

To:

House Ways and Means Judiciary Committee

Chair Clair Cronin and Rep Aaron

From: Beverly Williams

103 Ocean Street, <x-apple-data-detectors://1/1>

Dorchester MA 02124 <x-apple-data-detectors://1/1>

617 438-4595 <tel:617%20438-4595>

Dear Committee Members

I am a life-long resident of Boston, wife, mother of two adult black sons, a retired educator from the Boston Public Schools and currently co chair of The Greater Boston Interfaith Organization.

My lived experiences in Boston, especially Roxbury and Dorchester, has given me front seat observation and first hand knowledge of what goes on in my community regarding policing. I will NEVER EVER forget what happened during the Charles Stuart episodes when he shot his pregnant wife in the stomach and alleged a black man did it. White detectives came out in unprecedented numbers and destroyed a black community in hunt of this black man. Stuart killed himself when the truth came out he was the guilty one, but the spirit and trust of the black community was also killed.

Even today, we have the same type of aggressive behavior in places across MA. The scathing reports and citation from the Department of Justice around the gross misconduct of the Springfield Police Dept.'s Narcotics Bureau sheds light on this.

I don't want to get caught up in "every police officer is not a bad cop"; I am reasonable enough to know that. I don't want your attention to be

distracted from the fact that much work is needed around police reform in terms of:

- Standards/training and accountability. Certification/decertification of police is necessary in any police reform package.
- Creating racial equity through civil service access reform is long overdue.
- Clear Statutory limits on police use of force.
- Qualified Immunity reform (even today people are calling to reopen "D.J." Henry case because he never got justice. He was one of our own MA residents and cases like that have even happened here in our state although the killing by police happened in NY. And was protected by QI.
- Commission for ongoing work around dismantling structural racism and racist procedures and policies.

Any police omnibus bill should have those 5 things in it, but it would be a disgrace to the black community if you stopped there. Senate Bill S2820 is a good bill worthy of guiding you to put out a strong police reform bill.

My community has been shortchanged for many years. There is too much policing, and too many blacks involved with the criminal "justice" system. It is now time to reduce risks and invest in the most vulnerable communities. Senate Bill 2820 includes the Justice Reinvestment Workforce Development Fund that put resources into the community and would make competitive grants to drive economic opportunities in communities most impacted.

I hope there is enough imagination and will in the house to make meaningful police reform based on these suggestions.

-Beverly Williams

Success is somewhere in the struggle
Follow Twitter @mizbevywilliams
From: Mike Connolly <820junior@gmail.com>
Sent: Friday, July 17, 2020 7:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

I am a constituent from Marshfield and also a 25 year veteran with Boston Police Department. I've been a Crime Scene Investigator for the past 20 years and you can only imagine what I have seen. From a mother who all but decapitated her two young children, body parts and three bodies at the Marathon Bombing (my twin boys played basketball with Martin Richard at St. Ann's in Dorchester) or the body of a poor young woman who was taken by force from outside her Southie apartment, brutally raped and stabbed over 80 times and left in the woods in Hyde Park. Physically and

Psychologically I have been put through the ringer. Please know I am not complaining or looking for sympathy as I know someone has to do this work and it is work that I love to do as well as to teach others to do. I am one of many, when the call comes in for a found body, unresponsive infant or bombing at the marathon, we go, no questions asked.

Please remember my colleagues and me as you look at S2820.

I would like to weigh in on the bill that is currently in the House, S. 2820. As it stands, the Senate dropped the ball by keeping police wide open for frivolous law suits by eliminating qualified immunity. As you know, unlike absolute immunity which is something you all are given and enjoy, qualified immunity is given to police officers who do their job the right way. Not rogue officers or cops who break the law. Because of that, I urge you not to pass this bill, but if you must, I ask you to keep qualified immunity.

Another ball dropped by the Senate was something that is rightfully given to all citizens of the commonwealth and this great country, and that is due process. Essentially, by eliminating due process in their bill, the Senate has deemed all police officers second class citizens. That's is outrageous, bogus and downright wrong. Please do not pass this bill, but if you must keep all due process in and please do not deem us second class citizens. In a time when the bad guy is the good guy and the good guy is the bad guy, we need your help.

I pray that you have the courage to be a beacon in a time of darkness and be the anti-panderer and keep these two important aspects in this bill if you must pass it.

Please do not be anti police, please do not open all cops in the commonwealth to frivolous law suits, please be a leader and hear the voices of your constituents and do the right thing.

Thank you ALL for your service.

Respectfully,

Mike Connolly

Prince Rogers Way

Marshfield

617-429-3668

Sent from my iPhone

From: crista nardone <cristanardone17@gmail.com>

Sent: Friday, July 17, 2020 7:56 AM

To: Testimony HWM Judiciary (HOU)

Subject: Acceptance of Written Testimony Only

Dear Senator Julian Cyr,

My name is Crista Nardone and I live at 28 Prince Path, Sandwich MA. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Crista Nardone

From: Danni P <bruren33@gmail.com>
Sent: Friday, July 17, 2020 5:55 AM
To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Danielle Perez and I live at 672 Boston St Lynn MA. I work at MCI Concord and am a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

??: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified

Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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

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

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

Sincerely,

Danielle Perez

From: richard gomberg <richardgomberg@gmail.com>

Sent: Friday, July 17, 2020 5:46 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Richard Gomberg with the Greater Boston Interfaith Organization (GBIO). I live at 290 Islington Road, Auburndale. I am writing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards & Training with certification
- * Civil service access reform

- * Commission on structural racism
- * Clear statutory limits on police use of force
- * Qualified immunity reform

Thank you very much.

Richard Gomberg

Richardgomberg@gmail.com

(617) 796-8804

290 Islington Road

Auburndale, MA 02466

From: demartinijoe <demartinijoe@gmail.com>
 Sent: Friday, July 17, 2020 5:41 AM
 To: Testimony HWM Judiciary (HOU)
 Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Joseph Demartini and I live at 29 Sheridan Drive, Apartment #9 in Shrewsbury. I work at the Division of Staff Development with the Massachusetts Department of Correction and am a Correction Officer I. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

?????????? ?????????? ???: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or

using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

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

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

Sincerely,
Joseph Demartini
From: Christina Scali <christina.aloisi@gmail.com>
Sent: Friday, July 17, 2020 5:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: SR 2800

To whom this may concern,

My name is Christina Scali and I live in Lynnfield. I am the wife of Massachusetts State Trooper and a concerned citizen. I am also a registered nurse in the state of Massachusetts. I am deeply concerned that provisions in this bill will make law enforcement officers afraid to do their job, resulting in an increase in crime around the Commonwealth. If you look at major cities like New York and Chicago, crime has significantly increased and police are afraid to do their job sufficiently as a result of the current climate. Police officers are highly trained in Massachusetts. It is unfair that the actions of one Minneapolis police officer has paved the way for lawless criminals to rebel against hard working and honest officers here in the Commonwealth.

I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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

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

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

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

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

Thank you,

Christina Scali
49 Locksley Road, Lynnfield, MA
6173651881

Sent from my iPhoneFrom: James Whitacre <james.c.whitacre@gmail.com>
Sent: Friday, July 17, 2020 5:36 AM
To: Testimony HWM Judiciary (HOU)
Subject: Thank you and insights

Bismillah ArRahman ArRaheem,

Dear MA House of Representatives, Staff, and Supporters,

Thank you for opening the conversation to the public on the issue of policing reform. My name is Jack Whitacre and I am a National Science

Foundation PhD Fellow at the University of Massachusetts Boston. After spending two years researching community policing with DARPA, in partnership with police officers around the country, I feel that an evidence-based approach would benefit our conversation. I ask that we continue to draw upon case studies from reformed departments around the country to weigh and evaluate best practices for Boston.

In a recent Boston Globe article, some stakeholders worried that police reform would 'flood the courts'. Stepping outside of my research and academic lens into philosophy, I'll merely suggest that if justice doesn't take place in the courts, where else will it take place? In the streets? The best way to keep the country unified, in my humble opinion, and to preserve the rule of law is to use evidence based decision making, such as the work of Dr. Gary Klein and Dr. Helen Klein's research below. Thank you for your time and service. I admire your positions as servant leaders.

Source: Klein, Gary, et al. "Police and military as good strangers." Journal of Occupational and Organizational Psychology 88.2 (2015): 231-250.

Jack Whitacre
BA, Kenyon College
Masters of Law and Diplomacy, The Fletcher School of Law and Diplomacy,
Tufts University
National Science Foundation, PhD Fellow, The University of Massachusetts
Boston

Cell: 1 (207) 712-6076

From: Rostkowski Family <rostkowski@verizon.net>
Sent: Friday, July 17, 2020 5:34 AM
To: Testimony HWM Judiciary (HOU)
Cc: Tarr, Bruce E. (SEN)
Subject: POLICE REFORM BILL S2820 - Concerns with qualified immunity within this bill to be considered

To Whom It May Concern:;

My name is Lori Rostkowski and I live in Rockport MA. I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known.

Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration,

Lori Rostkowski

14 Seagull Street, Rockport, MA 01966
rostkowski@verizon.net
From: Sarah Lyden <slyden@norwoodma.gov>
Sent: Friday, July 17, 2020 5:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: My testimony

To whom this may concern,

I am writing this to you not only as a proud resident of the Commonwealth of Massachusetts but an even prouder Sergeant of the Norwood Police Department. I want to attempt to be short and sweet with my testimony. Good luck to us all.

I have been a police officer for the Town of Norwood for almost 17 years. I got into law enforcement same like many of us do; my grandfather was a police officer for 30 years. However, I also took my Civil Service test after 9/11. I distinctly remember that day as all of us do and I remember realizing that I wanted to do more for my country, my community. Like most officers, we signed on to help. To be part of something greater than ourselves. There is evil on all levels and in all professions, races, genders and socioeconomic realms. What happened to George Floyd was murder. It's an abomination and I am embarrassed that Chauvin and others wore a badge and claimed the title of Police Officer but, they were the minority of our profession. 99% of us put the badge on for the right reasons and honor our families, communities and departments by helping people and fighting injustices.

I have seen a lot of changes in law enforcement in the last 17 years, some for good and some for bad. I am not against police reform on some level. I am however against this bill and what transpired with the Senate. If we want to better this state and make it equitable for all people, all races then, we as members of the law enforcement community should've been brought to the table to be part of the change not just the victims of it. I strongly believe that if this state keeps moving forward with what was snuck by the other morning, than all that has happened is the weakening of a state and giving power over to the very people that were protecting us all from.

Please table this bill and allow time for the stakeholders to get together and make a bill that suits, protects and enables all people the capability to make a stronger safer Commonwealth of Massachusetts. Do not allow this bill to go through as is. Please. I beg you as a police officer and a citizen of this Commonwealth. Lets slow our roll and do this right. We don't have to be the first over this line of police reform we need cross that finish line with the best product. This bill is not it. What is put through has such a great impact that we need to make sure it's done right the first time . The good citizens of this state will be the ones who suffer if this passes.

Thank you for your time. I hope you do what's right.
Thank you Sergeant Sarah C Lyden

Sent from my iPhoneFrom: Nick H <nmhoar@gmail.com>
Sent: Friday, July 17, 2020 5:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800 testimony

Dear House Judiciary Committee

I, Officer Nicholas M. Hoar, am a Police Officer with the Fall River Police Department and I am contacting you to to give my testimony in regard to the Police Reform Bill. As a proud Police Officer and Asian American Minority it sickens me to see our government bending to the will of non-fact-holding criminals who will take advantage of this anti-police

rhetoric. I am a 5th generation Police Officer in one of the longest serving families in Massachusetts Law Enforcement. I whole heartedly believe that the passing of this bill will put the citizens of the Commonwealth in more danger. The shameless shaemouses that defend the criminal element in a court of law will use this bill to let them walk free without reprimand but punish the Police Officers who swore to uphold the law. I've seen it first hand. Here in the City of Fall River gun violence is at an all time high and those that are involved will never serve the minimum mandatory sentence of 18 months in jail for illegal firearms charges. It just doesn't happen.

As a Army Veteran, citizen of the Commonwealth, father, husband, a Volunteer with the Fall River Young Marines, a mentor, and a civil servant is ask that you look at the bigger picture and into the future and imagine how this decision now will effect the safety and well-being of future generations.

I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits. How can I protect and serve the victims of crimes if I fear that my actions could ruin my life by giving a criminal the right to sue me for stopping them. I don't go to work everyday to be someone's pinching bag just as much as I don't want to used

defensive tactics. I wish that anyone that needs to be arrested complies without violence.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Officer Nicholas M. Hoar/A708
Fall River Police Department
Nhoar@frpd.org
508.642.8151

From: CHERYL INGALLS <ciwestfield@msn.com>
Sent: Friday, July 17, 2020 5:28 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

I am writing to express my negative opinion of the proposed police reform bill.

As it is written currently, it is going to be detrimental to any LEO, police force, and largely to the community at large.

I support the police; I understand that a few bad apples get in and need to be removed. And I believe the justice system as a whole needs to be looked at. But this bill needs to be rewritten and reconsidered.

As an aside, the middle of the night passage, together with the inability for a public hearing, was sneaky at best.

This is a poor bill and will tie the hands of all of the good, upstanding police officers out there. And will stop any potential applicant to think twice about applying to serve his/her community.

Thank you.

Cheryl Ingalls
Ludlow, Ma.

...Cheryl Ingalls

From: PaulNadeau <buck7pt@comcast.net>
Sent: Friday, July 17, 2020 5:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

Sent from my iPhone

From: Barbara Stahler-Sholk <watercolorbarb3@sbcglobal.net>
Sent: Friday, July 17, 2020 5:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please pass police reform!

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

Hello, my name is Barbara Stahler-Sholk and I'm with the Greater Boston Interfaith Organization (GBIO). I live at 1205 Centre Street, Unit 315, West Roxbury, Mass. 02132-7749. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Barbara D. Stahler-Sholk
watercolorbarb3@sbcglobal.net
(617) 325-1419
1205 Centre St. Unit 315
West Roxbury, MA 02132-7749

From: Kevin Reen <ktreen62@gmail.com>
Sent: Friday, July 17, 2020 5:20 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform

The Massachusetts Senate hastily passed a bill on police reform without doing their due diligence, having hearings and educating themselves to what the serious consequences will be to their actions.

Under Senate Bill 2800 (2820 final version), the elected officials have effectively tied the hands of not only the police but all public officials. This bill removed qualified immunity from all public employees (except themselves of course).

What does that mean? That means that even if myself or my brothers and sisters in blue and red act in good faith under rule/color of law we will now be responsible and open to civil lawsuits. This also opens the municipalities we work for up to frivolous lawsuits for anything, costing you the taxpayers even more.

An example of this is we respond to a medical call where you have a loved one who requires CPR, we arrive on scene do everything we can within the scope of our training and department policies for your loved one but they unfortunately don't make it, we are now open to civil lawsuits for damages.

This is just one major issue with this hastily drafted and passed bill.

It is also important to know that the elected officials who sold us a bill of good and promises of things they would do or stand behind are nothing but wimps who succum to the bullying of higher ranking elected officials to ensure they keep their positions on appointed committees. I know this is probably no great shock to some but this is the stuff that needs to get out to the masses!!

People are calling for police reform for systemic racism and other injustices that occur. Well reform needs to and should start from the top. If our elected officials are so influenced by bullying and pressure from higher ranking elected officials then maybe the reform needs to start with our elected officials and work its way down. Our representatives, at least in the State senate don't give a crap about the people who they serve and the people who voted them into those positions. What they also don't realize is how easily it is for them to loose the support of their constituents and be voted out next election.

Kevin Reen

--

Kevin Sent from Gmail Mobile
From: Chris Goodhind <chrismaz14@yahoo.com>
Sent: Friday, July 17, 2020 5:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Representatives,

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

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an

already dangerous and difficult job even more dangerous for the people in law enforcement who serve our communities every day. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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

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

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 to bring change to policing, without removing the protections that make doing the job possible.

Thank you,

Chris Goodhind

Hawley, MA

Chrismaz14@yahoo.com

From: Laurel Cooley <cooley.laurell@gmail.com>
Sent: Friday, July 17, 2020 5:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Legislation

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

Representative Claire Cronin, Chairperson, Joint Committee on the
Judiciary

Hello, my name is Laurel Cooley with the Greater Boston Interfaith
Organization (GBIO). I live at 520 Katahdin Drive in Lexington, MA. I am
writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Laurel Cooley

cooley.laurell@gmail.com

781.835.5777

520 Katahdin Drive, Lexington, MA 02421

From: Drew McArthur <drewmcarthur1@gmail.com>
Sent: Friday, July 17, 2020 5:01 AM
To: Testimony HWM Judiciary (HOU); Honan, Kevin - Rep. (HOU); DeLeo,
Robert - Rep. (HOU); Haddad, Patricia - Rep. (HOU)
Subject: S2800

Hi, I'm Drew McArthur, a constituent of Kevin Honan, living at 7 Sparhawk
St (#2), Brighton, MA 02135. My phone number is 5085429811, please don't
hesitate to reach out to me!

I support the bill & the need for vast, wide-reaching, impactful police
reform. We need to fundamentally restructure how policing works in this
city, state, and country. Currently, police are given, and consistently
abuse obscene amounts of power. We need to disarm the police & get them
to stop escalating civilian encounters. Thank you for putting this

initiative in place, and for hearing the voices of your constituency in the process.

"Donations"

The state-wide database is certainly a good start. However, line 58 of the PDF, in Section 1, the new section 72.H, is very concerning.

"The commission may accept and solicit funds, including any gifts, donations, grants or bequests or any federal funds for any of the purposes of this section. The commission shall receive settlement funds payable to the commonwealth related to matters involving racial discrimination or other bias toward African Americans; provided, however, that the commission shall not receive more than \$2,000,000 in settlement funds in any single fiscal year or cumulatively more than \$2,500,000 in settlement funds in any period of 5 fiscal years. Funds received under this subsection shall be deposited in a separate account with the state treasurer, received by the treasurer on behalf of the commonwealth and expended by the commission in accordance with law."

Why would the commission need to solicit funds? This seems to very plainly greenlight bribes to the commission, which we cannot have for obvious reasons.

Above all, the biggest issue facing the people is the influence of money in politics. Currently, capital completely controls congress (see here: https://urldefense.proofpoint.com/v2/url?u=http-3A__represent.us_theproblem&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiuk13zIs16rchf_GkGDD&m=vw0WXX5J1xd-H7bNOSTF4ZJjYqPrZANveHBLckrypOc&s=iGrIHYysoTljoa6Eb1EpOOZXAFmN43mVB8J91sYbKAY&e=>). In order to restore power to the people, we must limit the influence wealth has on our government. That means removing or strongly restricting the donations in Section 72.H.

Dismantling Authoritarianism

The police do not prevent crime, they respond to it. We spend ridiculous amounts on the police, and all we've gained is the highest incarcerated population in the world. All that police spending does is put people behind bars; it doesn't prevent the crimes from occurring. Sure, intimidation works to a degree, but only until the victim is desperate enough.

We can put our money and effort towards programs that will solve the root of the issue (inequality and material deprivation), or we can waste it,

shoveling paper money onto the flames, abuse of power and discriminatory policing only fanning the flames. Almost every crime committed could have been prevented by providing necessities or other assistance, instead of feeding them intimidation and force, escalating the encounter.

The police are inherently authoritarian in nature. They respond to that type of desperation that leads to crime with force and retaliation. The more force, the more desperate people need to act out, and the more people can be left to struggle before they do. We should be listening to the people, not oppressing them with violence to be able to ignore their needs.

Don't listen to police unions, they only fight for themselves and would support every rotten cop before they conceded anything to the public. Don't take campaign donations from police organizations. Tax the rich to fund an actual social safety net, then we can move towards prison abolition.

Incarceration strips a person of their rights, of their humanity. We cannot stand for that. We must move past that. Incarceration also serves as a loophole for slavery in the 13th amendment. MA needs to file a resolution to close that loophole, if not federally then at the state level.

Specific Requests

As for the rest of this bill, every suggestion I have boils down to giving the people more power to hold their own against an authoritarian state.

1. Perform audits of police complaint submitting processes. Investigative journalists have explored this and oftentimes the process is difficult or impossible. <https://www.youtube.com/watch?v=vnJ5f1JMKns>
<[2. for all data being made available, it should be made available to the public both on a clean, accessible & widely available website, but also to an API, so the public might programmatically design tools that use official govt data.](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.youtube.com_watch-3Fv-3DvnJ5f1JMKns&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=vw0WXX5J1xd-H7bNOSTF4ZJjYqPrZANveHBLckrypOc&s=PTpsZtJd33iel_mEC1o19EKvAAGgLBTaGIwHvaan1N0&e=>></p></div><div data-bbox=)

3. A lot of the racial profiling that happens is due to the socioeconomic status of people being profiled. Lifting citizens out of poverty will reduce that disparity.

4. Expunge the records of anyone convicted of marijuana offenses. Cannabis was obviously made illegal under racial pretense, and is incorrectly scheduled to be weaponized by the prison industrial complex, our modern day slavery. And despite the legality of cannabis and middle class white businessowners profiting massively, we still have people of color incarcerated & forced into slave labor. We MUST expunge those records.

5. To reiterate, we cannot allow the police commission to be bribed.

6. Eliminate completely no-knock warrants, qualified immunity, and school resource officers (put in place to stop school shooters, but they've only been arresting Black children).

An excellent resource for more testimony exists on State Senator Will Brownsberger's wordpress site, and the comments below.

<https://willbrownsberger.com/reform-shift-build/>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__willbrownsberger.com_reform-2Dshift-2Dbuild_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=vw0WXX5J1xd-H7bNOSTF4ZJjYqPrZANveHBLckrypOc&s=X14qjMixhwE2Ioyp7qSEE3rDgUXsqKHNR5lnCMQDzsE&e=>>

Thank you for your time.
Drew

From: Paul McGarty <spikepmj1994@gmail.com>
Sent: Friday, July 17, 2020 4:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform Bill S2800

My name is Paul McGarty Jr my phone number 7742087578

I do not agree with this reform bill. Problem cops are dealt with thoroughly through Internal Affairs, the police academy and their superiors. This bill holds no opinion from the minority parties that reside in the rural areas of Boston and with the organizations that closely work hand in hand with the Boston Police Department. Quickly passing a bill is not the improvement the police in Boston needs, I am a Boston Police Officer, I can speak from first hand experience the department is understaffed beyond belief, yet gun violence in this city continues to decline year after year. This bill cannot be applied like a band aid, movements can be made once all groups feel like their opinion was heard fairly and only then real change can occur. A focus should be thought about how the city of Boston can only afford to have less than 18 patrol officers within each district of the city per shift. The population

of Boston alone is over 600,000 that's less than 200 patrol officers per shift to deal with the entire city's growing population. This type of reform bill is centralized on one topic to be a solution to safer streets in the problem neighborhoods of Boston.

Thank you,
Paul McGarty Jr
From: Greg Valentine <hammrtmrac@yahoo.com>
Sent: Friday, July 17, 2020 4:52 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

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

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

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

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

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

experts in law enforcement should oversee practitioners in law enforcement.

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

Thank you,

Gregory Valentine

19 Laurel Terrace Westfield MA

Sent from my iPhone

From: Trisha Josephs <trisha.josephs@gmail.com>

Sent: Friday, July 17, 2020 4:50 AM

To: Testimony HWM Judiciary (HOU)

Subject: Call to Action

?

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Trisha Josephs with the Greater Boston Interfaith Organization (GBIO). I live at 39 Pope Hill Road Milton MA 02186. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Trisha Josephs

Trisha.josephs@gmail.com

617-678-1774

39 Pope Hill Road

Milton, MA 02186

From: patrick munroe <pcmunroe@gmail.com>

Sent: Friday, July 17, 2020 4:24 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony for Senate Bill 2820

Dear Chairman Michlewitz and Chairwoman Cronin,

Thank you for allowing me to submit written testimony regarding Senate Bill 2820 and thank you for your service to the commonwealth.

My name is Patrick Munroe and I have been a Boston Police Officer for 7.5 years and I am also the Founder/President of Brotherhood for the Fallen-Boston which is a non-profit organization that provides support to the families of fallen police officers. Prior to the Boston Police, I served as a Medford Police Officer for five years and was a New York City Police Officer for 2.5 years.

Growing up in Medford, Massachusetts, I always wanted to be a police officer to serve my community and "do good" for other people. My mother would even call me "Deputy Doright". A few of my friends that I grew up with also became police officers and firefighters because we wanted to serve. Our fathers were police officers and firefighters and we wanted to experience the same pride and passion as they did while serving their communities. Some of my friends joined the military to obtain veteran preference and did multiple tours in Iraq and Afghanistan. I chose to attend UMASS-Dartmouth and got my opportunity by joining the NYPD in 2005. Although my friends and I chose different paths to become law enforcement or firefighters, we dedicated our lives to becoming public servants. We do it, and we do it well.

We all know what happened to George Floyd in Minneapolis and police officers are just as disgusted as everyone else. It was an act of cowardice and certainly an abuse of power. I speak with officers from around the country on a regular basis and NOT ONE officer has condoned or tried to make excuses for the officer's actions. Their actions tarnished the badge that we proudly wear.

After this incident, I certainly understand the want and need for change. I agree with having more training for officers and banning the use of chokeholds except in a deadly force situation. However, I certainly disagree with painting all police officers with a broad brush and assuming that the majority of us are not educated, compassionate, or don't have

diverse backgrounds. I worked in the largest, most diverse police department in the world in one of the most diverse neighborhoods in Brooklyn, NY. It is unfair to group all members of one profession together. If a state senator or Rep is charged with a crime in Minnesota, should that be a reflection of all politicians in this state?

I took the time to read this bill, and I am no means an attorney, but I found most of the language in this bill to be offensive, misguided, and retributive. Instead of Bill 2820, it should be called the "Police Punishment Bill". I spoke with Senator Boncore's Office and Rep Madaro's office and both assured me that the bill was created with good intentions. To give a glimpse of what the senate thinks of police officers, please refer to Line 1398. © "A law enforcement officer who has sexual intercourse with a person in custody..... I am not sure who felt that this was necessary to be amended or why it was brought into the bill but it is quite appalling.

To become a police officer, an applicant is required to pass an extensive background check including criminal history check, driving record, and credit check. In addition, anyone convicted of a felony or domestic violence is automatically disqualified. I have major issue with the suggestion of having police officer's background check information be put into a database and shall be public record according to Line#350. Shouldn't police officers be entitled to the same CORI rights and privacy rights as private citizens?

I also found that the bill is unfair to create a public database that will post all incidents that involve injuries sustained during a police encounter. If the intention of the bill was to be fair, shouldn't we also be concerned about our police officers that are attacked? Regardless of public opinion, no one has the right to resist arrest unless the arrest wasn't made in good faith or excessive force was used. In addition, the term "Police Brutality" is far different than use of reasonable Force. We are already trained in de-escalation techniques as well as use of force continuum by the Mass. Police Training Council. Sometimes on the street, the use of force encounter doesn't always look pretty but that's our job. We have to make split second decisions based on the facts available to us at that time, not the facts available the next day on youtube. We are held to a reasonableness standard as stated in "Graham v Connor". We also have the right to protect ourselves to come home to our families. The goal of every arrest is to gain voluntary compliance and conduct the arrest without incident. The suspect dictates the use of force during the encounter, not the other way around.

While speaking to Senator Boncore's office, I asked for them to provide facts or data that would lead politicians to believe that there is widespread police brutality in Massachusetts. I also asked if there was an extensive study done to conclude that our use of force policies needed to be changed. Facts could not be provided nor was a study done. I further asked how many civilians were shot and killed by Massachusetts police in 2020? The answer could not be provided. I had to provide the answer. It is 3. All armed suspects/victims and justified. With a population of 7 million, that is hardly widespread.

I also brought up the topic of police officers injured or killed in the line of duty this year. There have been hundreds of police officers shot and injured this year and most people have no idea because it doesn't make the news. Some even say, "That's what they signed up for". It certainly is not. During these "peaceful protests", several officers were shot and killed including Federal Protective Service Officer David Underwood and Retired St Louis Captain Davin Dorn (77 years old). In addition, Las Vegas Metro Officer Shay Mikalonis was shot in the neck during a protest and now he is paralyzed from the neck down. Were these officers thought of when this bill was drafted?

What about:

Sean Collier

Ron Tarentino Jr

Sean Gannon

Michael Chesna

Joseph Shinnors

To some, they might be just names. To me, they are my brothers.

This year alone, there have already been 30 police officers shot and killed in the line of duty in the U.S. and a total of 124 line of duty deaths including Boston Police Officer Jose Fontanez who died after contracting Covid-19 on duty. Having officers second guess themselves before defending themselves will result in more officers getting killed because they will be worried about qualified immunity, no due process, and an unqualified "Committee" that will judge their actions based on political motives rather than facts. Most of the Officers shot and killed this year were responding to "routine calls" such as Toledo, Ohio Police Officer Anthony Dia who was shot and killed upon arrival to a drunk disturbance call. He broadcasted his last words over the radio "Tell my family that I love them". Officer Dia was only 26 years old and is survived by his wife and two children.

This bill would lead the reader to believe that police officers wake up everyday to harm people in the neighborhoods rather than help them. Over 4th of July week, 7 people were murdered in 7 days in Boston and NONE of them involved the police. This bill was written on emotion and the false narrative that all police officers are bad. During the 89 page Bill, I didn't see the explanation of how the job of a police officer will be easier nor did I see what the police officer is supposed to do during a violent attack. All of the new guidelines and reforms will result in higher crime rates, increased number of officers hurt or killed, low employee retention rates, and mass retirements. Without qualified immunity or due process who would want this job?

I am deeply concerned with the loss of due process with the formulation of this POSA Committee and their ability to revoke an officer's license based on alleged misconduct. In fact, it states that the officer CAN NOT appeal the ruling to civil service but may appeal to the same committee who has already disciplined the officer. What happened to an arbitration process? When I took the police exam, it was administered by civil service. Why should my rights be revoked if we are trying to create a "fair" bill.

I understand creating a Committee for improved training but not for discipline. It seems the goal is to bypass civil service and allow swifter punishment to police officers without due process. Shouldn't police officers be afforded due process just as everyone else. In our adversarial criminal justice system, police officers shouldn't be found guilty until proven innocent nor should they be tried in the court of public opinion. The loss of qualified immunity will also subject police officers to frivolous lawsuits and hurt good police officers while rewarding criminals for bad behavior.

I strongly oppose Senate Bill 2820 and I respectfully request that the House of Representatives draft a new bill based on fairness and facts not based on a knee jerk reaction to fit a progressive agenda. Specifically, I am very concerned about the topics of Qualified Immunity, Due Process, and the POSA Committee. These portions of the bill were rushed and seem to be mostly retributive.

I hope that the House of Reps will consider my testimony. Thank you in advance.

Respectfully,

Patrick Munroe

East Boston Resident

978-994-6279

From: Buccella, Richard A. <buccellara@cdmsmith.com>
Sent: Friday, July 17, 2020 4:19 AM
To: Testimony HWM Judiciary (HOU)
Cc: may70sx3@comcast.net
Subject: S2802

To the Members of The Massachusetts Congress,

I am writing to urge you to vote down the insane bill S.2800 passed to you by the Senate. This knee jerk reaction to appease a bullying mob cannot be made into law. The hard working men and women wearing a police uniform and risking life and limb can be personally sued? How absurd, that they should also risk their families resources while serving the public. Today, more than ever, our police departments need to be shown our support and be

given more resources with which to work , not be put in greater danger of freezing and risking their lives lest they make a mistake. How soon we forget Michael Chesna, the Weymouth officer killed in the line of duty. The thought of this legislation is a slap in the face to the police officers serving us, I can't imagine why anyone would now want to put on the uniform.

My son serves as an officer in the town of Avon, MA. He attended the criminal justice courses at Northeastern University and has dedicated himself to protect and serve. He is married with two young children and works long hours for the Avon Police Department to support his family. This is who a police officer is, this is the face of police departments across the country. To twist this truth and to somehow place blame for the ills of society on the heads of a group of dedicated public servants is disgraceful.

Regards,

Richard A. & Patricia A. Buccella

508-584-8309

Get Outlook for iOS <[From: Kev M <k51mahoney@gmail.com>](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_oUkef&d=DWMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=miH00VBoJU4QeqlyJEYE_EX84WnYzkD32zwzy0YrrHM&s=QSXX8WtGy_ILvZl0cIETHw0ej-2DTnQQY1YezJ5Bx0k&e=>></p></div><div data-bbox=)

Sent: Friday, July 17, 2020 4:05 AM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill 2820

July 17, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Kevin Mahoney and I live at 210 Patrick Rd. Tewksbury MA 01876. I work at MCI Concord as a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your

firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

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

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

Sincerely,

Kevin Mahoney

From: Mark <brunini@comcast.net>
Sent: Friday, July 17, 2020 4:00 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

Mark Brunini

From: Patrick Morgan <patrick6157@comcast.net>

Sent: Friday, July 17, 2020 3:54 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

Sincerely,

Sent from my iPad
From: mmjot@aol.com
Sent: Friday, July 17, 2020 3:53 AM
To: Testimony HWM Judiciary (HOU)
Subject: Policing Bill (S.2820)

Dear Representatives,

I am a proud retired Massachusetts State Trooper. I have had the honor to work alongside state, local and federal law enforcement officials. Police officers because of the nature of the job are routinely placed in highly stressful situations. During these times they may have to make a life or death decision in a matter of seconds. Bill S.2820 would create a law where no matter what action he/she takes a police officer now has to fear not only the the risk to the public, the risk to the officer's life but now the potential loss of his/her home and life savings!

Each time a police officer goes to work they hope and pray to go home to their family after their shift. The police officer's family also, hopes and prays the officer returns safely home after his/her shift! This legislation in watering down or altering qualified immunity for police officers creates the added burden for the officer and his/her family wondering and worrying ok I survived another shift but is today the day I am going to get sued simply for performing my duties! Is today the day my family loses our home and life savings!

No one wants bad cops off the street more than Good cops!! The overwhelming vast majority of police officers do their job honorably and at great risk to their life!

BAD LAWS hurt the Public and Police!!!

I ask the legislature to vote down any change that impacts the qualified immunity provision for police officers! It is in my opinion the very least you owe the honest, hardworking professional police officers who every day risk their lives to protect you and the general public!

Respectfully,

Patty Gillen
From: Lul Said <indhodeeraley1@gmail.com>
Sent: Friday, July 17, 2020 3:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Hello, my name is Lul K Said with the Greater Boston Interfaith Organization (GBIO). I live at 18 Holton Street, Medford MA-02155. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

LUL K. SAID

18 HOLTON ST.

MEDFORD, MA 02155

781 643-0017

From: A J Magan <abdullahimagan@aim.com>

Sent: Friday, July 17, 2020 3:08 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

Hello, my name is Abdullahi Magan with the Greater Boston Interfaith Organization (GBIO). I live at 18 Holton St. Medford MA-02155. I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Abdullahi Magan

18 Holton Street

Medford, MA 02155

(781) 643-0017

From: Frank <ffemino@comcast.net>

Sent: Friday, July 17, 2020 2:31 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2800

Dear House of Reps,

I urge you to carefully read Bill S2800 extremely carefully. This Bill was hastily drafted and voted on in the early morning hours without any input from any professionals on the subject matter.

Speaking from a law enforcement perspective with emphasis on qualified immunity this bill will certainly hinder police officers from effectively performing their job. If S2800 is passed, it will be safer for every officer to do the bare minimum on the street when answering calls for service for fear of frivolous lawsuits.

Police Officers, especially officers employed by the the City of Boston have a Body Worn Camera strapped to them every second of their shift. The Boston Police much like many police agencies across the state also have an

Anti Corruption as well as an Internal Affairs division in place ensuring that every Officer follows the laws of the commonwealth as well as department policy and procedure. I can assure you if any officer violates the law or policy and procedure they will be answering to the aforementioned bureaus. I write this email with such surety because I am a Boston Police Officer and have been one for the last fourteen years.

I can give you a some insight on how it is being a police officer during these times by saying "We are on our heels." More so now due to the death of George Floyd which was an isolated incident that had NOTHING to do with the highly trained police officers of this commonwealth. We are not the enemy, we have been unfairly painted with a very broad brush which prompted Bill S2800 to be hastily drafted. If S2800 is passed I can assure you that the commonwealth will be in for some very dark times as it empowers criminals and strips police officers of due process and qualified immunity. What will you get for service if S2800 does pass? You will get less than the bare minimum out of police officers. It's safer for them to operate that way and risk discipline within the department than end up on trial themselves. You will also get a max exodus of police officers who will retire and zero officers to fill the attrition. This job will become a "set up" that no one will want to take.

Police work has many variables within an extremely dynamic environment. Please consider that when discussing S2800.

Thank you,

Frank

From: Cheryl Adamopoulos <cheryladamopoulos@gmail.com>
Sent: Friday, July 17, 2020 3:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,
Cheryl Adamopoulos

From: ablom19@gmail.com
Sent: Friday, July 17, 2020 2:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Bill S.2820

Dear Chair Michlewitz and Chair Cronin,

My name is Adam Blom and I live at 213 Old Washington Street in Pembroke. I work at the Suffolk County House of Correction and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,

Adam Blom

From: Linda Gallagher <lindagllghr@hotmail.com>
Sent: Friday, July 17, 2020 2:53 AM
To: Kelcourse, James - Rep. (HOU); Testimony HWM Judiciary (HOU)
Subject: Opposition of Bill No S2820

Hello

I am a resident of Newburyport. I am writing to express my disapproval of Bill No. S2820 and my overall dissatisfaction with the defund police movement in general. I've had experience with the Newburyport, Salisbury, Amesbury and Newbury police departments and have nothing but positive things to say about them. I support training officers, I support policy standards and I support the need for all community members to feel safe,

but I do not support any effort to defund, decrease or remove options for officers to keep themselves and the community safe. I don't believe police are the criminals. I absolutely do not support any modification to police qualified immunity and fear that modifications to qualified immunity will negatively effect public safety.

Specifically in this area, I'd support housing modifications that would diversify the community, but I don't believe those funds should be reallocated from police budgets. The events surrounding George Floyd's death are tragic however it doesn't mean Newburyport or Massachusetts in general needs to take the same prescriptive reformative steps as Minneapolis, or other states with long standing police / race relations conflicts. You can believe that Black lives matter while supporting police officers and public safety in general, they aren't mutually exclusive.

Linda Gallagher

Sent from my iPadFrom: pauljmunroe@comcast.net
Sent: Friday, July 17, 2020 2:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Paul Munroe and I live at 6 Foster street Gloucester Ma. I work at MCI Concord and am a Corrections Officer . As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every dayto keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely

unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

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

Sincerely,

Paul Munroe

Sent from my iPhone
From: DONALD F WHITE <dfwhite34@comcast.net>
Sent: Friday, July 17, 2020 2:47 AM
To: Testimony HWM Judiciary (HOU)
Cc: Donald White
Subject: Comments on S2820

Chairman Aaron Michlewitz (House Ways & Means Committee)

Chairman Claire Cronin (Judiciary Committee)

Donald F. White - Resident of Amherst, MA. - (413) 687-1444

The tone of this legislation appears to be anti law enforcement - specifically towards police officers.

If you need to have this much oversight to supervise our officers, maybe we need to reform the way their supervisors currently supervise them.

I feel that this legislation was done in haste, focusing on feelings, rather than statistics.

I believe that items being reported should be done as statistics only.

Most of this bill exposes the Officer's private personnel information. This should not happen.

I believe you should leave the NO KNOCK WARRANT alone. A judge should determine when this type of warrant needs to be issued - period.

Officers writing up fellow Officers or intervening with fellow Officers actions - this should be cleared up and solve with current supervisors - possibly with support through HR.

The limited immunity policy currently in place should be left alone. Officers should not be worried about job security, law suits, as well as security for themselves and community members; while being second guessed in real time with every action they take as they perform their jobs.

Re-certification training of 120 hours per 3 year period. No one knows what this training is, or if it will actually help our law enforcement personnel be better Officers out on the street doing their job. Plus, who pays for this? Are we taking Officers off the street & juggling work schedules on an ongoing bases, or are we paying overtime pay for this training? I don't think that the re-certification law for teachers is working out well. Go sit in on a few re-certification programs in the schools in your districts.

I really think that you need more time - with more community input, to put together a police reform law that will be beneficial to our Police Officers, their Supervisors, and the community members they serve each and every day. This type of a bill, really needs to be a win- win relationship. This bill should be aimed at making our law enforcement personnel better police officers.

I live in Amherst MA. - you know, HAPPY VALLEY - the educational mecca of western MA. Several months ago, our town issued a statement that it was getting very difficult to get good qualified applicants to even apply for positions as Police Officers in the Town of Amherst. Recently, our Chief of Police said that it probably was about 40 years ago when one of our Officers even fired their weapon.

Thanks for listening. Good Luck!

From: Marley Arborico <arborico.m@northeastern.edu>
Sent: Friday, July 17, 2020 2:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please Pass Bill S2820

Dear Government Officials,

The past few months have been a tumultuous and tragic --but pivotal-- part of American history. MA now has the chance to be a torchbearer when it comes to reforming a system both parties largely agree is broken. I entreat the House Committee passes the Reform Shift and Build Act along to Governor Baker as the first step in broader criminal justice reform.

Appreciatively,

Marley Arborico, Northeastern University graduate, 206-669-9974

From: jpallatronil@yahoo.com
Sent: Friday, July 17, 2020 2:36 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Joe Pallatroni and I live at 526 Barnard St, New Bedford. I work at MCI-Norfolk and I am a corrections officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Joe Pallatroni

Sent from Yahoo Mail on Android
<[Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=oWi-XG_aYRs950M5P4Cfr8njleWNCplkzYkIj2jVxJU&s=H0aFr6kGNOilxvQ1DjhkxuL2RL_5lpBP FzDrb7aZTjg&e=>
From: Stephanie Downey Toledo <sdt990@mail.harvard.edu>
Sent: Friday, July 17, 2020 2:31 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass SB.2800, Reform, Shift, Build Act</p></div><div data-bbox=)

My name is Stephanie Toledo. I am a resident of Sharon, MA and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

My interracial family has lived in various communities in Massachusetts and repeatedly over the years and across urban and suburban communities my husband and I have clearly been treated differently by police in the same situations simply as white and not white. I feel for my husbands life as I've seen him too often assumed to be doing wrong by police simply for being a man of color.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,
Stephanie Toledo
Sharon, MA

March like a Mother: for Black LivesFrom: Mike Aziz
<aziz.mike@gmail.com>
Sent: Friday, July 17, 2020 2:27 AM
To: Testimony HWM Judiciary (HOU)

Subject: Written Testimony for Police Reform Bill

To whom it may concern,

My name is Michael Aziz and I live in Hyde Park. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety. The proposed changes to QI will have a serious impact on critical public safety issues.

Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

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

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

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

The Governor and supporters of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply

to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

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

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

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

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

Thank you for your attention to this important matter.

Sincerely,

Michael Aziz

From: Patty Fisher <pattyfisher093@gmail.com>
Sent: Friday, July 17, 2020 2:26 AM
To: Mirra, Leonard - Rep. (HOU)
Cc: Kelcourse, James - Rep. (HOU); Testimony HWM Judiciary (HOU)
Subject: RE: Bill# S2820: An Act to reform police standards and shift resources to build a more equitable, fair and just Commonwealth that values Black lives and communities of Color

TO: The Chair of the House Committee on Ways and Means,
Representative Aaron Michlewitz, in cooperation with Representative Claire Cronin, Chair of the Joint Committee on the Judiciary.

CC: Representative James Kelcourse, 1st Essex

Representative Leonard Mirra, 2nd Essex

DATE: July 16, 2020

RE: Bill No. S2820: An Act to reform police standards and shift resources to build a more equitable, fair and just Commonwealth that values Black lives and communities of Color

Hello -

My name is Patty Fisher and I am a resident in Essex County. For 17 years I have proudly served as a Police Officer for the Town of Newbury MA. Currently, I hold the rank of Sergeant. In addition to general patrol supervisory functions, I am a domestic violence/ sexual assault investigator and accreditation manager. Prior to my employment in law enforcement, I worked as a civilian domestic violence advocate assigned to local police departments. I have a bachelor's degree in Criminology and a master's degree in Public Administration.

I am writing to express my strong disapproval of Bill No. S2820 and respectfully request you not support the bill as written.

Qualified Immunity: I have learned through professional experience that defendants of arrest wrongly threaten to file civil suit against officers for lawfully doing our job. One common occurrence involves victims of domestic abuse. It is not uncommon for victims of domestic violence to recant their stories when they return to their abusers. Often, part of their justification, is to 'blame' police for the arrest to avoid violence at the hands of their abuser. Modifying qualified immunity will open a door for perpetrators of domestic violence to file wrongful suits against police. In addition to the hardship this will cause officers and municipalities and the backlog it will create in the civil court docket, this will ultimately negatively impact the safety of victims of abuse and will provide abusers with one more tool to use against the victims. Changing qualified immunity will cause officers to second guess arrest in these "he-said-she-said" investigations and victims of violence will pay the price.

Since the discussion of police reform struck national news, I personally have had a defendant who I did not use force against, threaten to sue me for excessive force, simply because she knew "she'd win". It is my opinion and fear that arrestees who otherwise would not have, should qualified immunity be amended, would then have incentive to engage in physical altercations with police officers simply so they can sue. There is a large list of situations where lawfully doing my job could result in unintended harm or destruction of property: breaking ribs during CPR; breaking a door down because of an overdose and I need to enter the home; restraining a suicidal person as they try to run to their bedroom to consume the pills or get to the counter to grab the butcher knife to slice

their wrists. Educated, compassionate, "good" police officers will vacate positions if qualified immunity is modified. If qualified immunity empowers systemic racism, why aren't you looking to remove all immunity doctrines that cover all public officials including executive & legislative branches?

I encourage you to seek guidance from a variety of municipal representatives to inquire about the budgetary impact increased civil litigation would have on municipalities.

Simply stated, educated "good" police officers will immediately vacate our jobs if qualified immunity is modified. It is also my opinion, that the modification of qualified immunity will significantly limit qualified, educated law enforcement candidates in the future.

Suggestion: Rather than change qualified immunity, the Legislation should adopt a uniform statewide standard and ban unlawful uses of force techniques. I also believe discussion can be had about hiring boards and techniques to support and improve minority candidacy in law enforcement both inside and outside of civil service departments.

Training and Accreditation: I believe it is important to have national awareness while being able to compare the national happenings to that of our local experience. Massachusetts police officers are some of the most highly trained and educated officers in the country. That being said, I support all forms of training, especially if it improves my ability to keep the public safe while reducing the need to use force. I also support policy review, so long as law enforcement professionals are viewed as stakeholders and have a role in the process.

Suggestion: Training in the hands of an overtired police officer can result in bad decision making. I suggest the Commonwealth set forth guidelines that limit the number of hours an employee can work. For example, for every 16 hours worked at any job (including for the police department, details or private sector jobs, etc.) said officer must have at least 8 hours off before being allowed to work for the municipality and that outside employment cannot interfere in regularly scheduled shifts for the municipality. I also suggest the Legislation create incentives for departments to become certified or accredited.

Oversight board: As proposed, the oversight board is one sided, biased against law enforcement and is not in line with any of the other 160 regulatory boards across the Commonwealth. Changing the format of the oversight committee suggests a desire to be unfair and impartial toward police officers, thus feeding the narrative that most police officers are "bad" and that departments need to "clean-house". I suggest creating an oversight board that is fair to law enforcement and comprised of law enforcement officers.

As other discussions evolve around police reform, I personally worry about the topic of unarmed civilians absorbing law enforcement responsibilities. I consider myself a hybrid-social worker/ police officer and spent time being a civilian social worker assigned to local police departments. I was not allowed to respond to homes, I was required to meet with victims at the police department or speak with them via telephone. I currently work with many social workers in the community; I am the departments point of contact for the Council on Aging; the liaison to the Essex County Outreach Substance Abuse Program, a partnership with the Pettengill House; and I sit on the Domestic Violence High Risk Team (DVHRT), a nationally recognized model of advocates, law enforcement, prosecutors, probation, corrections and other community based organizations who partner to identify high risk domestic violence cases, engage in a multidisciplinary team approach and monitor and manage high risk offenders while engaging victims in appropriate services. As a police officer who works with civilians in the field, I worry about the idea of civilians responding to calls for service that have not been screened for safety by police officers first. I worry about the safety of the residents, the social workers and the liability to cities and towns for placing such workers in homes of situations that have not been previously screened. These are not programs that can be implemented quickly, or without care and thought. Discussions must involve all stakeholders, and the Senate's passing of this bill unfortunately suggests they do not view law enforcement as a necessary stakeholder.

My disapproval of Bill No. S2820 as written should not be perceived as a lack of interest regarding police reform nor should it be viewed as an opposition to building a more equitable, fair and just Commonwealth that values Black lives and communities of Color. However, I do not believe the bill as written accomplishes those stated goals.

Thank you for your service and your consideration. Please, do not hesitate to contact me if you have any questions or if I can be of assistance to the reform process. Stay safe.

Respectfully,

Patty Fisher

Resident of Essex County

Newbury Police Sergeant

From: david.beals@mpdmail.com
Sent: Friday, July 17, 2020 2:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Chairpersons,

My name is David Beals, I'm a newly-promoted Lieutenant for the Middleborough Police Department. I have been a police officer for Middleborough for the past 20+ years with 6+ years experience prior at the Plymouth County Sheriff's Department. I have a total of 26 years in the Plymouth County retirement system. Knowing how many years I have invested, and how many years I have remaining until retirement, will allow you to understand my serious concerns with this reform bill.

The bill, as written, will alter policing forever. It will take away one of the most important aspects of it that protects us from being personally sued for simply doing our jobs. Think about all the good things we do as police officers that can now turn into a personal civil suit simply because someone doesn't like the police or are looking for a payout. The stress that goes with being sued is enormous and a strain on the system, the department, the officer and the officer's family. Qualified immunity doesn't protect the bad police from doing bad things, it protects the hard-working, honest officers from frivolous suits. It will almost certainly dissuade officers from doing anything for fear of being sued.

Do I think things could be better, or maybe some change is necessary? Possibly. Do I also think there are way more good officers than bad apples? Absolutely. I have NEVER heard one officer agree with what happened in Minneapolis. What happened to Mr. Floyd was disgusting and appalling to those of us who love this profession. I do not know any racist police officers and have never seen one of Middleborough's officers act in a racially-motivated way towards any human being. To be thrown into one huge basket because of the actions of a few is simply wrong on a basic human level.

I'm not just a police officer, I'm also a husband and a father. This doesn't just affect us, it affects our loved ones also. My wife was in tears the other day when she heard there's a chance we could lose everything we have now and possibly in the future simply because someone doesn't like police officers. She wants me to retire with what we have even though I'm within reach of retirement in less than six years. I'm not one of those bad apples, I do the right thing, but the thought of what could happen scares me.

In closing, I respectfully request, no, I implore you take a hard look at this bill and all that goes with it. There are some valid points to it but taking away our qualified immunity is not one of them. Please do not let the current climate influence a long-term decision that will affect policing and police officers long after I'm retired. Please do not let this profession be trampled on and become a job rather than a career.

Respectfully,
David Beals Jr. #87
Middleborough Police Department
From: Eddie Richard <esantiofficial@gmail.com>
Sent: Friday, July 17, 2020 2:13 AM
To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill Testimony

Good Morning, my name is Edward Santiago, and I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments . This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration.
Edward Santiago (registered voter)
From: Kris Kim <kristinawrotethis@gmail.com>
Sent: Friday, July 17, 2020 2:11 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on S.2820

Dear members of House leadership,

S.2820 does not do much to actually prevent state violence against the Black and Brown community or prevent the flood of Black and Brown people into jails and prisons.

I understand your desire to reform the police, but S.2820 does not actually encourage reformation. S.2820 increases spending on law

enforcement, expands the power of law enforcement officials to oversee law enforcement agencies, and makes no real changes to the function of policing in Massachusetts. Actual reform is to take power and responsibilities out of the hands of law enforcement and to use the money in bloated police departments to invest in Black and Brown communities.

Instead of funding for more police training that ultimately does little to change police culture, we could be looking to fund alternatives to the police. Instead of pouring more and more money in an institution that was not built to serve everyone equally, we could be budgeting for social workers that are actually sufficiently trained to deal with a wide range of crises, putting more money to build a new system from the ground up, and preventing crises that come out of inequality and a lack of resources by investing in communities in need. I want to be able to call for help and know that the help will actually make the situation better.

If the MA legislature were serious about protecting Black lives and fighting systemic racism, this bill would have started to eliminate major elements of racist policing. This bill would have implemented a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses, which are a huge entryway to jails and prisons for Black and Brown people, the poor, and the working class. Instead of making more committees that don't push the envelope, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. Police should also be removed from schools.

Please, instead of S.2820, fight systemic racism by reducing the role and powers of the police, defunding systems of harm and punishment that disproportionately harm people of color, and funding Black and Brown communities.

Thank you,
Kristina Kim Somerville MA
From: Clayton Arroco <arroco.cn@gmail.com>
Sent: Friday, July 17, 2020 2:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820 Does Not Do Enough To End Racist Policing

Dear members of House leadership;

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

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

Instead of funding for police training and commissions, communities need investments in programs and infrastructure that would improve the quality of life for black and brown people on Massachusetts. For example, investing in schools and after-school programs will help kids receive proper education, which is correlated to reduced crime rates. One way to achieve this investment would be to remove property tax as a consideration in school funding formulas; the system that is currently in place severely hinders the quality of education that members of black and brown communities receive because these areas often have much lower property taxes. In order to then invest more in school, you must re-allocate money from the police budget, and one place to take money from would be the overtime budget. As it stands, police officers abuse the overtime system to nearly double their salary. There is currently no accountability for this because the police unions are responsible for investigating these fraudulent overtime claims, and those unions will have bias. Cutting the overtime budget will help prevent the police departments from leeching public funding in a way that significantly decreases the resources available to black and brown communities.

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people. Rather than limiting legislation to moderate reforms and data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. I also support student-led efforts to remove police from schools.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there.

Thank you,

Clayton Arroco

arroco.cn@gmail.com

5 Heavenly Way Billerica MA 01821

From: Kate Pickowicz <kpixxy29@hotmail.com>
Sent: Friday, July 17, 2020 1:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Officer

Dear Chair Michlewicz and Chair Cronin,

My name is Katherine Pickowicz and I live at 25 Wason Ave, Nashua NH. I work at Suffolk County House of Corrections and I am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820.

This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill (2820) was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,

Katherine Pickowicz

From: Joseph Burke <joseph.m.burkel989@gmail.com>

Sent: Friday, July 17, 2020 1:45 AM

To: Testimony HWM Judiciary (HOU)

Subject: Do not pass S.2800.

My name is Joseph Burke and I live In the city of Boston. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper

law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully,

Joseph Burke
From: Stephen Mckunes <smckunes920@gmail.com>
Sent: Friday, July 17, 2020 1:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform Bill

Dear Representatives

My name is Stephen McKunes and I live in your district at 1 Milton Street, Dorchester and I am a huge fan of those who protect and serve our community. As you consider legislation that affects police officers and their safety, and thus the safety of our entire community, please understand that protection and preservation of due process and qualified

immunity are non-negotiable and must be defended. Failure to protect both will undoubtedly put all public employees in harm's way while drastically and negatively impacting public safety for us all.

WHY DUE PROCESS MATTERS- Any legislation must allow fair and equitable due process under the Law. Currently, when an officer is disciplined, he/she is entitled to due process and an appeal process with the employer. A new outside board (like the POSA Committee) should allow this process to complete before instituting a review. This will not only maintain fairness, but will allow the new Committee to have a full record and make determinations after a thorough and neutral process has been undertaken. Other public employees such as teachers go through a similar process; police officers deserve the same respect and rights.

WHY QUALIFIED IMMUNITY MATTERS - Qualified immunity does NOT protect bad officers who knowingly violate the rights of members of the community. It's worth saying again. It does not protect bad cops. Instead, it protects good officers who play by and follow the rules. The doctrine allows lawsuits to proceed if a government official (not just a police officer) had fair notice that his or her conduct was unlawful, but acted anyway. The standard is objective reasonableness. By abolishing or changing qualified immunity as it exists today, police officers will not know what is lawful or not. This creates hesitancy and uncertainty in how they perform their duties. This is UNSAFE for all communities.

In closing, we are NOT Minneapolis. So, changing due process or qualified immunity in Massachusetts, which would affect police officers only in Massachusetts, would only serve to punish the men and women in blue for something that happened 1000 miles away. Instead of penalizing and scapegoating, we should be celebrating and promoting the fact that our police officers, some of the best in the nation, are impressive examples of how policing should be done.

Sincerely,

Stephen McKunes

Sent from my iPhoneFrom: Mark Weddleton <markweddleton@gmail.com>
Sent: Friday, July 17, 2020 1:38 AM
To: Testimony HWM Judiciary (HOU)
Subject: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Good morning,

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

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

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

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants.

Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

Thank you,

Mark Weddleton
West Bridgewater

Sent from my iPhoneFrom: rlkent82@gmail.com
Sent: Friday, July 17, 2020 1:36 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

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

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

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

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

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

Sincerely,
Robert Kent

Sent from my iPhoneFrom: Correia, Mark <mcorreia@pcsdma.org>
Sent: Friday, July 17, 2020 1:36 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 17, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Mark Correia and I live at 46 Benson St Middleboro, Mass. I work at Plymouth County Sheriff's Dept. and am a Captain. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,
Mark L. Correia

Sent from my iPhone From: Michelle Reeves <michellereeves21@gmail.com>
Sent: Friday, July 17, 2020 1:35 AM
To: Testimony HWM Judiciary (HOU)

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

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

My name is Michelle Reeves. I am a resident of Lynn and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety. Paragraph 2: INSERT WHY YOU SUPPORT THIS BILL in 2-4 Sentences or Personal Story/Values.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Michelle Reeves

105 Newhall St, Lynn, MA 01902

March like a Mother: for Black Lives
From: avondragon@aol.com
Sent: Friday, July 17, 2020 1:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the

15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Casey Boyle <caseyoboyle@gmail.com>
Sent: Friday, July 17, 2020 1:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

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

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

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

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

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

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

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

Thank you,

Casey Boyle

41 Island Rd. Holland, MA 01521

From: Douglas Morgan <dpmorganjr@gmail.com>
Sent: Friday, July 17, 2020 1:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2800

Dear Committee Members,

I am deeply concerned about my future as a police officer and my ability to help and serve my community. If you take away Qualified Immunity and my collective bargaining rights, then how do I defend myself against false accusations and attacks when I am doing my job according to the law and my department policies? Where is my protection? I am concerned we will not have anyone willing to do this job, (at least qualified individuals), if you pass this bill? I have done this job for close to twenty years and now as a sergeant I am thinking of leaving, because I feel unwanted. Or the last several years there has been a sharp decrease in the number of applicants applying to be police officers, which is making it difficult to find qualified individuals to find vacancies. I would challenge each lawmaker to take a moment and go for a ride along with your local law enforcement officer and see what they encounter during their shift, and then ask yourself if you are doing the right thing for the public and law enforcement with this reform bill.

The murder of George Floyd was horrible and I hate the fact that I now have to try ten times hard to gain the public's trust because of a piece of shit killed someone they were responsible for. I know we can do better, what we need is more money for training, better pay to attract better qualified individuals, and body cameras to prove what is really going on.

Also I am concerned that people do not see all the officers who have been killed. I bet you don't know how many police officers have been killed since Mr. Floyd's death. Well I will tell you there have been twelve and here are their names Officer Jonathan Shoop July 13th WA, Officer Edelmiro Garza Jr Tx, Officer Ismael Chavez Tx, Officer Anthony Dia, OH, Sgt Craig Johnson OK, Officer Julian Keen Jr FL, Deputy Sheriff James Blair MS, Sgt Damon Gutzwiller CA, Lt Stephen Williams AL, Officer Waldis Johnson MI, Officer Nathan Lyday UT, and Officer Cody Holte ND, that is twelve officers killed since May 25th of this year by gunfire, and a total of 30 have been killed since January of this year, that is more than 4 a month shot and killed. I asked you who are more likely to be killed. How about we asked Sgt Chensa who was hit in the head with a rock and knocked unconscious, then killed with his own gun along with an innocent bystander. How quickly you forget about these incidents and when focusing on reform without listening to both sides. We are human beings and are asked to make split second decisions, knowing someone in an office is going to pick apart that decision with the luxury of time and ability to research all aspects of the situation.

It has been tough our profession is sort of a love hate one, your body creates the laws and then asks us to enforce them, however that has consequences for us. We have people who are trying to kill us and assault us everyday and then we are getting attacked by our elected officials and others. We rushed into danger, we worked through Covid, Boston Marathon Bombing, and protests with people throwing urine on us, bricks, and fire bombs. But we still show up everyday trying to help and we keep on being beat down by everyone and if this continues how do you expect us to continue showing up knowing no one wants you. I think you need to think about that, I go out every shift with the goal to build a rapport with the community I serve, please do not make my job harder.

Remember key is more training and better training, because towns and cities need more funding to provide this additional training, which will in turn provide the community with a better officer to patrol our streets. Better pay to attract those better qualified officers. I also want body cameras because I believe they provide a true view of what is going on at a scene and eliminates false accusations as well as a clearer picture to the courts of what actually happened.

Please think about both sides before acting on this bill, all I am asking is for a fair reform bill that protects me and the citizens who we serve. I want to thank you for your time and hope some read this because every officer I work with is hurting and just want people to know we care.

Sincerely,

Douglas Morgan

NEPBA Local 34 President

Randolph Police Superior Officers Union

781-838-1889

From: Kayla Leger <legerkayla@yahoo.com>
Sent: Friday, July 17, 2020 1:20 AM
To: Testimony HWM Judiciary (HOU)
Subject: QI Bill

To whom it may concern,

My name is Kayla Leger. I am currently a full time police officer in the state of Massachusetts. I am a single mom of seven year old son. I decided to become a police officer 4 years ago so I could help people. I chose a profession where I could possibly not come home from. I chose a profession where I knew I would never have a consistent schedule, lose out on hours of sleep, and miss out on holidays and major events. I chose this because it's important to me that there are people who will sacrifice everything to save someone else. That is what all law enforcement officers know when deciding to do this job.

The bill recently passed by legislatures and that will be moving to the house next is not at all thought out in consideration of the men and women who qualified immunity protects or the citizens of Massachusetts.

Qualified immunity was provided for the covered government officials to effectively do their job.

Police are faced with dealing with a large range of calls every single day. During those days and nights they know they may face an individual who is a danger to them and/or the general public. As an officer we are paid to protect the public but sometimes that takes more than just giving commands to stop an individual. By retracting qualified immunity, the state of Massachusetts is saying they would rather an officer have to think; should I Act and stop that criminal or avoid it to avoid being sued or losing my career. This second thought could be the difference between life and death for that officer or the citizens of this state. In a high intensity situation, there is no room for hesitation or second thoughts. Of course when I use this example, I am speaking about justified actions based on the circumstances.

Although this will greatly effect how police do their jobs to protect the citizens it also affects other professions such as firefighters, EMTs, teachers etc. and how they do their jobs. Jobs that are needed to help this state stay safe and progress. These are not easy jobs. This immunity that was once granted protected us "government officials" who were acting in good faith to help our communities.

By passing this bill, you are risking the safety and lives of these workers and the citizens of Massachusetts. We should not have to be a worry that doing your job to the best of your ability still could get you

sued and potentially lose your career. This bill will also financially impact municipalities greatly in ways that could potentially send us into a greater Dept than we already face.

There are many factors that should be considered before passing this bill to please a small portion of people who are upset. I ask that you greatly consider the repercussions that could happen if this bill is passed which may include a large number of government officials such as police, fire, teachers walking away from their jobs which will result in the public having a lack of resources they need.

Sincerely,
Kayla Leger

From: Dick <r.w.wagner@verizon.net>
Sent: Friday, July 17, 2020 1:16 AM
To: Testimony HWM Judiciary (HOU)
Subject: SUPPORT STRONG POLICE REFORM

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

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Hello, my name is Linda Farkas-Wagner with the Greater Boston Interfaith Organization (GBIO). I live at 11 Douglas Rd., Lexington, MA. I am writing to urge you and the House to pass police reform that includes:

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

??

Thank you very much, and most sincerely,

??

Linda Farkas-Wagner

r.w.wagner@verizon.net

781.860.9129

11 Douglas Rd, Lexington, MA 02420

??

From: Eileen Burr <leenybeany528@gmail.com>
Sent: Friday, July 17, 2020 1:14 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

To the Legislators of Massachusetts.

Why is it that this bill was passed in the middle of the night? Was it due to the fact that you need to do it under the cover of night because you know what you are doing is WRONG!

Our police in the commonwealth of Massachusetts, from the State Police, city and town Police, sheriffs departments are out there every day keeping law and order within our state of Massachusetts. One of the reasons that our state capital and my home town Of Boston is one of the safest cities in our country is because of our Police who are out on the streets day in and day out, in our neighborhoods, getting to know our kids, keeping an eye on those they know are trouble makers, and our gang unit is one of the best! Do you want us to become like Chicago, New York, or other cities that have high crime rate gang violence and murders? I think not! You are bending to the pressures of one special interest group that has an agenda, that is trying to create anarchy within our country. Please take a stand against this, please stand behind our police officers.

Here's a quick story, when my daughter was just 8 weeks old she stopped breathing, I was on the phone with 911 my husband had our precious daughter trying to get her to breathe, it was a police officer who was the first on the scene. It was a police officer that was able to get her breathing again, he was there precious minutes before EMS, he cried with us when she started to cry. It is because of this officer that she is now a beautiful young lady.

Another example is when my kids where in elementary school, the fourth graders names where put in a bucket and four from every elementary school here in Weymouth Ma were given the opportunity to participate in Weymouth Junior Police Academy. It was a week long program where they where taught and shown what police due from a staged car accident, an armed robbery, and even a drug bust in Boston Harbor . It was one of the best experiences that my son has ever had. Our police volunteer their time to be camp counselors better known as drill instructors. It is a positive experience for our children.

We also had a police officer here that was the head of the DARE program, back when we put money into trying to keep children off of drugs as it is far easier to keep them from ever trying drugs than it is to get them off of drugs. Our DARE Officer, Officer Bowman was this amazing guy, who took the program to heart and lived the program. He stopped having the occasional drink, smoking as he knew that it took more than words, that you had to lead by example and that was what he did! The biggest lesson he taught these kids was Respect, for themselves, parents, police teachers, etc. when he saw one of the children he would say, " whats the word?" And they would immediately say a Respect sir! We lost this program due to cuts in the police budget about fifteen years ago. I wrote a letter then also stating my concerns, that we where being penny wise and pound foolish as if this program saved one child it was worth the cost. We now have an epidemic, An epidemic that is taking a whole generation, a drug epidemic and I cannot help but wonder if it is partially because we cut out the DARE program in Massachusetts. We put money first.

Let's not cave because of a group , because of a special interest group, that is crying for police defunding. We need our police. We cannot afford not to have our police and to have them well trained with the skills and equipment not to only keep themselves safe but to keep us, the tax payers, the citizens of Massachusetts. You forget that you work for ALL of us, not just one special interest group! Since this whole nightmare has begun we have seen an uprise in our violent crimes and murders, and I cannot help but think it is because our police have been demonized, that they are now second guessing Every move they make. That those that are looking to create anarchy, rioting, terrorizing our elderly, making our streets unsafe to walk down, are snickering at the fact that politicians, legislators are caving to the pressure created by this group, I plead with you not to let this happen here ,in our great state of Massachusetts where ,without our police not only fully funded but also FULLY BACKED BY OUR LEADERS, we will not be able to live here.

Let us not forget those who wore the blue, who gave the ultimate sacrifice

Let's not forget that when the Boston Marathon Bombing happened it was our Police Officers who ran into danger, who hunted down those who did that evil, and we swore WE WOULD NEVER FORGET! Have you forgotten? Let us not forget those families that lost a loved one while they where protecting us.

Cordially
Eileen Burr
Concerned citizen
Weymouth Ma
781-335-7663

Sent from my iPad

Sent from my iPadFrom: Thomas Rousseau <trxtreme@gmail.com>
Sent: Friday, July 17, 2020 1:07 AM
To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Thomas Rousseau and I live in Winchendon, Ma. I work at MCI Shirley and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,

Thomas Rousseau
From: Mike S <msweet1313@gmail.com>
Sent: Friday, July 17, 2020 1:07 AM
To: Testimony HWM Judiciary (HOU)

Subject: S.2820 Concerns

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

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage.

Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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

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

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

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

Thank you,

Michael Sweet
55 Endicott St
Danvers, MA 01923
978-828-1827

From: Anthony Nigro <connorbruin1@gmail.com>
Sent: Friday, July 17, 2020 1:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony against S2820

To: Chair Aaron Michlewitz
Chari Claire Cronin

From: Anthony J. Nigro
1 Crestview Ave. Medway, Ma.

I am writing you on behalf of the good men and women in law enforcement in Massachusetts, some 18,000 plus strong. I am a Police Officer of 11 years. I am a father of four. An Eagle Scout who holds the notion of integrity with high regard, and I am a constituent of yours. The hasty and sly passing of Bill S-2820 in the early morning hours of Tuesday July 14th, without any public forum or opinion, and without hearing any testimony by the thousands of individuals, unions and associations who phoned and emailed their concerns shows just how dangerous the ramifications of passing this bill will be. The long term affects on the good state of Massachusetts will be devastating, and we the Police, and the community, do not deserve what is coming.

Robert Peele said "The Police are the public, and the public are the Police". He said this with reason. Police, being part of the community work upon Peele's nine basic principals:

"The basic mission for which police exist is to prevent crime and disorder".

"The ability of the police to perform their duties is dependent upon public approval of police actions".

"Police must secure the willing cooperation of the public in voluntary observance of the law to be able to secure and maintain the respect of the public".

"The degree of cooperation of the public that can be secured diminishes proportionately to the necessity of the use of physical force".

"Police seek and preserve public favor not by catering to the public opinion but by constantly demonstrating absolute impartial service to the law".

"Police use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice and warning is found to be insufficient".

"Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full time attention to duties which are incumbent on every citizen in the interests of community welfare and existence".

"Police should always direct their action strictly towards their functions and never appear to usurp the powers of the judiciary."

"The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it".

These nine principals were written in London in 1829, and still hold true to this very day. With the passing of S-2820 we will be losing every bit of these basic principals which have stood steadfast for nearly 200 years. Robert Peele is the founder of modern day policing, and a memorial figure of he stands proudly in front of the police station where I work.

That being said, Massachusetts may be considered a leader in Law Enforcement. We have some of the longest training academies nationwide, the most educated Officers and command staff, the most up to date inservice training and continuing education and curriculum, and the highest recruiting and hiring standards arguable nationwide. During the six month police academy, Officers are taught a variety of skills only then to graduate and continue their learning with field training officers for another three to four months, and continue learning throughout their careers.

The actions of isolated incidents by the very few officers across the country do not reflect the pride and integrity of those very 18,000+ men and women in blue who serve Massachusetts. Those who do tarnish the badge in the commonwealth, are removed from the ranks, and through due process, no longer serve in Law Enforcement. Although it can be said there may be isolated incidents of racism across the country, we are not seeing a grotesque example of incidents involving people of color and the police as we are being told by our politicians and media sources. In fact, based upon UCR statistics the Washington Post found that Police Officers use of force and deadly force statistics do not show any signs of racism or higher impact upon those of color by Officers across the country. Unfortunately, what we are seeing is the need to meet an agenda by political activists and politicians who are influencing our legislators.

I have concerns with bill S-2820 in that it was written with haste and emotion, and political motivations in mind. Quite frankly I am disgusted with the negligence of our senate members in the passing of this bill. Bare in mind, that the passing of this bill will be permanent, and come with immediate, and long term effects on this state.

Removing the right of due process for police officers and public employees is denying someone of their constitutional rights, the basis of our entire legal system revolves around due process of law. Due process is one of the inherent checks and balances built into our constitution.

The issue of Qualified Immunity is one of most concern. Currently, it does not protect the actions of bad Police Officers in the State of Massachusetts. If an Officer violates written policy, or the law, he/she is subject to retraining, suspension, removal, monetary fines or criminal procedure. Qualified Immunity is not in place as a catch all to protect ALL Police Officers from their actions. It does not protect Officers from their illegal actions. What Qualified Immunity does, is serves a need to "protect officials who are required to exercise discretion and the related

public interest in encouraging the vigorous exercise of official authority". This protects us from civil process if we as police are functioning within the color of law and our policies. Without this protection, we will be limiting or eliminating discretion in policing. In the 1982 case of Harlow vs. Fitzgerald, the United States Supreme Court ruled that Qualified Immunity must exist for this very reason. Along with Police Officers, this case also identified judges, government officials, and prosecutors as being protected for their decisions and actions.

With the removal of Qualified Immunity, we will swiftly begin to see cities and towns in Massachusetts become bankrupt with frivolous civil cases. With the passing of S-2820, the standards under which civil action may be brought against a public official will be dramatically lowered. Lawsuits against public officials and municipalities will increase exponentially. This will affect ALL Massachusetts citizens, courts, and public officials, not just Police Officers.

Along with the current state, city and town budget constraints due to COVID-19, this will be just another kick to the ribs for municipal budgets. Once these lawsuits begin piling in, we will begin to see town budgets cut, police budgets affected, fire stations closed, and school budgets drastically affected by these, arguably preventable, frivolous lawsuits.

With qualified immunity gone, an Officer will begin to ask him/herself "is this job worth it?". Is it worth coming to work, doing the right thing day in and day out, only to be sued or lose my job because of an allegation of wrongdoing? Is it worth being sued, because I broke the ribs of a 23 year old girl doing CPR after I administered NARCAN because her parents found her unresponsive from a heroin overdose, and although I saved her life, I broke her ribs and she can sue me? Is it worth trying to seek, locate, intercept and stop that drug dealer from selling his product on the streets, before it gets into the hands of our children? Or will I be sued for an event during the apprehension, search of, and seizure of evidence from that drug deal? You have to ask yourself, Why are we taking the handcuffs off of the criminals and placing them on the police? `

Already, we are seeing good cops leave the job, entertain other career opportunities, or put in for early retirement. We are seeing the next generation of police officers being told not to bother applying, or have ambition to become a police officer because without the protections of due process and qualified immunity, this job just won't be worth it. Of those 18,000 plus Police Officers in this state, we will already be losing many to COVID-19 budget constraints, or not replacing those who retire because of the impacts of the pandemic. With the passing of the language in S-2820, I can assure you we will never see a police force in this state as strong as 18,000 and likely no greater than 15,000.

Also within this legislation is a proposal to develop a committee to review police officers use of force, bias crimes, and specific police incidents. I do agree this is needed, but what is needed is trained and experienced individuals who have worked the job to review and judge those incidents. This is not bias to protect Police Officers, this is part of

due process and impartial policing, and just another form of checks and balances. Do we ask a group of civilians with no medical training to review how a Doctor may have failed? Or do we compile a symposium of the best doctors around to judge those incidents. Does it make sense to have a group of non trained persons inspect an airplane after a mechanical malfunction or crash? Or do we ask that qualified officials with experience in piloting and mechanics evaluate and inspect the aircraft. This holds true with policing and law enforcement as well. A well trained and experienced committee can perform this function.

I am writhing this letter, asking that you consider the amendments and language in S-2820 be reconsidered. If the bill is passed through the house with the removal of Qualified Immunity, you can rest assured the great State of Massachusetts will be in for a rude awakening. Less Police, less if any proactive policing, more criminals will run rampant and free, more crime will occur, more lives will be lost. These lives fall on our legislators. These lives do not need to be lost. This can be prevented. Look at Chicago, Atlanta, Seattle, Baltimore and several other cities where violence has overtaken law and order. We do not want to add Boston, Worcester, Springfield, or any other city or town from Massachusetts to that list.

Respectfully Submitted,

Anthony J. Nigro

From: zinggbpd859@aol.com
Sent: Friday, July 17, 2020 1:01 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Dear Representatives

My name is Robert M. Zingg and I live at 44 Fisher St. Westwood, Ma. . I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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

The proposed changes to QI will have a serious impact on critical public safety issues.

Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

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

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

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

The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no

more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

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

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

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

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

Thank you for your attention to this important matter.

Sincerely,

Robert M. Zingg
Detective
Boston Police Dept.
Homicide Unit
617-908-8445

Sent from my iPhone
From: Martine Laverdure <mfiat16@gmail.com>
Sent: Friday, July 17, 2020 12:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

Martine LaverdureFrom: Daniel <dpenn380@gmail.com>

Sent: Friday, July 17, 2020 12:58 AM

To: Testimony HWM Judiciary (HOU)

Subject: SB 2820

To whom it may concern,

I want to thank you for taking the time to listen to both myself and the rest of your constituents. I have been a resident of the City of Worcester for six years now, and I have been a Police Officer in the city for the same amount of time. One of the reasons I chose to move to this city was because I saw the positive vision that both city officials and state officials, such as yourself, had for this city, and I can say over the past six years the city has come leaps and bounds from where it was: we have a growing economy, we are soon to have a beautiful new stadium, and as of May this year, crime had been on a drastic decline in the city, specifically pertaining to violent crime. But most recently, the crime in the city has been on an incline. I can say from firsthand perspective, the violent crime in the City of Worcester, specifically pertaining to gun violence, is extremely worrisome. The uptick in shootings and gun

homicides over the course of three weeks here in the city is extremely disheartening and concerning to me as both a police officer and a resident of this city.

Both my wife and I work in the public sector and the current bill that has been brought forward has a negative impact on the both of us. We here in Massachusetts have always prided ourselves on the strong unions we have, the fair wages we pay our public employees, and the extremely low crime rate across this state that we see, as compared to other states. But the reason we have all of the things is because of what is in place to help and protect those public servants; those protections are things such as Qualified Immunity, Collective Bargaining, and Due Process.

Qualified Immunity is something that has been proven and supported time and time again by case law in this country from the highest level of judgement, The United States Supreme Court. Qualified Immunity does not protect bad cops, it protects good cops doing good things for the right reasons and for the betterment of the public. If we take away or change qualified immunity here in the city we will have Police Officers scared to arrest a violent criminal in fear of losing their home, we will have firefighters scared to do CPR on a dying patient in fear of losing their home, and we will have teachers afraid to reprimand a child in fear of losing their house. Is that the kind of city and state we want to live in? I can confidently say no for my wife and me.

Due process is a basic right we have here in this state for public employees. It is the same right that is given to criminals convicted of murder, rape, assault and any other crime. But we want to move forward and take that same right away from the public employees that go out everyday to try and make the world a better place live?

One of the reasons we have such good police officers, teachers, firefighters, and many other public service employees is because of Collective Bargaining. Here in Massachusetts, unlike many other states, we pride ourselves on the fact that our public employees work for fair wages, in a safe setting, with good benefits that drive good hardworking intelligent people into the public sector. If we are to take away collective bargaining here in Massachusetts, not only are we telling the employees in those fields that we do not care about them, but we are telling the general public as a whole we do not care about them. If we have uneducated, poorly paid police officers, we don't have good police officers, resulting in climbing crime rates. If we have uneducated poorly paid teachers, we don't have good teachers, resulting in poor education for the children that are our future. Is that the legacy we want to leave?

I am not saying changes don't need to be made, changes always need to be made. In my belief, the backbone of this country is our ability to change, adapt, and move forward and make this country, state, and city a better place to live. But is taking the protection, ability to fight for fair wages, and the ability to fight for ourselves and defend ourselves, especially when wrongfully accused of something, making this state a better place to live? I am going to have to say no.

7 months ago I married my wife in what was one of the happiest days of my life. Much of the conversations in our household over the course of the past 7 months pertained to starting a family, something both my wife and I have wanted for so long. We spoke about having children, buying our forever home, and raising our kids to be good people. But over the course of the past several weeks the discussion has changed to is: Is Massachusetts the right place for us to live and raise a family? That is something that hurts; our family all lives here in Massachusetts and we want our children to be close to grandparents, aunts, uncles, and extended family, as both my wife and I had the privilege of having growing up. But with this bill, specifically these three topics I speak of, my wife and I don't think Massachusetts will be the right place to raise a family, and we have both agreed that it would be time to move out of the state if this does go forward. So I am asking you as a public servant, as a constituent, and as a hardworking member of society, please vote no on these 3 items I have spoken of.

Thank you for taking the time to listen to me. I can be reached at 508-237-8693 and would love to hear from you to have some dialogue.

Thank you

Daniel Pennellatore
227 Holden St
Worcester, Ma

Sent from my iPhone From: Michael Leonard <mleonard@hria.org>
Sent: Friday, July 17, 2020 12:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

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

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

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

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

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

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

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

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

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and

raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Michael Leonard

Program Associate

2 Boylston Street, 4th Floor, Boston, MA 02116

617.279.2249

He/him/his

hria.org

<[From: Dawn Jubinville <dawnj@me.com>
Sent: Friday, July 17, 2020 12:54 AM
To: Testimony HWM Judiciary \(HOU\)
Subject: S2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__hria.org_&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=-fOXketiEgkIRV8bCbaVEqlVH-IleKqeTE_dHVsvMuo&s=vzuDO4ho6Eh7iFL_9u3Q4rOAzBZNW-G-aXAJz_torHc&e=>></p></div><div data-bbox=)

Dear Chairs Michlewitz and Cronin,

I am writing to speak out against the sweeping "act to reform police standards" bill before you today. While I am sure that some standards and training for police officers and others in law enforcement could use improvement, I feel that much in this bill may ultimately harm public safety in the Commonwealth. If I am correct, this bill would also call for abolishing "qualified immunity" for not only police officers but nurses, EMTs, firefighters and the like. I don't believe that those in these positions would be able to afford the insurance necessary to protect themselves and their families should the need arise.

While I believe the so-called "choke hold" is not appropriate, you should not be tying the hands of our police officers with strong restrictions on the use of things like tear gas and rubber bullets, especially when our law-enforcement is sometimes faced with violent rioters and looters. I urge you to review this bill and edit it while keeping in mind the safety and rights of ALL people because truly, ALL lives DO matter!

Respectfully,

Dawn Jubinville
145 Sesame Street
Dracut, Ma

(No organization affiliation)

Sent from my iPhoneFrom: Justin Banks <jbanks520@gmail.com>

Sent: Friday, July 17, 2020 12:53 AM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill 2820 - Please Read

Dear Chair Michlewitz and Chair Cronin,

My name is Justin Banks and I live in Raynham, Massachusetts. I work at MCI-Norfolk and I am a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to law enforcement officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

What many politicians that vote on police reform need to consider is how inherently dangerous the job is and the sacrifices that we and our families make for the betterment of society. Traditionally a common argument arises, we chose this line of work. This is true, we chose to dedicate our lives to public service and protecting the public, many of us could have pursued more lucrative private sector careers, but, instead of focusing on ourselves we turned our focus on the community as a whole. Law Enforcement Officers all take this dedication seriously, our goals and focus is outward, we work during the day so members of the public can safely leave their homes without fear that they could be ambushed in the streets or have their home broken into while they work, we work during the evening to ensure that people can safely enjoy the nightlife and patronize bars and restaurants safely without being victimized by predatory individuals, we work nights while the majority of the commonwealth sleeps knowing that they need not worry about staying up each night to protect their home and families, we work weekends and holidays instead of being with our family and loved ones so that society can enjoy their family and loved ones each holiday safely. Each day, each shift and hour we work to provide safety to the people of Massachusetts we put our lives on the line, the threat is real as criminals become increasingly embolden to do whatever it takes whether it be seriously assaulting an officer as seen in January of this year at Souza-Baranowski in which officers were brutally attacked by a large group of convicted violent felons, or even worse committing murder as Sergeant Michael Chesna was brutally killed while serving this Commonwealth. We made this choice to put everything on the line in the name of public service yes, but, did criminals not also make a choice to victimize the public we serve? Criminals' goals are inherently selfish and only focused on themselves and lack the compassion for those whom they victimize. They make the choice to violate society's rule of law

to achieve their goals. Yet as of late many of these reforms seem to be focused on the criminal themselves rather than the victim. Every time that the legislature or politician addresses reforms that focus on the improvement of the criminals' experience in the justice system, they are re-victimizing the arguably most vulnerable citizens. Granted I will admit that there should be focus on reforming individuals, but, what often these bills fail to account for is those who are manipulative and are intent on doing harm to others. Criminals are not the victims, there is so much opportunity in the commonwealth on the streets and even in the justice system. Do not fall victim to the clever words, high paid attorneys and fabricated arguments equating our justice system to something inhumane.

While I am considered a rookie by corrections standards, I have studied criminal justice long before I proudly took the oath. I'm one of those officers who will likely leave the job and no longer pursue law enforcement if pro-criminal legislation like this passed without regard for the brave men and woman who serve Massachusetts. I found that in my almost two years on the job how different prison is working in one versus what you are told by academia, the media or by advocacy groups. We as corrections officers do not carry weapons into the facility, we often work blocks by ourselves inhabited by 60-85 convicted violent felons. What makes this possible is the great men and woman I have the pleasure of working alongside of. Us Corrections Officers make up every demographic there is, but we all wear the same uniform. We do not show up to work hoping to abuse or fight inmates, we show up to work instead hoping that we get to leave safely to go home to our families and loved ones. I would ask that before decisions are made on our behalf, or words of condemnation are said about us you take the time to walk a day in our boots. I can attest that inmates treat us very differently once outsiders are not around to hear or see their words & actions. Often what is said mirrors what outsiders want to hear, their narrative often changes to fit the situation as they have nothing to lose, if the narrative fails on one person they will move onto the next. Meanwhile reforms like these disrupt the safe orderly running of our correctional institutions, they place a greater burden on staff putting them in harms way as inmates become more and more emboldened by support of politicians. Unfortunately, with the reforms such as those proposed, the tools that the department has to safely control these emboldened dangerous individuals are lessened. This takes a toll on staff and to make things worse. It is seldom talked about even though suicide and alcohol abuse remain disproportionately high among all men & woman of law enforcement.

Some points that I believe need to be addressed are :

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

justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

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

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

I will leave you with this final thought, I vote, my brother / sister officers vote, victims of crimes vote, our families vote, our friends vote, our communities vote. Do not mistake our silent professionalism for a second, we will vote and hold politicians accountable that do not properly represent us and pass legislation that makes our communities less safe.

Respectfully

From: Andrea <ahbaird@gmail.com>
Sent: Friday, July 17, 2020 12:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass SB.2800, Reform, Shift, Build Act

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

My name is Andrea Kennedy. I am a resident of Brighton and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum that Massachusetts can do to help protect its citizens of color from police violence and the bill must leave the legislature in its entirety.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment. These are all valuable, vital reforms, and I appreciate that the legislature is moving with urgency to enact them.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet its demands.

Thank you for your consideration of this request to give SB.2800 a favorable report.

Sincerely,

Andrea Kennedy

26 Willoughby Street

Brighton, MA 02135

March like a Mother: for Black Lives

From: Daniel Hamel <daniel.c.hamel@gmail.com>
Sent: Friday, July 17, 2020 12:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820 testimony.

To the Chairs Michelewitz and Cronin and to whom it may concern,

I recently completed reading the entire senate bill Number S2820. While overall the bill is well intentioned and does well in meeting those intentions, I have several recommendations to add to this. My first recommendation, although likely unrealistic, is to postpone a vote and separate this bill into multiple smaller bills, so that each portion can be given its due consideration, with the consultation of subject matter experts in both Law Enforcement and the minority communities. I strongly believe that the speed at which the General Court is trying to pass this bill could lead to oversight, a lack of foresight as to unintended outcomes, and could end up being detrimental to the criminal justice system in the Commonwealth of Massachusetts.

That said, below you will find 13 recommendations and changes that I highly encourage the General Court to incorporate into the bill:

- 1) The makeup of the Police Officer Standards and Accreditation Committee should have more police representation. I suggest adding 1

representative from a college police department, and 1 representative from a small police department made up of mostly reserve officers, preferably from western Mass. Whereas the United States Supreme Court standard for use of force is "objective reasonableness" through the eyes of a police officer with similar training and experience, and the Committee will investigate complaints against police officers to include use of force complaints, there should be more abundant and diverse representation of law enforcement officers for wider perspective. Alternatively, the House could add one or two additional police officers from the Massachusetts Association of Minority Law Enforcement Officers.

2) SECTION 6. Section 225 (a)- line 470. Move "failing to intercede to prevent the use of unreasonable force" to section B under "may revoke". There are too many variables involved with this, and not enough due process. As the legislation stands, it's too easy to sustain a complaint of failing to act against an officer who was present, but did not in fact witness the abuse. Some physical abuses (extra punches, choking, etc) could be very easy to conceal at certain angles. Additionally, the physiological reaction of "tunnel vision" during a confrontation may limit the field of view of an officer, limiting what that officer saw or can recall. Alternatively, and preferably, change the standard of proof for misconduct from "preponderance of evidence" to "beyond reasonable doubt".

3) SECTION 7. Section 255 (f). Line 508. Strike "preponderance of evidence" and replace with "beyond reasonable doubt" or another higher standard of proof. Although police reform is needed, Massachusetts has done a good job regarding police misconduct to date. Do not rush to take away due process. Limiting due process will leave good officers feeling that even when they do good by the law and policy, they may still be held liable or an unfounded complaint may be sustained in an adverse political climate. This will greatly affect the quality of policework, and could affect the quality of police recruit applicants, who will go to other states and border towns where they feel they can do an honest day's work without fearing an unsubstantiated lawsuit. We all have to be cognizant of the line where police reform can go from having beneficial effects on the Commonwealth to detrimental effects on the Commonwealth.

4) SECTION 9. Chapter 12. Section 11H ½ (a) (i). Lines 531-532. Add the word "illegally" between "that" and "deprives". To read "conduct by a law enforcement officer that illegally deprives persons of rights secured by the constitution or laws of the United States or the constitution of the Commonwealth". Police officers can legally deprive an individual of certain rights in certain circumstances, such as a lawful arrest or a lawful search and seizure. A violation of this subsection, where the Attorney General may bring a civil action, but only be for an illegal

violation of constitutional rights. The law must reflect this reality, otherwise good officers will be at risk of lawsuit even when the action they took was legal.

5) SECTION 9. Chapter 12. Section 11H ½ (B) & (C). A lawsuit brought by the AG must be limited to only the most obvious of violations. A reasonable officer working within the confines of their training and law the law must retain immunity.

6) SECTION 10. This is an incredibly dangerous section. It should be amended and deleted all together. Or simplified to explicitly limit frivolous lawsuits brought against police officers. This section should be limited to only if the AG found reasonable cause to bring a lawsuit. If a police officer is acting within their scope of training and policy, they should retain all qualified immunity. Use of excessive force, as determined by *Graham v. Connor*, shall be the standard for all use of force incidents, and as long as officers maintain "objective reasonableness" Qualified Immunity must stay intact.

7) Eliminate all verbiage that precludes the officers from appealing Civil Service. For the sake of quality policing, officers need to maintain due process, especially when there are allegations of misconduct. The redundancy of appeals ensures biases can be put aside, and officers can receive a fair hearing.

8) SECTION 48. Section 98H. This is a double standard and should be eliminated.

9) SECTION 49. Eliminate the restrictions on gang affiliation for high school students, or high school students age 16 and older. Also, exempt these restrictions for active criminal investigations. OR, explicitly state that "this information shall not be provided, except by warrant issued by a judge or magistrate".

10) SECTION 52 (D) (3). Eliminate this section. Alternatively, in line 1181 strike "shall" and replace with "may", and defer to department policy.

11) Chapter 147. Section 2 (b) & (c). Good. Make sure these sections retain the wording acknowledging that while de-escalation is preferred, it is not always feasible given the totality of circumstances. That is extremely important, and its removal could potentially cost officers their lives.

12) Chapter 147. Section 2 (d). Allow choke holds as an option for situations requiring lethal force only. Anyone who has any background in wrestling will understand that there could be life threatening situations where that is the only option available to the officer to save their own life. It would not be ethical for the legislature's oversight in this matter to cause the prosecution of an officer who had no other use of force option in a life or death situation. Likewise, chokeholds should not be used to "knock someone out", "restrain", or be used in any situation other than a situation requiring the use of deadly physical force where no other option is available.

13) Chapter 147. Section 3 (c). In line 1355, add the word "knowingly" between "and" and "fails". To read "An officer who has a duty to intervene and knowingly fails to do so may be held liable under sections 11H..."

Thank you for your time and consideration,

Daniel Hamel

South Hadley, MA

978-994-4720

From: spd38@charter.net
Sent: Friday, July 17, 2020 12:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

I am writing you to urge you to listen to the men and women who serve this Commonwealth as police officers and the everyday citizens who will be effected by the passing of this bill in full. Every day, I leave my family with uncertainty about what my shift will bring. It is bad enough that I have to worry about if I will come home the same person physically or mentally, but I can now have the extra concern of personal liability litigation by a citizen due to the perception of an encounter or arrest.

I feel that officers should be given the due process, just like anyone else. There is not one officer in this state that will feel comfortable coming to work, would you?

My name is Stephanie Howe and I am a police Sergeant with the Sudbury Massachusetts Police Department. I'm also a mother, wife, daughter, and resident of Oakham, Massachusetts. I have been a police officer for 24 years.

I've never witnessed or been part of any type of behavior as that in which this bill is a reaction to. Here in Massachusetts we are known to be well-trained and reasonable officers. In the last few weeks after speaking with many police officers in the state we are very nervous to continue working under these conditions. A vast majority of us with over 20 years would seek other employment. The state would lose a large amount of educated, reasonable, level-headed, well trained officers in a very short amount of time. In all honesty we are scared to do our job if this passes in full.

While this bill protects the members of the community as it should, it does nothing to protect the officers who put themselves at risk every day. The majority of officers that come to work in Massachusetts are not looking to have a violent or explosive encounter. We are not looking to escalate a situation. Most of the calls for service are just that, we are called by someone of concern to assist in a matter they cannot handle. The stress that is put on an officer at every call is incapable of putting into words for a civilian to understand or have the same reasonable perception of danger that an officer sees. Most police officers want to have a peaceful resolution to the calls for service and not have it result in arrest. This bill will make us hesitate to act, have lack of information, resistance from the public, interference in our ability to do our job and enforce peace.

My concerns are the amount of personal information that the public can attain about an individual police officer. The data base that would be allowed for the public to obtain is dangerous and unnecessary. You will allow the public to know every detail (except home address) about an officer, their resume, gender, and race. Do not think that an assigned number will keep our anonymity. The computer age makes it possible to collect information and conclude the information. If you googled a my personal information that is contained in the database any person can find my address in seconds. Our personal lives and families are going to be placed at risk with this information public.

My concerns about the complaints to police officers is that the lack of due process for us. There is currently a process in place that is fair for both the public and public employees. The ability to sue an individual officer for monetary damages will be made easy and accessible with barely any protection at all. We understand that our rights are being stripped here with putting the perception of a complaint on the public and not the courts. Most people do not agree with the arrest that has been made and are very vocal about not committing the crime they are accused. Are we going to start bogging the courts down with lawsuits against officers with frivolous lawsuits? We are not asking for absolute immunity but please

don't take away the slight protection that we have in doing our daily duties. This places the perception of the law in the defendant's hands which asks the question; is ignorance of a law reasonable.

Taking away the communication of school resource officers with fellow officers is not only a safety factor for the public but the children. If the point of this section is to protect children, then information sharing is the only way to do it. Sometimes the school or police is the only protection that the children have from domestic or social situations. Information sharing in the schools with school resource officers is paramount to a safe environment. As a parent of a high school child and as a police officer that has experienced a homicide in the high school, I feel this is a detriment to the safety of our children.

The use of force section that addresses choke holds, excessive force and intervening needs to be addressed. Officers in Massachusetts are not trained to use choke holds and would not use them in everyday use of force. I do not agree that as a female officer, if I was attacked in a deadly manner with or without a weapon, that I am banned from using any means necessary to survive the attack. This profession is not one of certainty and scenarios never go as planned. Banning anything outright is what will get more officers killed in the line of duty. Not only will we hesitate, we will get hurt in the meantime. We are trained to react to what is presented to us and we are also trained to attempt to deescalate, which is not always feasible.

Please remember Officer Chesna that was disabled by a rock and killed with his own gun, Officer Tarentino that was shot with no notice or chance to deescalate and Sgt. Gannon that was shot in the head during a search warrant where the defendant had time to hide. There was no option for other means of force, to negotiate with the defendants or try and "talk" these people down. Please keep in mind the split second decisions we make every day and sometimes we don't have hours to figure situations out.

I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS.

Thank you for your time and consideration.

Respectfully,

Sgt Stephanie Howe

Sudbury Police Department

Resident of Oakham, MA

508-294-6455

From: Victoria Rando <Victoria_Rando@outlook.com>
Sent: Friday, July 17, 2020 12:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

Dear House of Representatives,

My name is Victoria Rando and I grew up in Wrentham, MA but currently reside in Franklin, MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided, disgraceful, and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are the following:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated, honorable, & well educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of

the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement who choose to put their lives on the line every single day to protect their communities with the respect and dignity they deserve.

Sincerely,

Victoria Rando

From: Elvis Nguyen <elvis.nguyen001@gmail.com>
Sent: Friday, July 17, 2020 12:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police "Reform" Bill

Whomever it might concern,

My name is Elvis Nguyen and I'm a resident of Marshfield. I'm writing to you to express my concern over the current police reform bill that the house is trying to pass in a rushed and uneducated manner. This bill will affect the well-being and livelihood of law enforcement families across the Commonwealth, in addition it will effect our officers judgement and have them second guessing when they are put in difficult situations. Situations, Mr. Kearney that you will never understand unless you do police work. Comparing the law enforcement profession to doctors and lawyers in regards to liability is comparing apples to oranges and quite frankly uneducated. Doctors and Lawyers spend years and thousands and thousands of hours on education and have time to analyze the situation they're in. In addition people go to lawyers and doctors voluntarily. Law enforcement on the other hand, deal with peoples freedom and at an instant a detention takes that away. This is done every single day as part of an investigation for a crimes throughout your Commonwealth. Police officers aren't in school for years. As a matter of fact it's 6 months and you're sent out on the streets to do the job which requires you to detain people essentially taking their freedom away. If your only knowledge of law enforcement is what you see on TV then I invite you do a ride along with me or you can ask any police department for that matter and for a one day experience on what we experience.

I'm sure we can agree that the acts in Minneapolis on May 25, 2020 were excessive and flat out wrong in every aspect of humanity. I also agree that police reform is necessary in order to address the issues of injustice in our criminal justice system. There is no denial that this system needs to be fixed. However, it is detrimental to have the input of our officers on any such reforms. Officers who live the reality and answer the call to respond to issues in our communities that others do not see. Violence that the media does not report on, and violence that our legislators do not live in every day. Proposing and passing anything without a conversation and fully understanding the issue can and will have negative effects on public safety and cause more harm to the community than good.

I entered this profession with a strong desire to help people, and that desire is still there. I do not seek praise or gratitude, nor do I want it. What I do ask for is our leaders to understand the changes you make and the positions you will be putting us in with these changes. Taking away qualified immunity and changing it in anyway shape or form, takes away my peace of mind when I go to work. This is what allows me to sleep at night knowing that I don't have to worry about the well-being of my family. Please don't use the police as a scapegoat for political agendas. In my short 8 years in law enforcement, I have personally seen the morale in Officers and Troopers decline each and every day. Anybody who tells you that morale is "good" is lying. Never have I seen so many people in this profession seeking different career alternatives. Fear that they could potentially lose everything they have worked so hard for to better themselves, their families and their communities.

To every Legislator. I am a Massachusetts State Trooper, I am a husband, a father and a son. I am a minority, first generation Vietnamese American. I grew up in the City of Boston, the Old Colony housing projects to be precise. I went to Boston Public Schools. I am where I am today because of the life choices I made. I am in this profession because positive interactions with the Police when I was a teenager. I worked hard to get to where I am today. I'm proud of my accomplishments. Don't strip away at the fabric that protects me and my family. I am open to a conversation at anytime. Please give me a call or email me.

If you even bother. Please take a few minutes to read this article.

http://archive.boston.com/news/local/massachusetts/articles/2004/10/31/transcending_the_mean_streets/
<https://urldefense.proofpoint.com/v2/url?u=http-3A__archive.boston.com_news_local_massachusetts_articles_2004_10_31_transcending-5Fthe-5Fmean-5Fstreets_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=xFlgbZ4S0Orb2Bs0OQuAdsq2gadMj79YwdTZtYnLhOQ&s=CmAlJhpNtdYe_5iQPZbzW4PWaq28w0WnhgLOYMx6zTc&e=>

P.S.

If you read the attached article. I want you to know that I remember this day clearly and I worked hard at life to make it through to buy that house in the suburbs that I dreamt of. Don't strip away at the protections I

currently have in my career that protects and jeopardizes my life accomplishments.

In the words of the father of modern day policing "The police are the public and the public are the police; the police being only members of the public who are paid to give full time attention to duties which are incumbent on every citizen in the interests of community welfare and existence." Sir Robert Peel

Thank you for your consideration.

Elvis Nguyen

35 Ryder Lane, Marshfield MA 02050 <x-apple-data-detectors://3>

617-372- <tel:617-372-2338> 2338 <tel:617-372-2338>

From: Brandon Sanders <bsanders99@gmail.com>
Sent: Friday, July 17, 2020 12:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for Bill No. S2820

To the House of Representatives,

This letter is to share my testimony regarding Bill No. S2820. First, I'd like to briefly introduce myself. My name is Brandon Sanders, I am a 24 year old full time Police Officer residing in the Town of Pembroke. I have been a sworn Police Officer since December of 2016, and took the oath to protect and serve my communities at the young age of 21. Since I was teenager, I truly wanted to be a Police Officer and I firmly believe that public service saved my life. I grew up in a single family home with no father and no role models. I once believed criminality was admirable, until at the age of 16, I met local Police Officers who gave me guidance and led me to the life I now lead.

Seeing what's happening across this country and this state is truly heartbreaking to both our civilian and police communities alike. I understand that people are mad, so am I. I understand that change could benefit all of us equally, I do truly believe that as we proceed forward in this country and states future. What I do not understand, and what I do not believe in is this Bill S2820. This bill is damaging, and we as Police Officers will not be able to return from this. Reform is welcomed among us law enforcement officers, I promise you that, but not this. My perspective on this bill is that lawmakers, civilians, and advocates are angry. These people are pushing this quickly presented bill on sheer emotion. If we can set emotion aside and all work together to form a bill that will truly change the police and public interactions, I believe that would be a tremendous thing welcomed by all. But again, THIS BILL IS NOT IT.

The most troubling presentation within this bill is the attack on Police Officers and Qualified Immunity. Coming from a Police Officer who upholds their oath every day, and truly loves serving their community, I am scared for us all. Qualified Immunity does not protect bad cops, I can assure you that. I assure you that nobody hates a BAD cop more than a GOOD Police Officer. Qualified Immunity protects cops like the brave men and woman I served with on a day to day basis who go out and try to make a difference. Qualified Immunity protects these Officers who consistently get put in incredibly troubling, complex, and difficult situations. Qualified Immunity protects someone like ME, who goes out and truly does their best every single minute of every single shift. The obvious is that there is inherit risks in being a Police Officer, and we often get called to horrific scenes in which we must make split second decisions. Qualified Immunity protects the Officer who simply showed up to that emergency and did the best they possibly could. Qualified Immunity protects the Officer who may show up to you or your families emergency, who simply did the best they possibly could. PLEASE, consider the totality of what is in front of you.

I will now conclude my testimony and leave you on this note. Sir Robert Peele, the founding father of modern day policing once said, "the Police are the public, and the public are the Police." I assure you that us Police Officers are people as well. We are your neighbors, your friends, and your family. The same people that this bill is set to destroy are the same people that pass you in the grocery store, that you are sitting next to at a restaurant as we eat with our families, and that you are amongst all day every day in passing. I assure you that we care so very much about all of you, even though we may have never met you a day in our lives. What we are asking for is that on this bill, you just care for us a little bit back.

Respectfully,

Officer Brandon Sanders

9 Sheila Road, Pembroke MA

(781)-733-0196

From: Austin Arroco <aiarroco@gmail.com>

Sent: Friday, July 17, 2020 12:39 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony for Bill S.2820 to increase police accountability

To the House Committee on Ways and Means,

My name is Austin Arroco, a resident of the Fulton Street neighborhood in Medford. I am writing to provide personal testimony in favor of Bill S.2820 relating in particular to reducing budgets for Massachusetts police departments and reallocating those funds to community programs and organizations that will help to provide support, improve safety and create systemic equity for Black and Brown communities. Specifically, I am glad to see that increased accountability in the acquisition of military grade equipment is required by this bill.

As a materials engineer, I have spent many years developing technologies for government contracts, and in some cases, law enforcement agencies in Massachusetts have expressed interest in bidding on those technologies. This is problematic because these agencies have no immediate or suitable reason to use these specialized technologies. I envision stockpiles of unused equipment and consumable materials that have been purchased just in case they are needed. This unjustifiable expenditure of funds for just-in-case scenarios is unacceptable while there are clear, definable and immediate needs present, and happily, this bill takes measures to prevent that.

As it stands however, the bill can go even further by requiring law enforcement to understand their community's needs. Seeking public comment on military grade controlled property, as required by changes to Sections 39 and 40, is a first step towards appropriate funding allocation. Law enforcement agencies should also be required to learn about local aid organizations and invite them to the public hearing for input. These organizations should include Black and Brown community groups and leaders. This way, the public has a clear choice presented to them as opposed to choosing yes or no for military grade equipment. More than policing and military grade equipment, engaging the community is absolutely critical for improving the safety in our towns, our cities and our state.

This bill takes steps towards safer and more equitable communities, and we can absolutely do more. By including community organizations and leaders, particularly from Black and Brown communities, in the process, we can

reallocate funds where they are truly needed. As a life-long Massachusetts native, I hope to see more change enacted that reaches toward systemic equity for all of the state's citizens. We have a long road ahead of us, and we all must work together to make it happen. Thank you all for your valuable time and energy.

Sincerely,
Austin Arroco

<[From: BRIAN SIMPKINS <\[bsimp1@msn.com\]\(mailto:bsimp1@msn.com\)>
Sent: Friday, July 17, 2020 12:39 AM
To: Testimony HWM Judiciary \(HOU\)](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avast.com_sig-2Demail-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Dwebmail-26utm-5Fterm-3Dicon&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gg1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Eltq7Xa93aN2Gcjsy0aWxDOf1kdIp0vC47pmo2edjck&s=irAS4PAzgKPY2G2fsWkrVg3Bllx4J0-Gs3KEeswfiCk&e=> Virus-free. www.avast.com
<<a href=)

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

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

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

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified

Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

Thank you,

Brian Simpkins

Bsimp1@msn.com

Sent from my iPhone
From: Robert Furtado <rkfurtado@msn.com>
Sent: Friday, July 17, 2020 12:39 AM
To: Testimony HWM Judiciary (HOU)
Cc: Haddad, Patricia - Rep. (HOU); Robert Furtado
Subject: Bill S2820

The Chair of the House Committee of Ways and Means,

As a retired police officer with 38+ years of experience, I respectfully ask that you please consider the ramifications of Bill S2820.

Many of the rules and restrictions contained in this bill are bound to not only have a detrimental effect on the police doing their sworn duty of protecting the lives and property of our citizens, but will infact put them at risk of frivolous law suits, and being injured or killed.

Police Officers have to make split second decisions in life or death situations. They do not need the added burden of thinking that they could face a frivolous law suit or prosecution for simply doing their job!

I speak from experience having personally been the victim of 2 frivolous federal lawsuits by convicted felons both of which were dismissed without a settlement.

The elimination of Qualified Immunity will only open officers up to more such law suits.

In regards to the absolute ban on the so called "choke-hold" although it is not part of any current police practice, no option should be taken off the table when deadly force is being used against an officer or innocent victim. I only once resorted to using a "choke-hold". It was during a struggle in a confined area with a suspect, much larger than me, who was attempting to take my weapon as he tried to gouge out my right eye with his fingers. Although I required treatment for a severe eye injury I managed to retain my weapon and he was subdued and placed under arrest, uninjured, I might add. Had he managed to take my firearm I may have been killed along with other responding officers and the woman and child he had threatened to kill and was holding against their will.

Massachusetts has always been a leader in police training and has strived to assure it's law enforcement officers were the most educated and professional in the country.

Department Certification and Accreditation along with Education Incentives and Specialized Training have proven effective, producing well educated, well rounded officers who take their positions seriously and do their jobs straight up!

As someone who has been directly responsible for prosecution and removal of Bad Cops I can tell you that nobody hates a bad cop more than a good one! Please don't let the deplorable actions of a few criminals who have managed to infiltrate our ranks effect the ability of our professional men and women to effectively do their jobs as safely as possible.

Respectfully,

Robert Furtado

Deputy Chief of Police (ret.)

Swansea,MA.

Get Outlook for Android <[From: Greg Helms <\[greg.helms22@gmail.com\]\(mailto:greg.helms22@gmail.com\)>](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAG&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=CstOkQSGYDoRjFjYyJeeXFvoeekISyodAqHceKKk-s&s=k6oR_xyw_HKf_Bdz3cicBShnnsa0-KOZtm6_NVKQ9D4&e=>></p></div><div data-bbox=)

Sent: Friday, July 17, 2020 12:39 AM

To: Testimony HWM Judiciary (HOU)

Subject: Senate bill

First a letter from Springfield PD. Great leadership!

To whom this may concern,

My name is Aaron O. Butler, I am a black Police Lieutenant in the City of Springfield and I am assigned to the Internal Investigations Unit. I read

the bill your trying to pass and I find it disgraceful and a symbolic spit in my face and the faces of every honest hard-working Police Officer in the Commonwealth. Before I continue I know that not all of you have disdain and disrespect for us, I know many of you are on the side of common sense and what is fair and just and I have no doubt you are as disgusted with your colleagues as I am.

The idea that a person does not get due process in the United States before being deprived of their liberty and hard work is an absolute shame and is offensive to the principles that this country was founded on and what the court system is based on, being treated fairly and with respect, it's obvious some of you do not care about these things for the people who risk their lives to keep your cities and towns safe.

You obviously have a feverish need to do "something" because of this silly idea that black men are being hunted down by racist white cops. Nothing is further from the truth, you feel this need to do "something", only the something is disgraceful. I do not have any problem with a POST system, no Police Officer I have spoken to does it's the lack of common sense and fairness in the bill that we a problem with. And what happened to George Floyd, which obviously prompted this has nothing to do with any Police Officer in the Commonwealth, stop punishing us for what some filthy excuse for humans did on the other side of the country.

Let me tell you what is going to happen, first no Police Officer will do anything other than what is absolutely necessary because our supposed leaders have stabbed us in the back over pressure to do "something" even the something is reckless and disgusting, which I am sure is the reason why some of you tried to sneak this bill through when no one was looking.

I suspect a vast majority of Police Officers who can retire, will, others with less time will just quit and the ones who have to stay will be disgruntled and will not engage in any type of activity unless they get a call and they absolutely have to do something. At some point when the ranks gets drastically low, the only people foolish enough to take this miserable and thank less job will be the people you don't want and who had tried in the past to get on the job but were rejected. Chiefs will have no choice but to hire them because someone has to the job.

You are going to destroy law and order and you will wonder why Police Officers refuse to do their jobs or why good, educated people will not take the job. I have spoken to a few of the younger Officers who are confused and very angry and have asked me what to do, I told them to get out now, why the hell would anyone do this job with political leaders stabbing them in the back. You are going to see young, educated people leave this job and in case you did not know this, we need them to stay and you are going to drive them out and like I said we will be left with people who are only looking for a paycheck and don't belong on the job.

It's clear that a lot of you have no idea what qualified immunity is, you seem to think cops just run around punching people, like the liars in the DOJ and the AG's office think of Springfield Police. It is far from that. It simply means without being too complicated that if a Police Officer is doing the right thing you cannot sue him/her. Which makes perfect sense,

how are Police Officers supposed to do their job if they are getting sued every time they turn their head.

Maybe the flood gates should be open to sue Politicians for laws that are passed where someone gets falsely accused, you would not like that, would you? You need to ask yourselves why anyone would want to do this job with no protection. This bill is the exact type of discrimination you are complaining about, you want to penalize Police Officers, unjustly for what a few, and yes, a few bad apples have done, that are being dealt with. And please stop listening to NAACP, they have not been a civil rights organization in years, they are just a political action committee.

It is interesting that many of you are attorneys and what your doing is offensive to the United States Constitution, the Massachusetts Declaration of Rights, common sense, fair play and what's right. What are you going to do when Law and Order falls apart in the Commonwealth and the crime rate explodes like it is in New York City? Police Officers there are falling over each other to retire, and if you think it will not happen here, you are sadly, sadly mistaken.

Aaron O. Butler
Springfield, Ma

Also

A lot of people have asked about qualified immunity. Here is a good explanation:

Qualified immunity protects public servants that are doing their job and acting in good faith from civil litigation. If we do something outside the scope of our training, we are not covered. Here are a few instances in which we are covered, which will change if this bill passes.

-one of your loved ones drops from a heart attack. There is no pulse when we arrive, we immediately start CPR. During CPR, trying to save their life, we break a rib during compressions (which happens almost all the time during CPR). As it stands now, I am covered by qualified immunity because I was acting based upon my training trying to save a life. This all ends if bill 2800 passes.

-you or your loved one is in a horrific crash. I race there lights and siren to save you or your family memeber. As long as I follow policy and training if I were to get into a crash myself (while responding to help you), I am covered. This all ends if bill 2800 passes.

- you call us because you are out shopping and you notice a dog locked in a car. It's 85 degrees out. Right now, I can break that window out to save that dog and not worry about personally being sued by the vehicle owner. This changes if Bill 2800 passes.

There are a million scenarios that running through my head right now. Do you want your first responders to be able to react or do you want our hands tied?

This bill is nothing but BS politics. When have our legislators ever passed a law that didn't take a year or two to pass? When have they ever passed a law without hearings, committees etc? Do you know that they have added an amendment that will allow them (legislators) to receive monetary gifts? why is that in a law enforcement bill? This bill stinks and they know it.

Please, for the safety of our society. So our children can live in a reasonably peaceful world, I beg you to call, write your senators and reps regarding bill S 2800.

Lastly

As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Greg H

Sent from my iPhone
From: BRIAN SIMPKINS <bsimpl@msn.com>
Sent: Friday, July 17, 2020 12:39 AM
To: Testimony HWM Judiciary (HOU)
Cc: Timilty, Walter (SEN); Galvin, William - Rep. (HOU)
Subject: Police reform

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

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

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

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

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

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

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

Thank you,

Brian Simpkins

Bsimpl@msn.com

Sent from my iPhone

From: Julie N. DiOrio <juldiorio@gmail.com>

Sent: Friday, July 17, 2020 12:25 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony for Bil 2820

To whom it may concern,

As a private music teacher, for the past 18 years I have had the opportunity to teach music to students of all ages, one on one. As musicians, some have had plentiful access to resources such as quality instruments, technology to supplement their learning, access to tools such as tuners and metronomes, while others have not. As one may imagine, I have found that students who have are unable to access such resources also have difficulty learning their instrument.

In addition to teaching students in their homes, I also taught in a private, high-tuition, Montessori school for 2 years early in my career. When I arrived at this school, the classroom was already fully stocked with instruments from all over the world, high quality computers, microphones, and speakers. In addition, I was given a seemingly unlimited budget with which to purchase whatever resources my curriculum required. I was also paid overtime for as many hours as I needed in order to prepare to implement this curriculum. Needless to say, with the help of these plentiful resources I was able to find a path to nearly every single students' learning style.

In contrast, I wonder what kind of success rate could be possible in any subject if public school budgets were higher. What could public school teachers create if they were given enough support to take the time to tailor lessons to all learning styles? What could public school students learn about their aptitude for a particular subject or skill if they had a varied set of tools and resources at their disposal with which to experiment?

I believe that law enforcement is an important part of a community. However, I believe that police departments in Massachusetts and the U.S. overall are grossly over funded. A significant portion of funding to police departments would be more useful if reallocated to public schools. If students are given the resources and support to succeed from a young age, perhaps they are less likely to require the services of law enforcement later in life.

Thank you,
Julie DiOrio
From: Jen Lawless <lawjen21@gmail.com>
Sent: Friday, July 17, 2020 12:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I am writing to you in opposition to Bill S2820. I am disappointed beyond belief that people could even consider passing this bill. Back in March you all were praising the first responders & their dedication to their jobs as they left their homes & family's daily during a pandemic while you sat in the comforts of your home in front of a computer. They not only had to face the challenges of the job but then worry about catching Covid as well. You all sang their praises & said how wonderful they were yet just a few months later your willing to stab them in the back with this bill. Nobody is saying some things could change but to get rid of Qualified Immunity is a disgrace. Why don't you all take a week & do a ride along with a City police officer. See the calls they answer & the situations they face on a daily basis. Then tell me how you would react in a split second. Tell me how you would handle it better. Tell me how every police officer in this state is being punished because of a bad cop in Minneapolis. How is this fair? Your not on the streets. Your not answering the calls. Your not there but your making desicions about how they do their job when you've never spent a second in their shoes. Tell me how many times you've administered Narcan? Because police officers & fire fighters do it everyday saving lives yet I don't think that was ever part of their job description. Tell me how many domestic calls you've been to where the victim says there abused & then show up at court the next morning saying they weren't, that they were just mad & wanted the person removed not arrested. Open your eyes & think of what your doing. Your putting every public employee at risk for doing their job! It's disgusting!

Two years ago so many of you & your colleagues sat in Saint Mary's Church in Hanover for the funeral of Sgt Michael Chesna. Almost all of you had never even met him. Yet you said how much you supported his family & fellow officers. Guess a lot changes in a couple years. Did you forget Michael was responding to a 911 call from a doctor for an erratic driver that almost hit him head on... He was shot multiple times along with Vera Adams an innocent woman just having coffee on her porch. Do you know how many contacts with police that defendant had? So if your taking Qualified Immunity away from first responders are you taking it away from yourselves for making the laws limiting their ability to do their jobs? Or how about for the judges & clerks who release the criminals that go offend again even kill innocent people? If your going to blame all first responders in this state for something that happened in Minneapolis then I think you should be held accountable to for your split second decisions too!

Jennifer Lawless
6177746418From: Daniel Duff <dduff904@yahoo.com>
Sent: Friday, July 17, 2020 12:24 AM

To: Testimony HWM Judiciary (HOU)
Subject: S2820

The Chair of the House Committee on Ways and Means, Rep. Aaron Michlewitz, in cooperation with Rep. Claire Cronin, Chair of the Joint Committee on the Judiciary

My name is Daniel Duff. I live at 102 Manatee Rd in Hingham. My phone number is 781-740-8903.

I've been a police officer for over 30 years. In that time I've risen to the rank of Lieutenant Detective in the Boston Police Department. I'm concerned with Senate Bill S2820. It affects me and all of the people I work with.

The senate version will seriously undermine public safety The false narrative that Qualified Immunity prevents the public from suing Police Officers and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. The unintended and unnecessary changes to QI hamstring police offices in the course of their duties due to the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions.

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

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

Revisions to Qualified Immunity are unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups, thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

Respectfully,
Daniel Duff

From: Michael Rubenstein <michaelcrubenstein@gmail.com>
Sent: Friday, July 17, 2020 12:21 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on S.2820

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

Hello, my name is Michael Rubenstein with the Greater Boston Interfaith Organization (GBIO). I live at 130 Willard Road, Brookline, MA 02445. I am writing to urge you and the House to pass police reform that includes:

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

I urge you to adopt the Senate language to reform the legal doctrine of qualified immunity. This reform will allow the few applicable cases to be heard by a jury without being dismissed because the particular violation of 4th amendment rights by a public official, such as a police officer, has never been previously contemplated by a statute or a court precedent. Those cases deserve to be heard on their merits, not thrown out using a non-statutory legal doctrine. It is simply outrageous that those who have suffered from the egregious violations of police officers can not get their day in court.

In addition, it is clear that qualified immunity reform will not have devastating financial impact on any police officers as they are indemnified by the municipalities that employ them. Any such claims are not based on fact and should not be considered as you consider this reform.

Thank you very much.

Michael Rubenstein
130 Willard Rd.
Brookline, MA 02445
617-739-2987
michaelcrubenstein@gmail.com
From: MassCOP Local, 151 <masscop151@gmail.com>
Sent: Friday, July 17, 2020 12:20 AM
To: Testimony HWM Judiciary (HOU)
Subject: Written Testimony

My testimony for the record:

Dear Committee Members,

There have been recent high-profile events outside of Massachusetts that have resulted in arrests of police officers.

All these events have taken place in other states, yet police officers in Massachusetts are somehow assumed to share responsibility for these painful incidents.

We certainly are not perfect, but instead of casting shared responsibility onto us, legislators should be asking us what we are doing right in our Massachusetts communities, instead of assuming we are doing something wrong.

In the Town of Clinton, there is not a neighborhood, school, or business where we do not feel welcome. The level of trust and respect in our truly diverse community is something we take great pride in. The results speak for themselves. I would encourage anyone to come to Clinton and learn about what we are doing right.

This process is moving far too quickly. A knee jerk reaction to serious events. I have not had enough time to absorb or fully comprehend the totality of how my beloved profession could change.

I do know this. Police officers and other municipal employees should maintain qualified immunity. Police officers acting in good faith, sometimes having to make a split-second decision, should not have to worry that any step they take could end in a lawsuit that takes their home and life savings and hurts their families. Officers should also continue to have the protection of due process.

Sadly, given the perceived lack of support with persons on Beacon Hill, many of my colleagues are preparing to retire rather than face an uncertain future. This alone is a crisis that is not being reported.

Police officers cannot do their job effectively without the support of their community AND their elected officials.

I ask you to consider the above and take the necessary time needed to get this right.

Respectfully Yours,

Paul Silvester

--

Paul Silvester
President
Mass COP Local 151
176 Chestnut St.
Clinton, MA 01510
masscop151@gmail.com
From: Joe McNamara <joemc33@yahoo.com>
Sent: Friday, July 17, 2020 12:17 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission

to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Annie <wildwatercress@gmail.com>

Sent: Friday, July 17, 2020 12:16 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Ann Spanel with the Greater Boston Interfaith Organization (GBIO). I live at 85 Pemberton St . I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Ann Spanel
wildwatercress@gmail.com
617-547-1533
85 Pemberton St.
Cambridge, MA 02140

From: Brendon Tivnan <bren8389@yahoo.com>
Sent: Friday, July 17, 2020 12:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform/anti labor union bill

Good evening,

My name is Brendon Tivnan and I'm writing this email in regards to the police reform/anti labor union bill currently under legislation. I am lifelong Worcester resident, and have been a Worcester police officer since 2012. My father and brother have proudly served the city as police officers since 1983 and 2008, respectively.

I am writing this to request that a public hearing be held on this matter. I have also CC'd my state representative, Mr James O'Day, to implore I'm to consider the following amendments and push for the adoption in the bill:

1. Qualified Immunity
2. Due Process/Collective Bargaining
3. Make up of the POSAC board

The current make up of this bill is harshly unfair to the police officers and public employees within the Commonwealth. This country and democracy have been built on fair and impartial proceedings; this bill is the complete opposite. This bill unfairly puts police officers under scrutiny of people who have never done the job, giving them an opportunity to unfairly persecute us and taking our right to due process and collective bargaining.

To my State Rep Mr James O'Day,
As you know, the Democratic Party has been long been supportive of labor unions and have used that platform as their stronghold. The current bill clearly goes against all that the Democratic Party stands for and is a clear, anti labor bill that takes away processes that have been cemented in both labor unions and the Democratic Party for years.

As your constituent, I asked that you maintain your roots in the Democratic Party, support labor unions, due process and collective bargaining but supporting these amendments.

Without these amendments, the bill handcuffs police officers and gives them no incentive to proactively police the streets and neighborhoods of your district, and throughout the commonwealth. It opens police officers for more liability which will increase crime drastically creating a further ripple effect on violence against the police. As a police officer and resident of Worcester, I want to be safe and go home at night to my family. These amendments will help me to do that.

Thank you for taking the time to read this email from a proud UNION member of NEPBA Local 911.

Sincerely,
Brendon Tivnan

Sent from my iPhone

From: Kate Wildman <krwildman@gmail.com>
Sent: Friday, July 17, 2020 12:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for S.2820

Katherine Wildman
51 Seaverns Avenue Apt. #3L Boston, MA 02130
508 615 8895
Krwildman@gmail.com

Karen E. Spilka, Senate
Massachusetts State House, Boston, MA 02133
Robert A. DeLeo, House committee
Massachusetts State House, Boston, MA 02133

Dear Chair Karen Spilka and Chair Robert DeLeo,

I am writing to you in support of Senate/House bill S.2820.

I support this bills' proposal to make police misconduct accessible public record, I support the ban of no-knock warrants and chokeholds, I support the ban on tear gas and chemical weapons, and I support strengthened limits to the use of police force.

Thank you for your consideration on this matter and your dedication to reforming police standards and shift resources to build a more equitable and fair and just commonwealth that values Black lives and communities of color.

Sincerely,
Katherine Wildman
--

Katherine Wildman
[www.katherinewildman.com <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.katherinewildman.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl16rchf_GkGDD&m=_p3pQNDN7mxvLuMhXDIE0R0mi4lZpKb6ZBVPNsrSkYc&s=Bes66wo_QWcLVkMsEMmndFdHiGlBRwej1ChJHS--bZU&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.katherinewildman.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl16rchf_GkGDD&m=_p3pQNDN7mxvLuMhXDIE0R0mi4lZpKb6ZBVPNsrSkYc&s=Bes66wo_QWcLVkMsEMmndFdHiGlBRwej1ChJHS--bZU&e=>)
From: Robert Kenney <bobkenney@live.com>
Sent: Friday, July 17, 2020 12:10 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill No. S2820 Title: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

* I stand against S2820 as presented.

* The senate version of this bill as written will seriously undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste without public hearing or input of any kind was extremely undemocratic and nontransparent.

* Police across the commonwealth support uniform training standards and policies and have been requesting more training for years.

* Massachusetts police officers are among highest educated and trained in the country

* This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers, it protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few.

* Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.

* If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially have a devastating impact on budgets statewide.

Respectfully,
Robert Kenney

20 Taylor Point Road
Pembroke, Ma 02359

781-335-0268

I am a Boston Police Detective

?

From: Paul Belanger <belanger.paul@comcast.net>
Sent: Friday, July 17, 2020 12:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

To Whom It May Concern,

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

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

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

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

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

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

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

Thank you,

Paul Belanger

59 Sharlene Lane

Plainville, MA 02762

belanger.paul@comcast.net

508-380-0135

From: Margot Barnet <margot.barnet@gmail.com>

Sent: Friday, July 17, 2020 12:09 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform legislation

To: members of Massachusetts House of Representatives Judiciary Committee

I write to you as a resident of Worcester, a concerned citizen, health care provider, and racial justice activist. Now is the time for all of us to take decisive steps toward real public safety, recognizing the ways that our approach to policing has harmed communities of color, and investing in our under-resourced neighborhoods. I have already contacted my own State Representative about this legislation and will also forward him this letter.

I am aware that you are developing a comprehensive bill following the Senate passage of S2800 earlier this week. I ask that your legislation include the following elements:

- * Use of force standards as laid out in An Act to Save Black Lives (Miranda). This includes a total ban on chokeholds, banning tear gas and other chemical weapons, banning no-knock warrants, and establishing a duty to intervene when an officer witnesses another officer using inappropriate force or other abusive acts;
- * Strict limits on qualified immunity;
- * Banning facial recognition technology, which has been shown to be remarkably inaccurate for Black people;
- * Re-investment in neighborhoods most impacted by overpolicing and mass incarceration via the Justice Reinvestment Trust Fund -- eliminating the \$10 million per year cap imposed in the Senate bill;
- * Ensuring that police misconduct records are made public.

Thank you for your consideration.

Sincerely,
Margot Barnet

121 Glendale Street
Worcester, MA 01602
508-752-3404

From: Derek Anderson <bderekanderson@gmail.com>
Sent: Friday, July 17, 2020 12:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Re: Testimony in support of Senate bill S.2800

Dear Chair Michlewitz and Chair Cronin,

Please note my testimony in my previous email is in support of Senate bill S.2820.

Thank you,
B. Derek Anderson

From: Derek Anderson <bderekanderson@gmail.com>
Sent: Thursday, July 16, 2020 11:31:32 PM
To: Testimony.HWMJudiciary@mahouse.gov
<Testimony.HWMJudiciary@mahouse.gov>
Subject: Testimony in support of Senate bill S.2800

Dear Chair Michlewitz and Chair Cronin,

I am writing in support of Senate bill S.2800.

Over the years, the ability of our city and town governments to create and manage policing that meets the needs and aspirations of our communities has been dismantled, including by the non-statutory judge-made doctrine of qualified immunity, and the Chapter 150E collective bargaining law and the Joint Labor Management Committee statute that together eliminate effective options for accountability.

This bill provides important legislation that begins to return those rights to our communities. It also creates a much needed system for the training and certification of police officers, and makes other necessary changes to law and policy to improve and enhance the accountability of policing in the Commonwealth. This is landmark legislation that would help transform how law enforcement is practiced in Massachusetts, with a long overdue focus on racial equity in our justice system.

Thank you for your consideration on this matter.

Sincerely,

B. Derek Anderson

16 Myrtle Street, Medford, MA 02155

617-279-3773

BDerekAnderson@gmail.com

From: Annmarie Ducey <annmarie55ducey@yahoo.com>

Sent: Friday, July 17, 2020 12:07 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

Sent from Yahoo Mail on Android

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From: Matthew Hubbard <matthewshubbard@gmail.com>

Sent: Friday, July 17, 2020 12:02 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

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

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

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

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

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

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

Thank you,

Matthew Hubbard, 487 Meadow St. Agawam, MA 01001 matthewshubbard@gmail.com
From: Nupur Neogi <nneogi@gmail.com>
Sent: Thursday, July 16, 2020 11:59 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reform, Shift + Build Act

Hi,

I am a resident of Boston, MA and I unequivocally support the Reform, Shift + Build Act (S.2800).

Massachusetts has always been on the forefront of states passing legislation to support the people that live here and we've never shied away from decisions that seemed radical at the time. I have always been proud of - and bragged about - MA being the first state to legalize gay marriage, and I hope to see us continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow. It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,
Nupur

From: Jeffrey Carreau <jeffcarreau@hotmail.com>
Sent: Thursday, July 16, 2020 11:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2800

To the members of the House Committee on Ways and Means and the House of Representatives,

My name is Jeff Carreau and I am a Police Officer with the Woburn Police Department. I am writing this email to voice my concern and my opposition to Bill S2800. I am wondering what is the need for this bill in the first place. This is a hastily thrown together piece of legislation based on nothing. This seems to be a ploy to try and please certain members of the public and the media who push a false agenda. That agenda being that police officers are racist and police brutality against people of color is rampant throughout Massachusetts and the country as a whole. The facts are that is simply not remotely true. I reached out to Barry Finegold who is the Senator for my district. He responded to my email indicating he was supporting the bill and subsequently he voted "Yea" on the bill at 4am when it passed through the senate. I had sent him another email before the vote asking what he is basing his vote on. What facts, what statistics, what information relating to racial injustices and police brutality in Massachusetts he was using to support the bill. Not surprisingly at all I got no response from him. The reason is because those facts, those statistics, and that information does not exist.

Where was the call for all this police reform even 6 months ago? That's right it did not exist then because there was no problem and there is still no problem with how police officers do their jobs every day here in

MA. However, officers in MA are now being judged and looped into a category of officers that are racist and commit police brutality against people of color. We here in MA are now being targeted because of the acts of officers in other states. I am not saying that racism does not exist because everyone should know that it does in many forms. What happened to George Floyd was disgusting and disgraceful. Any good police officer will tell you that what took place in that video was horrible and the officers there deserve to be prosecuted. But here in MA we are not ever trained to kneel on the neck of anyone. I feel that we as officers in this state are trained at a high level and that we function at an even higher level given what we deal with every day on the streets of our communities. We could always use more training and more education to become even better officers. Most officers welcome new training because they know that there is always room to improve. But looking to take away certain protections of officers is completely irresponsible.

The people who drafted this bill undoubtedly have never walked a single day in the shoes of a police officer. They have no idea what the job entails and what effects it has on each individual officer. I have seen things on this job that the average person could not handle, we all have. We take the things we see home with us to our families and we try to live normal lives. But there are certain things we see in the course of our duties that can never be forgotten. We suffer emotional and physical damage to our bodies and we sacrifice for people we don't even know. We do it because we took an oath to protect and serve our communities. We always have only wanted the support of our departments, our governments, and the good people who support us in our community. But now members of our state government have turned their backs on the same people that protect them. These individuals think that by throwing together some piece of legislation targeting officers for zero reason is the way to make them look like they are setting a new standard for the rest of the country. There was absolutely no transparency in the creation of this bill, no input from the people it will affect the most, the police or law enforcement organizations. There was no public hearing held and the bill circumvented the legislative process in bypassing committees and steps in which every other bill is proposed. It is very apparent that there is an agenda present here.

This bill aims to remove or alter Qualified Immunity for officers. The average citizen has no idea what Qualified Immunity is because it is not explained correctly or at all in the media. People simply believe that Qualified Immunity is some shield officers can hide behind to do whatever they want, to commit crimes against people, and that there are no consequences. This is completely false. Qualified Immunity offers protection to officers from frivolous lawsuits. If this is taken away or changed to allow the public to sue officers for monetary damages for actions done during the performance of their duties then this is a huge disservice to police officers. There will be so many frivolous lawsuits filed just because they can be filed. You will see a large number of officers retire or just quit because it just is not worth having the job taking a risk of getting sued for one thing or another for doing your job. The number of candidates who seek law enforcement job in MA has continually dropped over the last 10 years. People see what the job entails, the lack of respect, the constant negativity, the danger, and the

lack of support. So the desire to become an officer is not there like it used to be. We function in a society where there is no respect for the police anymore. Officers are being killed across this country on almost a daily basis as well. I lost a brother officer in my own department who was shot in the line of duty. Another brother officer was also shot in the line of duty but he survived although he lost his career because of his injuries. The violence that exists in our society and the violence towards police officers is deterring individuals from pursuing a career as an officer. Now taking changing the Qualified Immunity will only deter individuals even more from pursuing a career as an officer.

This bill aims to establish the Police Officer Standards and Accreditation Committee made up of 13 members of whom only 6 appear to be law enforcement officers. This committee will oversee training and establish a database of officers which is available for the public to see. This is just a terrible idea. The committee will also take direct complaints against officers and investigate the complaints as well circumventing the police department conducting an investigation. The committee will determine the status of investigations and be able to revoke an officer's certification. We as officers and police departments know the people we deal with every day. This committee will know none of that information. At least 7 of the committee members will not seem to be trained investigators or law enforcement officers who understand the job of a police officer yet they will be the ones who determine an officer's fate. If a doctor is to get his or her license revoked for malpractice does that doctor not go before a board of doctors to decide his or her fate? The same should be for police officers, the people investigating and judging them should have had to walk in the same shoes.

This bill also wants to allow citizens to intervene in police matters when they feel that the excessive force is being used by an officer. This is craziness and will result in far more issues between law enforcement and the public. We as police officers are trained to use the amount of force necessary to stop a person's resistance or physical attack. The general public has no idea what the appropriate amount of force that can be used is. They will assume that the police are always using excessive force which will provoke them to intervene. This will cause enormous problems for the police when trying to get an uncooperative or assaultive subject under control. This will put officers' lives more at risk. This bill also wants to eliminate school staff from passing on information to the police about gang members. I am not even sure where this comes from but isn't beneficial for officers to know what gang bangers are in our schools? I mean members of gangs are associated with violence, carrying weapons, and drug activity. Information that gang members are in certain schools would be information that is important for the safety of the students and the staff in those schools.

There are so many flaws in this bill that it is ridiculous. This bill was thrown together based on a knee jerk reaction that something needs to be done here in MA. When in fact nothing needs to be done to the way we police our streets every day. There are no rampant incidents of racial injustices and police brutality here and that is the real truth. Can we improve policing through training and education? I am sure we can by making law enforcement officers more educated and highly trained

individuals will only result in a more well round officer. But taking away protections, implementing restrictions, and the POSA is not the right way to make change. If this bill passes the effect it will have will not be a positive, it will only effect law enforcement negatively. This bill is a colossal mistake and never should have had the opportunity to be filed in the first place.

Respectfully,

Jeff Carreau
781-710-7608
Woburn PD

From: Kelley Schneider <kelleyschneider@gmail.com>
Sent: Thursday, July 16, 2020 11:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for S2820, please

Hi,

Dear Chair Michlewitz and Chair Cronin,

My name is Kell Schneider and I currently live in Dorchester, MA. I'm a graphic designer and artist. Since moving to Boston to attend Northeastern University in 2013, I have moved here permanently and have been here for seven years.

I'm sure you are getting plenty of emails in favor of passing S.2820. This is another one.

To ignore an attempt at statewide police reform at this time would be a brash insult to the citizens of the Commonwealth. If I am setting down roots in a new state, I am committed to fighting so that my home reflects my values and the values of my community. If you want to consider from a PR standpoint, Massachusetts has an opportunity to set an example for the nation. I know that can be a sell. But I ask you to first, and most importantly, prioritize the health, wellness, SAFETY, comfort, and opportunities of and for Black citizens and citizens of color.

I am very tired, as I imagine you all are. Please, feel this pressure and let us take the step towards an improved Massachusetts by passing S.2820. There is more work to be done, but I am willing to start here.

Thank you,

Kell Schneider

kell-schneider.com <[johnross.obrien@gmail.com](https://urldefense.proofpoint.com/v2/url?u=http-3A__kell-2Dschneider.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAFCDz1Bns_w&r=uoevGIjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=tLBNoGYupDIVu01RaF-9VlihB6XSFe2rxT8cVpYM6YY&s=eOOG-EtD7uidzr-YyZTf7_DlTOG5_o6WRZPCGpaZpfe&e=>
From: John O'Brien <
Sent: Thursday, July 16, 2020 11:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is John Ross O'Brien and I live at 29 Bell Drive Whitman. I work at Suffolk County Sheriff Department and am Lieutenant inside the House of Correction. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need

to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
John Ross O'Brien

From: Flynn <jsflynn4@gmail.com>
Sent: Thursday, July 16, 2020 11:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: Concerned Citizen

I am a concerned citizen of Boston. I have resided here for over 20 years, a mother of 4 children attending Boston Public Schools. I write to you today to express my strong opposition to the recently filed S.2800 Bill and all other Bills consistent with that and I ask that you vote NO when this bill is debated. This bill is troubling in many ways and on many levels. I believe this bill if passed would make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage.

I would like to take a moment to pause and remind you who we are talking about. This is our local community members, our officers, not officers from another state or city. Let us not forget the police in Boston are members of our community, they are required to live here for 10 years and many stay. Many are lifelong residents and are very vested in the community and safety of all the areas of Boston. They are our kids coaches, community mentors, volunteers at school, backpack fundraisers, toy drives, working with healthcare departments to save drug addicts on the street, they comfort the victims families, they fight crime so others in the community can have a good life, they are the people we call when we need help and they come! They show up!! And let us not forget we have a highly educated Boston Police Department, many have law degrees and many have master degrees, the Quinn Bill has helped make this department the intellectual, strong, caring, brave, life saving team that they are. Please remember who your Boston Police Officers are, they represent the entire city.

I always believed, over the last 20 plus years that Boston was a leader in how our police department runs and has become an intricate part of the community however it appears that no one in public office recalls how great they are or how much work they do for our local communities. Why have our elected politicians abandoned them? Why do we as a community allow that our officer can go into get a coffee and be told you are not welcome and then not to be served, why have we decided that they can be judged by their weakest link in another state - that in and of itself is so wrong. No one, in politics or in teaching or in policing wants to be

judged by the worst of the group. They are human and sometimes humans make mistakes and sometimes bad people show up in good professions but that is not as common and the department itself is good and strong and needed. It's disturbing to think that all the great work that has been done by this department and many other departments over the last 10 years will be in one swoop get tossed out. Boston has been recognized as the national model for community policing and many other areas of policing. Now our city officials for some reason feel this department and other departments must be penalized for actions outside of this state. The areas of the state that need the police help the most are the areas that will be most hurt by what you are doing.

Below are just a few areas, among many others, that concern me and warrant your rejection of this bill: In Section 55, this bill authorizes "any person" to "intervene" if they believe an officer's use of force is excessive. This language will be exploited and used as a defense by anyone who is charged with assaulting a police officer. This language will result in more cops being hurt and killed. In Section 56, this bill authorizes for treble damages if a police officer is found to have submitted a false pay record. This would make police officers the ONLY public employees subject to this punishment. The courts will have a field day in overturning this. In Section 6, this bill the POSAC Committee is granted broad powers, including the power of subpoena, in active investigations- even when the original law enforcement agency has conducted its own investigation. The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment rights against self-incrimination (see Carney vs Springfield) and constitutional protections against "double-jeopardy". In Section 10, qualified immunity protections are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections essential for the police officers we send out on patrol in our communities and who often deal with some of the most dangerous of circumstances with little or no back-up. Removing qualified immunity protections in this way will open officers up to personal liabilities so they cannot purchase a home, a car, obtain a credit card, or other things for the benefit of them and their families. Good luck with police recruitment. Additionally, this bill re-writes sections of the 2018 Criminal Justice Reform Bill (see record expungement and corrections) as well as the Hands-Free law the legislature just adopted. Those bills were signed into law after the normal and appropriate legislative process of filing a bill, holding public hearings to accept testimony from citizens and thoughtful debate over a span of many months. It is inconceivable that the Massachusetts State Senate would attempt this "sleight of hand" to re-write those laws with this rushed bill that will be lightly debated (in the COVID-19 remote sessions).

As your constituent I ask that you vote NO on S.2800, for the reasons stated above, and others.

Could I ask that you respond to this email to advise me which way you plan on voting on this bill. Thank you, Susan Flynn
Boston
jsflynn4@gmail.com

From: Bryce Williamson <brycemwilliamson@gmail.com>
Sent: Thursday, July 16, 2020 11:53 PM
To: Testimony HWM Judiciary (HOU)
Cc: Garlick, Denise - Rep. (HOU)
Subject: Testimony for Bill S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Bryce Williamson, and I am living at 27 Haven Street in Dover, MA 02030. I have been a permanent resident here my whole life, have voted here since I turned 18, and will be voting here this November.

I am writing to express my support for the S.2820 bill, and specifically for a number of parts of it that I believe are essential steps towards completely rethinking how our justice system functions in Massachusetts.

I believe that limiting qualified immunity in the way that this bill does will increase police officers' accountability in a much-needed way. Police officers should not be above the law. In addition, the Independent Police Officer Standards and Accreditation Committee is also something that I believe is absolutely essential, as the certification process will ensure that police officers are held to higher standards of conduct and make sure that police officers who are decertified have a record that follows them. The independence of this agency is absolutely essential and their ability to specifically decertify police officers based on "sustained complaints of misconduct" is particularly important.

Equally essential are the limitations on police departments' acquisition of military equipment, use of choke holds and deadly force options, and violent crowd control techniques. I believe that requiring de-escalation techniques in place of these other options as much as possible will be an excellent first step in reducing police-induced violence.

Even more important to me are the sections of the bill that help populations who have been discriminated against by the police. The Justice Reinvestment Workforce Development Fund looks to me to be a fantastic way of supporting the very people who we need most to support: felons, those in extreme poverty, and others who are disenfranchised by our justice system deserve support in their search for employment. The possibility for certain young people to expunge their criminal record will also be an excellent step towards making our world fairer for everyone, and

prohibiting schools from giving potentially damning information about immigration status or gang affiliation to the police is also essential.

Although I believe that much, much more action will be necessary to create a truly just justice system, this bill lays down essential foundations for future work and I believe that it will have clear, positive impacts on communities in Massachusetts.

Thank you for taking the time to read my testimony. Should you want to contact me for any reason, I can be reached by phone or email. I would be happy to discuss any of these issues in greater detail.

Sincerely,

Bryce Williamson (781) 690-5829

From: Sergei Skorupa <sergeiskorupa@gmail.com>
Sent: Thursday, July 16, 2020 11:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: POLICE REFORM BILL

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

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

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

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their

municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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

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

Thank you,

Sergei Skorupa

20 Park St

Turners Falls, MA 01376

From: HELENA ROBERTS <lnh29@msn.com>
Sent: Thursday, July 16, 2020 11:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Dear Chair Michlewitz and Chair Cronin,

My name is Helena Roberts, I live at 348 Neponset St.in Canton. I work at Suffolk County House of Correction as a Correction Officer (Corporal). As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform, that reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,

Corporal Helena Roberts

From: merkie <merkie61@gmail.com>
Sent: Thursday, July 16, 2020 11:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

RE: Bill S2820

To whom it may concern:

I do not support S2820 if any portion of it changes the qualified immunity police officers now have. It is disgraceful how so many people, including politicians on Beacon Hill have turned against police officers lately. They have a hard enough job already and I would expect that our elected officials should support them and not be taking away their rights with this legislation. Please contact me if needed.

Mercedes Crook
14 Lynda Road
Easton, MA 02375
617 312 5204

From: Kathleen E. Duffey <kduffey@newtonma.gov>
Sent: Thursday, July 16, 2020 11:50 PM
To: Testimony HWM Judiciary (HOU)
Cc: Kathleen E. Duffey
Subject: Fw: S2800

From: Kathleen E. Duffey
Sent: Thursday, July 16, 2020 11:46 PM
To: HWMJudiciary@mahouse.gov <HWMJudiciary@mahouse.gov>
Cc: Kathleen E. Duffey <kduffey@newtonma.gov>
Subject: S2800

To whom it may concern - and I hope it CONCERNS ALL OF YOU

In regards to this New Bill S2800 - I just wanted to voice my opinion and say that I hope that you will postpone passing this bill at this time.

In this time of unrest and "hotheaded" protests going on and Covid-19 disruptions everyone is "stressed and tired" and not totally thinking clear headedly and pushing a bill through at 0400 hrs., is just more proof of what is going on in today's "normal"

I would like you to put a hold on this bill and calmly go over it with clearer heads.

This whole process was VERY quick and in my opinion NOT thought out thoroughly - a lot like the Cities and Towns calling for Disbanding of Police Depts. altogether - we are now seeing what "good" that has done - especially in NY these days

PLEASE PLEASE PLEASE - just put this on hold and REALLY look into it

Thank you for your time,

Kathleen Duffey
Newton, Ma

When responding, please be aware that the Massachusetts Secretary of State has determined that most email is public record and therefore cannot be kept confidential.

From: Michael Charchaflian <prisonchaplainmichael@gmail.com>
Sent: Thursday, July 16, 2020 11:49 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely,

—

Michaël Charchaflian, Deacon
Catholic Chaplain at Billerica House of Correction
Residence:
St. Basil's Seminary
30 East Street | Methuen, MA 01844 | cell: (508) 982-5130

"If you want the message of love to be heard it must be sent out.
To keep a lamp burning, we must keep putting oil in it."

-- Mother Theresa

From: Kyle Reed <kylereed84@gmail.com>
Sent: Thursday, July 16, 2020 11:48 PM
To: DeCoste, David - Rep. (HOU); Testimony HWM Judiciary (HOU); Keenan, John (SEN)
Subject: S2800/S2820 - Knee Jerk Reaction is Dangerous for The Commonwealth

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This

bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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

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

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

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

Thank you,

K. Reed

From: George D'Amelio <gdamelio32@gmail.com>
Sent: Thursday, July 16, 2020 11:47 PM
To: Testimony HWM Judiciary (HOU)
Subject: police reform bill

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

and restrictions on excessive force. These goals are attainable and are needed now.

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

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

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

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

Thank you,

George K. D'Amelio III

43 Clover Hill Cir, Tyngsboro, MA 01879

Gdamelio32@gmail.com

From: Vito A Forlano <vitox78@yahoo.com>

Sent: Thursday, July 16, 2020 11:45 PM

To: Testimony HWM Judiciary (HOU)
Subject: Senate bill 2820

July16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Vito A Forlano and I live at 21 Townhouse rd, Attleboro MA 02703 <x-apple-data-detectors://1> . I work at MCI-N as a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely,

Vito A Forlano

Sent from my iPhone

From: Kasey McCarthy <kaseymccarthy16@yahoo.com>

Sent: Thursday, July 16, 2020 11:46 PM

To: Testimony HWM Judiciary (HOU)

Subject: Please vote no on S. 2800

Dear Members of the House,

My name is Kasey Lucas and I live in Marshfield. I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the daughter of a police officer killed in the line of duty, and a wife of a state trooper. I know these officers risk their lives everyday. They do it because they love their job and our community. I am a proud daughter and wife of officers that served/serve our commonwealth. I am writing to you today to ask you to vote no on S.2800. I am vehemently against this bill the way it is written. There was no public hearing and this was all done in the early morning hours. This bill was done hastily and without regard to the law enforcement community. As the House considers legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation. Again, I am asking you to vote no on this bill. Thank you very much for you anticipated support of the law enforcement community.
Thank you for your consideration.

Kasey Lucas

192 Mill Pond Lane Marshfield

Kaseymccarthy16@yahoo.com
774-306-2459

Sent from Yahoo Mail for iPhone
<[From: Paul Giroux <\[paul@paulgirouxentertainment.com\]\(mailto:paul@paulgirouxentertainment.com\)>
Sent: Thursday, July 16, 2020 11:46 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: Oppose S.2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=9a1fl0cBvSD8r8IMuqqQY5oNuEfSTupgv1Fi4TRqQSA&s=Ccx15Ej6x9pMhnCMA6INlFNksiMyZuBY6U9gWj0rB5U&e=></p></div><div data-bbox=)

To the House

I think it is unconscionable to pass this type of reform without hearing from ALL the constituents of Massachusetts. Just REACTING to the current climate and protests is the WORST time to FORCE change. Doing so without considering the ripple effects of what your passing is irresponsible and bordering on true recklessness. As a state we will be feeling the repercussions of these decisions for years to come by RUSHING something based on FEELINGS and MOB MENTALITY. Leadership is about staying calm and making the best decisions for the whole even when that means having to experience uncomfortable conversations. You are pandering to the mob which in the end will still want more.

Take a breath, listen to everyone especially experts on all sides to create true reform that is sustainable and with the least amount of ripple effects.

Please do not pass this bill currently written as it will destroy our respectable police and make it more and more unsafe for all lives (including those you are trying to appease).

Black lives matter YES
Police lives matter YES
All lives matter YES

Paul Giroux
Bellingham, MA 02019
781-223-5888

Concerned Citizen and Father of a Great Police Officer

From: Melissa Nigro <melissa.nigro33@gmail.com>
Sent: Thursday, July 16, 2020 11:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Melissa Nigro
617-605-5374

Hello, my name is Melisa Nigro and I'm writing to express my concerns regarding S .2820.

I have professional experience with Qualified Immunity as I am a nurse. I feel as though you do not fully understand what it really means. If you did, it would not even be in this bill.

Qualified Immunity is not something that is automatic when you are a police officer or a nurse. You have to qualify for it, on a case by case basis.... meaning, so long as I do certain things the right way, I will be covered. For example, (1) don't break the law (2) don't violate department policies (3) don't violate someone's civil rights and (4) act within the scope of my training.

Egregious acts would DISQUALIFY police, firefighters, nurses, etc for immunity. I find it to be absolutely ridiculous that you CLEARLY are uneducated on this and yet you still plan to strip us of that protection...

In addition, other professions go before review boards of subject matter experts when having cases of misconduct reviewed (i.e. lawyers, doctors, etc). But you want us to be subjected to citizens who do NOT have the months and years of training, education and experience a person who has done the job comes equipped with to give fair due process.

You need to remove QI, due process and the civilian review boards!! This is completely UNFAIR and UNDESERVED.

Thank you for your time
Melissa

Sent from my iPhoneFrom: Sarah Iddrissu <sarah@marchlikeamother.org>
Sent: Thursday, July 16, 2020 11:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: Pass SB.2800, Reform, Shift, Build Act

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

My name is Sarah Iddrissu. I am from Boston, MA and I am one of the founders of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. This bill establishes the minimum and the bill must leave the legislature in its entirety.

As a mother of a Black son, wife to a Black man in Massachusetts and I FEAR for their lives. I worry about my husband getting pulled over while driving more than I do an accident. Our policing systems now have a streak of violence unleashed on innocent citizens who can do no harm. We need to fix this! Terrorism is not supposed to come from our own municipalites.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Sarah Iddrissu

Boston, MA

March like a Mother: for Black Lives

From: Jennifer McAdoo <mcadoo.jennifer@gmail.com>
Sent: Thursday, July 16, 2020 11:43 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Jennifer McAdoo and I live at 278 Waverly Road, North Andover Massachusetts 01845. I am a pediatric licensed mental health clinician at NSMC and my husband has worked as a correctional officer at MCI-Norfolk for going on 12 years. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

your support in ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Jennifer McAdoo, LMHC
278 Waverly rd
North Andover, MA 01845
From: Francesca Sotomayor <fran122@bu.edu>
Sent: Thursday, July 16, 2020 11:42 PM
To: Testimony HWM Judiciary (HOU)
Subject: Policing Omnibus Bill S.2820

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

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

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people. Rather than limiting legislation to moderate reforms and data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. I also support student-led efforts to remove police from schools.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there.

Thank you,

Francesca Sotomayor, Allston MA

From: Deanna Shaw <deeshaw0531@yahoo.com>
Sent: Thursday, July 16, 2020 11:42 PM
To: Testimony HWM Judiciary (HOU); Blais, Natalie - Rep. (HOU)
Subject: Concerned citizen about eliminating indemnification

I am very concerned about the bill about eliminating qualified immunity. Ending qualified immunity will affect all of us. If this bill is passed it

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

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

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

Sincerely,
(Thomas Taranti JR.)

Sent from Yahoo Mail on Android
<[Dear Chair Michlewitz and Chair Cronin,](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=KI23YQFpVc6mAY_ENeMXgCqxetptqKC8WSzoKtcQ1fo&s=BykPpCEgSR5bQolGbNP-ZfBsOJvgd-D-C2d0uoROfvw&e=>
From: Amanda maciel <faa4eva@gmail.com>
Sent: Friday, July 17, 2020 7:56 AM
To: Testimony HWM Judiciary (HOU)</p></div><div data-bbox=)

My name is Amanda Maciel and I live at 305 East Warren St. FallRiver, Ma. I work at MCI-Norfolk and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the

opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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

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

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

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

Sincerely, Amanda Maciel

From: Ann Chapman Price <achapmanprice@gmail.com>

Sent: Friday, July 17, 2020 7:55 AM

To: Testimony HWM Judiciary (HOU)

Subject: Public Testimony in FAVOR OF POLICE REFORM that is meaningful and thorough

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Ann Chapman Price with the Greater Boston Interfaith Organization (GBIO). I live at 24 Train St. Apt 1, Boston MA 02122. I am writing to urge you and the House to PASS police reform that includes:

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

Thank you very much.

Ann Chapman Price

achapmanprice@gmail.com

443-604-3884

24 Train St. Apt 1, Boston MA, 0222

From: norman hodgerney <nhodge1@gmail.com>
Sent: Friday, July 17, 2020 7:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

?

My name is Norman Hodgerney and I live at 3 Johnny Cake Rd, Centerville, MA. <x-apple-data-detectors://4> As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve. Please do not abandon them to appease an angry and misguided "mob". Long term effects of this "quick fix" bill will have extremely negative and far reaching consequences.

Your concerned constituent
Norman Hodgerney

Sent from my iPhone

Sent from my iPad

Sent from my iPad
From: Amoreena W <akofaolain@gmail.com>
Sent: Friday, July 17, 2020 7:54 AM
To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Dear House of Representatives,

My name is Amoreena Whalen and I live at 316 Albion Street, Wakefield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Amoreena Whalen
316 Albion Street
Wakefield, MA 01880
781.913.7700

<https://urldefense.proofpoint.com/v2/url?u=http-3A__www.avg.com_email-2Dsignature-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Dwebmail&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=FhP38pYAHyoqG8P59y5VJJY6HQiRZ_4iaC37S5W8gkY&s=NYJpUeda150jfAmCmxmfsDSmkUlagKd-bpUng-s8x3w&e=> Virus-free. www.avg.com
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From: Vidya S. <vsgac02@gmail.com>
Sent: Friday, July 17, 2020 7:54 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support Strong Police Reform

Hello,

My name is Vidya Sivan with the Greater Boston Interfaith Organization (GBIO). I am writing to urge you and the House to pass police reform that includes:

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

Thank you very much.

Vidya Sivan

vsgac02@gmail.com

20 Penniman Rd, Boston, MA 02134

From: Karen Monteforte <kjmonte40@gmail.com>
Sent: Friday, July 17, 2020 7:53 AM
To: Testimony HWM Judiciary (HOU)

Subject: House Bill S 2800. 2820

I am writing to express my wishes that this bill be turned down. My son is a firefighter. I cannot understand how someone trying to save lives for a living can end up being punished and held responsible for injuries that may occur while doing so. If this bill passes, I believe more and more first responders may look the other way instead of doing what is in their nature which is to save lives and run into situations where others run away.

I believe what happened to George Floyd was a horrendous situation but also believe that most first responders are good people and should not be treated negatively due to a few bad apples. Let's learn from mistakes and move forward instead of backwards.

Thank you.

Karen J Monteforte
781-963-6047

--

Karen

From: Cara Foster Karim <cara.foster@gmail.com>
Sent: Friday, July 17, 2020 7:53 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass police reform

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

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Cara Foster Karim with the Greater Boston Interfaith Organization (GBIO). I live at 29 Teele Ave #2, Somerville, MA 02144. I am writing because it's urgent and important that you and the House pass meaningful police reform today. Specifically, I believe it's really important that you and the House pass police reform that includes:

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

Thank you very much.

Cara Foster Karim

--

Cara Foster Karim
Mixed media artist
Somerville, MA
Email: cara@fosterkarim.com
Website: <http://art.carafosterkarim.com>
<https://urldefense.proofpoint.com/v2/url?u=http-3A__art.carafosterkarim.com_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIuk13zIs16rchf_GkGDD&m=1YqQz-WAQRrEGcKpkLqIWZGpp2pLdr09oG5Qm4Z6s5hA&s=JuXMoxabq9Z8P_XL6FWi_VYcviKWEWcdLLyDQOT1V9o&e=>>

From: AMY FEMINO <AMJ1178@hotmail.com>
Sent: Friday, July 17, 2020 7:52 AM
To: Testimony HWM Judiciary (HOU)
Subject: NO TO POLICE REFORM BILL!!

To whom it may concern:

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more!!

Thank you,
Amy

From: Hi <rpav61@comcast.net>
Sent: Friday, July 17, 2020 7:52 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB 2800/SB 2820

July 17, 2020

Representative Aaron Michlewitz
Chair, House Committee on Ways and Means
State House, Room 243

Boston, MA 02133

Representative Claire Cronin

Chair, Joint Committee on the Judiciary

State House, Room 136

Boston, MA 02133

Dear Chairman Michlewitz and Chairwoman Cronin,

I would like to take this opportunity to thank you for your public service and allowing me to submit written testimony on behalf of Senate Bill 2820.

Unfortunately, the Bill proposed by the Senate last week had more to do with vengeance than reform. Instead of coming to a consensus and collectively making meaningful changes to avoid racial injustices in the Commonwealth, the Senate chose to attack the core of public sector unions' rights including Due Process, Collective Bargaining Rights and Qualified Immunity.

The Senate Bill version as presently drafted will seriously undermine public Safety in the Commonwealth. The anti-police rhetoric has created a false narrative that the only way to stop police misconduct is taking away Qualified Immunity. They believe that by suing cops they will change police misconduct and hold officers accountable. The reality is that the small amount of illegal conduct of officers around the country is hardly seen in Massachusetts. This is due to our professionalized training, community policing models and diversity in our ranks. If passed, SB 2820, will have unintended and unnecessary changes to qualified immunity for all public employees. Police officers will be hamstrung in the performance of their duties. The fact is that we will now be subjected to numerous frivolous nuisance suits for any action hidden in this expansive bill. Frankly, the provisions in this bill will hurt good police officers and reward criminals by protecting drug dealers, human traffickers, gang activity in minority neighborhood schools. If enacted, this bill will harm the very people that it's attempting to protect from police misconduct.

I am extremely concerned that the process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was at its very core undemocratic, flawed and lacked transparency. The bill is 70 pages long, with hundreds of changes to public safety sections of the General Laws and sound public policy sections, it was sent to the floor with no hearing and only a few days to digest and caucus before voting. The biggest sham was the lack of public comments in the rushed process.

I support uniformed standardized training statewide and policies as well as appropriate regulatory board which is fair and unbiased. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police. The board as proposed in the Senate Bill is unlike any other of the 160 professional regulatory boards in the Commonwealth. The board as proposed in the Senate Bill would be fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniformed standards and policies and the statutory banning of use of force techniques both officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights, thus these actions would be deemed illegal under qualified immunity and subject to civil rights suit. This will limit the potential explosion of civil suits against other public employee groups. If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

Sincerely,

Robert Pavadore

Detective Taunton

774-259-5056

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ikAR3lSBqBRAtCALxBnMLwSW72bapB2nAEXPcfvwxSI&s=-MzsGliEtS8nKQvYBR8118i-H6zc9l7t8wDZdlvp1m8&e=>> for Windows 10

From: WILLIAM GORMAN <wegorman@verizon.net>
Sent: Friday, July 17, 2020 7:52 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

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

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

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

Sincerely, Williams Gorman. Law enforcement professional for over 46 years

Sent from Yahoo Mail on Android

<[Jason LaBella
617-816-0606
617-816-0606](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMcaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=oBjtnAjN7xHDD002-IZqSVEMm67QCihh2-4cHijKU0&s=BFDCu98NCb284hhVsRmp_zWi8Mrw0I0LlE-iOhtsOT8&e=>
From: Thor Vader <jasonlab16@gmail.com>
Sent: Friday, July 17, 2020 7:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill</p></div><div data-bbox=)

I vote AGAINST Police Reform Bill. Certain Politicians are adding to the already difficult and dangerous job of Law Enforcement. Police have so much to worry about already, including maybe not coming home one day and leaving behind a family they've been helping provide for. If you have not experienced something you should not have full say in it. There are way more people who support Police than the overall small mobs making noise. It's not right to continually make problems for Police Officers. Stop de-criminalizing criminals. Hold criminals accountable for their own actions.

If you're voting yes for Police reform bill, please reconsider. Thank you.

Sent from my iPhone

From: Bill Taylor <blttr95@gmail.com>
Sent: Friday, July 17, 2020 7:51 AM
To: Testimony HWM Judiciary (HOU); Vargas, Andy X. - Rep. (HOU)
Subject: Testimony in Support of Bill S.2820

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

My name is William Taylor. I'm a resident of Haverhill, a member of Greater Haverhill Indivisible and the Merrimack Valley project, and Chair the Universalist Unitarian Church of Haverhill's social justice outreach. I write to voice my support of Bill S.2820 ("An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color").

As you know, the present language of the bill shifts some funding from policing and prisons to education and workforce opportunities that promote equity. It also includes a number of overdue reforms. The bill strengthens the use of force standards and increases de-escalation training. It creates a majority-civilian Police Officer Standards and Accreditation Commission (POSAC) that would certify and decertify officers. It establishes stronger oversight and limitations on the procurement of military equipment. It bans racial profiling and places a moratorium on racist facial recognition technology. And it includes a number of measures that would reduce student criminalization and cut off the school-to-prison pipeline. These last six weeks have brought into clear focus how much these, and the many other reforms included in the bill, are needed.

With that said and to be very clear, I am not anti-police. I recognize that officers have demanding jobs and are often faced with dangerous situations. I greatly appreciate their willingness to sacrifice their lives while they protect and serve our communities. However, when officers break the law, use excessive force, and otherwise abuse their power, they should be held civilly liable for their misconduct. I urge House members to keep the current language of the Senate bill that places limits on qualified immunity intact.

I also recognize that many of these issues are complex, and that the legislature is facing a time crunch with the formal session drawing to a close at the end of the month. But I ask the House members to recognize the fierce urgency of these days and the need for action. Black and Brown communities are finally being heard; they're justifiably afraid that they won't be six months from now. We can't ask them to wait any longer. Therefore, I humbly ask that the House Ways and Means and Judiciary Committees report this bill out favorably, and that members of the House chamber take swift action to pass it thereafter.

Thank you for your consideration,

William Taylor
Haverhill
508-451-2512
bllttr95@gmail.com

From: bukapookey@aol.com
Sent: Friday, July 17, 2020 7:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: The police bill

I just wanted to speak my peace and say I think that this is much more important that it should be a Statewide vote and not just having a couple hundred people make this decision for us. Much too important. I know in Massachusetts most of us feel safe right now but as we all know that can change in an instant. Look at all the other people in other states that thought that they were safe and are not now

From: Hilary Grimes <h.grimes@yahoo.com>
Sent: Friday, July 17, 2020 7:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for S.2800 with inclusion of HD.5128 and HB.3277

Hello,

I am writing to express my support of the Senate police reform bill, S.2800. Now is the time to act against systemic racism and to make changes to policing. It is imperative that we prevent excessive force and brutality by law enforcement.

Please include the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda bans choke-holds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be

personally liable if they are found to have violated a person's civil rights.

Thank you,

Hilary Grimes, Salem, MA

Sent from Yahoo Mail for iPhone
<[From: norman hodgerney <nhodgel@gmail.com>
Sent: Friday, July 17, 2020 7:51 AM
To: Testimony HWM Judiciary \(HOU\)
Subject: Bill S.2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=W270VspZAoyLXQ4VhteNHoiHrRlT80PlmYh6pSjFqto&s=j0JLJfy1J8gustESCzWdzdJjueBIAIu40NH5fVxQsD8&e=>></p></div><div data-bbox=)

My name is Norman Hodgerney and I live at 3 Johnny Cake Rd, Centerville, MA. <x-apple-data-detectors://4> As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve. Please do not abandon them to appease an angry and misguided "mob". Long term effects of this "quick fix" bill will have extremely negative and far reaching consequences.

Your concerned constituent
Norman Hodgerney

Sent from my iPhone

Sent from my iPad

Sent from my iPad
From: Beth Garcia <onyxpected@yahoo.com>
Sent: Friday, July 17, 2020 7:50 AM
To: Testimony HWM Judiciary (HOU)
Cc: Harrington, Sheila - Rep. (HOU)
Subject: S.2800 Police Reform

Hello,

I urge you to support this legislation along with the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety

-bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth

-ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

While there have been high profile police brutality atrocities across the nation, so far Massachusetts has avoided the spotlight. Let's continue to lead by example and pass strong police reform policy to ensure we never have an egregious Breonna Taylor, Eric Garner, Sandra Bland, George Floyd, etc, moment here in the Commonwealth.

Thank you for your leadership on this matter.

Mary Garcia

9 Hazel Rd

Groton, MA 01450

From: Lauren Shryne <lshryne@gbls.org>

Sent: Friday, July 17, 2020 7:47 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Lauren Shryne

64 Sycamore St

Somerville, MA 02145

lshryne@gbls.org

From: Mark Gabriele <mark.gabriele@comcast.net>
Sent: Friday, July 17, 2020 7:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass a Strong Police Accountability Bill with Key Provisions
from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

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This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Mark Gabriele
45 Amys Way
Wellfleet, MA 02667
mark.gabriele@comcast.net

From: croteaulg <croteaulg@comcast.net>
Sent: Friday, July 17, 2020 7:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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

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

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

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

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Leonard croteau

Sent from my Verizon, Samsung Galaxy smartphone

From: Gerry Sullivan <gerrysully@hotmail.com>
Sent: Friday, July 17, 2020 7:49 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing POs and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due to the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections, it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model to be used. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards.

Sincerely,

Gerald J. Sullivan

Resident

319 Washington Street

Canton, MA 02021

781-366-2515

From: Teresa <yemmal@yahoo.com>
Sent: Friday, July 17, 2020 7:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is _Teresa Lammey ____ with the Greater Boston Interfaith Organization (GBIO). I live at 68 Westmore Rd Mattapan Ma . I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Teresa Lammey

Yemmal@yahoo.com

857-998-7193

68 Westmore Rd Mattapan 02126

Sent from my iPhone

From: Michael Blanchette <mjblanchette@yahoo.com>

Sent: Friday, July 17, 2020 7:46 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820 - An Act for Police Reform

?

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Michael and Jennifer Blanchette

103 Hunters Green Circle - Agawam

(413) 821-8776

From: Farleyfh <farleyfh@aol.com>
Sent: Friday, July 17, 2020 7:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,
I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

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2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally

non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

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Sincerely,

Jeffrey Farley
Resident

95 Chase Run
Stoughton, MA 02072
781-344-2676
From: Gerry Sullivan <gerrysully@hotmail.com>
Sent: Friday, July 17, 2020 7:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S2800/House Bill 4398

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the

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Sincerely,

Gerald J. Sullivan

Resident

319 Washington Street

Canton, MA 02021

781-366-2515

From: rblazuk@yahoo.com
Sent: Friday, July 17, 2020 7:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,
Bob Blazuk
Marshfield

From: Kurt D'Angelo <kurtdangelo@gmail.com>
Sent: Friday, July 17, 2020 7:47 AM
To: Ferguson, Kimberly - Rep. (HOU); Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent,

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Kurt D'Angelo
171 Twinbrooke Drive
Holden, MA

From: Donna Forand <forandhockey@aol.com>
Sent: Friday, July 17, 2020 7:31 AM
To: Testimony HWM Judiciary (HOU)
Subject: Speak Please s2800

Dear Sir,

I would like to speak. (7744543392) My right to speak should be heard.

Please do not defund the Massachusetts police they are the best! They are trained very well they are high above all the standards of many other states. I am the daughter of a law-enforcement officer And my mother a deputy sheriff and I have a daughter who is in training presently.

I've endured those days of holidays with no mother and sometimes no father at home but they were doing what they do best protecting us the citizens of Massachusetts. I also endured those days when they saved a life or were the ones to tell a loved one their child's not coming home.

Please do not defund the police departments in our state we need highly trained officers.

I would say they need more money , please do not defund the police department.

Thank you and have a great day.

All The Best,
Donna-Marie Forand
Carver, Ma
02330
7744543392

Be someone's Encouragement Today!
From: patricia boyden <patriciaboyden@outlook.com>
Sent: Friday, July 17, 2020 7:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for S2820

Good morning chair Michlewitz & chair Cronin and members of the house ways and means committee and judiciary committee,

I'm writing to show my support for S2820. Let's make change where we need it, the following must be remedied in order to achieve change that will actually make a difference:

- * The bill should eliminate qualified immunity
- * introduce strong standards for decertifying problem officers
- * ban tear gas, chokeholds, and no knock raids
- * also in light of what is going on in Portland, every single person enforcing law in MA should be accountable by a name affixed on his/her uniform -

Best,
Trish Boyden

Canton, MA
From: elena belle white <elenabelle@gmail.com>
Sent: Friday, July 17, 2020 7:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Elena Belle White I am a resident of Jamaica Plain. I am writing this email as testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. In my opinion, this bill includes the bare minimum of what our state should be doing to reform our police forces in response to the historic outcry for racial justice and the protection of Black lives.

As a white member of our community - especially as a white woman - my safety is always prioritized. My life and body OVER-matter whereas the lives of Black people in our community UNDER-matter. We need to dismantle many of our racist systems, starting with the law enforcement.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Elena Belle White
24 Kingsboro Park
Jamaica Plain, MA 02130

--

Love is our true destiny. We do not find the meaning of life by ourselves alone, we find it with [one] another."

~ Thomas Merton

From: Mike LaPuma <puumdawg@hotmail.com>
Sent: Friday, July 17, 2020 7:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

The above referenced bill puts law enforcement in untenable situations. Law enforcement lives will be put in peril as well as their families lives with the elimination of qualified immunity. We are already seeing the lawless people emboldened in their attacks against law enforcement. I can only imagine a situation where a police officer is making an arrest and the general public has the right to interfere claiming the officer was using excessive force, we will end up with mobs attacking the police. Certification and continuing education are the only parts worth discussing.

Respectfully,

Anthony La Puma

965 Liberty Street

Braintree, Ma. 02184

From: Val Bart <v5best@gmail.com>
Sent: Friday, July 17, 2020 7:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S 2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Valerie Bartholomew and I live in Abington MA. I am married to a business owner and the mother of two wonderful children. I am also a police officer. I have worked in law enforcement for 23 ½ years, the past 20 years in Lakeville MA for the Lakeville Police Department. I care deeply about the community I work in. I got into law enforcement to make a difference in the world and help people. Not only am I a police officer but I am also the school resource officer for the Freetown Lakeville Regional School District and have held this important position for 5 years. I have made connections with people in the community and so many in the school system. As a SRO, I have done many things; taught classes, given assemblies, conducted mock crashes with Medflight, taught law enforcement internships, helped students get to school or home, and many other things. I have helped staff, administrators and students. I love my career.

If Bill S2820 passes I will have to decide if it is time to retire. I would never want my family to experience frivolous lawsuits against our well being due to me acting in good faith and trying to do my job. Qualified immunity needs to stay as is to protect good police (the vast majority of our occupation). We are all good people. We should not be paying for the sins of a few officers in other parts of the country. I have told my daughter many times, Massachusetts is different from other parts of the country. We are a great police force. For example, I have never in my career seen or heard of a coworker or area town police officer even using a choke hold.

It has saddened me to see the shift in attitude towards police that has been happening for quite some time. We are not the enemy. The added stress I have seen with myself and my coworkers from this bill saddens me. I worry about the impact this bill will have on the field. Many of us have spoken about retiring or seeking new careers. For the past several years it has already been difficult to fill vacant police positions.

I do not have a problem with additional training or with being certified. I do have a problem with every complaint on an officer being sent in to a committee that are not my peers. Simple fact - there are people who do not like the police. Working in a small town sometimes there may be one person who hates a particular police officer so much they will send frivolous complaints about the officer. How will this be determined by a committee that does not know the background of the town? A police chief would know this but a committee made up of people who don't know the dynamics of a town would not.

I dislike how this bill is being rushed! Please slow it down. Please include the people that it will affect so much in the decision process. I

hope you are truly listening to community thoughts on this matter. My faith in politicians is wavering right now. This is my career on the line and I love my community.

Recently, I stood with my students at a rally/protest in Lakeville to support racial changes. I stood with them, we were not divided.

Please do not let a bill pass that will make for a dangerous environment for myself and other police officers. This is a poorly written and rushed bill. I am available for any questions at 508-509-4583. Thank you for your time and attention in this matter. Thank you for listening to the good people of the commonwealth.

Officer Valerie Bartholomew

From: mary hodgerney <hodgernm@hotmail.com>
Sent: Friday, July 17, 2020 7:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

My name is Mary Hodgerney and I live at 3 Johnny Cake Rd, Centerville, MA. <x-apple-data-detectors://4> As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers

oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve. Please do not abandon them to appease an angry and misguided "mob". Long term effects of this "quick fix" bill will have extremely negative and far reaching consequences.

Your concerned constituent
Mary Hodgerney

Sent from my iPhone

Sent from my iPad

From: Gvg2007 <gvg2007@aol.com>
Sent: Friday, July 17, 2020 7:43 AM
To: Testimony HWM Judiciary (HOU); repsmitty@mahouse.gov
Subject: bill S.2020

Hello Judiciary Committee and Rep Pignatelli;

As a retired Lt on MSP I would like to voice my concern over the Senate's bill to do away with qualified immunity for police officers. Qualified immunity is given to ALL members of state, municipal and federal employees in the course of the performance of their job for a reason. It is a protection for the employee and their families to not have worry about losing their home or life savings because someone didn't like the way they did their job. Qualified immunity as written does not protect individuals that violate the constitutional rights of others. But it does protect them and their families from frivolous lawsuits.

If you take it away from only one group - then that is discriminatory. And where does it end - EMT's, fire personal, DCF workers, city councilors, judges, state reps?

If qualified immunity is no longer given to police officers, I believe the Commonwealth will lose a lot of qualified law enforcement officers. I assure you if I was not already retired I certainly would be putting in my papers with the passing of this bill. I fear for my son and his peers if passed as well. This is setting up a situation for officers to only respond to emergency situations, which goes against all policy and procedures, setting them up also for internal investigations as well as law suits. So, who would want to do this job? Most likely only the

candidates who previously were rejected from the job who now see an opening and a pay check.

While I understand the need for reform, please do not go overboard by punishing all police officers. This is a punitive act which is being done in response to a national tragedy miles away with completely different laws and training which do not exist in Mass. Police are not the enemy. Thank you.

Gil Gregory
84 Chester Road
Blandford

From: JIM PIERONI <piekids@verizon.net>
Sent: Friday, July 17, 2020 7:44 AM
To: Testimony HWM Judiciary (HOU)
Cc: pierONI JIM
Subject: S2820

Good morning,

I am writing to express my opposition to S2820 (formally S2820), "An act to reform Police standards and shift resources to build a more equitable fair and just Commonwealth that values black lives and communities of color", especially with no public input.

This bill goes too far, ie., it will handcuff the Police Departments and / or Officers from doing their job. A job which is to protect all of the public. It will make us all less safe. We are seeing it around the country as LTC applications are up, 277%? Are we going back to the days of the wild west?

All of the Committees being added, will just add more layers of bureaucracy, while not really improving the product. More paperwork, logs etc.

Loss of "qualified immunity" will make Policing more difficult. As expressed, starting at line 419, "a person whose exercise in the enjoyment", means frivolous lawsuits will proceed, discouraging any LEO from engaging the public. LEO have to make split second decisions, we do not need their head clouded with thoughts of, will I be suspended, fired or sued.

No tear gas (dogs and horses?) use - necessary tools in dispersing crowds. No "free" Military grade property - at a time when state and local budgets are stretched to the limit, free tools should not be banned. No deadly force, without de-escalation. Sometimes the LEO's have no choice. All of the officers I know, have never had to discharge their weapon. Why restrict them? Their conscience and higher authority will apply.

If the responding dispatched officer is not certified on the reported call, they cannot enter the building. Sometimes, time is of the essence to potentially save lives. Why restrict them?

I disagree with school personnel from interacting with school resource officers as a lot of the potential troublemakers, could be dissuaded.

Quotas/logs on prison populations - shouldn't DOC have these records available today? MV stops logged and reviewed for racial profiling - don't we do that today? I have been self-quarantining in NH, when I was stopped by a NH State Trooper for a taillight violation. There was no confrontation. Could I have been profiled for having a Mass plate in NH? Don't know and don't care.

Making health records public. Isn't this a violation of HIPPA laws?

I have a nephew on the Nashua force, niece who works for Danvers PD, her husband a Purple Heart recipient on the Beverly force, a US Marshall, cousins on Medford and Belmont PD, a niece retired from Mt Pleasant SC PD, an uncle retired from the Transit PD, several neighbors and family friends on various departments; my daughter is waiting on the call from Arlington PD, so I am truly concerned about their safety, as well as all citizens. By rejecting this bill, you will "Back the Blue" at a time when they need your support.

Jim Pieroni
84 Herbert Rd
Arlington MA 02474
781-507-6582
piekids@verizon.net
From: Shamus Veo <sveo99@gmail.com>
Sent: Friday, July 17, 2020 7:44 AM
To: Testimony HWM Judiciary (HOU)
Subject: Urgent

?

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Shamus T. Veo, 48 Priest St Hudson, Ma

Sveo99@gmail.com

From: MARCIELI PASTORIO <marcipastorio@gmail.com>
Sent: Friday, July 17, 2020 7:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: BILL S2820

To whom it may concern,

My name is Marcieli Pastorio a resident and business owner in the town of Norwood, Ma.

I would like to let everyone know that I DO NOT support this bill and I URGE legislators to vote against this bill.

This puts the public and businesses like mine in danger and not to mention it will DESTROY policing!

I beg of you to please don't let this bill to pass!!

Thank You

Marcieli Pastorio- owner
1199 Washington St
Norwood, MA 02062
C (617) 291-9935
P (781) 255-5539
www.thejuicebarnorwood.com
@thejuicebarnorwood

From: Shawn Kelly <sjk21188@gmail.com>
Sent: Friday, July 17, 2020 7:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,
Shawn Kelly
420 Plymouth Street
Abington, MA 02351
SJK21188@gmail.com
From: Deni Dobric <ddobric08@gmail.com>
Sent: Friday, July 17, 2020 7:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: 2820

Dear Senator Susan Moran,

My name is Deni Dobric and I live at 11 Whispering Pines Drive, Plymouth Ma 02360. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Deni Dobric

Sent from my iPhone

From: Marty Cooke <mjcooke78@gmail.com>

Sent: Friday, July 17, 2020 7:42 AM

To: Testimony HWM Judiciary (HOU); Tarr, Bruce E. (SEN); Hill, Brad - Rep. (HOU)

Subject: S.2820 - HWM and Judiciary Committee hearing

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Marty Cooke

4 Puritan Rd, Wenham, Ma 01984

781.953.1187

From: charw223@comcast.net
Sent: Friday, July 17, 2020 7:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

My name is Charles West, I am a contractor, my number is (508)740-9379

I would like the Massachusetts House of Representatives to know that we do not need police reform. Don't jump on this bandwagon. We are not Minneapolis or Ferguson. We do not have a race problem in Massachusetts. We have a political problem in Massachusetts.

We would like our police to not be afraid of arresting anyone regardless of skin color if they have committed a crime that warrants an arrest. That is fairness, that is equality. Stop playing games.

Do not fail us. If you, as a government, take away the one thing government is absolutely responsible for, our safety, then you will have failed us.

Please understand, if you make the job of police officer more difficult you will de-incentivize order. If that is what you want then there is no good future for our state or our country.

This bill will not satisfy anyone on either side. In your search for equal outcomes, beware of making everyone equally miserable and pissed off.

Do not vote S.2800 into law.

From: Aidan Flynn <flynnaid27@gmail.com>
Sent: Friday, July 17, 2020 7:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: Demand to Support S.2800 to REFORM, SHIFT, + BUILD

Good Morning,

As a resident of the 9th Suffolk district, I demand that the House pass this bill to protect Black lives in Massachusetts. Reform to Massachusetts policing is long overdue. Eliminating qualified immunity for police officers who use excessive use of force is needed in our State! We must hold racist police accountable for their actions. Eliminating choke holds, restricting tear gas, rubber bullet, attack dog, and no-nock warrants are life saving measures that need to be passed.

Redirecting funding away from policing can help Massachusetts make large steps to rectify the way the racist Massachusetts justice system has preyed on its Black residents.

This bill has so much more included in it that is so so important to me as a constituent. THIS BILL NEEDS TO BE PASSED BY THE HOUSE NO EXCUSES!!!

MAKE SURE YOU ALL KEEP ALL OF YOUR RESIDENTS IN MIND WHEN THINKING ABOUT WETHER TO SIGN!

-Aidan Flynn

From: Tommy Hayes <thomaspatrickhayes@gmail.com>
Sent: Friday, July 17, 2020 7:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass SB.2800, Reform, Shift, Build Act

Please continue on your path to police reform. The fact that the police unions are so upset means that you are on the right track!
<https://www.boston.com/news/local-news/2020/07/14/cambridge-police-union-reform-bill-post> <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.boston.com_news_local-2Dnews_2020_07_14_cambridge-2Dpolice-2Dunion-2Dreform-2Dbill-2Dpost&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=2hLwh8E0LZA75iOPDHFk7QBeLxi7_rtBuSinzD8FOW8&s=FZZlCt3LGfgFwu_YbUW8L7EkqBfE171ni1PENEF_MRo&e=>>

I am a resident and voter from Boston and appreciate your efforts on the side of justice.

respectfully,
Tommy Hayes

--

"A Small Needful Fact"

Is that Eric Garner worked
for some time for the Parks and Rec.
Horticultural Department, which means,
perhaps, that with his very large hands,
perhaps, in all likelihood,
he put gently into the earth
some plants which, most likely,
some of them, in all likelihood,
continue to grow, continue
to do what such plants do, like house
and feed small and necessary creatures,
like being pleasant to touch and smell,
like converting sunlight
into food, like making it easier
for us to breathe.

by Ross Gay
From: lwill582@aol.com
Sent: Friday, July 17, 2020 7:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

Loved "As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you, Louis Williams 391 Lafayette St. Salem Mass

Sent from my iPhone

From: Erika Dickinson <isitheavierthanair@gmail.com>

Sent: Friday, July 17, 2020 7:37 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

Investing in our communities is so much more valuable than investing in police. Creating jobs that teach people up help and to nurture, rather than police, is so much more humane. The commonwealth has been a leader in many policies from healthcare to equal marriage rights, let us lead the way in this aspect, as well.

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that

limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Erika Dickinson
11 Bothwell Rd Apt 1
Brighton, MA 02135
isitheavierthanair@gmail.com

From: Deni Dobric <ddobric08@gmail.com>
Sent: Friday, July 17, 2020 7:39 AM
To: Testimony HWM Judiciary (HOU)

Dear Senator Keenan,

My name is Deni Dobric and I live at 11 Whisperings Pines Drive, Plymouth, Ma 02360. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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Sincerely,

Deni Dobric

Sent from my iPhone
From: Rebecca Sher <rsher3636@yahoo.com>
Sent: Friday, July 17, 2020 7:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: Implementing Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Rebecca Sher with the Greater Boston Interfaith Organization (GBIO). I live at 19 Green St in Brookline . I am writing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards & Training with certification
- * Civil service access reform
- * Commission on structural racism
- * Clear statutory limits on police use of force
- * Qualified immunity reform

Thank you very much.

Rebecca Sher
rsher3636@yahoo.com
774-237-9143

19 Green St
Brookline, MA 02446

From: M Lepak <maureen.lepak@gmail.com>
Sent: Friday, July 17, 2020 7:39 AM
To: Berthiaume, Donald - Rep. (HOU); Testimony HWM Judiciary (HOU);
Gobi, Anne (SEN)
Subject: Re: S.2800

Dear Rep. Berthiaume,

I would like the Massachusetts House of Representatives to know that I do not support S.2800. We do not have a police problem here in Massachusetts. We have a politician problem in Massachusetts.

In particular I am deeply disturbed by the provision to allow for the commission to receive gifts and donations as part of this bill. Any reasonable person understands that this incentivizes conflicts of interest, and invites corruption and bias. We have laws about this. It is disturbing that our lawmakers would seek to circumvent the law in this manner.

Has the Boston Marathon bombing become so distant in memory that our leaders don't remember the wave of officers that immediately raced towards the explosions- when every natural instinct in the human body is to run away? Our brave officers deserve better than this from our leaders.

If anything, our officers need more funding, more support. Additional training is always good. On the contrary, creating new racist policies, like S.2800, does nothing to eradicate racism, or bias. What we know about George Floyd's murder, along with Justine Damon's murder is that Minneapolis has a police problem. And we know that their leaders have been absent from taking action, as evidenced by the 17+ complaints against officer Chauvin. Yes, Minneapolis has a police problem. But more so they have a politician problem. A total lack of real leadership. Massachusetts can do better.

We the voters are understanding this now. Our eyes are wide open. We are taking notice of how our elected leaders here in the Commonwealth are behaving. Releasing inmates into the public while killing the morale of our officers is one of the most irresponsible actions we have witnessed by our states leaders to date.

Providing for our safety, health, and welfare is an exclusive state power. Yet, with this bill, it would become obvious that our leaders are as ineffective as those in Minnesota, and do not care about their constituents, especially their most vulnerable citizens, who would be at most risk by this bill, as our officers would become less apt to help because of out of fear.

Do not fail us. If you, as a government, take away the one thing State government is absolutely responsible for, our safety, then you will have failed us.

This bill does not provide for equality, it creates inequality.

Do not vote S.2800 into law.

Sincerely,

Maureen Lepak

121 Rice Corner Road

Brookfield, MA

From: Susan Bohenko <susanbohenko@gmail.com>
Sent: Friday, July 17, 2020 7:36 AM
To: Testimony HWM Judiciary (HOU)
Subject: S. 2820

This bill is an absolute travesty. I am vehemently against it! You will do significantly more harm than good to our police AND to the people in the communities whom you are trying to protect by passing this bill. Look at what is happening across the country! Our political "leaders" are being ruled by the mob and the mob is taking full advantage of it. They are not remotely afraid of the police because people like you have chosen not to support them. And it's the low-income communities who are suffering the most. You should be giving MORE funding to the police not less. Increase training, increase support across various specialities, but my God do not cut them off at the knees!

Disgusted once again with my state,
Susan J Bohenko
4 Wood Ln
North Andover, MA

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Susan J. Bohenko
Organizing-Staging-Redesign
978-273-4325
susanbohenko@gmail.com
www.susanjbohenko.com <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.susanjbohenko.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SYT3A1JZ1ZX519DUoGDrHZSWae80K9gXBLhgaTYVv0g&s=Re4GQkn4EQeRGmVNVqxxsknCFzpmJsk6AkWLSqjZ9f8&e=>>

~The first step to getting what you want is having the courage to get rid of what you don't.~

From: Joe C <joealconnor@gmail.com>
Sent: Friday, July 17, 2020 7:36 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Joseph Connor

From: Gabbie McFrane <gabbie.mcfrane@gmail.com>
Sent: Friday, July 17, 2020 7:34 AM
To: Testimony HWM Judiciary (HOU)
Subject: testimony on the S.2820 bill

Hi,

As a constituent, I would like to voice that I am strongly in favor of most parts of the police reform bill being discussed in the Senate. The commissions to keep watch on the police may prove to be useful, and databases that show the disciplinary actions of the police are very valuable to the public. Banning choke holds, tear gas, and requiring de-escalation is an important step to restoring the public's faith in the police force, and starting to undo the history of unfair and racist policing that has marred our police force since its founding.

I am not in favor of additional money going to the police for additional trainings that have not shown to be effective. However, if they need to stay in to get the whole bill to pass, I am okay with that compromise.

This bill is a step in the right direction and I am in favor of its passage.

Gabbie McFrane
344 Pond St.
Jamaica Plain, 02130
From: wjcuzzo@aol.com
Sent: Friday, July 17, 2020 7:31 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

Dear Senator Julian Cyr,

My name is William Cuzzo and I live at #53 Falmouth Sandwich Road. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee

lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

I have been part of the highs and lows in law enforcement for almost 15 years now. I have served this profession and my community (Mashpee) with honor, integrity and pride during this time. To see a legislation like this it is disheartening to say the least. Nobody dislikes bad cops more than good cops. This bill as it stands does more harm than good to our communities. We as a profession are okay with reform. We are okay with being held to a higher but FAIR standard, which this is not. No profession as a whole has been dragged through the mud more than law enforcement. I understand that people are hurt and want to see change, however this is not the change we need. We are going to create a profession that will not be able to recruit good cops. Departments will have even lesser qualified officers applying in the future. Who will want to do this job? I have served in the military, corrections and now law enforcement. There has been nothing more rewarding than wearing this uniform for the last 15 years. Just like the military and corrections I have served with some truly dedicated professionals in those 15 years. I will keep trying to make a difference as long as I have this job, however we need your help.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully,

William Cuozzo

From: Mark <cmaaloud@gmail.com>
Sent: Friday, July 17, 2020 7:33 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Mark Loud and I live at 30 Putnam Rd, Revere. I work at Suffolk County Sheriff Department and am a corrections officer inside the House of Correction. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Mark Loud

Sent from my iPhoneFrom: Joe Connor <jc564659@gmail.com>
Sent: Friday, July 17, 2020 7:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: Upcoming House Bill regarding Police Reform

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This

bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

--

Joe Connor

From: Chris Counihan <cwcounihan@verizon.net>
Sent: Friday, July 17, 2020 7:31 AM
To: Testimony HWM Judiciary (HOU)
Cc: Hecht, Jonathan - Rep. (HOU)
Subject: Testimony on Senate Bill 2820 - Police Reform

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Finally, as a social worker whose career has been in public mental health, I support training in de-escalation techniques when interacting with people whose behavior may be based on psychiatric symptoms or relate to being under the influence of substances. There are examples of best practice program involving mental health clinicians "riding along" with police and rapid response by trained emergency service psychiatric clinicians across many communities in Massachusetts. Trainings in Crisis Intervention or "CIT" are also the safest ways to de-escalate persons who may be a danger to themselves or others but NOT a threat to commit acts of violence in a criminal way that requires use of force to prevent those actions.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Thank you for your service in these most challenging times.

Christopher Counihan, MSW

74R Cushing Street
Cambridge, MA 02138

617-230-0714

From: Barbara Macdonald <bmacdonald55@yahoo.com>
Sent: Friday, July 17, 2020 7:31 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

SincerelyBarbara Macdonald,

Sent from my iPad
From: John M Rooney <jrooney@norwoodma.gov>
Sent: Friday, July 17, 2020 7:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

I hope this is read and not discarded. I urge you to please vote against S2820. This bill was rushed and there are way too many problems with it.

I've been a police officer for 5 years and started at the age of 38. This was my dream job. Seeing what is happening with the way our elected officials trying to "reform" how we do our jobs has turned this job into a nightmare. This bill is dangerous and not only puts officers at risk but it ensures that the public will be much less safe.

Before anything is said about the contents of the bill, the obvious issue is that Massachusetts police officers are not a problem worth passing emergency legislation over. An issue happened 1200 miles away and the way the media and social media is portraying 99.9% of police officers is insulting. Does anyone voting on this bill know any facts about any officer involved killing in Massachusetts over the past 5 years? You should. How about facts involving excessive force in Massachusetts? You should. If you're trying to create legislation regarding policing, these are things that should be well known. If you do look at the facts, you'll realize that every state should be looking at the way officers in mass do their jobs and it would become a model for everywhere else in the country.

A few issues that stood out in the bill that are troubling:

-Ending qualified immunity. Doing a job that requires split second decisions during the highest stress, is extremely difficult. How about a lawmaker try the police simulator at the Brookline PD and come back to report about what happened? Qualified immunity is imperative for police officers. We should be afforded as much protection as possible. If there's anything less, there will be an entire new breed of lawyers advertising on TV and the amount of frivolous civil lawsuits against officers will be crippling.

- use of choke holds. This needs to be addressed. Are you telling me that if my life is in imminent danger, a criminal is on top of my choking me out as my last breath of oxygen is escaping my body, that I'm allowed to shoot and kill the person but I couldn't choke him? How does that make any sense? If my life is on the line, and my firearm is out of reach. Let's say at that moment I could maybe try and put on some kind of chokehold to save my own life or the lives of the public....but I'm not allowed to because of this bill? I'm supposed to just sit there and die? Hopefully you have something nice to tell my family when you have to notify them of my killing.

This is on the heels of the 2nd anniversary of Sgt Chesna's murder. A Purple Heart recipient, war hero, and veteran officer. He hesitated to shoot a criminal that was threatening to hit him with a boulder. Sgt Chesna and every officer knows that is a lethal use of force situation. He hesitated and I'm sure it had to do with the climate of improper reporting and public sentiment about police brutality. It cost him his life. Anything you do that puts officers lives in danger is insulting and criminal. Take away your qualified immunity while we're at it.

- make police officers part of any process that involves proposed legislation about policing. Do you make changes to education without educators? Medical care without doctors? Have you consulted any minority officers to get their perspectives?

- pat frisks. Pat frisks are crucial to officer safety. Part of the bill would require reporting if I check someone for a weapon when I have the right to do so? Every winter when I am at a scene, it's cold. People are bundled up and their hands are in their pockets. To put everyone at ease and to help keep everyone warm, I ask if I can check to make sure they don't have weapons so they can put their hands back in their pockets and be bundled up to keep warm. Now I have to report that? All this is going to do is make sure we do less of these and it puts us and the public in danger. Not to mention it'll make every incident less comfortable for all involved when I have to order people to keep their hands where I can see them at all times, even if it's 10 degrees outside.

Obviously we are just touching the tip of the iceberg here. This legislation needs to be put away until this can be addressed properly and thoroughly. I urge you to read the testimony sent in by Chief Brooks about this legislation. He brings up many valid points much more eloquently than I did.

Don't punish the great officers of Massachusetts for the sins of someone 1200 miles away.

John Rooney
Norwood Police Department.

Sent from my iPhoneFrom: Andrew Leblanc
<andrew_f_leblanc@raytheon.com>
Sent: Friday, July 17, 2020 7:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street <x-apple-data-detectors://3>

Boston, MA 02133 <x-apple-data-detectors://3>

Dear Chair Michlewitz and Chair Cronin,

My name is Andrew LeBlanc and I live at 41 Beaver Brook Rd in North Andover, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should

be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Andrew LeBlanc

From: Bob Rinn <rrinn6490@gmail.com>
Sent: Friday, July 17, 2020 7:27 AM
To: Testimony HWM Judiciary (HOU)
Subject: House Bill 2820

Good morning Representative McMurtry and all members of the House. My name is Robert Rinn and I am a retired police officer. I retired after serving 38 yrs. I have a son who has been a police officer for 6 years and a daughter waiting to enter the Police Academy.

I am writing today to ask for you to vote against this bill for many reasons. This bill was hastily written without input and discussion from many groups that it will affect.

I agree that there may be change needed but if you look at our Commonwealth there have been very few incidents of Police Officers abusing citizens. I know that may not be the case in other states, but it is the case here. So I don't think a bill that has not had input from so many people, Mass. Police Training Council, Mass. Chiefs of Police Assoc. , Mass. Coalition of Police, Mass. Police Assoc. , and so many others should be passed hurriedly just to appease certain special interest groups. There is time to craft a bill of real, true, informed, and well thought out substance during the next session instead of pushing through a poorly put together, rushed bill to appease the very vocal special interest groups screaming for change.

I am asking you for 2 things; a Nay vote on this bill, and then to work with everyone and craft a real, workable bill in the next session that will serve everyone in the Commonwealth better.

I know we can do better than this. Please vote no so. We can do better.

Sincerely,

Robert W. Rinn

Sent from my iPhoneFrom: Mcnamara, Sean (POL)
<sean.mcnamara@pol.state.ma.us>

Sent: Friday, July 17, 2020 7:26 AM

To: Tran, Dean A (SEN); Testimony HWM Judiciary (HOU); Zlotnik, Jon - Rep. (HOU)

Subject: Concerned Citizen

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully submitted,

Tpr. Sean P. McNamara
Massachusetts State Police
Division of Homeland Security and Preparedness
Technical Services Unit
978.771.2924 (c)
sean.mcnamara@pol.state.ma.us
From: Julie Dellolio <juliedellolio@yahoo.com>
Sent: Friday, July 17, 2020 7:27 AM
To: Testimony HWM Judiciary (HOU)

Please take your time to have your family, friends and all others who support police and correction officers, to copy this post and send it to: Testimony.HWMJudiciary@mahouse.gov

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is (Julie Dellolio) and I live at (113 Hurley Ave in Dracut, Ma) and I work at Dracut Police Dept) . As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public. Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.
The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.
While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that

have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost. I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Julie Dellolio

Sent from Yahoo Mail on Android

<[From: Tina Baccari <t.baccari@comcast.net>
Sent: Friday, July 17, 2020 7:26 AM
To: Testimony HWM Judiciary \(HOU\)
Subject: Reject Senate Policing bill SB 2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fw1-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiuk13zIs16rchf_GkGDD&m=HwTUg-33zroiolK8tFun8vZCKXLktoPEGOmoyH5AXTE&s=VjoqGffqJgZKlxtkAIrOre1d8f0H8aMkddN1M08Ha7o&e=>></p></div><div data-bbox=)

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone
From: Kristin Campbell <kecmm582@gmail.com>
Sent: Friday, July 17, 2020 7:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill S2800

Dear Speaker DeLeo,

Good morning, my name is Kristin Campbell. I am the proud wife of James, a Quincy Fire Lieutenant. James is also a paramedic at South Shore Hospital, he works both jobs so that I can be home to raise our little girls.

The past 4 months have been like none other for us. However, while most of us were staying "safe at home" during the quarantine, James went out everyday to work and serve the public.

His department changed shifts to 48 hours straight. There were of course tears from our already scared and confused little girls, Molly(7) and Meredith(4). On top of their worlds being turned upside down they missed their daddy at bedtime.

I was worried James may get sick and possibly expose me and our girls to it. Their were discussions about finding somewhere for him to stay, possibly a hotel paid for out of our own pockets. In reality, as a first responder family, we couldn't "stay safe" at home like many others. But as always, James and I worked through it together. James is the calm presence in our lives.

I've often thought, he's helped so many people not just with his years of training but his calm demeanor. I've been approached by many people over the years that they were so relieved to see James walk in when their dad was having a heart attack or their mom had fallen. It brings me comfort to know that at least when he's at work and I'm nervous for him, he's helping those people with his calming reassuring way.

This week we are together as a family vacationing in NH. We look forward to this trip every year when all our worries just seem to roll off our shoulders. This year was different.

When I heard that the Senate had taken a vote on the controversial S2800 in the middle of the night, I was confused and disgusted. That was such a cowardly act. My husband isn't a coward. He has risked his life several times over his 20 year career to save the life of a stranger.

I speak to you today also as the family and friend of many law enforcement officers. I am appalled at the treatment they are receiving. They put their lives on the line everyday to protect us. But ignorance is bliss. People don't truly appreciate them and what they do until your time of need comes and they are there.

I spent 8 years working for the Commonwealth of Massachusetts, 4 years at the Suffolk County District Attorney's Office. I was so affected by some of the things I read and saw during my time at the DA's office. Officers seeing children abused, seeing people die in the most violent ways, and elders abused and exploited by the very people entrusted to their care. Police officers trying to help while being abused and vilified by a portion of the public that hates them, and going back everyday to do it again. I too had a heart to serve, but tapped out after 4 years. I commend the public servants that march forward everyday in their calling. This bill is a rushed, emotional reaction to the current climate in society and it's wrong. These public servants have fought for decades to get safer working conditions through collective bargaining and now that is being limited by this bill. That qualified immunity is being limited so that they question their responses and training in an emergency situation or may be civil sued is downright frightening to me. I've seen many refer to malpractice by doctors and that first responders should be held accountable like them. Well, physicians are covered by malpractice insurance paid for by their employers in the fees charged to patients. How will malpractice insurance be paid for the first responders to be covered? By their employers? So, the taxpayers?

Senator Keenan, who represents my district spoke of corruption within the Springfield Police Department as part of his motivation for voting yes on this bill. While I would agree that in every profession there is room for improvement and change, this is not the way.

I would ask that it be mandatory for every member of the Legislature to ride along for a shift with the Springfield Fire and Police Department prior to their vote being recorded.

Thank you for your time and attention.

Sincerely,
Kristin Campbell
Quincy, MA

From: Leah Mulrenan <mulrenan1@gmail.com>
Sent: Friday, July 17, 2020 7:25 AM
To: Testimony HWM Judiciary (HOU)
Subject: Support for SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Leah Mulrenan. I am a lifelong resident of Woburn, Mass. I am writing this to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety.

I am a white woman that has always felt safe with police, however, I have seen discrimination and have seen countless examples where the police, like every other section of society, are flawed people. We cannot allow this if it result in unnecessary death. If the mission of the police is to protect and serve, everyone should feel confident that they are safe in their presence.

There are a lot of reasons I support this bill, that I'm sure you won't have time to read, so I will keep my words to a minimum.

Massachusetts has been on the right side of history for many things. I am proud of my state. And I do feel that the majority of our police are good. However, we cannot have bad cops. That's just not something that should be allowed. It is my opinion that this bill will protect everyone, police included. And that is something that everyone should want.

I urge you to ensure that all of this bill stays intact. It is my hope that Massachusetts continues to be on the right side of history.

Thank you for your time, I hope that you will give SB.2800 a favorable report.

Sincerely,

Leah Mulrenan
937 Main Street
Woburn, MA 01801

From: Larisa Itina <larisaitina@hotmail.com>
Sent: Friday, July 17, 2020 7:24 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please do not confuse Reform with Destruction

I live and work in Boston for 20 years and have not seen anything bad from the police

They helped me several times.

Please do not confuse Reform with Destruction

Russia went this way 100 years ago and has not yet recovered.

Do not help harm America.

The police deserve respect and gratitude

Where necessary, look for and fire people with elements of sadism

Make a public council working with the police and discuss sensitive topics widely in society

But DO NOT follow the idealists, they will release a genie of violence and it may be impossible to drive him back

Sorry - I have poor English and maybe my wording is not quite generally accepted

thank

with respect

L Itina (617 990 43 31)

From: Carly Skorupa <clkinnas@gmail.com>
Sent: Friday, July 17, 2020 7:23 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Sir or Madam,

I write to express my disappointment, sadness and outrage, really, over the "Police Reform Bill" that was hastily crafted and then railroaded through the State Senate earlier this week in the wee hours of the morning. That alone is nothing short of OUTRAGEOUS. If passed into law, this will literally (without exaggeration) cause police officers to become

unable to perform the most important duties required of them in order to maintain public safety.

The rush to permanently amend Massachusetts General Law is essentially an over the top emotional and ignorant reaction on the part of many local Legislators to recent issues in the news. Massachusetts already has the highest standards across the board for all 14,000+ police officers that work in this state - period. Only California has similiar standards on a statewide level. There is no legitimate reason to prompt such drastic upheaval of the law and the police's ability to enforce it aside from the fact that a loud and tumultuous group of anti-government/anti-police/anti-capitalist centric protestors has seized the airwaves and is dominating the conversation via social media.

The 72 page Bill contains numerous constraints that are not practical and not able to be implemented without causing irreparable harm to our otherwise well balanced system of governance.

Police Officers, our heros, are being attacked both figuratively (with this bill) and literally as they are being physically attacked on a daily basis.

Please take this into consideration,
Carly Skorupa

From: Lianne Duffy <lianne.duffy@gmail.com>
Sent: Friday, July 17, 2020 7:23 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

Good morning,

I am completely baffled by the cowardly bill that was passed at 4:11am so they could avoid the pushback.

I completely support the police and that this bill, written as is, is dangerous for the police, their families, and the communities they live in.

There is no way this bill will help anyone except those looking for a way to break the law.

We accept change that will make the wold a safer place to live. This is not that kind of change.

Do people not realize that police officers are going to stop running in and saving lives If they are not supported and protected??

I will assure you that if this bill passes, my family will be moving out of state and you will lose MANY good, qualified, police officers that are putting their life on the line every single day!

Please think about this and realize that it is something that you have been bullied into and is NOT the change that we need!

Lianne O'Day
978-804-4364 From: Jane Hirschi <janehirschi@gmail.com>
Sent: Friday, July 17, 2020 7:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform in Massachusetts

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Jane Hirschi. I am a resident of Cambridge, MA and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

This reform is urgent because it affects everyone. An unsafe community anywhere makes all of us less safe. Trust in our police is essential, and can only happen when fair and just practices are in place and police are held accountable

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Jane Hirschi

39 Rindge Avenue, Cambridge, MA

March like a Mother: for Black Lives

From: mattydale78@verizon.net
Sent: Friday, July 17, 2020 7:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB 2800

I am a retired Arlington Deputy Fire Chief. While this bill has well intentioned and overdue reform, there is some concerning language in SB 2800 that is potentially detrimental to fire fighters. Specifically the threat to eliminate or drastically change Civil Service and restrictions on collective bargaining. Please be respectful and considerate to your fire fighters' concerns regarding these issues when you next debate this bill. Thank you.

Respectfully,
Wayne Springer
Arlington Local 1297

Sent from my iPhone

From: MARGARET G KEARNS <maymay466@comcast.net>
Sent: Friday, July 17, 2020 7:22 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Gilbert, Lisa <lisa.gilbert@aubuchon.com>
Sent: Friday, July 17, 2020 7:19 AM
To: Testimony HWM Judiciary (HOU)
Subject: Engrossed Bill S.2820

Good Morning,

I only received this information this morning with a deadline of today Friday July 17th @11:00 am. In which I am sure there are many citizens that would also like to express their opinions to this Bill, but will not have the chance to. I feel this should have been as publicly informed as much as Covid-19. I am one of many that are asking you to rethink this bill. I fully support ALL LAW ENFORCEMENT. We need to protect our Law Enforcement so they can continue to PROTECT US! Please reconsider!

Respectfully,
Lisa M. Gilbert

Lisa M. Gilbert · W.E. Aubuchon Co., Inc
95 Aubuchon Drive, Westminster MA 01473
(P) 978.874.6560 · (F) 978.874.6617
lisa.gilbert@aubuchon.com · hardwarestore.com
<[---

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From: Deborah Olsen <bizza411@yahoo.com>
Sent: Friday, July 17, 2020 7:19 AM
To: Testimony HWM Judiciary (HOU)
Cc: Collins, Nick (SEN)
Subject: S2800

Dear Legislators,
Please do not pass bill S2800! Ending qualified immunity is not the answer to the problem we are facing right now. It would be a knee jerk reaction to the country & states current climate of BLM. We need a more through discussion of policies & procedures and real time training for our police. Our Boston police department has been "community policing" for a very long time. The Boston Police have many different ways to engage the youth & communities you are so worried about. We did not have a "George Floyd" incident here!! Are there bad cops absolutely as in every profession but to handicap our police officers for the actions of one man in Minneapolis or a few in Kentucky is just wrong.
You as a legislators need to hold public hearing & get testimony over a period of time like most things passed in our state. Just going to say I

was so disappointed in your overnight session to ram this bill through.
Thankfully my Senator Nick Collins voted no.

Please hold hearings but hopefully in the end you will not remove
qualified immunity from our police, fire & medical & public officials.

Sincerely,

Deborah Olsen

38 Laban Pratt Road
Dorchester, MA 02122

Sent from my iPhone

From: Randy Kershaw <rkershaw@admin.umass.edu>

Sent: Friday, July 17, 2020 7:19 AM

To: Testimony HWM Judiciary (HOU)

Subject: Objections to S.2820

Subject Line: Objections to S.2820

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Randy Kershaw and I live at 13 Darrel Ave. in Granby,
Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800,
which was passed in the Massachusetts Senate this week and is being heard
tomorrow by you the Massachusetts House of Representatives for
consideration.

My oppositions to this bill are very simple and straight-
forward. First, this bill will change the current legal standard of the
Qualified Immunity doctrine in Massachusetts state courts. The present
standard allows the courts to consider past precedent and established
legal authority, and the information the public official possessed at the
time of their alleged illegal action when determining whether the doctrine
will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only
allow the court to consider what every reasonable defendant would have
understood as being illegal at the time of their alleged illegal action
before allowing the case to go forward. This shift in legal doctrine would
completely ignore the bedrock legal doctrine of stare decisis and legal

precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Randy Kershaw

From: Sean Deady <sdeady23@yahoo.com>
Sent: Friday, July 17, 2020 7:19 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee

teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Sean Deady
22 Knoll Street, Roslindale
857-719-4981
From: Rita Costa <ritamcosta1@gmail.com>
Sent: Friday, July 17, 2020 7:17 AM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: MA Bill S.2800

I am Hoping that we can count on you on this Bill
S.2800

I am writing to you regarding Massachusetts Bill S.2800. I am very disturbed about how this bill is being quickly pushed through in the middle of the night, while it will have tremendous repercussions on our police departments, tying their hands, and preventing them from doing their jobs. While there are portions of the bill that may bring about higher standards for our officers, removing qualified immunity as one of their rights is simply unacceptable. As a registered and active voter, I am disheartened by the actions of politicians that I have voted for, who are responding with a knee jerk reaction to the loud actions of the few, while ignoring the majority of the population. I look forward to your reply, and I respectfully ask that you consider not supporting the removal of qualified immunity for our police officers.

Regards,

Rita Mendonca Costa

From: Michael Sullivan <msullivan0565@gmail.com>
Sent: Friday, July 17, 2020 7:16 AM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Dear Honorable Members of the Massachusetts House of Representatives,

I write to you as a life long resident of Massachusetts and 12 year police officer in the City of Worcester. I am hoping for you to please consider making serious changes to Bill S2820. This bill is an anti-policing and anti-labor bill that has dire consequences to the safety of the commonwealth and the rights of all labor unions.

One of the key areas I hope you will consider is the elimination of qualified immunity for police officers. As currently stated qualified immunity only protects those good officers who act within the law and the constitution. Changes or elimination of qualified immunity will prevent good cops from being able to do their job. Please do not eliminate something for Police that you would not eliminate for yourself.

Another key area of the Bill is the make up of the Posac board and the lack of Due Process. I can not think of any other profession who's oversight committee is made up of anything but members of said profession. The board should consist of persons from the criminal justice fields and with criminal justice backgrounds.

The lack of the ability for appeal in any decision made by the board would strip Police of their Due Process rights that are otherwise afforded to all Americans.

While I do feel more training is always a positive, and good cops need to speak up against bad cops, I appeal to you to please not rush to a bill with dire consequences. Massachusetts Police Officers should not be punished by the actions of other Officers from thousands of miles away. Please Consider retaining Qualified Immunity, Due Process and maintaining a Posac board made up of members of the criminal justice world. Please also refrain from rushing to pass a bill merely for the sake of saying you passed something without realizing the impacting consequences.

Thank you for your time and consideration. Please do the right thing by Massachusetts Police Officers and the safety of all Commonwealth Residents

Michael Sullivan
City of Worcester From: stephanie Andrews
<andrews.stephanie@gmail.com>
Sent: Friday, July 17, 2020 7:14 AM
To: Testimony HWM Judiciary (HOU)

To Whom it May Concern,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity

and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Stephanie Andrews

38 Canterbury Hill Rd

Topsfield, MA 0`983

Andrews.stephanie@gmail.com

From: Jim Morris <morrisj891@yahoo.com>
Sent: Friday, July 17, 2020 7:13 AM
To: Testimony HWM Judiciary (HOU)
Subject: In favor of law enforcement

I am writing this email in regards to taking a stance in favor of law enforcement officers and fellow brothers who uphold the law.

Sincerely
James Morris

Sent from Yahoo Mail on Android

<https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fw1-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=LIXdZGK8laORYlECa8baujskHpakqv0Ww9XR44h7NHw&s=yClKRCEISeRtBQVNJTW31U_gk-z2T4PN7P-TvUCeDvc&e=>

From: Ashley <arando87@comcast.net>
Sent: Friday, July 17, 2020 7:12 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear House of Representatives,

My name is Ashley McCarthy and I live at 130 N Washington St. Apt 302 North Attleboro, MA 02760. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Ashley McCarthy

Sent from my iPhone
From: Paul Berkeley <prberkeley@gmail.com>
Sent: Friday, July 17, 2020 7:08 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800 comments

Good morning,

It is with great interest as a citizen of the Commonwealth of Massachusetts that I urge our state's leadership to reform our practice of qualified immunity. Qualified immunity is a well intentioned concept that was created to protect our public service immunity from civil suits unless it can be "clearly established statutory or constitutional rights of which a reasonable person would have known."

While this language sounds innocent, the application of qualified immunity has evolved, or devolved, into protecting those public servants including police who have performed egregious abuses of their commitment to serve and protect our public. It is not enough to protect an officer's actions that were in "good faith" or that the officer "believed their actions were lawful" or that violation of those affected by police action was not "clearly established." I work in health care and if I had harmed a patient intentionally or not, none of those excuses would protect me from liability.

Qualified immunity creates a loophole for those who would intentionally or not violate the public's rights and cause harm to escape liability. There is much room for reform and improvement and I hope you will consider removing the current standard for qualified immunity to better protect the Commonwealth.

Sincerely

Paul R Berkeley
617-347-1943
Beverly, MA
From: Margot Sonia <margotjsonia@gmail.com>
Sent: Friday, July 17, 2020 7:07 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for S2800

Dear Representatives,

I hope this reaches you well and I hope you have the chance to read this all the way through. I am reaching out because the bill you are looking to put through regarding police reform has caught my eye and I've become very concerned for what this means for the future of our Commonwealth.

While I am sixteen years old please do not let my young age invalidate my opinion. I am the daughter of a state police officer as well as an honors student with a devotion to community service and I hope you will take some time for deep consideration of my viewpoint.

First of all, Senator Tran has brought to the public's attention that this bill is being put forward with no public hearing (ironic, because a portion of it requires law enforcement to endure public hearings before making weaponry/monetary decisions), and no input from communities of color or law enforcement. So please let the voice a young girl concerned for her father's life and the wellbeing of her community ring clear if none else.

Senator Tran's amendments or similar must be passed for this bill to have an ounce of dignity. Please know that I am not purposely directly supporting Senator Tran. I simply feel very strongly towards the statements he has made about this bill and I commend those who have made similar statements. These amendments are, in the Senator's own words:

- chokehold in self-defense: to allow officers to defend themselves.
- teaching of the history of racism: if law enforcement is mandated to have this training, legislators should as well.
- collective bargaining: this bill shall not impact the current municipal and state contracts.
- grant programs for municipalities: provide funding for municipalities to implement the bill.
- qualified immunity: removes the section in the bill that impedes on qualified immunity. This section allows civil lawsuits against officers, jeopardizing the public safety service they provide to you.

Allow me to speak from the heart when I say I need my dad. He works his tail off to protect the state . And he works just as hard to be a great dad. Last year 89 police officers were killed in the line of duty. This year, half way through, 120 have already been killed. Another 90 have committed suicide. With more divisiveness and violence than we've seen in decades, family members like me are scared and we need our legislators now more than ever to keep our loved ones safe. This means allowing appropriate self defense, qualified immunity, and due process of law that allows them to perform their job. Qualified immunity is what allows an officer to make their best judgements, the judgements in those split second decisions where lives are on the line that I hope you have the

empathy to put yourselves in. If you want to improve these judgements it happens in the foundation of the training. Help them structure a training system that gives you faith in protecting their judgements. Many of these judgements happen during a life or death situation, and the lack of qualified immunity increases the danger for not only the officer but all the people they are trying to protect. While I believe qualified immunity should not protect actions that are clearly in violation of a law or someone's rights (it does not, unless misinterpreted by the court system), it is a necessary concept due to intensity of the job and possible debates over what's right and wrong according to the law. It is overall best for an officer to be removed from a case while the municipality continues examination for future instances so that they can focus on their judgements and actions as their training has taught them. From all I have seen and researched, Massachusetts already has a strong law enforcement education system in place. Understand that my dad is a crisis negotiator. This is the unit specifically trained to deescalate situations. It is their job. Almost any dispatch call can include violence, and while cops signed up to put their lives on the line, the social workers that other communities ask to be put in did not. I ask that you take the time to look at it closely at the education and examine whether it falls short in any area so that these cops can do what they signed up to do in a way that increases the communities faith in their actions. Senator Tran is right that both legislators and law enforcement need to be educated on racism as they both will affect the future of justice and equality.

I'd like to also touch upon the parts of this bill that "prohibits schools from cooperating with law enforcement agencies" and "removes the requirement for a school resource officer." While the lack of requirement is seemingly acceptable, I will be questioning my return to school if my district chooses to remove our school officer. We did multiple school shooting training sessions last year. For the last two years a huge "what if" has loomed over every school in the country as shootings rapidly increased and now they threaten to take away our best resource in such an instance. And school shootings are only the extremes of the situations in which I hope we have an officer beside us. I also believe that collaboration with law enforcement, especially among young people, is what will eventually lead to a more unified and peaceful future. The partnership between law enforcement and students has often proved to be one that fosters care in replacement of fear and a better understanding of one another.

Another concern with the current S2800 is "creates a licensing board with no law enforcement representation." This entire bill screams "lack of democracy." The people that understand law enforcement the best are the ones that have been in it for years. It is simply ridiculous to not include them in these important decisions regarding their job. You would have people make decisions on this system who have never lived a day in it. To build a more united society you need conversation and collaboration. I am disappointed in the lack there of.

While your efforts to improve police training, limit racial profiling, and establish a commission on the status of African Americans are admirable, this bill has multiple harmful aspects as it stands. You are pulling five million dollars annually from taxpayers for a bill that not only more-so

attacks law enforcement than it does address racial inequality, but also could pass with no voices of those who will be affected by it heard.

I ask that you proceed carefully. Instead of thinking politics, think people. Think of the 16 year old girl who just wants her dad to come home and wants communities across the state to be safer than ever. This only comes with collaboration. Please work with our law enforcement and our communities of color to find the best solution. I look up to politicians who fight for their people and I believe you all have the seats you do because you have done so, but when you lose the democracy you start to lose my respect. This bill is important. Please let it be so for the right reasons.

With much appreciation for your service to our Commonwealth,
Margot Sonia
From: Jack Bergeron <jackbergeron@gmail.com>
Sent: Friday, July 17, 2020 7:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Massachusetts House Judiciary Committee Members:

I cannot urge you strongly enough not to support Senate Bill 2820 now pending in the House. This bill endangers and cripples the ability of our state and municipal police officers, firefighters and other public safety professionals to perform their sworn duty to uphold and enforce the duly enacted laws and regulations of our Commonwealth. In so doing this bill will endanger the well-being of all the residents of this Commonwealth. The bill, among other things, removes qualified immunity from these public servants. All of you, as elected officials in this Commonwealth, benefit from absolute immunity. Imagine if you were subject to personal lawsuit every time you proposed or voted upon legislation that a citizen deemed adversely affected their rights or well-being and what the consequences and expense you would be subject to as you tried to defend your action. I doubt that you would vote for a law that would take away your absolute immunity or one that would reduce it to a qualified immunity. While serving as Fire Chief in the City of Lawrence I, along with the City's Electrical Inspector, were personally sued for enforcing laws of this Commonwealth. Without the protection of qualified immunity I would not have been able to defend myself. Defending and losing the suit could have potentially financially ruined both the electrical inspector and myself. I never would have accepted the position of Fire Chief (or firefighter) nor would I ever recommend an aspiring firefighter or police officer to apply for either of those positions without the protection of qualified immunity. My son is a nine veteran of the Massachusetts State Police. We are closely watching this bill and discussing what his alternatives will be to protect himself, his family and his home from frivolous lawsuits.

Besides removing qualified immunity Senate Bill 2800 also makes it very difficult for a police officer to physically defend him or herself. While I served as a Deputy Fire Chief and Fire Chief in the City of Lawrence for twenty-four years I daily wore a uniform similar in appearance to that of a police officer. I had an incident at the Lawrence Post Office where I

had to wrestle to the floor an unruly individual as he imposed physical harm to an elderly woman and then to myself. I cannot remember if I had to temporarily employ a choke hold to subdue the individual, but at that time I would not have hesitated to do so to protect myself and others. I had no other alternative. Earlier this week I watched a video from the morning's news wherein a New York City police officer was placed in a headlock by a thug. Here's a link to the video

<https://www.breitbart.com/crime/2020/07/12/video-nypd-cop-placed-headlock-trying-disperse-crowd/> <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.breitbart.com_crime_2020_07_12_video-2Dnypd-2Dcop-2Dplaced-2Dheadlock-2Dtrying-2Ddisperse-2Dcrowd_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=LmBBMhxKyQs2oLsJp9upTghHn5ppbn5iv5PrhoIwukI&s=JqfyfEWO-U-OiKzpa8FmTTDmkjYebD3nzaRPOFrMs0SY&e=>>

In addition this bill perpetuates the supposed differences between people because of the color of their skin. Why does our government continue to differentiate citizens of the United States? Labels such as "African American" or "Hispanic American" applied to a person or a group of persons who are natural born citizens of these United States should not be incorporated into our laws. No matter what circumstances brought our grandparents here we are all now United States citizens. Organizations, such as the NAACP and Black Lives Matter (BLM) are by their very names inherently racist. This must be called out for what it is and not incorporated into our laws. Senate Bill 2820 as titled and written will serve to further divide citizens from one another. This is the root of "systemic racism!" Senate Bill 2820 is a misdirected knee jerk reaction by the Commonwealth's Legislature. All the people of this Commonwealth deserve better.

Respectfully,
Jack Bergeron
Retired Fire Chief City of Lawrence
240 Forest Street
Methuen, MA 01844
978-457-4746
From: Gene Theroux <gene.theroux@verizon.net>
Sent: Friday, July 17, 2020 7:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Gene H. Theroux

20 Bugbee Road

Southwick, MA 01077

From: Greg Mailloux <greg.mailloux@yahoo.com>
Sent: Friday, July 17, 2020 7:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity Police reform Bill

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street <x-apple-data-detectors://2>

Boston, MA 02133 <x-apple-data-detectors://3>

Dear Chairs Michlewitz and Cronin,

My name is Gregory Mailloux and I live at 111 Gay Road in Groton Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard in the Massachusetts House of Representatives tomorrow for consideration.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant (most likely a police officer) before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiff's constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits.

The erosions of S.2800 place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far-reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Very truly yours,

Gregory P Mailloux

111 Gay Road

Groton, MA 01440

From: Charles Moore <moore_charles1@yahoo.com>
Sent: Friday, July 17, 2020 7:06 AM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chairs Michlewitz and Cronin,

My name is Charles Moore, and I live at 28 Ampere Avenue in Ludlow, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard in the Massachusetts House of Representatives tomorrow for consideration.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant (most likely a police officer) before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits.

The erosions of S.2800 place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far-reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Very truly yours,

Charles L. Moore

28 Ampere Avenue

Ludlow, MA 01056

Sent from Yahoo Mail. Get the app
<[As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.](https://urldefense.proofpoint.com/v2/url?u=https-3A__yho.com_148vdq&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=dvUKR_gTU548ccPDGukun69iRyGIIQKsy90v4LLr4GA&s=s8cq3xvwR0aPUvTV8TPHbZkILxL8DxLM3do6M49tC5w&e=>
From: lindsayharrington2@gmail.com
Sent: Friday, July 17, 2020 7:05 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.28.20</p></div><div data-bbox=)

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens.

This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Lindsay Harrington
1 Hersey Street, Salem, MA 01970
Lindsayharrington2@gmail.com

Sent from my iPhoneFrom: Russ Weiss-Irwin <russ.weissirwin@gmail.com>
Sent: Friday, July 17, 2020 7:04 AM
To: Testimony HWM Judiciary (HOU); Walsh, Erin (HOU); Hunt, Daniel - Rep. (HOU)

Subject: Please put decisions about student safety in educators' and families' hands

Dear Chair Michlewitz, Chair Cronin, Rep Hunt (my own representative), and the rest of the House Ways & Means Committee, and the House Judiciary Committee,

I know that today you will be considering the "Reform-Shift-Build" bill that the Senate passed a few days ago. I hope you will pass a strong version of it, and in particular, I would like to ask you to include certain provisions.

First, there's a section in the Senate bill which addresses public school student information privacy. It became part of the bill as Amendment 108 (Protecting Students from Profiling), introduced by Sen Jehlen. As a teacher in the Boston Public Schools, this area is very important to me. The senate bill restricts what information schools can pass to law enforcement and the BPD Gang Database. This is extremely important, and has been needed for a long time. Strengthening the firewall between schools and police is critical to allowing students to feel safe and comfortable at school, and to allow teachers to feel safe doing our jobs, without worrying that we will accidentally do or say something that puts our students at risk. I urge you to maintain that section from the senate bill.

Second, there's a portion of the Senate bill which gives local school committees power over decisions regarding school resource officers and school police (rather than the superintendent or local police chief). This is a really important shift, because local school committees are much more accountable to the public, and the use of police in schools is one of the biggest decisions that can affect how students are channeled into the school-to-prison pipeline or whether students are safe from police violence at school. Recently, Boston City Councilors, the Boston NAACP, and the Boston Teachers Union have all affirmed that we should no longer have police in the Boston Public Schools. Please maintain the section of the senate bill that would actually allow the Boston School Committee to make that decision.

Third, there is a lot of misinformation about what the senate bill does to outlaw qualified immunity that is currently circulating on social media. Please act based on the facts and maintain the senate bill's approach to qualified immunity, which introduces some basic accountability for public officials who violate people's civil and human rights.

Fourth, please help fix one mistake the senate made. They did not really ban chokeholds, since the definition of a chokehold is so narrow that many abusive, dangerous chokeholds would still be allowed. NO POLICE CHOKEHOLDS SHOULD EVER BE ALLOWED. If we didn't learn that from the tragic death of Eric Garner, we certainly should have learned it from the tragic death of George Floyd.

Thank you for your consideration, and for taking up this crucial piece of legislation.

Best,
Russell Weiss-Irwin
Dorchester, MA
Boston Public Schools teaceher

Russell Weiss-Irwin
Pronouns: He, Him, His
Russ.Weissirwin@Gmail.com
(781) 866 1418
From: aehanderson <aehanderson@gmail.com>
Sent: Friday, July 17, 2020 7:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

As a teacher in a public high school, I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Amy Anderson

781-648-2123
37 Berkeley Street

Arlington, MA 02474

From: Suzan Young <sly@umass.edu>
Sent: Friday, July 17, 2020 7:04 AM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800/S.2820

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Suzan Young and I live at 89 Montague Road in Shutesbury, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard today by you in the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action, when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Suzan Young

Suzan Young

IT Coordinator

University of Massachusetts Police Department

585 East Pleasant Street

Amherst, MA 01003

(413) 577-0289

(413) 992-7783

sly@umass.edu

From: Femino, Amy <Amy_Femino@DFCI.HARVARD.EDU>

Sent: Friday, July 17, 2020 7:03 AM

To: Testimony HWM Judiciary (HOU)

Subject: DO NOT PASS POLICE REFORM BILL!!!

To whom it may concern:

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more!!

Do NOT pass this bill!!!

?Amy

The information in this e-mail is intended only for the person to whom it is addressed. If you believe this e-mail was sent to you in error and the e-mail contains patient information, please contact the Partners Compliance HelpLine at <http://www.partners.org/complianceline> . If the e-mail was sent to you in error

but does not contain patient information, please contact the sender and properly dispose of the e-mail.

From: Dan FitzGerald <dpfitzmsp@verizon.net>
Sent: Friday, July 17, 2020 6:59 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law

enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Daniel FitzGerald,
11 Patrica Dr.,
Grafton, MA

From: Tina MacIntosh <tmacintosh@me.com>
Sent: Friday, July 17, 2020 6:58 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down qualified immunity in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum it should specifically eliminate any provisions similar to sections 10, 49, and 52, as well as amend Section 63 to have more police representation.

Sincerely,

Tina Macintosh

Sent from my iPhoneFrom: Peter Szwaja <pszwaja@comcast.net>
Sent: Friday, July 17, 2020 6:58 AM

To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

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Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
From: Billy <BILLYPURCELL781@hotmail.com>
Sent: Friday, July 17, 2020 6:56 AM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified immunity

I am against taking away qualified immunity for law Enforcement officers

Billy purcell 5 Delano reverre 02151

Sent from my iPhone
From: ChristIs KingOfKings <supaforza@gmail.com>
Sent: Friday, July 17, 2020 6:55 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform testimony opposition to bill 2820

Dear Chair Michlewitz and Chair Cronin,

God bless the Commonwealth! We need God first and foremost and His laws in these times. My name is Francesco Rondinelli and I am a

Massachusetts native but currently reside at 100 Hill Street, Coventry, Rhode Island 02816. I work at MCI-Norfolk state prison as a Correction Officer. I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public and our communities.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits. Also, the stress of everyday correctional work (daily verbal abuse and at times physical) with the additional stress of pending lawsuits for staff on a regular basis will only add negative effects and suicides to law enforcement families who are literally putting their lives on the line for our community on a daily basis.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop" when being assaulted or preventing a riot or escape, to hands on tactics and/or using your firearm. I'm asking you to please imagine in your mind a 6'5, 350 lb, all muscle individual charging at you what options would be most effective in that scenario for law enforcement staff? We are all for de-escalation 1st and foremost but if you take away these tools the amount of injuries and deaths would without a doubt rise. Our job is very complex, unruly tension and outbursts of very strong gang members is played out on a daily basis in our communities and at our prisons EVERYDAY and we as Correction Officer's have to weather that storm DAILY. K9's are essential to that as well. Please don't let the mistakes of one foolish officer change tactics WE NEED. The public doesn't realize the grand scope of what law enforcement deals with, the atrocities you see are extremely heart breaking for both victims and people who commit crimes causing generational devastation. MORE LAW ENFORCEMENT OFFICERS HAVE DIED HERE ON OUR SOIL FROM VIOLENT OFFENDERS THAN SOLDIERS DID OVERSEAS THROUGHOUT THE WAR ON TERROR. We need to demote crime but i fear this bill promotes it by disabling officers from doing their job efficiently.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. THE NEED FOR RESPONSIBLE AND QUALIFIED INDIVIDUALS ON ANY COMMITTEE SHOULD BE FIRST AND FOREMOST.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer. Who do we need to keep our streets safe from as well? Please don't dismantle proven community policing practices. Classes on racism should be taught but disarming your police should not be part of this bill. Please think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time and God bless.

Sincerely,

Francesco Rondinelli

From: CAROL DZENGELEWSKI <carol2of2@comcast.net>

Sent: Friday, July 17, 2020 6:53 AM

To: Testimony HWM Judiciary (HOU)

Subject: Do Not Strip Police, Fire and Nurses of Qualified Immunity

I just learned that you are including Nurses and Firemen in this bill. Nurses who have just spent the last several months making incredible sacrifices and at great risk taking care of COVID 19 patients and were and still are at great risk to themselves and their families. Fire Dept. Personnel who risk their lives rescuing people and preserving their homes and so many other things they do on a daily basis. Seeing them on the news in the dead of winter with icicles hanging from their helmets and uniforms or in the summer in the heat and humidity carrying 100 lbs of protective equipment.

Police, Fire and Nurses, the very people and their families that make great sacrifices every day for an ungrateful public. I can't believe you all are even considering a bill like this. Anyone who votes to pass this bill should hang their heads in shame.

Carol Dzengelewski
39 Concannon Circle
Weymouth MA

----- Original Message -----

From: CAROL DZENGELEWSKI <carol2of2@comcast.net>

To: "Testimony.HWMJudiciary@mahouse.gov"

<Testimony.HWMJudiciary@mahouse.gov>

Date: 07/16/2020 6:02 PM

Subject: Do Not Strip Law Enforcement of Qualified Immunity

I am 100% against stripping Law Enforcement of qualified immunity. This action would take away their protection and due process. The good men and women who serve the people of this Commonwealth and it's cities and towns put their lives on the line every day and have continued to do

so even though they have been unjustly vilified in the news media. Prejudice, judging a group of people by the actions of a few, based on race, religion, the language that someone speaks or even the uniform they wear is wrong, And there seems to be a lot of that happening here. If you take away qualified immunity, you need to ask yourself how many good law enforcement personnel will continue on the job and who, if anyone, will take their place.

The men and women in Law Enforcement deserve our respect and our support and the public deserves well-trained dedicated Law Enforcement personnel. Do not strip them of qualified immunity.

Carol Dzengelewski
39 Concannon Circle
Weymouth MA 02188

From: Elena Messina <elena_messina17@yahoo.com>
Sent: Friday, July 17, 2020 6:51 AM
To: Testimony HWM Judiciary (HOU)
Subject: Supporting the Reform, Shift + Build Act

Hi,

I am a recent graduate for Northeastern University. I have lived in Boston for the past 5 years and I have seen how harmful and disgusting systematic racism is. I fully support the Reform, Shift + Build Act. We need to redirect police funding into communities and move away from a system of criminalization.

Thank you,
Elena Messina
973-349-0636

From: Eileen Starrs <eileenstarrs@yahoo.com>
Sent: Friday, July 17, 2020 6:53 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Eileen Starrs

Sent from Yahoo Mail on Android

<[From: Corey Pramas <cpramas345@gmail.com>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCAQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiuk13zIs16rchf_GkGDD&m=ehJ2UkFbRuFcqb20ZU3TqAlk3YXERsqWf54_pZGlhe8&s=AmiYQwFQcEE-Hya-_XfDL5xLVxBh-gYDRd7XW35oQE&e=>></p></div><div data-bbox=)

Sent: Friday, July 17, 2020 6:52 AM

To: Testimony HWM Judiciary (HOU)

Subject: First responder support

Dear State Representatives,

Thank you for taking the time to read this testimony. I am a firefighter/EMT in the Commonwealth. Passing this bill is an absolute danger to first responders police and fire. No one in this Country is arguing police reform. Accountability is needed in all professions and the ban of chokeholds is an absolute necessity. This bill goes far beyond that and strips first responders ability to their job SAFELY. No one should need reminders of the line of duty deaths to police officers in this state in the last three years. More will occur if this bill passes. Good outweighs evil and we should not lose sight of that. The police officers in this state have acted nothing short of heroic anytime duty calls running into an active bomb scene at the marathon, facing COVID-19 face on with little protection, and showing up daily to do things little sign up

to do. This bill also affects all unions and there has been little if any transparency from the Senate in passing this.

Please read that bill carefully because if it passes we are stripping safety to public service gravely. The people who sign up to run towards what everyone fears.

Best, Corey Pramas

--

Corey Pramas COTA/L RNEMT
From: Deb Friedman <jwanddf@juno.com>
Sent: Friday, July 17, 2020 6:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: pass the same bill as S.2820

The only way to help prevent abusive policing in Massachusetts is for the House to at minimum preserve, if not strengthen, the language that was passed by the Senate in S.2820 (Reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color),

Sincerely,
Deb Friedman
Easthampton, MA
From: Tia Tucker <tia.tucker@gmail.com>
Sent: Friday, July 17, 2020 6:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: holding police accountable

July 17, 2020

The Honorable Rep. Aaron Michlewitz
Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin
Chair, Joint Committee on the Judiciary

Re: Testimony in Support of Police Accountability -- Use of Force Standards, Qualified Immunity Reform, and Prohibitions on Face Surveillance

Dear Chairs Michlewitz and Cronin,

I write in strong support of the many provisions in S.2820 designed to increase police accountability. In particular, our organization urges you to:

Adopt strict limits on police use of force,
End qualified immunity, because it shields police from accountability and denies victims of police violence their day in court, and
Prohibit government use of face surveillance technology, which threatens core civil liberties and racial justice.

George Floyd's murder by Minneapolis police brought hundreds of thousands of people into the streets all around the country to demand fundamental changes to policing and concrete steps to address systemic racism. This historic moment is not about one police killing or about one police department. Massachusetts is not immune. Indeed, Bill Barr's Department of Justice recently reported that a unit of the Springfield Police Department routinely uses brutal, excessive violence against residents of that city. We must address police violence and abuses, stop the disparate policing of and brutality against communities of color and Black people in particular, and hold police accountable for civil rights violations. These changes are essential for the health and safety of our communities here in the Commonwealth.

Massachusetts must establish strong standards limiting excessive force by police. When police interact with civilians, they should only use force when it is absolutely necessary, after attempting to de-escalate, when all other options have been exhausted. Police must use force that is proportional to the situation, and the minimum amount required to accomplish a lawful purpose. And several tactics commonly associated with death or serious injury, including the use of chokeholds, tear gas, rubber bullets, and no-knock warrants should be outlawed entirely.

Of critical and urgent importance: Massachusetts must abolish the dangerous doctrine of qualified immunity because it shields police from being held accountable to their victims. Limits on use of force are meaningless unless they are enforceable. Yet today, qualified immunity protects police even when they blatantly and seriously violate people's civil rights, including by excessive use of force resulting in permanent injury or even death. It denies victims of police violence their day in court. Ending or reforming qualified immunity is the most important police accountability measure in S2820. Maintaining Qualified Immunity ensures that Black Lives Don't Matter. We urge you to end immunity in order to end impunity.

Finally, I urge the House to prevent the expansion of police powers and budgets by prohibiting government entities, including police, from using face surveillance technologies. Specifically, we ask that you include H.1538 in your omnibus bill. Face surveillance technologies have serious racial bias flaws built into their systems. There are increasing numbers of cases in which Black people are wrongfully arrested due to errors with these technologies (as well as sloppy police work). We should not allow police in Massachusetts to use technology that supercharges racial bias and expands police powers to surveil everyone, every day and everywhere we go.

[Insert a personal story, or a story of how these issues have impacted or connect to your organization's members, clients, or partners]

[Insert information here about other aspects of the bill your organization supports, such as divesting from policing and investing in communities, or reducing the role of police in schools]

There is broad consensus that we must act swiftly and boldly to address police violence, strengthen accountability, and advance racial justice. We urge you to pass the strongest possible legislation without delay, and to ensure that it is signed into law this session.

Sincerely,

--

Tia Tucker Herrera, MD, MPH
Tufts University Family Medicine Residency at Cambridge Health Alliance
From: Tricia Cariofiles <triciamag63@gmail.com>
Sent: Friday, July 17, 2020 6:47 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Tricia Cariofiles
218 Central Ave
Dedham, MA 02026
triciamag63@gmail.com

From: Sarah Roscioli <sarahroscioli@gmail.com>

Sent: Friday, July 17, 2020 6:50 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please Pass Important Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means;

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Good morning! My name is Sarah Roscioli with the Greater Boston Interfaith Organization (GBIO). I live at 65 Border Street, #2, East Boston. I am writing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards & Training with certification
- * Civil service access reform
- * Commission on structural racism
- * Clear statutory limits on police use of force
- * Qualified immunity reform

Thank you very much.

Sarah Roscioli

sarahroscioli@gmail.com

774-200-8170

65 Border Street

East Boston, MA 02128

From: scotland@reagan.com

Sent: Friday, July 17, 2020 6:48 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school

officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely, Dean Porteous

From: Leslie Colburn <jamlboston@aol.com>
Sent: Friday, July 17, 2020 6:48 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass SB 2800 - Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Leslie Colburn I am a resident of 8 Church St, Boston, 02116 and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

This is the time to act to move towards a more equitable society to end systemic injustices with important and practical reforms in policing and all aspects of life in our country, our Commonwealth, and the City of Boston.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Leslie Colburn

8 Church Street, Boston, MA 02116

March like a Mother: for Black Lives

Sent from my iPhone

From: Aaron Jette <aaronjette@gmail.com>
Sent: Friday, July 17, 2020 6:46 AM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Aaron Jette
617-909-9369
Belmont, MA

From: Rachael Z <rachael.zanni@gmail.com>
Sent: Friday, July 17, 2020 6:43 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Opposition

Good Morning,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way

doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Rachael Zanni

Holden, MA

Rachael.Zanni@gmail.com

From: Pj Curran <pjcurran4@gmail.com>
Sent: Friday, July 17, 2020 6:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please support Police Reform Bill

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Patrick J Curran with the Greater Boston Interfaith Organization (GBIO). I live at 9 Rockland Road, Danvers. I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Patrick J Curran

pjcurran4@gmail.com

978 774 2147

9 Rockland Road, Danvers, MA 01923

From: Erin Sullivan <erinemily530@gmail.com>
Sent: Friday, July 17, 2020 6:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform bill

Good Morning

Thank you for the ability to submit testimony on this bill. As I am in favor of checks and balances, the qualified immunity or lack thereof is a different issue. It seems it will make it easier for criminals to break the law and try to sue the police departments that are trying to uphold it. Police officers have very difficult jobs and have to make split decisions based on unlawful people putting them in that situation. The use of body cameras would absolutely help to make sure the checks and balances are in place but please do not make it easy for criminals to sue the state. Criminals should not have more rights than the people upholding the law. Too many police officers are being killed in the line of duty especially lately with all the defunding and reform. Violence will continue and will grow if more and more are taken away from our police officers. Thank you so much for listening!

Erin Sullivan

Sent from my iPhoneFrom: philipgrady52@aol.com
Sent: Friday, July 17, 2020 6:42 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Anne Aumueller <anne.aumueller@gmail.com>
Sent: Friday, July 17, 2020 6:41 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

Hello, my name is Anne with the Greater Boston Interfaith Organization (GBIO) and I am your constituent. I live at 26 Winter St, Stoughton MA 02072. I am emailing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards & Training with certification
- * Civil service access reform
- * Commission on structural racism
- * Clear statutory limits on police use of force
- * Qualified immunity reform

I would like to know your position on the proposed legislation. Please email me back At your convenience.

Thank you very much.

Anne Aumueller

From: Ron Tibbetts <rontibbetts@yahoo.com>
Sent: Friday, July 17, 2020 6:40 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Rev. Ronald Tibbetts and I live at 283 Smith St, North Attleboro, 02760. I am the parent of a son who is currently serving as a corrections officer at MCI-Norfolk and I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous

lawsuits causing officers to acquire additional insurance and ultimately tie up the justice system with frivolous law suits costing the Commonwealth millions of dollars to process.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt.

I'm asking you to stop this bill, take time to see the dangers first hands police and correction's officer live with each day. Maybe even stand with just one Corrections officer in "the yard" carrying only the weapons the officer has with 100 to 200 potentially violent men.

Sincerely,

Rev. Ronald Tibbetts

From: S Starrett <starrett@hotmail.com>
Sent: Friday, July 17, 2020 6:39 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reform Shift Act

Hello,

I am writing to voice my support for the Reform-Shift-Build Act. As a resident of East Boston, I have seen racist acts against BIPOC by leaders and police. Let's send the message that no one is above the law. It's time.

Please support the Reform-Shift-Build Act for my family, for East Boston.

Thank you for your time.

Respectfully,

Susanna Starrett, East Boston

From: barbara karras <thetilebabe@yahoo.com>
Sent: Friday, July 17, 2020 6:33 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Don't give "Our Country" away!

Sincerely,
Barbara Priest
20 Wilson Street
Clinton, MA 01510
508-769-8326
From: Hugh Devlin <hdevlin5635@gmail.com>
Sent: Friday, July 17, 2020 6:34 AM

To: Testimony HWM Judiciary (HOU)
Subject: Repeal S2800

To whom it may concern,

Please do not allow Qualify immunity, collective bargaining and altering the JLMC in any way. Courageous men and women go to work protecting us every second of everyday and need our support now more than ever, not our opposition. There will be a huge negative impact that affects every person in the commonwealth that may not recover if this bill passes the house. Please vote no on S2800. Thank you.

Sincerely,

Hugh Devlin, medfield mass
From: Kimberly Cuzzo <Klucuzzo@outlook.com>
Sent: Friday, July 17, 2020 6:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Senator,

My name is Kimberly Cuzzo and I live at 53 Falmouth Sandwich Rd Mashpee Ma. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Kimberly Cuzzo

From: Paul Leeber <paulleeber@comcast.net>
Sent: Friday, July 17, 2020 6:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my Samsung Galaxy smartphone.

From: Millie Sosa <mllsos@yahoo.com>
Sent: Friday, July 17, 2020 6:32 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Millie Sosa: We don't want to become CA or NY or any other sanctuary state!

Sent from my iPad
From: Ken Kocerha <kr.kocerha@gmail.com>
Sent: Friday, July 17, 2020 6:31 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB 2820

Good morning! My Name is Ken Kocerha and I am a Firefighter with the Quincy Fire Department, Local 792. This bill needs to keep Full Qualified Immunity in place for all of our first responders. If full Qualified Immunity is not in place, it may affect how first responders provide care to our citizens that we protect and serve.

Respectfully,

Kenneth Kocerha
145 Dagmar Dr
Brockton, MA 02302
From: Jessica Cruz <user@voterveice.net>
Sent: Friday, July 17, 2020 6:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: Pass a Strong Police Accountability Bill with Key Provisions
from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Jessica Cruz
30 Shirley St
New Bedford, MA 02746
cruzjess256@aol.com

From: jon p stronach <privatedetail@comcast.net>
Sent: Friday, July 17, 2020 6:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission

to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely, Kelly Stronach 01830

From: Leslie Colburn <jamlboston@aol.com>
Sent: Friday, July 17, 2020 6:29 AM
To: Testimony HWM Judiciary (HOU)
Subject: Please pass Meaningful Police Reform

?Hello, my name is Leslie Colburn with the Greater Boston Interfaith Organization (GBIO). I live at 8 Church Street, Boston 02116. I am writing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards & Training with certification
- * Civil service access reform
- * Commission on structural racism
- * Clear statutory limits on police use of force
- * Qualified immunity reform

Thank you very much.

Leslie Colburn

jamlboston@aol.com

617-962-7147

8 Church St., Boston, MA 02116

Sent from my iPhone

From: MSN <aaronncook1@msn.com>
Sent: Friday, July 17, 2020 6:23 AM
To: Testimony HWM Judiciary (HOU)
Subject: House / senate Bill S2800

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Aaron Cook and I live at 4 Paul Avenue, Salem Ma. I work at The Dracut Police Department and am a Police Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve

the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Aaron Cook

Sent from my iPhone

From: jbphan8@netscape.net

Sent: Friday, July 17, 2020 6:19 AM

To: Testimony HWM Judiciary (HOU)

Cc: Howitt, Steven - Rep. (HOU)

Subject: Testimony submission on Bill 2820 to Chair of the MA House Committee on Ways and Means, Rep. Aaron Michlewitz, in cooperation with Rep. Claire Cronin, Chair of the Joint Committee on the Judiciary,

Good morning Representatives,

I am submitting this written testimony against Bill 2820, an Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color. I have tried very hard to educate myself and read the related materials on this bill and the version that moved through the Massachusetts Senate (Bill 2800). I cannot believe the extent to which these bills attempt to change policing in Massachusetts, in my opinion not for the better of all, and I especially cannot believe how it has been done thus far with the process lacking any public hearing or even significant consultation with actual working police officers, be they from large cities or small towns, patrol divisions or school based. I very strongly support the need to address some areas of policing in Massachusetts and even throughout the nation, but that relates to areas of public policy and societal difficulties that could be better addressed through non-police resources or in conjunction with police resources.

I am urging you to please consider the many facets of our current situation and not allow this bill and it's knee jerk response to make long lasting changes that I believe will only add further woe to the situation. The challenges that we all face and want to see improved upon can be far better worked through cooperatively and beneficially than what is attempting to be done with these bills.

I am in my twenty fifth year as a police officer serving the Town of Norton. I have lived here since I was six and have raised my family here. I became a police officer with the goal and drive to help people, to work to enhance the quality of life in my community. My beliefs of policing and my approach to it are firmly founded in the principals of community policing and I have committed myself throughout my career to do it the right way and be an example for others, both my fellow police professionals and general community members. I have spent more than half of my career working cooperatively with our schools and for the past six years I have had the distinct honor of serving as our full time School Resource Officer. This role has allowed me to engage in Community Policing at its absolute best. I treasure this role and the chance to work with our youth to help them and guide them and of course - protect them.

Through my examination of information relative to the current legislative efforts, I want to note that I firmly believe the senate version of this bill as written will seriously undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste without public hearing or input of any kind was extremely undemocratic and nontransparent.

I know first hand that police across the Commonwealth support uniform training standards and policies and have been requesting more training for years. Training is often one of the first areas to be cut when funding issues arise. In Massachusetts we are fortunate to have better training than is offered in many other places around the country but it still lacks in many topic areas and my profession and our communities would be well served if this were to be better addressed.

I am very firm in my believe that the Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police. I am not favorable to any bill that does not include the same procedural justice safeguards members of the communities we serve demand and enjoy.

I am open to the idea of more oversight but feel their proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth and as constructed incapable if being fair and impartial. Those two principals have to be addressed and I find that ironic given it stems from an incident which occurred in Minnesota where those two issues are strong candidates for what lies at the base of what might have lead to that incident in the first place. Speaking of that incident, let me be absolutely clear about my feelings on what we all have seen happen in those nearly nine minutes. Plain and simple, it was egregious. It goes

against everything I believe as a law enforcement officer but moreover as a person. Policing sometimes results in use of force but even in the most difficult and challenging incidents, even when lethal force may be required, we must remain professional and responsive to the basic principles of humanity. Once a threat is ended, we must resume our roles of helping, of reassessing the situation and deescalating.

This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers, it protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? Like I strive to do and be, the overwhelming majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. I believe a better way to address concern relative to this aspect would be for the legislature adopted a uniform statewide standard and bans unlawful use of force techniques. I strongly support that notion and know that that is shared throughout all law enforcement.

I truly hope we are able to make constructive and beneficial improvements to my profession and our Commonwealth for the benefit of all of our citizens, but these bills fail to do that and I hope you will consider the many reason to do so and not support S2820.

Thank you for allowing the time to share my thoughts. I am grateful for the opportunity.

Respectfully submitted,

Jacob Dennett
Resident of Norton, Massachusetts
Sergeant with the Norton Police Department
School Resource Officer serving the Norton Public Schools

From: Tammy S. <tsocha60@gmail.com>
Sent: Friday, July 17, 2020 6:16 AM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Massachusetts State Representatives,

I am asking you to reconsider the contents of the proposed Bill S.2800 regarding Police Reform. I do believe review and proper punishment of officers with habitual infractions is a good thing. The issue of reducing qualified immunity is the section I have concerns about. I have been witness to the daily life of a Worcester Police Officer over the past few

years. My future son-in-law has been an Officer for almost 3 years. I know the Worcester Police Academy delayed the start of his classes at least twice due to the fact that they could not find enough qualified candidates. The training was rigorous, both physically and mentally and, once graduated, the on the job learning with their training officers was very thorough. My future son-in-law was a Marine and is following in his father's footsteps as a Massachusetts Police Officer. He has proudly served the city of Worcester. He has run into burning buildings and saved a man's life while working a traffic detail. The Worcester Police have had a good relationship with the minority communities and, up until recently, the main problems they have had to deal with are gang violence, drugs, and domestic problems. Since the protests he has had fireworks and flares thrown at him and a man spit in his eyes. With the proposed challenge to immunity, he is considering leaving the state and going somewhere where they support their officers. All he ever wanted was to serve- in the Marines and as a Police Officer. Now he is concerned about defending himself against unscrupulous individuals who will lie to retaliate against him for doing his job. He doesn't think it would be worth it to put his home on the line now that thugs and even spiteful protesters feel emboldened by the Defund the Police movement. Many good cops will be looking to get out because it won't be worth the risk. Police will be reluctant to act due to fear of retribution by the perpetrators for the Officer's actions even though they would be done with the best intentions. Passing this bill as is will put the general public at greater risk due to a reduction in effectiveness of our state's police. Our police are being disrespected like never before by our citizens and now by our government. Please don't use statistics that aren't reflective of what goes on in this state to make your laws. We don't have incidents here like those that have fueled the Black Lives Matter movement. Our police have done a good job of policing themselves. Please don't create a bill in haste because you feel like you have to. Massachusetts's safety will suffer if you do.

Thank you for your consideration,

Tammy Socha

32 Carleton Rd

Rochdale, MA 01542

(508) 527-1496

From: PAMELA WOOD <pamelawood25@comcast.net>

Sent: Friday, July 17, 2020 6:10 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it

hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Sean Phelan <SPhelan@colantonioinc.com>
Sent: Friday, July 17, 2020 6:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: RE: S.2820 and What Should Be Done

Sorry, had to fix a typo

Sean Phelan

Project Superintendent

Colantonio Inc.

16 Everett Street

Holliston, MA 01746

t: 508.429.8666

f: 508.429.8699

c: 774.217.0655

From: Sean Phelan
Sent: Friday, July 17, 2020 6:05 AM
To: Testimony.HWMJudiciary@mahouse.gov
Subject: S.2820 and What Should Be Done

Sean M Phelan

22 Naples Road

S. Hamilton, MA 01982

July 17, 2020

Massachusetts House of Representatives

Bill S.2820

To the Representatives of the People of Massachusetts,

As a citizen of Massachusetts, not part of any special interest group, I respectfully want to remind you all that your job as elected officials is to fight for the rights of all citizens. It is not your job to single out any one group for good or bad. Removing qualified immunity for 1st responders is not the approach to solving any problem. There is nothing wrong with implementing different methods to help society move forward in a more peaceful and respectful way. However, taking away protection from 1st responders is the opposite of trying to help. You all as all of us should be standing tall against the hysterical call to see 1st responders as the enemy. Stop the need to follow what the mobs and the media want. Follow what you were sworn in to do, fight for ALL of us. Please do not allow qualified immunity to be removed from our 1st responders.

Respectfully

Sean M Phelan

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From: Laverne Evans <smoothcancer32@gmail.com>
Sent: Friday, July 17, 2020 6:09 AM
To: Testimony HWM Judiciary (HOU)
Subject: SB 2800 the Reform, Shift Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Laverne Evans, I am a resident of Saugus and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Laverne Evans

863 Broadway

Saugus Ma 01906

March like a Mother: for Black Lives

--

Sent from Laverne Evans

From: David Benoit <dcb007@comcast.net>

Sent: Friday, July 17, 2020 6:06 AM

Subject: Amendments needed to House of Reps bill proposal HD5128

1. Line 168. Although not intended by the bill, the present wording of a person having a right against the unlawful use of force, would wrongly allow that a person and other persons the right to immediately exercise that right during the action of an arrest or force used, when the true meaning was intended to be subsequent, by legal criminal actions. To correct this, insert after the word have and before the word right "a subsequent criminal action".

2. Lines 171 & 180. Insert "unless unable due to justified circumstances" at the beginning of both paragraphs.

3. Lines 190-193. Remove the words "identifiable person" twice.

4. Line 194. Remove "a vehicle itself shall not be imminent harm".

5. Line 230. The word " of" needs to be changed to the word " by" to correct the intent of the section that police must intervene, not others.

If you are going to ask 1% of the public to risk and dedicate their lives as police officers, to protect the other 99% that are incapable and unwilling to do so, the only lawful stipulation can be that any force used must be minimal and reasonable force necessary. There are really dangerous people in our midst, some of which rise to the definition of terrorists, which have in the past, caused massive casualties and thousands of deaths here. Have you forgotten that terrorists have used planes as weapons on 9-11-01, and a bomb filled truck in the Oklahoma bombing. There have been several other deadly terrorist events here. Our police, who are willing to risk their lives for society and humanity, are our front line not only against terrorists, but dangerous organized criminal groups, dangerous gangs, and the lone dangerous criminals. The military is their backup, but their response is not immediate. Politicians need to be always considering the worst case scenario when making laws. Those "never will happen" scenarios have and do happen.

My best local example would be the extraordinary life and death events faced by officers of many departments in Watertown with terrorists. In the totality of circumstances, an MIT Police Officer had been executed, bombs were exploded in Boston which killed civilians, the terrorists were now in a street battle with police, bombs were being thrown, and shots fired. Knowing this, how can any politician or Citizen of Massachusetts, logically tell a police officer that he may not use all/any means necessary and justified to save him/herself, or citizens. Preventing their escape at all costs in this and future similar cases should be the rule, even if the terrorists were attempting escape on foot or in a vehicle then unarmed. These new law proposals of use of force would defeat success and cost lives. Never underestimate a criminal mind.

You cannot ask the police to do their job with one hand tied behind their back when so much is at stake. When innocent lives are immediately on the line including theirs, you can't have them balking because of some law that was written that didn't take that situation into account. Don't even think you can write laws to cover all incidents police will face. There is no book big enough. All the books and laws can be tossed and replaced with just one word of guidance in all situations. "Reasonableness" is and always will be the legal term for which judgments are made.

99.9% of police are professional and dedicated. It is and should be an honorable profession. No other profession can have such a positive effect on the public. Few other professions does this term mean so much, "having authority commensurate with responsibility". Without the safety and security provided by police, absolutely all other national and local issues are irrelevant. If you pick good police candidates, train them well, pay them well, support them, have faith in them, and remove the rare rogue wrongdoers, all citizens will have peace and prosperity.

Police are the first responders to absolutely all emergencies, and when not doing that, they are engaging in helping people, deterring and preventing crimes, and deadly car crashes. They are expected to perform emergency care until medical personnel arrive, arrest dangerous criminals, and be social workers. In spite of whatever they encounter, they are expected to get over it immediately and be in a good mood. They are

expected to be experts at everything with little or no notice, yet often judged in hindsight. They are also often the targets of false allegations by people with grudges against society or desperate to avoid prison or court dispositions. Police already are open to criminal prosecution for which they accept. Now there are proposals the officers will be liable civilly, by eliminating qualified immunity, that would then imperil an officers family. Given that most complaints are false, and that on occasion, citing recent events, prosecutors are driven by political agendas and pressure, rather than the rule of law, police will not accept the added jeopardy of civil responsibility. Police have recently been told by political leaders to stand down in humiliation as they have been battered, threatened, and insulted, as criminals rioted, looted, and burned. Police are human. They are us. If they lose, we all lose. Now they are being told by politicians, cowardly driven by criminal mobs and uninformed protesters, that they must bear unworkable conditions and rules. Surely a sign of non-support and no appreciation. The politicians are about to go beyond a point of no return. When the police lose trust in their leaders to back and support them, it will never be regained until those politicians are replaced.

In my opinion, if the direction doesn't change, police will retire or leave the job in droves, recruiting qualified applicants will be impossible, police remaining on the job will be apathetic, demoralized, not pro-active, and shut down. Pro-active/self initiated policing as opposed to reactionary, is critical to intervening in tragedies before they happen. All this will result in dramatic crime increase, vehicular deaths, and a very upset public.

We need a respected leader, it should be the governor, and leaders of other groups, to immediately tell the public in a press conference, before another unrest spark happens, that as we are always working on making Massachusetts better with new law proposals, that when any controversial or questionable event takes place involving police in Massachusetts, that they can be assured we already have rules, laws and mechanisms in place to deal with it justly after a thorough investigation. That can unfortunately take time and should not be seen as an intent to avoid justice. Legal and peaceful protests are welcome, but as can be seen in the past and recently, those protests come at a high cost to us when infiltrated by people of ill intent. To protect the citizen's and their property, law and order will always be the rule of the day hence forth.

7. Having had a career in the military and law enforcement, I personally have experienced all the life and death use of force situations this bill now attempts to manage. I also, being in touch with great numbers of active and retired police officers, have a great pulse as to morale, and what they do and don't need to protect and serve.

Sincerely,

Retired Mass State Police Sgt/Investigator David C. Benoit
dcb007@comcast.net

From: Sean Phelan <SPhelan@colantonioinc.com>
Sent: Friday, July 17, 2020 6:05 AM

To: Testimony HWM Judiciary (HOU)
Subject: S.2820 and What Should Be Done

Sean M Phelan

22 Naples Road

S. Hamilton, MA 01982

July 17, 2020

Massachusetts House of Representatives

Bill S.2820

To the Representatives of the People of Massachusetts,

As a citizen of Massachusetts, not part of any special interest group, I respectfully want to remind you all that your job as elected officials is to fight for the rights of all citizens. It is not your job to single out any one group for good or bad. Removing qualified immunity for 1st responders is not the approach to solving any problem. There is nothing wrong with implementing different methods to help society move forward in a more peaceful and respectful way. However, taking away protection from 1st responders is the opposite of trying to help. You all as all of us should be standing tall against the hysterical call to see 1st responders as the enemy. Stop the need to follow what the mobs and the media want. Follow what you were sworn in to do, fight for ALL of us. Please do not allow qualified immunity to be removed from out 1st responders.

Respectfully

Sean M Phelan

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From: Christopher Conroy <conroypt@verizon.net>
Sent: Friday, July 17, 2020 6:03 AM
To: Testimony HWM Judiciary (HOU)
Subject: S. 2820,

Hello,

I am commenting on this bill to support law enforcement. I and no one in my family is a police officer.

Please do not reduce qualified immunity for first responders. This would be a disaster for public safety.

Also please do not listen to mob demands from people whose ultimate goal is to abolish the police. They do not speak for people who live in the poorest high crime neighborhoods. Thank you.

Respectfully,

Chris Conroy
West Roxbury, MA

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com
<[To Whom It May Concern:](https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=uW_ckNlkt2NMN3Oz9IFKD3notVcJQ4HZ6KorBZbDfCo&s=iNBEmkhvM_EyG5CPL-ilyEwO73NeBDM_XdSxjB9nKYo&e=>
From: Jeannine C <jaconway777@gmail.com>
Sent: Friday, July 17, 2020 5:57 AM
To: Testimony HWM Judiciary (HOU)
Subject: PLEASE FOLLOW UP: LACK OF A PUBLIC HEARING CONCERN, Police Reform Bill (S 2800)</p></div><div data-bbox=)

I am a citizen, a taxpayer and a voter of the Commonwealth. I and am writing to express my concern on the lack of a public hearing on the Senate's bill (S 2800) which is a major point of contention for police unions and other critics who felt excluded from the development of the bill. I would ask that police unions and We The People be allowed to have input on the bill as it directly effects police and the safety of our citizens.

I can be reached at 617-640-2044 if you have any questions.

Respectfully,

Jeannine Conway
From: Mike Gintz <mgintz@gmail.com>
Sent: Thursday, July 16, 2020 11:39 PM
To: Testimony HWM Judiciary (HOU)
Subject: Strengthen Senate bill S.2820

To whom it may concern:

I am a Massachusetts resident and voter, and I am writing to you because I want to see a strong Senate police bill. If the ongoing protests across our country have demonstrated nothing else, they have demonstrated that even when all eyes are upon them, police in the United States are often violent and escalatory, and they believe themselves to be above the law.

We have seen incredibly out-of-proportion, dangerous and even deadly over-reactions to non-violent protests - and who knows what we haven't seen.

We need strong legislation to rein in this culture and reimagine our police force as one that truly protects public safety, rather than one that is unaccountable to it. Massachusetts likes to think of itself as a leader, but it is no better than any other state if it refuses to take meaningful action.

Massachusetts must: ban chokeholds (without exception), ban no-knock warrants, ban tear gas and chemical weapons (which are outlawed for use in war, but are currently being used by American police on our own people, in this state), strengthen the rules around police use of force, and ensure that data about police misconduct is not hidden from public view. Qualified immunity is a societal cancer, too, but the ship may have already sailed on that one.

None of these proposed restrictions will negatively impact police departments' ability to do their jobs properly, and any police officer (or strong-arming police union lobbyist) who claims otherwise is simply trying to preserve their ability to commit egregious acts without reprisal or risk of censure. Please do not mistake their political influence for public safety, and please remember that voters also wield political power - and we have had enough.

Sincerely,
Mike Gintz
9 Park Place
Somerville, MA 02143
From: Renee K <rkorgood@gmail.com>
Sent: Thursday, July 16, 2020 11:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in Support of Police Reform in MA

Hello,

My name is Renee Korgood, and I am a resident of Waltham (02451). I'm writing to you to ask that you support and build on the reforms to our police that were recently passed in the Senate. It is vital that we act

now and act drastically to protect Black and Brown people across our commonwealth.

While some of our communities pride themselves on "community policing," even this model imposes surveillance and harm that disproportionately affect Black and Brown families, by leading to incarceration, housing instability, physical injury and more. In this moment, if we do not take drastic action, we are failing to reckon with the ways that racism manifests in our communities here in the Commonwealth.

I know that there are violent acts that happen in a community - just last year, there was a stabbing around the corner from my apartment, which our police force responded to. These measures, however, will not limit the ability of the police to solve and respond to such crimes. It will make our police officers more accountable, provide more resources for our community, and, most importantly, decrease the danger and burden that is faced by Black and Brown communities who interact with the police.

Therefore, I am asking you to support the following measures that are present in the Senate version of the bill:

- * Creating an independent and civilian-majority police certification/decertification body
- * Limiting qualified immunity so that victims of police brutality can sue for civil damages
- * Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- * Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- * Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

And, in addition, I am calling on you to take the following actions, which have not been included in the Senate bill:

- * Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
- * Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- * Lifting the unnecessary cap on the Justice Reinvestment Fund
- * Promoting measures to limit the number of SRO's present in Massachusetts public schools

Thank you for your time. I look forward to seeing these reforms implemented in your version of the bill.

Best,
Renee Korgood
rkorgood@gmail.com

From: Beth Bazler <bazlerb@gmail.com>
Sent: Thursday, July 16, 2020 11:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please support Bill S. 2820

An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

We can do better. Holding police accountable for their actions and the actions of their coworkers, and having a system that licenses and weeds out bad cops is essential to both BIPOC Massachusetts residents and to the many good cops in our Commonwealth.

All the best,

Beth Bazler
Erving, MA
413-835-1843

From: Keith Crowley <keithncrowley@gmail.com>
Sent: Thursday, July 16, 2020 11:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified

Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Keith Crowley
18 Landmark Dr
Methuen, MA 01844

Keithncrowley@gmail.com

From: Nicholas Pickunka <npickunka@gmail.com>
Sent: Thursday, July 16, 2020 11:35 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Nicholas W. Pickunka

Easthampton, MA

From: Patti Lencki <pattilencki@yahoo.com>
Sent: Thursday, July 16, 2020 11:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: opposition to Police Reform bill S.2820

My name is Patricia Lencki, I am a constituent and Voter in Quincy, I am also a mother of 2 children in the public schools and the wife of a Police Officer. First off I condemn the actions of the Minneapolis Police Officers who killed George Floyd and their actions as I am sure most of you know are not representative of 99.9 percent of police officers in America today. Bill #S2820 as presently crafted will prevent good police officers from doing their jobs. To eliminate or change qualified immunity for police officers would cause a chilling effect on policing and the ability for our profession to protect the public when needed. I am not against transparency in policing as long as these as these new measures are implemented fairly to both the public and the police officer. Police Officers need to retain their due process rights just like any other

citizen and should have a right of appeal if they are de-certified. A convicted first degree murderer and some of the worst criminals have a right of appeal however under this bill a police officer will not. My husband worked many of the protests in Boston and the surrounding communities and each night he had frozen water bottles thrown at him, he was spit on and called vile things toward police. I am sure many of our legislators saw what the media called "Peaceful Protest" well Peaceful they were not. I believe history will look back at this time of demonizing all police officers as disgraceful and comparable to when the Vietnam Veterans returned home and were vilified. The thought that my family could be financially ruined for any good faith decisions my husband would make on a daily basis is terrifying. With the increased scrutiny on police officers I think any police reform bill should mandate that all police officers in Massachusetts wear body cameras to protect them from false allegations. Body cameras would also provide a better picture to the public on what officers have to deal with on a day by day basis. Moral among Massachusetts police officers is at an all time low and I hope you will listen to our concerns about this bill. This bill will stop the schools and/or teacher from contacting police about a student that is affiliated with gangs as a mother I am horrified that you the legislators would approve an amendment and have this included. Every day my husband leaves and I never know if he will come home, he leaves his family to go out and protect yours. I think this bill S2820 and the Senate Bill S2800 coming for a vote on the day of and day after the Anniversary of the murder of Officer Michael Chesna of the Weymouth Police Dept and Vera Adams is a slap in the face of law enforcement. This bill will take away the ability of officers to use non lethal force such a pepper spray, how will an officer be able to defend himself from a criminal that is attacking him? The police officers of Massachusetts are the best trained in the United States and we should all be thankful to them for going out and do their job under these circumstances . If this bill passes you will see many officers retire and leave the job and I shutter to think what kind of officers will replace them. Four months ago we were praising our First Responders and now you are vilifying them. There are a lot of senators and representatives that I have supported and my family, friends and neighbors will be watching closely on how our representatives will vote on this issue. I hope you will vote against this bill in it's present form. Please don't hesitate to call me if you want to discuss this issue further

Thank You

Patricia Lencki

14 Pontiac Road

Quincy MA 02169

617-291-2777

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From: Derek Anderson <bderekanderson@gmail.com>
Sent: Thursday, July 16, 2020 11:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in support of Senate bill S.2800

Dear Chair Michlewitz and Chair Cronin,

I am writing in support of Senate bill S.2800.

Over the years, the ability of our city and town governments to create and manage policing that meets the needs and aspirations of our communities has been dismantled, including by the non-statutory judge-made doctrine of qualified immunity, and the Chapter 150E collective bargaining law and the Joint Labor Management Committee statute that together eliminate effective options for accountability.

This bill provides important legislation that begins to return those rights to our communities. It also creates a much needed system for the training and certification of police officers, and makes other necessary changes to law and policy to improve and enhance the accountability of policing in the Commonwealth. This is landmark legislation that would help transform how law enforcement is practiced in Massachusetts, with a long overdue focus on racial equity in our justice system.

Thank you for your consideration on this matter.

Sincerely,

B. Derek Anderson

16 Myrtle Street, Medford, MA 02155

617-279-3773

BDerekAnderson@gmail.com

From: Jamie Duponte <afamilieslove@gmail.com>

Sent: Thursday, July 16, 2020 11:30 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

To the judiciary committee

I am ashamed that the bill s2820 has been allowed to pass the senate- this is a horrible and dangerous bill that serves no one who is in need- and harms both first responders and those who need their life saving work and protection!!!

This bill is not the least bit beneficial to anyone and written simply to appease a angry and childish mob mentality - and opens the door for every first responder to get hit with a personal suit for "personal injury" from every person who's life they save!!!

It's disgusting that this bill will be able to destroy the hard working people of this state who struggle to serve and protect to the very best of their abilities!!! Not too many years ago they were running in without knowledge of whether more bombs would go off at the marathon- now they will worry about being sued for hurting someone if they attempt to protect them from flying debris in a . Bombing!!!

Mass has a great police and first responding units and they need more support and training, not being left hanging out to dry!!! Many will choose to step down and no longer serve in their communities because of the risk this puts their own families in- aside from the daily one they take on as a officers of the law!!

This bill needs to die and new legislation needs to be passed to protect them and assist all in training and social service training- locally friends work in the PD as social workers and they have had seen many benefits and report success within the police and neighboring communities and safe resolutions to difficult situations- and the police are reporting good communities relations and bolstered connections from this partnership- this is what should become the model and be supported- not the horror that is bill s2820!!!!

Sincerely Jamie Duponte

In His Name, we serve.

From: ld4812@aol.com

Sent: Thursday, July 16, 2020 11:30 PM

To: Testimony HWM Judiciary (HOU)

Sent from AOL Mobile Mail

Get the new AOL app: mail.mobile.aol.com
<[To Representative Claire Cronin and committee:](https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMcaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=6mQSpghzDBTbcjNYEudvgMLFMShlJLmMG3FOTjQ7fTQ&s=PEOANEAbS7N8AOorXGwsl9fnr89vZceA7pfsUakGtquw&e=>
From: ld4812@aol.com
Sent: Thursday, July 16, 2020 11:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: I am against Bills S 2820</p></div><div data-bbox=)

As a responsible constituent who lives in your district, as well as a Boston Police Detective, I do support some aspects of Senate Bill S2820 which is before you now. However, I adamantly do not support any amendment or change to the qualified immunity that police officers now have. The attack on the law enforcement profession from all sides is sickening. But if lawmakers pile on too in this political climate, it would be not just mean spirited but dangerous. Feel free to contact me for further comment.

Laura Delaney
14 Lynda Road
South Easton, MA. 02375
617-470-2711

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com
<[July 16, 2020](https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=fK_LrJzvq3RsiA_2ITAty7KSiAPLXhAAHUGBNDQ09BY&s=zADNo_rfq680wl3GyqFoCZVFEb5xVcCVnr_i5VboFeA&e=>
From: Bill <bavil82@gmail.com>
Sent: Thursday, July 16, 2020 11:29 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill 2820</p></div><div data-bbox=)

Dear Chair Michlewitz and Chair Cronin,
My name is William Avilla and I live at 2 Harrison Avenue, Lakeville. I work at Old Colony Correctional Center and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.
Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects

officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

William Avilla

From: Trevor Golenski <tgolenski@gmail.com>
Sent: Thursday, July 16, 2020 11:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Trevor Golenski and I live at 138 state st New Bedford, MA. I work at Bristol County Sheriff's Office and am a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ?????????????????? : Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or

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Sincerely,
Trevor Golenski

From: Doreen <jecdbc@comcast.net>
Sent: Thursday, July 16, 2020 11:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

> Dear House Committee Members of Ways & Means and Judiciary,
> My name is Doreen Comeau and I live at 50 Pilgrim Road in Mansfield. I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.
> Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand

out and demand immediate attention, modification and/or correction. Those issues are:

> (1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

>

> (2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

>

> (3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

> In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

> Sincerely,
> Doreen Comeau

From: Carly Anderson <canderso2011@students.curry.edu>
Sent: Thursday, July 16, 2020 11:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good Evening

My name is Carly Malvesti and I live at 620 Adams Street in Abington. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Officer. My husband achieved his lifelong dream of becoming a police officer, able to serve his hometown, three years ago. In his first year on the job, his co-worker Michael C. Chesna, was shot and killed with his own service weapon by an "unarmed" man. This was a deeply tragic and painful experience for a rookie officer to endure. In his time as a law enforcement officer, thus far, my husband has been injured at work several times. Fortunately, these injuries have not been serious, but there have been emergency room visits,

splints, bandages, and broken eyeglasses. He often returns to me bruised and battered, injured by the people he is serving and protecting. Each time that my husband walks out the door on his way to work, I fear that it will be the last time that I see him. When my phone rings suddenly, at an odd hour of the night, I fear that I am being notified of a tragedy involving my husband. I can never quite settle when my husband is at work, lying awake until I hear his truck pull into our driveway shortly after midnight. I have seen how the events of the last few months have broken his spirit. When my husband talks about work, the glimmer in his eye that he once had, is now gone. I have seen the fear and uncertainty in his eyes as he leaves the house for work. I hear the conversations among friends about whether this job will be worth the risks if this unsafe legislature passes. The media, politicians, and public have painted a target on the back of all law enforcement officers because of events that transpired halfway across the country. Events that my husband, his co-workers, or any law enforcement officer in Massachusetts could not control. Our dedicated and passionate officers went from hero first-responders serving their communities during a pandemic to feared and untrustworthy monsters in a matter of weeks because of the actions of one evil man who never deserved to wear the badge. Our officers do not deserve the disrespect or lack of support!

I also write to you as a member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother, and friend who just also happened to be a Police Officer was murdered. I remember being in a patient's room at work and learning of the awful news on television. I remember that sinking feeling in my stomach and frantically calling my husband to make sure that he was okay. I will never forget attending Mike's wake and funeral with my husband, my Blue Family, and the Chesna Family. Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will never forget. A police wake and funeral are things NONE of us ever want to attend again.

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform.

Like many, I support enhanced training and appropriate certification standards that apply to individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. Qualified Immunity, as I understand it, does not excuse criminal conduct. It is, instead, a legal protection offered to all public employees and serves as a protection against losing one's home or life savings in a civil suit. As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform. If they don't make those decisions quickly enough, they face the very real chance of death or injury. Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried about liability. They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in. They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones. Is there a chance that Sergeant Michael Chesna chose not to use his weapon on the morning of July 15, 2018 because he was worried that such use would have been viewed as use of excessive force? Was he worried that if he used his weapon, he could potentially lose his family's home? The answers to those questions we will never know. It does seem reasonable to assume, however, that had Sergeant Michael Chesna chosen to use his weapon to shoot Emanuel Lopes he would still be here today. He would still be here with his family who miss him every single day. Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them. Police Officers who are forced to stop, pause, and think about potential liability before they act are Police officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. The bill as it currently stands before you is NOT acceptable as a total package. If Legislation such as that tied to S.2820 is to be effective, appropriate, and just for all citizens of our Commonwealth it takes time along with careful thought and consideration. Reactive and rash decision making do not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill and to not study pieces like Qualified Immunity further have been extremely disheartening. I appreciated those Senators who called for more time and for a closer look at the bill in order to produce a product that was fair and just for all citizens of our Commonwealth. I also appreciate the willingness of the House to hear from the citizens of the Commonwealth. Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well-trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way.

I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Carly E. Malvesti

620 Adams Street

Abington, MA 02352

(774) 279-2329

From: Deb Goldman <debinpeace@gmail.com>

Sent: Thursday, July 16, 2020 11:27 PM

To: Testimony HWM Judiciary (HOU)

Subject: Public Testimony on Police Reform Bill

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Reverend Deborah Goldman with the Greater Boston Interfaith Organization (GBIO). I live at 146 Oakland Ave., #2, Arlington 02476. I am writing to urge you and the House to pass police reform that includes:

- Implementing Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Deborah Goldman

debinpeace@gmail.com

617-957-4413

146 Oakland Avenue #2

Arlington, MA 02476

From: Greater Lowell PDC <greaterlowellpdc@comcast.net>
Sent: Thursday, July 16, 2020 11:27 PM
To: Testimony HWM Judiciary (HOU); Greaterlowellpdc
Subject: Qualified immunity

To Whom it May Concern,

My husband is retired from the Mass State Police. With horror we have observed the legislature try to limit qualified immunity. How could government officials ask officers to do this type of extremely dangerous work without protecting them from the criminals civilians are often protected from through their tiredness efforts. Do you really think that career criminals would not try to sue the officers personally while denying all allocations of misconduct. Where is your loyalty to the people you ask to accept the physical and mental risks of this job? Now you expect them to manage the stress of criminals trying to bankrupt them and take their homes for doing the job you require of them.

Why are you singling out the police? If the government moves to remove qualified immunity do so for all professions with no exception.

As you are aware the officers in this state are very educated, most holding advanced degrees. Some of these efforts create additional administration , while the real work is on the street keeping people safe.

I have been disappointed by the government agency not praising their local and state officers. You have made the mistake of judging all officers based on the uniform of one officer many states away. We could all be judged by the bad apples in our profession. This is not different.

I for one will back the Blue , the military and everyone willing to stand strong and alone when everyone runs away . They are the people I respect the most.

Best regards

Denise G Peaslee LMHC
72 Florence Road
Lowell, MA 01851

Sent from my iPad
From: kathleen parsons <kmp8109@comcast.net>
Sent: Thursday, July 16, 2020 11:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony regarding S2820

Dear Senator Susan Moran,

My name is Kathleen M. Parsons and I live at 46 Deseret Drive Bourne MA, 02532.

As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve. I also speak to you, as a wife to a law enforcement officer. I have asked him to maybe consider getting another job because of the harsh conditions today. He refuses. He loves helping people, and he does it each day with a smile on his face. Even when people hate him for it. Please consider these issues and how they protect my sweet husband, a man who would do anything for his community. Please fight to keep him safe as he fights to keep Bourne safe, my four children need him safe. Thank you and god bless.
Sincerely,

Kathleen M. Parsons
From: Vinnie Pizzi <vinniepizzi@yahoo.com>
Sent: Thursday, July 16, 2020 11:29 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Dear Chairman Michlewitz, Chairwoman Cronin, and the rest of the House Committee on Ways and Means,

Thank you for your time in allowing myself and many others to submit testimony in response to Senate Bill S2820. My name is Vincent Pizzi and I am a Massachusetts resident currently residing in Falmouth. I am a husband, a father, a brother and a son. I am a veteran of the United States Army, where I served honorably as a military police officer. I currently serve in the United States Navy Reserves as a Master-at-Arms (Navy Police). Most relevant to my testimony, I am currently a police officer in the state of Massachusetts.

I write this testimony today in hope to open up the discussion about why I, and thousands of other police officers across the state of Massachusetts, oppose Senate Bill S2820 as it has been presented to you.

Senate Bill S2820 is nothing short of a hastily and poorly thought out reaction to an event that occurred over 1,000 miles away. Before I say any more, allow me to state that what happened to George Floyd was an egregious and reprehensible act. That being said, I am confident in saying that all police in Massachusetts, including the Massachusetts Fraternal Order of Police, The Massachusetts Chiefs of Police Association, and countless police unions, have all publicly denounced the event.

With that in mind, I cannot seem to wrap my head around that thought process that led to Senate Bill S2820 to come to fruition. The police in Massachusetts are, bar none, the finest law enforcement officers in the United States. We do not only exceed the standard, we often set it. The version of the bill presented to you contains dangerous language undermining officer safety and more importantly, public safety. If this bill were to pass as written, a police officer's ability to perform basic job functions would be wildly bounding. The scariest part of this testimony is the fact that it has to be presented to the House, rather than the Senate, because of how undemocratically the Senate pushed this through, disregarding any input from the public or the groups directly affected by the bill. The fact that the Senate Bill S2820 was passed while the public was sound asleep at 3am tells my colleagues and I that the Senate had zero concern for public opinion and only cared about furthering their own agenda.

I assure you that police within the Commonwealth across the board want and support uniform training standards. As a matter of fact, this is the exact reason the Municipal Police Training Committee (MPTC) exists in the state of Massachusetts. The MPTC is charged with developing, delivering and enforcing training standards of all municipal, university and environmental police officers across the state. Good police officers, the kind the public supports and wants on the streets, always crave more training. Not only do police want more training, but we want quality

training. However, quality training costs quality money. This is why we cannot understand the push to defund the police. A good police officer is an educated police officer. It is up to you, the legislature, to ensure that the police that are charged with protecting your constituents have nothing short of the best training available. Anything less is a blatant disservice from you, our elected officials.

The Senate version of S2820 that generates a regulatory board is unsatisfactory. This board would be heavily commanded by anti-police groups with detailed biases against police. This board would be nothing like the other 160 regulatory boards across the Commonwealth and would unjustly strip officers of due process and eliminate rights afforded under civil service law.

There seems to be a lot of confusion when it comes to qualified immunity. Qualified immunity does not protect bad cops. Qualified immunity is a legal immunity that protects government officials from civil suit that allege a clearly established statutory or constitutional has been violated. This holds government officials accountable when they exercise power irresponsibly but also protects them from unfounded accusations, claims of harassment and liability while performing their duties in a reasonable manner. When you take into consideration that the officers involved in the tragic case of George Floyd all had qualified immunity, you can clearly see that it does not protect bad cops. Where did that qualified immunity get them? Squarely in a 6-foot by 8-foot jail cell, that's where. Qualified immunity protects good cops from frivolous lawsuits. The communities we serve in the Commonwealth expect us to act quickly and decisively. How would we be able to accomplish anything with the fear of civil suit hanging over our heads for every single decision? Ask yourself, if it were one of your loved ones in need of the police in a life or death situation, would you want the police to interject themselves immediately, or rather take the time to weigh whether or not intervening is worth the risk of civil suit? What would follow if qualified immunity were eliminated? Allow me to spell it out. Proactive police officers would begin to sit on their hands not wanting to risk losing their livelihoods. Crime would spike as criminals would quickly realize that no one is looking to prevent their criminal activity. Budgets would exponentially increase across the entire state to keep up with countless lawsuits from routine police interactions. The good cops you want so much, which is the vast majority of law enforcement in Massachusetts already, would quickly begin to seek employment elsewhere, retire or flat out walk off the job.

I will leave you with these final questions to contemplate. What happens when all the good police officers in Massachusetts are gone? What quality of police officer does that leave the Commonwealth with?

On behalf of all the men and women selflessly serving the Commonwealth of Massachusetts, I thank you for your time and consideration.

Respectfully,

Vincent Pizzi

508-558-7059

vinniepizzi@yahoo.com

From: Aminah Pilgrim <aminahpilgrim@yahoo.com>
Sent: Thursday, July 16, 2020 11:25 PM
To: Brady, Michael (SEN); Cassidy, Gerard - Rep. (HOU); Testimony HWM Judiciary (HOU); Miranda, Liz - Rep. (HOU)
Subject: Supporting Racial Justice in Schools for our Youth in Mass

Dear Reps. Brady & Cassidy,

It is my hope that this letter/testimony finds you well during these difficult times. I am one of your Brockton constituents. I've worked with youth in Brockton for 20 years. In fact, I have met both of you many times through my work with the Cape Verdean Association of Brockton, Massasoit Community College, in my role as one of the founders of the downtown project Prova!, and in my work as a member of the Board of the Brockton Public Library.

I am writing to you today to add my name to the list of supporters working towards racial justice for our young people in the State and in the US. I've copied my friend Rep. Miranda here; she is one of the fiercest defenders of the move to change policies and practices that criminalize Black and Brown students.

You have an opportunity today to serve (as Martin Luther King, Jr. and many others have said) "on the right side of history" by supporting the passage of this important legislation that contributes to ending the cradle/school-to-prison pipeline and the school-to-deportation pipeline. These pipelines destroy lives and have already destroyed generations by depriving them of the opportunity to have an education and a future.

I testified before the Brockton School Committee at least half a dozen times over the past several years regarding the damage that unjust school discipline causes. For instance, consider the case of now deceased Antonio, who at 9 years old, planned to graduate high school and college and become a business owner. His energetic personality was misread as mischievousness over the years and he was penalized for ordinary missteps. Repeated, severe discipline demoralized him. His well-intentioned parents (immigrant citizens from Cabo Verde with limited English language and limited knowledge of their rights in the school system) grew more and more

frustrated with him and punished him severely as well. Eventually, he lost hope and began to behave the way that he was being characterized... he ultimately dropped out of school, fulfilling the low expectations of those around him who profiled him because of his perceived race and status, ignoring his trauma and pain and potential. Within a few years of leaving school, he ended up dead. What would have happened if along the way, educators saw his potential and addressed his trauma and family matters, instead of punishing him? What if he had been encouraged instead of handed low expectations and policies that criminalized him and eventually pushed him out of school? What if he had been given a chance to prove himself? Most certainly, he would have found a way, finished school, and started down his life path of business ownership. Racially just and humane school practices could have saved his life and given him a future.

There are 100s of 1000s of stories like this one. Students are profiled in schools, labeled and treated according to the negative images associated with their backgrounds, according to their racial or ethnic identities, immigrant status or socioeconomic class.

Your votes can stop these practices, and protect the rights of students to learn in schools without the fears that are generated by the systemic racism and xenophobia of the aforementioned pipelines. Brockton students are among the MOST affected by these policies and it is way past the time to do something about this. Thank you in advance for considering this plea for your support. Please vote "on the right side of history" and take a stand that will contribute to racial justice.

Sincerely,
Dr. Aminah Pilgrim

Aminah Pilgrim, PhD
PO Box 661
Onset, MA 02558
Mobile # 508-246-4370

Everybody can be great... because anybody can serve. You don't have to have a college degree to serve. You don't have to make your subject and verb agree to serve. You only need a heart full of grace. A soul generated by love.

--Martin Luther King, Jr.

From: Karen Blumenfeld <oxbow3@comcast.net>
Sent: Thursday, July 16, 2020 11:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820 - do not dilute

Dear MA House Judiciary Committee,

I write today to urge you not to dilute in any way Senate Bill 2820 on police reform. Please do not let the police unions' pressure cause you to water down this crucial bill which will increase police accountability, shift law enforcement away from surveillance and punishment and instead toward de-escalation and community strengthening, and build a more just and equitable Commonwealth. The bill is a strong first step toward

dismantling systemic racism in Massachusetts. Please do not squander this opportunity.

Sincerely,
Karen Blumenfeld
113 Oxbow Rd
Wayland

From: charw223@comcast.net
Sent: Thursday, July 16, 2020 11:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

My name is Charles West, I am a contractor and small business owner. My phone number is (508)740-9379.

I would like the Massachusetts House of Representatives to know that we do not need police reform. Don't jump on this bandwagon. We are not Minneapolis or Ferguson. We do not have a race problem in Massachusetts. We have a political problem in Massachusetts.

We would like our police to not be afraid of arresting anyone regardless of skin color if they have committed a crime that warrants an arrest. That is fairness, that is equality. Stop playing games.

Do not fail us. If you, as a government, take away the one thing government is absolutely responsible for, our safety, then you will have failed us.

Please understand, if you make the job of police officer more difficult you will de-incentivize order. If that is what you want then there is no good future for our state or our country.

This bill will not satisfy anyone on either side. In your search for equal outcomes, beware of making everyone equally miserable and pissed off.

Do not vote S.2800 into law.

Sent from my T-Mobile 4G LTE device
From: Rose Procanik <rprocanik@verizon.net>
Sent: Thursday, July 16, 2020 11:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Rosemarie Procanik
From: Nina Katz <njkyay@gmail.com>
Sent: Thursday, July 16, 2020 10:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Greetings!

I am writing to urge you to strengthen the language of the Senate bill to create an independent and civilian body in charge of police certification/decertification;
eliminate rather than limit qualified immunity so that victims of police brutality can sue for civil damages;
eliminate the school-to-prison pipeline and removing barriers to expungement on juvenile records; and likewise go further than the Senate bill to
strengthen the use of force standards; fully prohibiting facial surveillance technology; and lifting the cap on the Justice Reinvestment Fund.

Thank you.

Nina

From: simon faynzilberg <sfaynzilberg@yahoo.com>
Sent: Thursday, July 16, 2020 10:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: Vote NO on S.2820 Reforming Police Standards

Dear Chair Aaron Michlewitz and Chair Claire Cronin

My name is Simon Faynzilberg

I am a Brookline resident since 1996.. My daughter was educated in Brookline schools. I love this town, I respect its police, and I want my town to stay safe and prosperous as before.

By a mere chance, from a friend, I learned about the passage of the bill in the Massachusetts senate to end qualified immunity for police officers. There was no public hearing, no information in newspapers, or other discussions - just late night vote in the MA senate as if the senate did not want the residents to know about this bill.

I am totally and categorically against this bill .

Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function - anybody, from public school teachers to senators, could find themselves frivolously sued for any action that made somebody unhappy. And policemen, due to the very nature of their work, are the most vulnerable group. T

This shameful legislation is unfair and counterproductive. By taking away qualified immunity from police, the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen will retire, which is already happening. People cannot work with their hands tied.

And no new, young members will want to join the police force - the group that not only is unjustly demonized, but now even deprived of any legislative protection.

As a Brookline voter, I strongly request that you vote NO on this bill.

Thank you

Simon Faynzilberg, MD
Medical Director
Comprehensive Pain Center
978-463-1045 (w)
617-817-2070 (c)
sfaynzilberg@yahoo.com

From: Alan Linov <alan.linov.1@gmail.com>
Sent: Thursday, July 16, 2020 10:08 PM
To: Testimony HWM Judiciary (HOU)
Cc: Rogers, Dave - Rep. (HOU)
Subject: Testimony in support of House adoption of S.2820

Rep. Michlewitz and Rep. Cronin,

The system of justice and policing in Massachusetts currently has many features that promote and perpetuate racism and that facilitate abusive behavior by police. The provisions of S.2820 address several of those features in a constructive way, and I urge the Ways and Means and Judiciary committees to produce legislation that is sufficiently consistent with S.2820 to be rapidly resolved in a conference committee and passed for the governor's signature in the current legislative session.

The provisions of S.2820 are steps toward a system of policing that provide for public safety while encouraging confidence and support of police by all communities. Essential elements of the bill include the establishment of a Police Officer Standards and Accreditation Committee, revisions to qualified immunity, and a duty to intervene if an officer witnesses abuse of force by another officer. These provisions advance police professionalism and accountability for wrongdoing. The public standing of police will be enhanced through adherence to higher standards of conduct and elimination of some barriers to removal of officers that have demonstrated they clearly lack the ability and/or commitment to do their job with integrity, discipline, and fairness.

The House has the opportunity to make this truly a pivotal moment in the history of justice in Massachusetts by passing a bill that is highly compatible with S.2820, in its entirety.

Alan Linov
19 Colonial Dr
Arlington, MA 02474
781-646-9222

From: Sara W. <saratherunningsmile@gmail.com>
Sent: Thursday, July 16, 2020 10:08 PM
To: Testimony HWM Judiciary (HOU)

Subject: Comment to support Bill S.2800

Hello,

I hope this email finds you well. My name is Sara Wang and I am a Massachusetts voter and current medical student. I write in support of an Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

Historic racial inequalities have been present in our country since its creation, and now is a unique moment to act towards racial justice. Massachusetts has the opportunity to lead on this front as it does in healthcare. We must champion the rights of all of our residents, including black residents and other residents of color. Police reform is key to doing that, as is implementing a commission on the status of African Americans. I support this bill and hope that you pass it.

Thank you for all your hard work on this. I look forward to the outcome of this deliberation.

Sincerely,

Sara Wang

From: Eli Adler-Roth <elirothri@gmail.com>

Sent: Thursday, July 16, 2020 10:08 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820 Testimony

Distinguished Representatives,

Thank you for making time for citizen input on this important bill, S2820. I will make my comments as brief as possible, but feel I have unique personal perspective on the issues disused.

I am writing in strong support of the bill. As a clinical social worker, I have seen, firsthand, the profound good that police officers can accomplish in their roles. Sweeping police powers and a lack of officer accountability, however, more often than not are barriers, not aids, to effective policing. S2820 will more effectively position law enforcement to act with only the tools, tactics, and mentalities appropriate for the job. My time in social work strongly informs this position.

In my career, I have deescalated and evaluated those in mental health crisis in emergency departments. I have sat across from men convicted of brutal acts of domestic violence to assess their accountability and preparedness to end community supervision. I have counseled and safety-planned with survivors of these violent assaults. I have intervened with clients who were hours or even minutes removed from a suicide attempt.

For the majority of my career, I worked in a residential setting. Among many other duties, I had the privilege of training clinical and non-clinical colleagues on the principles and techniques of deescalation and safe, compassionate physical restraint. We always taught that going "hands on" was an absolute last resort, but, due to the acute nature of the

population we served, I, unfortunately, had to engage physically several dozen times over the course of a few short years. In that time, I was bit, punched, stabbed, spit on, kicked, grabbed between the legs and pulled by the hair.

Never once, in my career, have I had the luxury of a combative union which would fight for my job if I choked someone to death. Moreover, never once have I felt as if the free reign to strangle even the most violently dysregulated client would have made me any safer in the long run. This distinction is important for those using the narrow lens of exclusive prioritization of officer safety at any cost. Even ignoring the rampant brutalization of disproportionately Black, Brown, poor, and mentally ill civilians in crisis, different tactics will also translate into reduced risk to officers. In my residential work (and elsewhere in my career), we saw every day that the safest strategy for client safety was also the safest strategy for our own: responding with calm, compassion and connection. In this vein, I want to share one disappointment I have with the bill, which is a failure to make fear-based "warrior" style trainings for police illegal by law.

This critique notwithstanding, S2820 is an important step forward in the long overdue process to establish officer accountability, and to modernize and humanize law enforcement. Again, I know that many officers who wear the uniform do so with love for their communities and the very best of intentions. However, the fear and anger felt by so many, especially many marginalized people, is a predictable consequence from generations of tolerance of cruel and ineffective policing (which is only now, it seems, getting caught on film). The well-deserved distrust many of my clients have for police manifests in the perpetuation of poverty, generational trauma, and inability to access community resources and supports. As a Massachusetts citizen who has also dedicated his career to the safety and well-being of his community, I urge you in the strongest possible terms to pass this bill into law.

Thank you for your time and consideration,

Eli Adler-Roth, LICSW

North Andover

From: Donna Williams <donna@baystatepallet.comcastbiz.net>

Sent: Thursday, July 16, 2020 10:07 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down qualified immunity in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum it should specifically eliminate any provisions similar to sections 10, 49, and 52, as well as amend Section 63 to have more police representation.

Sincerely,

Donna Williams
Cell 617-212-7278
Sent from my iPad From: John <johnalbertocosta@yahoo.com>
Sent: Thursday, July 16, 2020 10:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: MA Bill S.2800

>>> We need your help
>>> I am writing to you regarding Massachusetts Bill S.2800. I am very upset about how this bill is being quickly pushed through, while it will have tremendous repercussions on our police departments, tying their hands, and preventing them from doing their jobs. While there are portions of the bill that may bring about higher standards for our officers, removing qualified immunity as one of their rights is simply unacceptable. As a registered and active voter, I am disheartened by the actions of politicians that I have voted for, who are responding with a knee jerk reaction to the loud actions of the few, while ignoring the majority of the population. I look forward to your reply, and I respectfully ask that you consider not supporting the removal of qualified immunity for our police officers.
>>>
>>> Regards,
>>> John Costa

From: Comcast <laura.hilliard@comcast.net>
Sent: Thursday, July 16, 2020 10:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

To Members of the House Ways and Means,

Thank you for the opportunity for public input for this important issue. I write to you as a lifelong citizen of the Commonwealth of Massachusetts. I grew up and then raised my own family in the town of North Reading. I am now a school nurse in a neighboring town.

I have the utmost respect for the police and find the language in this bill disrespectful to all the hardworking, honest, dedicated law enforcement men and woman. This bill does nothing but further divide communities.

In my daily work in the schools, I frequently collaborate with our police officers and see them working with students and families in difficult situations. They are always respectful and go above and beyond to make the community a safe and inclusive place for all. The police are active members of our school safety committee and serve as a constant resource in planning and practice of our active shooter drills, emergency responses and mental health emergencies. They are always available to provide assistance if we need them to do a wellness check on a student or family and provide assistance with parents, students and schools with truancy and school avoidance. They are the first to arrive for medical emergencies, a welcoming site. I can not imagine returning to school and thinking they may not be readily available because of underfunding, and shortages brought on by under-appreciation.

I cannot understand what any of you are thinking to believe that taking away qualified immunity would improve law and order. This will only make police hesitant to help, off duty officers hesitant to jump in and keep young people from entering the police force. It is my understanding that you as legislators also have "qualified immunity", how would you feel if this was done to you? How would you like your hands being tied? I know there have been others in your positions that have been dishonest. What happened to Mr. Floyd was a terrible injustice done by a terrible officer, who should be held accountable and punished to the extent of the law. Qualified immunity would not protect him! Let's not paint every police officer with a broad brush, for the sins of a few. That's not fair!

Equality is a god given right. In our constitution, written so many years ago, and it refers to "we the people". When I see that the description of this bill is to build a more equitable, fair and just Commonwealth that "values Black lives and communities of color", I find it exclusionary of many others living in the Commonwealth. I am all in on equality but this feels like something else. It scares me to see the violence and expressions of hate in some of these protests. This bill will not make it more equitable. This only will divide the Community. Can't you see the violence that has escalated against the police of late! You are fueling a war on police and pandering to pressure with a knee jerk reaction because for years you, the legislators, have done nothing to help these communities of color and listened to their pleas! Now all of a sudden it's an "emergency"! Now it's a war on police?!

Is reform and new training techniques for law enforcement needed, yes!
Every profession needs to grow and change. But, You can't just take away
all the techniques they have been taught and not train them with new
techniques.

Please think of having law enforcement represented on the review board,
weather a retired officer or commissioner. There should be someone who
has walked in their shoes and has an understanding of the job of law
enforcment. How can you set trainings and standards for a profession you
have never been a part of?
This is common sense!

Our brave law enforcement officers deserve our respect.
Every person deserves our respect.

Please foster relationships between our law enforcement and our
communities not build walls and fuel hatred.

Laura Hilliard
978-502-9009

Sent from my iPad
From: Becky <bwandrei@hotmail.com>
Sent: Thursday, July 16, 2020 10:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill No. S2820

Dear House of Representatives,

I stand against bill S2820 as written. I ask that you also not support
this bill as written.

- The senate version of this bill as written will seriously undermine
public safety by limiting police officer's ability to do their jobs while
simultaneously allowing provisions to protect criminals. Furthermore, the
process employed by the Senate to push this through with such haste,
without public hearing or input of any kind, was extremely undemocratic
and nontransparent.
- Police across the commonwealth support uniform training standards and
policies and have been requesting more training for years.
- The Senate version of a regulatory board is unacceptable as it strips
officers of the due process rights and does away with protections
currently set forth in collective bargaining agreements and civil service
law. The Senate created a board that is dominated by anti-police groups
who have a long-detailed record of biases against law enforcement and

preconceived punitive motives toward police. The FOP will not support any bill that does not include the same procedural justice safeguards members of the communities we serve demand and enjoy.

- Their proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth and as constructed incapable if being fair and impartial.
- What the Senate has tried to do is pass a knee jerk reaction to an incident which occurred half a country away that everyone agrees was egregious, the FOP nationally and in this state quickly condemned it.
- Massachusetts police officers are among highest educated and trained in the country
- This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers. It protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few.
- Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.
- If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

Reference:

Bill No. S2820

Title: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Sincerely,

Becky Wandrei

Windsor, MA

From: Grace Baker <21gracebaker@gmail.com>

Sent: Thursday, July 16, 2020 10:06 PM

To: Testimony HWM Judiciary (HOU)

Subject: Amendments 114,116,126,134,129, and137 to the Senate Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and 137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens,

INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential

explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Grace Baker

Resident

65 Reedsdale Road

Milton, MA 02186

781-974-7180

From: Cathryn Griffith <cathryngriffith@mac.com>

Sent: Thursday, July 16, 2020 10:05 PM

To: Testimony HWM Judiciary (HOU); Livingstone, Jay - Rep. (HOU)

Subject: police reform

?

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Cathryn Griffith with the Greater Boston Interfaith Organization (GBIO). I live at 200 Commonwealth Avenue, Boston MA 02116. I am writing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards & Training with certification
- * Civil service access reform
- * Commission on structural racism
- * Clear statutory limits on police use of force

* Qualified immunity reform

Thank you very much.

Cathryn Griffith

cathryngriffith@mac.com

617.437.0807

200 Commonwealth Avenue

Boston MA 02116

From: Faina Kofman <fainakofman@gmail.com>
Sent: Thursday, July 16, 2020 10:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: NO to canceling immunity for police

Dear Chair Aaron Michlewitz and chair Cronin,
We would like to express our strong opposition to cancelling a qualified immunity for police. Such reform will make each policeman ineffective in fighting crime, as well as will make it extremely difficult to recruit new people , who would want to join the police force. This bill will lead to unlawfulness and disorder and create an unsafe environment for all people in Massachusetts.

Sincerely,

Faina and Josef Kofman
Westborough, MA

From: Vyshnavi Chunduru <c.vyshnavi@gmail.com>
Sent: Thursday, July 16, 2020 10:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: The Reform, Shift, and Build Act

Hello!

I think that the Reform, Shift and Build act is very important. It ensures that funding goes towards communities that need it and give them the resources that they need to succeed in life. Especially in neighborhoods majorly affected by excessive policing, by directing that funding from the cops into the people will be more beneficial than having the police there. It's essential to provide for communities and ensure that they have the resources that many others do.

Thank you for your time and I hope that the Reform, Shift and Build Act stays in.

Thank you and have a good day!

From: David Merian <Dmerian@charter.net>
Sent: Thursday, July 16, 2020 10:03 PM
To: Testimony HWM Judiciary (HOU)
Cc: Dmerian@charter.net
Subject: Please help

Sent from my Verizon, Samsung Galaxy smartphone

From: Albert Renaghan <arenaghan26@gmail.com>
Sent: Thursday, July 16, 2020 10:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: I am a retired State Prison Correction Officer. During my time I watched the Legislature give inmates more rights than the Officers who you charge to keep prisoners in control. Inmates are able to tie up the courts with frivolous law suits . Many of t...

The Courts you supervise let violent individuals who are arrested using firearms back on the street multiple times. Where are the victims rights.

Are you in the legislature are allowed to be sued? Then do not take away police officers rights.

Consider this:

Will people become afraid to become Law Enforcement Officers?
If they can be sued at any time.

A strong and uniform " Use of Force Policy" Is easier to enforce by the DA's and is better than stripping police of there Rights.

Submitted by
Albert Renaghan
26 Mohawk Street
Bellingham MA 02019
Retired State Correction Officer

Sent from my iPhoneFrom: ft northeystreethouse.com
<ft@northeystreethouse.com>
Sent: Thursday, July 16, 2020 10:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support for HD.5128 & HB.3277

I support The League of Women Voters who advocates against systemic racism in the justice system and supports preventing excessive force and brutality by law enforcement. It is high time.

I urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda bans choke-holds, no knock

warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights."

Flora Tonthat
Salem, MA

From: Svetlana Shaknovich <sshaknovich@yahoo.com>
Sent: Thursday, July 16, 2020 10:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: Vote NO on S.2820 Reforming Police Standards

Dear Chair Aaron Michlewitz and Chair Claire Cronin

My name is Svetlana Shaknovich, I am a Brookline resident since 1996. My daughter was educated in Brookline schools. I love this town, I respect its police, and I want my town to stay safe and prosperous as before.

By a mere chance, just yesterday, I learned about the passage of the bill in the Massachusetts senate to end qualified immunity for police officers. There was no public hearing, no information in newspapers, or other discussions - just late night vote in the MA senate as if the senate did not want the residents to know about this bill.

I am totally and categorically against this bill .

Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function - anybody, from public school teachers to senators, could find themselves frivolously sued for any action that made somebody unhappy. And policemen, due to the very nature of their work, are the most vulnerable group. T

This shameful legislation is unfair and counterproductive. By taking away qualified immunity from police, the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen

will retire, which is already happening. People cannot work with their hands tied.

And no new, young members will want to join the police force - the group that not only is unjustly demonized, but now even deprived of any legislative protection.

As a Brookline voter, I strongly request that you vote NO on this bill.

Thank you

Svetlana Shaknovich
157 Winthrop Road, Brookline, MA 02445
781-856-4043

Svetlana Shaknovich CPA
781-856-4043

From: MaryAnn "Mo" Levasseur <mlevasseur@profileresearch.net>
Sent: Thursday, July 16, 2020 10:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

My husband and I are lifelong resident of the Commonwealth of Massachusetts. We are proud to be citizens of this great State.

This issue with S2800 now S2820 is the lack of participation allowed from the very industry and people that this affects.

Police reform is a primarily a training issue and the Chiefs of Police are the leaders to build that foundation of training.

To rush an issue of this magnitude through the Senate at such a late hour truly shows the desperation at those at the helm of the bill.

There is power in numbers and when we begin to use that power to destroy, diminish or defeat others it becomes very dangerous.

To not have the public participation, especially law enforcement, on a bill of this magnitude is clearly wrong.

Whether you are Democrat or Republican, you must be fair and you must be just. Neither happened here.

As a leader, you must rise above the cries at times and find a balance in doing the right thing. That did not happen here.

Policing is very broad. You must hear from the law enforcement leaders in our Commonwealth to make these changes.

This must happen. It clearly must happen.

To not follow due process when addressing reform shows that the politicians went rogue. Their own agenda.

You as politicians are not qualified to make these changes because they are coming from an emotional foundation. It's reactive not proactive.

This bill begins to break down the trust in our law enforcement community not build it up.

You can have reform and "build" law enforcement to a better platform. Not tear it down by a punitive bill.

Massachusetts is known for having great policing and great training.

This bill would diminish all the hard work and dedication that many law enforcement leaders have dedicated their professional careers to.

In a time when we are being asked not to tear down, why not apply that rule here?

I have a sign on every desk in my company. Is there a better way to do this?

I would apply that here and ask you, do you believe this was the best possible outcome for the opportunity to reform police standards?

I also have a rule which is the 2 day reflect rule.

I apply that rule when something may be asked of me that I need to respond to but may not be ready.

The answer that I may have at the moment I am asked, may not be the answer I have 2 days from now, with a clearer mind. That would apply here.

My husband always says, nothing good happens after midnight. He would be spot on when it came to this bill.

Could you take some time and gather the appropriate input from the appropriate people in law enforcement to really make a difference and be a model?

Because right now, not a lot of people respect how this was done and what was done.

Even if I don't like the outcome of something, if it were done properly and fairly, I would accept it.

Lastly, I grew up in Boston during busing. I attended school with African Americans, who are still my friends today.

I have seen firsthand the issues African Americans have faced and believe some change absolutely needs to happen.

But, ask yourself, did you go too fast and miss something on behalf of the very people you are trying to help.

And, why can't you involve law enforcement leaders in the process? Why the blindsiding bill?

You may have the right intent, but you certainly did not go about it in a fair and due process way.

Slow down. Take a step back.

Involve the leaders in law enforcement in this process now. That would be the right thing to do.

Not after the fact when a bill like this will only create more bureaucracy than anything else.

Do you really have any idea what the life of a police officer really involves?

If the answer is no, then speak to the very people that made it to the top of law enforcement to make sure this bill truly does help people of color.

Thank you.

MaryAnn Levasseur

Roland Levasseur

6 leslie Road

Rowley, MA 01969'

mlevasseur@profileresearch.net

978-948-2273

From: Deborah Clark <deborah.clark@alpiusa.com>
Sent: Thursday, July 16, 2020 10:02 PM
To: Boncore, Joseph (SEN); DeLeo, Robert - Rep. (HOU)
Cc: Testimony HWM Judiciary (HOU)
Subject: S 2820

Dear Representative DeLeo and Senator Boncore,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Deborah Clark

42 Waveway Ave

Winthrop, MA 02152

From: Anne Erde <anne.erde@gmail.com>
Sent: Thursday, July 16, 2020 10:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

Dear Chair Michlewitz and Chair Cronin,
I am writing in support of the Reform, Build and Shift Act, S.2800, I know this is a complicated bill that will provide needed reform of the Police Department and its officers. I am especially concerned that qualified immunity is ended. Police have not made our communities safe; people are afraid of the police because there are few consequences for their actions against citizens. They must not be given protection when they inflict undue pain and damage on citizens. Please make sure qualified immunity is removed from our Commonwealth.

Thank you,

Anne Erde

Jamaica Plain

From: rebecca cali <becca5262@yahoo.com>
Sent: Thursday, July 16, 2020 10:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Rebecca Cali

313 Lancaster St.

Leominster Ma. 01453

becca5262@yahoo.com

From: Jessica MacDonald <jessmac45@icloud.com>

Sent: Thursday, July 16, 2020 10:01 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

?

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Jessica MacDonald/14 Lyman Ave.Hudson,MA 01749

Sent from my iPhone
From: Debbie Menz <mamaggott@verizon.net>
Sent: Thursday, July 16, 2020 10:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: OPPOSE Bill S2820

TO: Chairman Aaron Michlewitz
Chairwoman Claire Cronin

RE: Bill S2820

My name is Debra Menz and I live at 64 Simpson Street, Stoughton, MA. I am a Spouse to a LEO and I write to you today to express my staunch opposition to Bill S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. It is disturbing the amount of disrespect our LEOs have to endure just to do the job they love to Serve & Protect their communities. Let our Law Enforcement Officers do their job without the fear of being sued trying to do their job.

Respectfully
Debra Menz

From: tom fleming <tpflem@yahoo.com>
Sent: Thursday, July 16, 2020 10:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Thomas Fleming

165 Worcester Lane <x-apple-data-detectors://2/1>

Waltham, MA 02451 <x-apple-data-detectors://2/1>

Tpflem@yahoo.com

Sent from my iPhone
From: J Slattery <slattery1212@gmail.com>
Sent: Thursday, July 16, 2020 10:01 PM

To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Legislation

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

John Slattery

16 Gilfeather Lane

Kingston, MA 02364

slattery1212@gmail.com

From: Robert Benoit <MSPTrooper1348@msn.com>

Sent: Thursday, July 16, 2020 10:01 PM

To: Testimony HWM Judiciary (HOU)

Subject: Qualified Annuity

Please be advised I am writing to speak for the Qualified Annuity aspect of the present Bill before the House/Senate. I have been a local police Officer

for 3 years in the Town of Spencer and a Mass. State Trooper for 34 years. I will keep it short and simple. The wheels are coming off in the

country with the attack on our police. Do not add to the problem. Keep 'Qualified Immunity in the Bill. Cops, their wives and husbands and in

most cases their children vote too. How many in the Committee have been all alone at night, on patrol in a rural area with no backup available?

I Worked in the Athol Barracks for 9 years and the Brookfield Barracks for 25 years. When you are ALONE you do what works.

Submitted,

Tpr. RE Benoit (Ret.)

Oakham, MA.

From: Casey Fanning <caseyfanning1@gmail.com>

Sent: Thursday, July 16, 2020 10:00 PM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to Bill S.2820

To Whom This May Concern,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage.

Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Casey Fanning

10 Thurston Street, East Boston, MA

(617)-913-7397

From: James Dalton <jamesdalton15@aol.com>
Sent: Thursday, July 16, 2020 9:56 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2.800

To whom it may concern. I am in full opposition of bill S2.800. I firmly believe that taking away qualified immunity will cause consequences that will affect the future of policing. There will be a mass exodus of officers that risk their lives on a daily basis for the same people that wish they didn't exist. It is important to keep this immunity in for officers to be able to complete their jobs without walking on eggshells or losing their lives because they do not want their families to be affected or their house to be lost due to the personal lawsuits that will come after them. To go along with that, officers addresses should not be public record especially in a time where people are following officers home in harassment and even attempts to take their lives. In conclusion, my community takes pride in their police and backs them 100%. We would like the people that represent us to show their representation by backing the police as well.

From: William Theodore <wtheodore3992@gmail.com>
Sent: Thursday, July 16, 2020 9:59 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

My name is Will Theodore and I live at 18 Charles Drive in Canton . As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in the proposed reforms. While there is always room for improvement in policing, the proposed legislation

has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you for your consideration. I stand with our police officers, who have the single most difficult job in the country, every single day. There are thousands of people just like me who don't protest, picket or post on social media. We talk with our votes and with the current climate, our silence should not be overlooked as absence.

Sincerely,

Will Theodore

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This message was sent from my iPhone, please excuse any spelling errors.

From: sciaratta42@gmail.com

Sent: Thursday, July 16, 2020 9:59 PM

To: Testimony HWM Judiciary (HOU)

? July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Edward Sciarratta

Sent from my iPhone

From: Robert Benoit <msptrooper1348@msn.com>
Sent: Thursday, July 16, 2020 9:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Annuity

Please be advised I am writing to speak for the Qualified Annuity aspect of the present Bill before the House/Senate. I have been a local police Officer

for 3 years in the Town of Spencer and a Mass. State Trooper for 34 years. I will keep it short and simple. The wheels are coming off in the

country with the attack on our police. Do not add to the problem. Keep 'Qualified Immunity' in the Bill. Cops, their wives and husbands and in

most cases their children vote too. How many in the Committee have been all alone at night, on patrol in a rural area with no backup available?

I Worked in the Athol Barracks for 9 years and the Brookfield Barracks for 25 years. When you are ALONE you do what works.

Submitted,

Tpr. RE Benoit (Ret.)

Oakham, MA.

Tpr RE Benoit et.)

From: Brandon O'Connor <brandonpoconnor@gmail.com>
Sent: Thursday, July 16, 2020 9:56 PM
To: Testimony HWM Judiciary (HOU)

Subject: Police Reform/Defunding

1. The removal of Qualified Immunity for every public servant, Officer, Fire Fighter, Teacher, judge is a bad idea and would cause more problems than solutions
2. The time and Money spent on frivolous lawsuits/claims will become a bigger problem
3. Mass exodus of Police Officers; retire early, finding new job and no new Officers to replace them
4. Any new Officers hired will be substandard because anyone with any common sense will not be on the streets knowing every action taken could be a new law suit and it engages their families income.
5. Defunding will reduce resources and education.
6. A mandate of defunding is a waste time and \$\$.
7. Want better officers then put time and funding into real training not presentations on Power Point
8. Offer classes and workshops that have scenarios that will teach critical thinking, put officers in real life situations with stress, teach officers how to respond to critical situations with verbal and physical action
9. The fact is that the majority of cops believe in the bulk of the changes suggested. They want to see change as well. But don't make doing their job nearly impossible by not protecting them

From: Corinne Wingard <corinnemarie@comcast.net>
Sent: Thursday, July 16, 2020 9:56 PM
To: Testimony HWM Judiciary (HOU)
Subject: Policing Bill

To: Massachusetts House of Representatives,

I am writing to ask you to preserve and build on the policing bill passed by the Senate. I do support the police and believe that almost all police officers are good. But not all - not by any means which is why it is so important to support and build on the bill passed in the Senate, and ask you to go even further to end qualified immunity.

Beside the recent U.S. Department of Justice report on the Springfield Police, I remembered what happened in June 2016 in my town of Agawam in Western Mass, when three Agawam Police officers were fired. I googled it and watched the video of what happened again - three police in a cell with the prisoner, and one of them beating him mercilessly with a baton. It is appalling. Two of the police officers were reinstated, but the one wielding the baton was not. At the time I read I think it was the civil service review which was totally damning of him. So egregious acts happen everywhere, and they have to stop, and this is what it's going to take to stop them in Massachusetts.

I know there's a lot of disagreement about this, but it is hugely important for the well being of all in the Commonwealth for you to act for the protection of all..

Thank you,

Corinne M. Wingard,
194 Elm St, Agawam, MA., 01001
tel: 413-786-9467

From: Sierra Devisscher <s_devisscher@yahoo.com>
Sent: Thursday, July 16, 2020 9:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please Help

Dear Chair Michlewitz and Chair Cronin,

My name is Sierra DeVisscher and I live at 29 Malta Street in Seekonk. I work at MCI-Norfolk and am a dedicated Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820.

This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth.

I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Sierra C. DeVisscher

Sent from Yahoo Mail for iPhone
<[From: Justin Zink <jzink7384@gmail.com>
Sent: Thursday, July 16, 2020 9:55 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: Testimony](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=GiNjYoWV840xwAL2-daYLtdMOq0NgyAi_AE4xTvPr6Q&s=QiOZeMGOIG1p173hRZuQ5yUJ3sP7jMBdPf8MHyFKCk0&e=>></p></div><div data-bbox=)

Good evening,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Justin Zink, 34 Lowell Rd, Pepperell, MA 01463

Jzink7384@gmail.com

From: hamster hamham <samtuna2@gmail.com>
Sent: Thursday, July 16, 2020 9:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S.2800

To whom it may concern,

My name is Samantha Antunez and I live at 7 Mathaurs St, Milton, MA. 02186. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular,

stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to QI will have a serious impact on critical public safety issues.

Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then

officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Samantha Antunez

7 Mathaurs St

Milton, MA. 02186

From: Lisa Dacko <lisadacko@yahoo.com>
Sent: Thursday, July 16, 2020 9:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill s2820

Dear Chair Michlewitz and Chair Cronin,

My name is Lisa Dacko and I live at 79 Phillips Lane in Wrentham. I am the sister of a Corrections Officer currently on the IPS team at MCI-Norfolk. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional

rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, maybe your son or daughter even, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Lisa Tibbetts Dacko

Sent from my iPhone
From: debtuna2@gmail.com
Sent: Thursday, July 16, 2020 9:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S.2800

TinWhom it May Concern,

My name is Debra Antunez and I live at 7 Mathaurs St, Milton, MA. 02186
<x-apple-data-detectors://0> . I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human

services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to QI will have a serious impact on critical public safety issues.

Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and

policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Debra Antunez

7 Mathaurs St <x-apple-data-detectors://3>

Milton, MA. 02186 <x-apple-data-detectors://4>

Sent from my iPhone

From: Kelly Baker <k_l_baker@msn.com>

Sent: Thursday, July 16, 2020 9:54 PM

To: Testimony HWM Judiciary (HOU)

Cc: kelly baker

Subject: Amendments 114,116,126,134,129, and137 to the Senate Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law

enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,
Kelly Baker
Resident

65 Reedsdale Road
Milton, MA 02186
617-296-4190

From: rafael antunez <antunez.rtuna2@gmail.com>
Sent: Thursday, July 16, 2020 9:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S.2800

To whom it may concern,

My name is Rafael Antunez and I live at 7 Mathaurs St, Milton, MA. 02186. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Rafael Antunez

7 Mathaurs St

Milton, MA. 02186

From: Jerry Devine <jdevine@devinetechnpartners.com>
Sent: Thursday, July 16, 2020 9:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

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Sincerely,

Thank you,

Jerry Devine, RCDD
Devine Technology

O: (781) 812-3857

C: (617) 778-8097

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From: LINDA WEST <linwes@comcast.net>
Sent: Thursday, July 16, 2020 9:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Hello,

My name is Linda West. I live at 36 Diana Drive in Weymouth, MA. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Officer and the mother of his three children. Like all police wives, I watch my husband leave and hope and pray that he comes home safely every day. My last words to him every time he leaves are "be careful". The last words our children say to their dad when he leaves are "be safe". In our world this is "normal" but not everyone lives in the same world we do. Not all wives need to say "be careful" and not all kids have to say "be safe" when their loved one leaves for work.

I also write to you as a member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered. I will never forget where I was when my husband got the initial call about Mike. My husband ran out the door of our house. He said two words as he left, "Officer down!" I will never forget where I was when I learned that news that Mike had died. I will never forget attending Mike's wake and funeral with my husband, my children, my Blue Family and the Chesna Family. Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will never forget. A police wake and funeral are things NONE of us ever want to attend again.

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. Like many, I support enhanced training and appropriate certification standards that apply to individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. Qualified Immunity, as I understand it, does not excuse criminal conduct. It is, instead, a legal protection offered to all public employees and serves as a protection against losing one's home or life savings in a civil suit. As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform. If they don't make those decisions quickly enough they face the very real chance of death or injury. Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried about liability. They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in. They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones. Is there a chance that Sergeant Michael Chesna chose not to use his weapon on the morning of July 15, 2018 because he was worried that such use would have been viewed as use of excessive force? Was he worried that if he used his weapon he could potentially lose his family's home? The answers to those questions we will never know. It does seem reasonable to assume, however, that had Sergeant Michael Chesna chosen to use his weapon to shoot Emanuel Lopes he would still be here today. He would still be here with his family who miss him every single day. Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them. Police Officers who are forced to stop, pause and think about potential liability before they act are Police officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. The bill as it currently stands before you is NOT acceptable as a total package. If Legislation such as that tied to S.2820 is to be effective, appropriate and just for all citizens of our Commonwealth it takes time along with careful thought and consideration. Reactive and

rash decision making do not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill and to not study pieces like Qualified Immunity further have been extremely disheartening. I appreciated those Senators who called for more time and for a closer look at the bill in order to produce a product that was fair and just for all citizens of our Commonwealth. I also appreciate the willingness of the House to hear from the citizens of the Commonwealth. Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way. I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,
Linda L. West
36 Diana Drive
Weymouth, MA 02190
781-340-5663

From: Christine Kuczewski <craftycricket78@aol.com>
Sent: Thursday, July 16, 2020 9:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Senator Pacheco,

My name is Christine Kuczewski and I live at 23 Burt St., Berkley, MA. As your constituent, and a LEO wife, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act

reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Christine Kuczewski

From: Leina Xu <leineux14152@gmail.com>
Sent: Thursday, July 16, 2020 9:52 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support for the Reform, Shift + Build Act

Hello,

I wanted to write to express my support for the Reform, Shift+Build Act (S.2800).

I believe the goals for this bill are fundamental in achieving a less racist society. I believe that Boston has a responsibility as a "liberal" city to lead the charge and progressing towards a less violently policed society. I believe passing this bill is an indication that government truly can hear and take action on what citizens are demanding.

At the end of the day, Black and Brown communities are not asking for popular syrup brands to change their mascots, or to paint "Black lives matter" on every avenue. While these are welcome public displays towards a more sensitive and conscientious population towards the plight of marginalized communities, what people are truly asking for NOW is to hold police officers accountable and to defund the police and reinvest in communities. This bill may achieve this concrete step towards progress.

Thank you for your time,

Heather Xu

From: Kylie <kylie.willhoite@comcast.net>
Sent: Thursday, July 16, 2020 9:52 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Kylie Willhoite and I live at 66 Birchwood Street, West Roxbury, MA 02132. I work at Suffolk County Sheriff's Department and am a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Sergeant Kylie Willhoite

Sent from my iPhone
From: Diane Colgan <dpcolgan@comcast.net>
Sent: Thursday, July 16, 2020 9:52 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone
From: Kayli Adams <kadams_14@aol.com>
Sent: Thursday, July 16, 2020 9:51 PM
To: Testimony HWM Judiciary (HOU)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This

bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Kayli Adams / 31 Sherburne Ave / kadams_14@aol.com
From: richie brancaleone <brancaleone22@hotmail.com>
Sent: Thursday, July 16, 2020 9:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Richard Brancaleone I live at 455 Mill St, Mansfield MA. I work at MCI Norfolk and I am a Corrections Officer . As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Richard Brancalone
From: Kimberlee Frasso <kim.frasso@gmail.com>
Sent: Thursday, July 16, 2020 9:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This

bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Kimberlee casey

25 Maryland Ave winthrop ma 02152

Kim.frasso@gmail.com

Sent from my iPhone

From: christine defelice <yeep107@hotmail.com>
Sent: Thursday, July 16, 2020 9:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S2820

Dear Representatives Michlewitz and Cronin:

I stand against S2820 as presented. This bill is against qualified immunity and due process.

Qualified immunity protects good officer that act in good faith. Modifying qualified immunity would be inessential if there were invariable standards and banning of unlawful use of force methods.

Thank you for your time and consideration.

Respectfully,
Christine B. DeFelice
666 Humphrey Street <x-apple-data-detectors://0/1>
Swampscott, Ma 01907 <x-apple-data-detectors://0/1>
(978) 979-7767

From: Quang Pham <quang23pham@yahoo.com>
Sent: Thursday, July 16, 2020 9:49 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Quang Pham and I live at 90 Florida Street, Boston, MA. I work at Suffolk County Sheriff's Department and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Quang Pham

Sent from Yahoo Mail for iPhone
<[From: annie cannon <afc64@hotmail.com>
Sent: Thursday, July 16, 2020 9:49 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: S2800](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gqlYmKr0Sck2EnIiuk13zIsl6rchf_GkGDD&m=zEuGdvjaTmw_Itr4kcfYVzODlh-PZCwP78TTbTYgadg&s=L8r9CA1GL3OW9BDvWpfN1_yJZK7X11i7_6LHaAPOdls&e=></p></div><div data-bbox=)

I do not wish for this bill to pass

Sent from my iPhone
From: Jeff Whitman <jeffwbfd@comcast.net>
Sent: Thursday, July 16, 2020 9:49 PM
To: Testimony HWM Judiciary (HOU)

Do NOT approve this bill 2820.

Sent from my iPad
From: Leah Letourneau <leah.letourneau@gmail.com>

Sent: Thursday, July 16, 2020 9:52 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Package S.2820

Dear Judiciary Committee,

I am asking as a resident of Massachusetts that you DO NOT pass the police reform package S.2820 especially in regards to the section of qualified immunity.

A few questions each representative voting should be able to answer:

- Do the senators know how many of the "8 can't wait" campaign we already had in Massachusetts at the time of George Floyd's murder? (6 of the 8 is the answer with our police being trained at the academy that chokeholds are "not allowed" vs "banned". Banning them is great but a matter of semantics rather than a policy change. Please do not let the public believe they have needed to be in fear of this happening to them. They did not.)
- Do the senators know the data on police brutality for their own districts? What are the total number of calls vs. those that required any use of force? What are the demographics of that use of force? What type of force was used and why?
- Have they spoken with their chiefs about their current policies? Attended a citizens academy? Gone on a ride-along? Participated in a use of force simulation?

For example, in Northampton, MA where my fiance works the stats are all publicly posted. In 2019, they had 40,040 calls. Of those calls, only 84 resulted in any kind of use of force and none were deadly. That means that only 0.002% of calls resulted in any form of force. Of those 84 calls that resulted in some kind of use of force, 15 people were black, 8 were Hispanic, 1 was Middle Eastern, and 1 was Asian. That means that even when combined, only 0.0006% of calls resulted in any kind of use of force against a person of color and absolutely none were deadly or even close to it. That is not a police brutality issue. That is a public relations problem as thousands of compassionate, well-trained officers around the Commonwealth are being held accountable for actions that happened in another state with completely different laws, training, and governance around policing. Taking away qualified immunity will damage the future of policing and the public sector indefinitely. I urge you to think carefully before taking such a drastic measure. There is good reason why this law was upheld in the Supreme Court.

Social media without context cannot be what drives policy and this should not be a partisan issue. It should also not be something that is pushed through and rushed without proper time and communication around public comment. Please act responsibly on behalf of the citizens of this Commonwealth and vote down this bill.

Sincerely,

Leah Letourneau
Westfield, MA

From: Emily Humphreys <ehumphre@oberlin.edu>
Sent: Thursday, July 16, 2020 9:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: Comments on S2820

Dear House members,

I am writing in support of bill S2820. It is time we stop ignoring the persistent disparities in justice that have endangered and often ended the lives of Black Americans.

The Police Officer Standards and Accreditation Committee Is imperative for ensuring those with the most power in our society have the training, tools, and systems of accountability necessary to wield their power responsibly.

I know some have argued that eding qualified immunity may cause police officers to have second thoughts before taking action. To this I say, I would much rather have a police officer thinking twice before taking someone's life than not thinking at all.

Thank you for your public service,

Emily Humphreys
781-354-5569

From: Timothy Glynn (TPD) <tglynn@toppsfieldpolice.com>
Sent: Thursday, July 16, 2020 9:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S2820 written testimony

A Letter regarding Bill S2820

I, Timothy Glynn, as a member of The Topsfield Police Department, am writing to express that I am opposed to Massachusetts Senate Bill (S2820). If passed, this bill would prohibit officers from effectively executing their duty each day.

The main areas of concern, among others, are the following:

Due Process: Under the law, Police officers deserve the same due process that are given to citizens and have been in place for years. All law enforcement employees deserve the right to an appeal, the same right given to other public servants.

Qualified Immunity: Contrary to what most think, qualified immunity does not protect bad police officers. What it does is keep officers, acting in good faith while making split second decisions, out of frivolous lawsuits that not only waste time, but millions of tax - payer dollars. All

officers are bound to policy and procedures within their department and are subject to internal investigations.

Police Officer Standards Accreditation Committee: People have the right to be judged by their peers. It is difficult for any person to judge situations which they are not familiar with, or have never been involved in. In order to properly review Police conduct one must understand the role of being a police officer. Being tasked with regulating police action, including termination should be done by those who have an intimate knowledge of the profession.

At this time Massachusetts Police Officers are among the most trained Police Officers in the country. There have been no acts toward the public by any law enforcement officials that warrant such sweeping legislation. I urge you to reconsider the parameters of S2820. Please provide the men and women of Massachusetts law enforcement with the respect they deserve. Respectfully,

Timothy Glynn
495 Locust St.
Danvers, MA 01923
978.979.6225

Sent from my Verizon, Samsung Galaxy smartphone

NOTICE: This message and any attachments are solely for the intended recipient and may contain confidential or privileged information. If you are not the intended recipient, you are hereby notified that any review, dissemination, distribution or duplication of this message and any attachments is prohibited. If you have received this communication in error, please notify us by reply email and immediately and permanently delete this message and any attachments. Email transmission may not be secure and could contain errors. We accept no liability for any damage caused by any virus transmitted by this email. Please do not send to us by email any information containing personally identifiable information without appropriate encryption. Thank you. Please note the Massachusetts Secretary of State's office has determined that most emails to and from municipal offices and officials are public records. For more information please refer to: <http://www.sec.state.ma.us/pre/preidx.htm>. Please consider the environment before printing this email.

From: Pat Byrne <pebyrne9@gmail.com>

Sent: Thursday, July 16, 2020 9:48 PM

To: Testimony HWM Judiciary (HOU); Biele, David - Rep. (HOU)

Cc: Pat Byrne

Subject: Written Testimony - Senate Bill 2800

Dear Representative Biel and Members of the House Ways & Means Committee,

My name is Patrick Byrne and I live at 156 E St, So. Boston and have for over 35 years. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am

submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to QI will have a serious impact on critical public safety issues. Unintended and unnecessary changes to QI will hamstring police officers in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent. The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support. All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses. We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Patrick Byrne

617-892-2961

From: Nick D <abmoog552@gmail.com>
Sent: Thursday, July 16, 2020 9:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Nicholas Dumont and I live at 126 Bayberry Circle, Winchendon, MA 01475. I work at Massachusetts Dept. of Corrections for Outer Perimeter Patrol, Special Operations Division and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed

but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Nicholas Dumont
From: Heather Xu <xu.he@northeastern.edu>
Sent: Thursday, July 16, 2020 9:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support for the Reform, Shift + Build Act (S.2800)

Hello,
I wanted to write to express my support for the Reform, Shift+Build Act (S.2800).

I believe it has become apparent that the criminal justice system in America, especially the law enforcement department, has shown to abuse its power against the very people it has promised to serve and protect. The fact that this bill has been outlined is evidence of this.

While police officers are obviously human, they should be held to at least the same standard that a citizen would have to meet in terms of behavior around others. I believe that officers should be held accountable for their actions, i believe they should be trained in deescalation, i believe they should be trained to use non-violent methodology to engage with citizens.

More importantly, and what i think most Black and Brown people are asking for, is to reinvest police budgets in communities. The law enforcement budget in Boston is massively bloated, and this money can, and should, be used to eradicate root causes for systemic racism and inequality, rather than punishing people for conditions they were placed in.

If Boston, which is considered to be a very progressive city, can achieve these BASIC goals, it can be a true model for how society should progress against systemic racism. I believe at this point it is widely known that Boston is one of the most segregated and most gentrified cities in America. We need to start talking about this, and be better.

Thank you for your time,
Heather Xu
From: tom bowes <tbowesfire@hotmail.com>
Sent: Thursday, July 16, 2020 9:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: SB2820

House Ways and Means Committee,

I write in regards to SB 2820.

I was disappointed by the bill that was passed and the lack of transparency and legislative due process that the bill was given. The Senate used a disgraceful, unacceptable incident from 1,000 miles away in Minnesota to try and paint the same picture of police officers and municipal employees here in Massachusetts, which is the farthest thing from the truth. Here in Massachusetts we are fortunate to have professional police departments that have some of the best officers in the state. As a firefighter of 20 years here in Quincy, I can say that after working side by side with many of them at incidents over the course of my career. This bill is an attack on collective bargaining rights on men and women who took an oath to go out and protect the public. This bill was an attack on the legislative due process. We just watched a major reform bill pass in 7 days that attacks benefits that were negotiated and fought for for years after lengthy back and forth and discussion. This bill which negatively impacts the lives of police officers and public employees throughout the State was passed in 7 days, yet the legislature can't pass an infectious disease bill for first responders during the height of a pandemic?

My other concern with this bill is the changes in the Qualified Immunity. As a firefighter I took an oath to protect life and property, no matter what color that life is, with the assumption that someone always had my

back and my families back if something were to happen. It is my understanding that changes to Qualified Immunity in this bill will limit the amount of protection that police officers, firefighters, teachers, social workers, nurses, etc. have as we are out there on the front lines. When the bill rings, we respond. Most of the time we respond to the unknown. Unfortunately many times we run into a person who may be down on their luck and suffering from substance abuse issues and not be in the right frame of mind. I have seen first hand instances of drug addicts attempting to attack myself and fellow firefighters and police officers with a syringe or weapon. So based on this new language, should we not defend ourselves anymore for fear of being sued? Do we just stand there and get stabbed with a dirty syringe and take the chance of a life threatening wound or disease so we don't get sued and lose our house? Most times we have our Brothers in blue there to help protect us from violence at calls. Are they going to be hesitant to help us now that they may no longer have protections they are accustomed to? If something goes sideways at an incident do we no have to worry about being sued? We work in dangerous lines of work, lines of work where we need a clear head to make decisions because lives may hang in the balance. The last thing we should be worried about is second guessing what are often split second, life saving decisions for fear of being sued and losing everything we have worked for our whole lives.

This bill needs a major overhaul. It is my hope that the House of Representatives can clean up this bill and the attacks that were made on employees collective bargaining rights and benefits. It is also my hope that any language related to Qualified Immunity be removed so public employees can't be sued for doing their jobs.

Public Employees deserve better.

Thank you for your time on this matter.

Tom Bowes
Quincy Firefighter
617-839-4999

From: Riley Korhonen <riley.korhonen@gmail.com>
Sent: Thursday, July 16, 2020 9:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: expungement expansion in racial justice bill

Good evening,

I am a student from Massachusetts, writing to ask that you include expungement in the racial justice bill that you are set to review.

In Massachusetts, African American youth are three times more likely to be arrested than their white peers, and six times more likely to do jail time resulting in a permanent criminal record.

Currently only 18% of applicants are actually approved for expungement-let's increase this number and give all of our youth the second chance that they deserve.

Thank you,

Riley Korhonen

From: jacob werbicki <jacobwerbicki@gmail.com>
Sent: Thursday, July 16, 2020 9:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill D.2820

Good evening.

I am a police officer in Springfield, I have been a full time officer for 5 years now, I also was a part-time officer in West Springfield for 4 years. In my 9 years of policing I have never had to second guess judgement calls I have had to make, out of fear of being sued in civil court. However removing qualified immunity would cause that, since anyone would be able to make frivolous law suits against me for doing my job in good faith, which is what qualified immunity prevents from happening. It does not protect police officers that intentionally violate a person's rights and never has. In Springfield proactive policing has gotten 70 guns off the street this year alone. Proactive policing would be a lot less under a system without qualified immunity. Also you will see mass exodus of people leaving the job, for retirements or just plain quitting as the risk is too great I'm being sued and losing everything you own. We already have a hard time hiring quality people now, if this bill goes through as is we will never be able to hire anyone of quality, and the staffing shortage will affect at risk neighborhoods. I plead with the house to leave qualified immunity alone as it protects officers like me who go to work everyday to do work and make the streets safer.

I have no issue with being licensed, we are one of a few states that don't require it. However I have an issue with how that license can be revoked or judged on. Lawyers oversee lawyers, doctors oversee doctors etc.... Why do Police not get that same right. I would never ask to sit on a hearing to revoke a lawyers license as I have no clue what rules a lawyer must follow nor how in-depth the job duties actually are. I sure do not want someone judging me that has never done police work, gone through the training, or understand the job and what it entails. That should be included in this bill, that police officers are on the panel over seeing anything to do with licensing.

Thank you for your time and again I respectfully ask you leave qualified immunity alone, and place police officers on the boards that oversee licensing of police officers.

Respectfully

Jacob Werbicki

From: Sonya Ross <sonya0919@gmail.com>
Sent: Thursday, July 16, 2020 9:44 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 5128

My name is Sonya Ross, I am a resident of Methuen. I am writing to you to ask you to vote no for House Bill 5128 regarding police reform the way that it is written. I have read the bill in its entirety and truly believe that if this passes the way it is written, we are putting the safety of our police officers at serious risk.

Quite honestly I am infuriated that the bill has gone as far as it has. It would be irresponsible to pass it as is.

I agree that some police reform may be needed. However, allowing officers to be sued, will force them to second guess their every move, which in turn will ultimately end up causing serious injury or worse to an officer or a victim or both. It will tie up court rooms with unnecessary cases that could be being used to convict actual criminals.

Allowing the general public to intervene as they see fit should they witness an arrest or altercation? This will undoubtedly again put officers at risk for serious injury or death. Imagine an officer trying to arrest a gang member for example only to be tag teamed by the rest of the gang, who can turn around and say "the officer was using force" this is completely irresponsible! If you really think about it you will see how ludicrous this would be. Think about all of the possible ramifications from something like this!

Not allowing an officer to use force on a suspect who has had interaction with police in the last 24 hours? Quite honestly as I was reading this bill I was convinced it was not real, why would anyone think this was a good idea? So John Smith has an altercation for lets say disturbing the peace on Friday night, I don't know maybe he had too much to drink and decides to cause a scene. Then Saturday night he is at it again only this time he is getting violent with a woman, again under the influence, is the police officer supposed to get his name, then run his name to determine if he has had contact with law enforcement in the last 24 hours before stepping in to help the victim? I mean really, in what universe would this be ok?

So many pieces of this bill are irresponsible and will put our officers in harms way, officers will be second guessing their every move rather than protecting themselves and the public. These are the very men and women who put their lives on the line every single day to protect us! If this bill passes we will have failed them miserably.

I have quietly sat and watched all of the violence and the destruction that has been going on, I am disgusted, horrified and infuriated that no one seems to care, nothing is being done, instead we keep giving into ridiculous demands, meanwhile putting our law enforcement officers in even more danger. We are taking money out of police budgets when if there was ever a time to increase their budgets it would be now. I can not watch public officials support the alienation of law officers any longer. We are allowing them to be portrayed as the enemy. This is wrong in so many ways. We have made all law enforcement officers the sacrificial lamb because one officer in another state made the wrong choice. Really think

about that. We are now allowing our officers to be disrespected, threatened and injured and we are doing NOTHING about it. The city of Boston has stripped needed funds from the police department in a time that we need more police. Who is going to protect the law-abiding innocent citizens? Now that budgets are cut crime will go up, it has already started. Put your emotions aside and use common sense to really think about what we are doing. Please don't pass this bill as is.

I can no longer support my elected officials if we continue to go down this road that we are on. I can no longer watch elected officials give in to the bullying by a few. The opportunists have a dangerous agenda and we are playing right into their hands. I can no longer watch society cave and give into this ludicrous idea that we don't need police. We need the police now more than ever. I can no longer sit and watch elected officials tie the hands of the law officers making it impossible for them to do their job effectively. Someone needs to stand up for these men and women. Please stand up for these men and women!

Please go through this bill line by line and really think about everything that is in and the ramifications most of these things will have.

In closing, I am asking again for you to please vote NO on this bill the way that it is written. I am asking you to support our law enforcement officers. Please do the right thing, the responsible thing and vote NO. This Bill is not what Massachusetts needs.

Thank your for your time and attention to this matter

Sonya Ross

From: OLGA WALKER <walkerslovecotons@yahoo.com>

Sent: Thursday, July 16, 2020 9:43 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: lindsay galante <lgalante92@yahoo.com>

Sent: Thursday, July 16, 2020 9:43 PM

To: Testimony HWM Judiciary (HOU)

Subject: Against the police reform bill

The bill that was passed at a sketchy 4am is something one should be ashamed to support. Growing up as a cop's daughter and from a family of cops , this bill is dangerous for the officers themselves, their families and the communities in which they live! This bill will not help or benefit anyone except those looking to break the law. We accept the idea of change that will keep everyone safe but this is not the type of change we are looking for. With the idea of allowing cops to be sued will have many people taking advantage of this and using every little thing against the officers. This can lead to officers not wanting to do anything anymore because they will have this feeling of walking on egg shells in every situation they respond to. Officers put their uniform everyday and go to work proud to help those around them. There is bad in every occupation but that should not define those who live their life in jeopardy to protect those in need. What is the point of sending officers to the police academy for 6 months to just turn around and have them accredited every so often. Also it impacts more than officers, it affects the safety of teachers and students and the idea of removing resource officers for a school is insane. Aside from that it dismantles the ability for police officers to communicate about gang members which could pose even more harm to the community. There are so many things inside of this bill the jeopardizes the safety of the communities around us. Think of these communities where people are shooting and killing each other , who are the people calling for help ... the COPS! but continuing to push the idea to defund the police is another crazy unrealistic idea. This bill definitely needs to be reviewed for the safety of everyone.

From: thomas maskalenko <thomasmaskalenko@gmail.com>
Sent: Thursday, July 16, 2020 9:43 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified

Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Thomas Maskalenko/ thomasmaskalenko@gmail.com

From: Lynette <lynettemartyn@gmail.com>

Sent: Thursday, July 16, 2020 9:42 PM

To: Testimony HWM Judiciary (HOU); Garballey, Sean - Rep. (HOU); Rogers, Dave - Rep. (HOU)

Subject: police reform bill

Please preserve the vital reforms in the Senate bill, such as the following:

Creating an independent and civilian-majority police certification/decertification body

Limiting qualified immunity so that victims of police brutality can sue for civil damages

Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records

Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities

Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

Please go further than the Senate bill by

Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas

Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)

Lifting the unnecessary cap on the Justice Reinvestment Fund

Lynette Martyn

Arlington, MA

From: Michael Simpson <m3psimpson@verizon.net>
Sent: Thursday, July 16, 2020 9:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: H.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Michael Simpson and I live at 4 Linda Way in Bellingham. I work at The Suffolk County Sheriff's Department and am a Correctional Officer. I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correctional officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

???: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

???: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Michael Simpson
President
Massachusetts Association Of Correctional Officers

Sent from my iPhone
From: Neal Sullivan <nealsullivan428@gmail.com>
Sent: Thursday, July 16, 2020 9:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill S.2820

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? Our labor unions are not narrow, self-seeking groups. They have raised wages, shortened hours, and provided supplemental benefits. Through collective bargaining and grievance procedures, they have brought justice and democracy to the shop floor.—John F. Kennedy

I am writing in regards to the Massachusetts Police Reform Bill. This bill is detrimental to public safety, police officers, and organized labor. One major concern is the introduction of double jeopardy in regards to internal investigations (both IA and the committee can come up with separate findings for the same issue.) The decertification process appears to have a very low preponderance of evidence, and does not allow an officer to appeal their decertification. The elimination or limitation of qualified immunity is unacceptable. How can police in good faith respond to calls that we are dispatched to, knowing that we have no protections if accusations are made against us? This bill circumvents collective bargaining agreements and civil service process. This is a direct insult to any and all progress made by labor unions across the country. I took this job fully accepting the risk of injury or death. I did not agree to gamble my livelihood at every single call. I appreciate your time and hope you take these thoughts into consideration.

Respectfully,
Officer Neal Sullivan
Worcester Police
From: John Cugno <jlucugno@gmail.com>
Sent: Thursday, July 16, 2020 9:41 PM
To: Testimony HWM Judiciary (HOU)
Cc: John Cugno
Subject: Opposition to State Senate Bill 2820

????????????July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is John Cugno, and I live at 26 Madrid Square Unit 11 Brockton, MA 02301. I work at Old Colony Correctional Center and am a Correctional Officer 1. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the

best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

John Cugno

Sent from my iPhone
From: Jeff Bousquet <fanman827@comcast.net>
Sent: Thursday, July 16, 2020 9:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on behalf of S.2820

Dear Massachusetts House of Representatives,

I am writing to contribute testimony on behalf of bill S.2820, regarding police reform measures in Massachusetts.

I am writing to urge you to preserve the accomplishments this bill has put fourth, as they are essential to better ensuring the safety of all citizens of the commonwealth, most importantly communities of color who have, for so long, been disproportionately negatively affected by the criminal justice system. The bill has set forth very important measures, including the following:

- * Creating an independent and civilian-majority police certification/decertification body
- * Limiting qualified immunity so that victims of police brutality can sue for civil damages
- * Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- * Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities

* Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual, and is disgustingly not yet illegal.

While these measures are a step in the right direction, I would like to urge you to take this initiative even further, implementing even stronger, more concrete measures, including the following:

* Banning the use of chokeholds and tear gas completely.

* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)

* Lifting the unnecessary cap on the Justice Reinvestment Fund

* Creating a comprehensive and fully accessible database of any police misconduct records.

This bill is extremely important to shifting the Commonwealth of Massachusetts in the right direction of a reimagined public safety system that reduces the unfair treatment and racial bias of communities of color, and reduces violence for all parties involved in law enforcement situations. I urge you to please preserve the features of this bill that are already in place, not to weaken or remove any of these provisions, and to suggest moving the bill forward with the additional above mentioned provisions.

Thank you very much for your time.

Sincerely,

Jeff Bousquet

From: Janet Barsanti <janet@jmodefashions.com>

Sent: Thursday, July 16, 2020 9:40 PM

To: Testimony HWM Judiciary (HOU)

Subject: #2820

Dear Chair,

Please keep qualified immunity for first responders.

Special training needs to be the focus.

Best regards

Janet Barsanti

J. Mode

17 Front St

Salem, MA 01970

978-744-7007

Sent from my iPhone

From: Arianna Kazemi <akazemi@umass.edu>

Sent: Thursday, July 16, 2020 9:39 PM

To: Testimony HWM Judiciary (HOU)
Subject: In Support of S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Massachusetts is a state with a reputation of progressive policies, thus it only makes sense for us to begin a transition to a more progressive role for police in this society.

Thank you,
Arianna Kazemi
Canton

From: Luke Michel <luciusmichel@gmail.com>
Sent: Thursday, July 16, 2020 9:39 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reforming Police Standards

Chair Aaron Michlewitz and Chair Claire Cronin:

I support Senate Bill S.2820 and ask that the House support it as well. This legislation is an important step in creating respect for, and confidence in, our law enforcement officers in communities of color. It simply holds law enforcement professionals to the same standards of behavior and restraint that are expected of the people they serve.

Most important, this bill will increase the safety and effectiveness of our law enforcement professionals by promoting trust and reducing the conditions that increase the likelihood of a violent confrontation. The use of force should be a last resort in any situation that calls for police intervention. By advancing Senate Bill S.2820, we will provide clearer guidelines for when an escalation is warranted and what is expected of our law enforcement professionals.

Sincerely,

Lucius Michel
North Andover
978-902-7347

From: Cheveli Torres <chevelitorres@yahoo.com>
Sent: Thursday, July 16, 2020 9:39 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill

Dear Chair Michlewitz and Chair Cronin,

My name is Cheveli torrres live in New Bedford MA. I work for the City of New Bedford as well as a resident. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Cheveli Torres

Thanks to your support this petition has a chance at winning! We only need 1,085 more signatures to reach the next goal - can you help? Take the next step! <<https://urldefense.proofpoint.com/v2/url?u=https->

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From: Rebecca Eppler-Epstein <rebecca.epplerepstein@gmail.com>
Sent: Thursday, July 16, 2020 9:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on Senate bill S.2800

Dear Chairs of the committee,

I write to urge you to expand the existing expungement law as the House takes up Senate bill S.2800 regarding racial equity. As I am sure you are aware, our criminal legal system is rife with structural racism and inequality. Young people of color are far more likely to be arrested than young white people. Their charges follow them for the rest of their lives—under the current law, even if their charges were dismissed.

I work with an amazing, inspirational group of young people who are working daily to change the path of their lives. And yet, due to the current law and the structural racism embedded in our systems, they are prevented from moving forward and contributing to our society. One young adult got a job she was thrilled about, but never even got to start working because the organization discovered she had been arrested. This is

a young woman who is the epitome of a hardworking asset to any organization.

We know young people are a group that due to developmental realities take more risks than older people. As they age, their likelihood for recidivism drops. We need to expand our expungement bill to give them a clean slate as they work to change their lives.

I request that the expungement law be expanded by allowing for recidivism and not limiting to just one charge, by differentiating between dismissal and conviction, and by removing some charges from the list that prevent expungement, especially if the case is dismissed or the young adult is found not guilty.

Thank you for your consideration.

Rebecca Eppler-Epstein

UTEC

203-848-7319

From: Stephanie Coburn <stephanie.coburn119@gmail.com>

Sent: Thursday, July 16, 2020 9:38 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2800 bill

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police

officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,
Stephanie Coburn
3 Rugby Rd, Nashua NH 03063
Stephanie.Coburn119@gmail.com
From: KEVIN PREST <mk3kevin@yahoo.com>
Sent: Thursday, July 16, 2020 9:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to S2800

As a Massachusetts voter I ask the House of Representatives to vote against S2800. Police officers need to be backed by elected leaders right now more than ever. Passing this bill will only hurt the people of Massachusetts. Thank you for allowing we the voters to email our thoughts to you.

Sent from my iPhone

From: Viktor Goldmakher <vgoldmakher@gmail.com>
Sent: Thursday, July 16, 2020 9:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Police Reform - saying NO to cancelling immunity

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

We would like to say NO to cancelling a qualified immunity for police. We think that such reform will make each policeman ineffective in fighting crimes, and also no new young people will want to join the police force. Thus, this bill will lead to unlawfulness and disorder in Massachussets

Thank you,

Viktor and Nina Goldmakher,
Newton Center, MA

From: Brandon <bcali10@gmail.com>
Sent: Thursday, July 16, 2020 9:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public Safety Legislation

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Brandon Cali

Boston, MA

bcali10@gmail.com

From: Janet Barsanti <jmodefashions@icloud.com>
Sent: Thursday, July 16, 2020 9:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: #2820

Janet Barsanti
J. Mode
17 Front St
Salem, MA 01970
978-744-7007
Sent from my iPhone
From: JAMES CARCIA <carsh55@aol.com>
Sent: Thursday, July 16, 2020 9:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

Representatives Michlewitz and Cronin
Massachusetts House of Representatives
24 Beacon Street <x-apple-data-detectors://3>
Boston, MA 02133 <x-apple-data-detectors://3>

Dear Chair Michlewitz and Chair Cronin,

My name is James F Car is and I live at 187 Stonecleave Rd in, North Andover Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

James F Carcia

Sent from my iPhone
From: Carla Cooper <carlacoop@comcast.net>
Sent: Thursday, July 16, 2020 9:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support of S.2820

Dear Chair Michelewitz, Chair Cronin and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820 to bring desperately needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Qualified Immunity for police officers is directly linked to the unaccountability that allowed slaveholders to murder black men with impunity. In Frederick Douglass's 1892 autobiography "The Life and Times of Frederick Douglass", he described the situation thusly:

"While I heard of numerous murders committed by slaveholders on the Eastern Shore of Maryland, I never knew a solitary instance where a

slaveholder was either hung or imprisoned for having murdered a slave. The usual pretext for such crimes was that the slave had offered resistance. Should a slave, when assaulted, but raise his hand in self-defense, the white assaulting party was fully justified by southern law and southern public opinion in shooting the slave down, and for this there was no redress."

Substitute "slaveholder" with "police officer" and "slave" with "black man". This issue of white, authoritarian dominion over Blacks runs deep in the collective unconscious of our society. In light of the numerous murders of black men that the nation has witnessed with our own eyes at the hands of the police, there MUST be accountability. We cannot sit idly by and allow this unchecked violence against Blacks to continue.

Thank you for your consideration,

Carla A. Cooper
33 Old Dunhams Corner Way
Edgartown, MA 02539
508-269-9140
From: Marissa Breton <marissa.breton1@gmail.com>
Sent: Thursday, July 16, 2020 9:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: Black Lives Matter

This is the moment we need to stand up and make real progress. Please set a strong example for the country!!

The League of Women Voters advocates against systemic racism in the justice system and supports preventing excessive force and brutality by law enforcement.

We urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda bans choke-holds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

Sent from my iPhoneFrom: Ssoltzberg <ssoltzberg@comcast.net>
Sent: Thursday, July 16, 2020 9:37 PM
To: Testimony HWM Judiciary (HOU)
Cc: sharon soltzberg
Subject: HD.5128 and HB.3277

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Thank you,
Sharon & Leonard Soltzberg
Needham, MA 02494
From: john coburn <jcoburn3289@yahoo.com>
Sent: Thursday, July 16, 2020 9:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800 bill

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and

women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

John Coburn

3 Rugby Rd, Nashua NH 03063

JCoburn3289@yahoo.com

From: john henry curry <jjohnwva@aol.com>

Sent: Thursday, July 16, 2020 9:36 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

From: Anna McMaken-Marsh <mcmarshkens@mac.com>
Sent: Thursday, July 16, 2020 9:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I strongly support S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has

not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Anna McMaken-Marsh
617-750-7205

Arlington, MA From: Jim MacDonald <jimmymac614@gmail.com>
Sent: Thursday, July 16, 2020 9:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is James MacDonald and I live at 30 Young Street in Tewksbury MA. I work at Lemuel Shattuck Correctional Unit and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost. I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

James MacDonald

Sent from my iPhoneFrom: Julie Regan <juliearegan53@gmail.com>
Sent: Thursday, July 16, 2020 9:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800 Police Reform Bill

To whom it may concern:

I am writing to you to provide my thinking concerning the S2800 Police Reform Bill. First I would like you to know that I am very concerned about the fact that this bill was being debated without any kind of input from the public. Although I appreciate the opportunity now to provide my input I am alarmed by the circumspect way in which this bill is being handled.

I have serious reservations about several items in this bill.

As the mother of a police officer I think it is unconscionable that police officers could be put in the position of having to make decisions in a life or death situation that could ultimately result in the loss of the officer's life. For example, in the instance of Police Officer Michael Chesna, it is thought in the law enforcement community, that he hesitated when trying to decide if the situation warranted use of force. He had to determine in a split second whether the stone/rock the criminal was holding was a "lethal" weapon - he clearly made a decision it did not and as a result he lost his life. His children are without their father and his wife is without her husband. Instead of erring on the side of what was best for his safety he had to think about what the repercussions could be if he made what others might view as the "wrong decision". No one should ever be placed in that kind of situation.

Law enforcement is like any other profession in that there are some really great officers and likewise there are some not so great officers. I am at a loss to understand why we, as a state, want to strip away the protection for these officers who are doing the job well as a result of the incompetence and egregious behavior of very few officers overall.

In an atmosphere that is racially charged right now it is important for everyone to remember that ALL lives matter not just black lives. This legislature can best serve the public by making sure that police officers have the training and support that they need in order to do such a difficult job well. Instead of looking at what we can take away why don't we focus our efforts and energy on what can we provide for these officers in order to have qualified competent people placed in these civil service positions and actually make them feel like they can safely stay in these positions?

Whether it is intentional or not, we are tying the hands of the very people we are asking to protect us. How many people in today's environment would accept a position with starting pay of \$40,000 to put their life on the line every day they go to work. How many people could endure people following them home from work yelling obscenities at them for merely doing their job? How many people could tolerate being second guessed for every

decision that you make. Before we make rash decisions we need to think of the age old adage "walk a mile in my shoes".

Sincerely,

Julie A Regan
Public School Teacher, MEd
Mother of a police officer
From: Erica Brooks <brookserica@yahoo.com>
Sent: Thursday, July 16, 2020 9:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: In support of police accountability

July 17, 2020

The Honorable Rep. Aaron Michlewitz
Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin
Chair, Joint Committee on the Judiciary

Re: Testimony in Support of Police Accountability -- Use of Force Standards, Qualified Immunity Reform, and Prohibitions on Face Surveillance

Dear Chairs Michlewitz and Cronin,

I write in strong support of the many provisions in S.2820 designed to increase police accountability. In particular, I urge you to:

1. Adopt strict limits on police use of force,
2. End qualified immunity, because it shields police from accountability and denies victims of police violence their day in court, and
3. Prohibit government use of face surveillance technology, which threatens core civil liberties and racial justice.

Achieving these aims is part of making Massachusetts more racially just. This moment in time is an opportunity for our state to make real changes that more towards racial equity.

George Floyd's murder by Minneapolis police brought hundreds of thousands of people into the streets all around the country to demand fundamental changes to policing and concrete steps to address systemic racism. This historic moment is not about one police killing or about one police department. Massachusetts is not immune. Indeed, Bill Barr's Department of Justice recently reported that a unit of the Springfield Police Department routinely uses brutal, excessive violence against residents of that city. We must address police violence and abuses, stop the disparate policing of and brutality against communities of color and Black people in particular, and hold police accountable for civil rights violations. These changes are essential for the health and safety of our communities here in the Commonwealth.

Massachusetts must establish strong standards limiting excessive force by police. When police interact with civilians, they should only use force when it is absolutely necessary, after attempting to de-escalate, when all other options have been exhausted. Police must use force that is proportional to the situation, and the minimum amount required to accomplish a lawful purpose. And several tactics commonly associated with death or serious injury, including the use of chokeholds, tear gas, rubber bullets, and no-knock warrants should be outlawed entirely.

Of critical and urgent importance: Massachusetts must abolish the dangerous doctrine of qualified immunity because it shields police from being held accountable to their victims. Limits on use of force are meaningless unless they are enforceable. Yet today, qualified immunity protects police even when they blatantly and seriously violate people's civil rights, including by excessive use of force resulting in permanent injury or even death. It denies victims of police violence their day in court. Ending or reforming qualified immunity is the most important police accountability measure in S2820. Maintaining Qualified Immunity ensures that Black Lives Don't Matter. We urge you to end immunity in order to end impunity.

Finally, we urge the House to prevent the expansion of police powers and budgets by prohibiting government entities, including police, from using face surveillance technologies. Specifically, we ask that you include H.1538 in your omnibus bill. Face surveillance technologies have serious racial bias flaws built into their systems. There are increasing numbers of cases in which Black people are wrongfully arrested due to errors with these technologies (as well as sloppy police work). We should not allow police in Massachusetts to use technology that supercharges racial bias and expands police powers to surveil everyone, every day and everywhere we go.

This is the time to re-imagine public safety. There is broad consensus that we must act swiftly and boldly to address police violence, strengthen accountability, and advance racial justice. We urge you to pass the

strongest possible legislation without delay, and to ensure that it is signed into law this session.

Sincerely,

Dr. Erica Brooks

From: Patricia Ramsey <pramsey@mtholyoke.edu>
Sent: Thursday, July 16, 2020 9:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please Support S2620 Reform - Shift - Build Act

Dear Committee Members:

I am a lifelong resident of Massachusetts, and I am proud that our Senate has taken the bold step to pass S2820 Reform - Shift- Build Act with a resounding majority. We are in a historic moment when perhaps FINALLY we will be able to build a fair and just and compassionate system of justice -- that will no longer target people of color, often destroying their lives and futures. I urge you to support the Senate bill and make it even stronger -- in particular, please

* Strengthen use of force standards, e.g., by outright banning chokeholds and tear gas

* Fully prohibit facial surveillance technology (rather than imposing just a one-year moratorium)

* Lift the unnecessary cap on the Justice Reinvestment Fund

Thank you for your work on this crucial piece of legislation.

Patricia G Ramsey
Amherst, MA

--

Patricia G. Ramsey

Professor Emerita

Psychology and Education

Mount Holyoke College

South Hadley, MA 01075

From: blanche teyssier <blanche@lesteronline.net>
Sent: Thursday, July 16, 2020 9:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

Yes reform it. No more swat gear, guns, tanks and the like. Use that money for de escalation training. Salaries should be based on earned training courses and successful implementation of de escalation. Police should be held accountable for excessive force. Work on the culture. Don't encourage bullies. Dispatch social workers, not police. Take the police out of social work. It is not fair to send them to everything rather than have the right crisis mgmt person for the job.

Thank you

Blanche teyssier, Medfield, ma. 27 Hartford st.
From: Erin Sawicki <sawickie2012@gmail.com>
Sent: Thursday, July 16, 2020 9:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill S2800

Good Evening,

My name is Erin Sawicki. I am the daughter of a Sergeant in the Massachusetts State Police and a sister of a town police officer.

I am here to speak on the new police reform bill that has hastily been written and passed by our Senate. I recognize that this country is in need of police reform and changes. However, those changes should not be made without careful consideration.

With the changes being brought to the qualified immunity, I foresee the danger to our officers and the general public raising. Our officers will not be able to thoroughly do the job that they are expected to do. The dangerous people that are on our streets will be able to get away with crimes because our officers will be afraid to do their job without being sued. Our officers will not feel comfortable showing up to calls when they feel they will have to make an arrest. What happens if the person is intoxicated from a substance and is resisting and hurt themselves? Will they be able to sue our officers? Not only does this apply with making arrests, but it also applies to our officers making medical calls. For example, our officers will not stop to do CPR on someone incase they break that person's ribs. They are going to be afraid they will be sued civilly for medical bills. However, if they do not help the person the officer will then be in trouble for not helping the person in need.

I can say with confidence that many of our state's police officers get into the profession to help people. Now they are in fear more than ever because they have a target on their back. My family personally has had to put cameras on our house because of things being stolen off our property. My family is scared to leave our house unattended. Is this what you want for the people in your commonwealth? We are constantly being bombarded with news of officers across the country being attacked unprovoked.

I urge you to think about these questions. Do you think that all crimes can be solved by community resources and community policing? Do you think that if we limit the police in our communities is going to bring down the crime in our communities? We are already having trouble getting more police officers in our state, do you think this will get you more?

I recognize the need for our state to fund more communities. I recognize that if many of our communities were better funded there would be more opportunities and less crime. I know that the people who are in these communities are primarily people of color. As I said in the beginning, our country is in need of police reform and change. But, taking away the one law that protects our officers and lets them do their job is not the way. It will not make those who decided to abuse their power stop.

I ask you all to consider the people of the commonwealth. I ask you to consider the police officers. I ask you to consider their families because this bill affects us all. Lastly, I ask you to think to yourself are we doing this for change, or are we doing this because of pressure from the ones who peacefully protested and you feel the need to make them happy. I hope you consider all of the above in your decision.

Sincerely,

Erin Sawicki, Shutesbury, Massachusetts

From: MILTON TAYLOR <milton.taylor@comcast.net>

Sent: Thursday, July 16, 2020 9:31 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Kim McMaken-Marsh <kimmcmaken12@gmail.com>
Sent: Thursday, July 16, 2020 9:31 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July. Police reform must be a priority in Massachusetts as in every state.

I support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a strong police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues before the House this term.

Kim McMaken-Marsh
617-990-4906
Arlington

Sent from my phoneFrom: MANUEL PACHECO JR. <hardwarejr@aol.com>
Sent: Thursday, July 16, 2020 9:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Manuel Pacheco JR and I live at 22 Central Drive Stoughton, MA 02072. I work at MCI-Norfolk and I am a Lieutenant . As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am

dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Manuel Pacheco JR

Sent from my iPhone
From: Andrew A. Amaral <andy55amaral@gmail.com>
Sent: Thursday, July 16, 2020 9:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity

and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,
Andrew Amaral
2 Mya Lane
Lakeville MA

Sent from my iPhoneFrom: dan dslkfja <dadams0818@yahoo.com>
Sent: Thursday, July 16, 2020 9:29 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Bill

SeAs your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,

Daniel Adams, 6 Juniper Rd Pepperell Ma 01463

Dadams0818@yahoo.com

From: George Whitcraft <wenwater45@hotmail.com>

Sent: Thursday, July 16, 2020 9:29 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

George Whitcraft, JR

71 Fitchburg Rd,

Townsend, MA 01469

978-597-8198

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ZgqQBfsfoP83gici_Waw43hQKbWYahnXKX5mAvkDtOk&s=8pn9_-YB2z0OLcXChpxaguFfJqeGPY_lgt8XWrGBcFg&e=> for Windows 10

From: Chrissy Torres <chrissyt24@yahoo.com>
Sent: Thursday, July 16, 2020 9:29 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Christiana Reis and I live in New Bedford. I work at Southcoast Health and am a Data Integrity Specialist. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-

trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Christiana Reis

From: Rick and Sue Beaucage <rickbeau@verizon.net>

Sent: Thursday, July 16, 2020 9:29 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

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I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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Sincerely, Richard Beaucage.... Braintree

Sent from Yahoo Mail on Android

<<https://urldefense.proofpoint.com/v2/url?u=https->

3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=txIUngEzqx905cZ5QQp5FapQemaopnwtfgL7GY1y9o&s=-9FgQdgpdkYbe-8TJFnYkpZHgul-az6Dt8QpVuEAh30&e=>
From: Matt Pogoda <gotadog55@gmail.com>
Sent: Thursday, July 16, 2020 9:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: All sheriffs county correctional officers should make the same

State police officers make the same matter where stationed. Court officers make the same no matter what court they work out of. Doc officers make the same no matter what facility they work for. Sheriff correctional officers should make the same no matter what county jail they work for. We are all state employees and should be treated fairly and not discriminated on base on a geographical location . The risk is the same for all of us . Make things right.

Sent from my iPhoneFrom: Kerry Sullivan <kerryaw3@gmail.com>
Sent: Thursday, July 16, 2020 9:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

I am writing as a constituent, asking you to oppose Bill S.2820. This proposed Bill will have a public safety affect on everyone. Let alone, so very wrong on so many levels. Our first responders deserve our support!! As representing elected officials, support our First Responders.....Because they support ALL of us and our municipalities everyday!
Thank you for your time!
Regards,
Kerry Sullivan
From: monicagran@comcast.net
Sent: Thursday, July 16, 2020 9:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

To Whom it May Concern,

I am writing in regards to S2800 in modifying Qualified Immunity.

It was right to open this up to public input. I hope this committee not only takes it to heart but allows it the time and energy something of this importance deserves.

That said unions such as police and teachers have too much power. It's impossible to fire negligent under performers or prevent favoritism. These issues need addressing. However, this bill goes too far in rolling back Qualified Immunity, when it is already covered and applies to the 1979 MCRA.

This bill, as written will cause more problems than it will solve. To the citizens it's almost as if you hope to deeply damage and demoralize the police all in the name of optics.

Those entering into public service will be apprehensive as it will come with greater consequences. There will be more lawsuits, costing the taxpayers more. Clogging up the courts and further preventing anyone of any caliber from pursuing these professions and encouraging corruption. I will ask if this applies to our legislators as well? When trust of elected officials is at an all time low and animosity against our law enforcement is at an all time high, I urge you to change the course of history here and move forward for the benefit of the people and not yourselves. We are watching. You have already tried to step around us and we the people do not appreciate how much we are being ignored and how are cities are being ravaged. This will not help the problem but rather deepen it.

And on top of that the amendment to ban lists of gang members to schools. WHY? There is NO logical sane reason to do this. Putting teachers and educators in dangerous positions. It's almost as if you want to empower gang members who should have fewer rights for the horrors they bring to society. This needs to be removed from this legislation. After all we want safe schools but you will remove officers and not ID gang members? I'm infuriated by this. Do not include it.

We the people are watching. And want you to promote peace and property prosperity by protecting the greater good and averse citizen. Allow police and teachers to do their jobs without always having to be concerned about the next lawsuit.

Thank you for your time,
Monica Granfield, 3rd district

From: Steven Fiore <sfiore@beverlyma.gov>
Sent: Thursday, July 16, 2020 9:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Reforming Police Standards

Dear Chair Michlewitz and Chair Cronin,

My name is Steven Fiore and I live in Beverly MA. I work for the City of Beverly and am a Patrolman & School Resource Officer at Beverly High School. I also worked for the Manchester by the Sea Police Department for 6 years. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public. Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers

to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits. The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost. I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Steven Fiore
Patrolman/School Resource Officer
Beverly Police Department

--

Patrolman/School Resource Officer
Beverly Police Department
191 Cabot St.
Beverly, MA 01915
From: Kristen Owings <kristenowings35@gmail.com>
Sent: Thursday, July 16, 2020 9:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good Evening

My name is Kristen Owings and I live at 35 Jillians Way in Bridgewater. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Officer. Like all police wives, I watch my husband leave every morning. I hope and pray that

he comes home safely every day. My last words to him every time he leaves are "Love you. come home safe." The last words my 4 year old son says to his Dad when he leaves "Love you Daddy." We always make it a priority to say goodbye and love you because it could be our last. In our world this is "normal" but not everyone lives in the same world we do, not all wives need to say "come home safe" when their loved one leaves for work.

I also write to you as a member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered. I will never forget where I was when my husband got the initial call about Mike. The phone call was from my husband's friend, an Abington Officer who knew my husband worked the midnight shift with Mike. I will never forget where I was when I learned that news that Mike had died. I will never forget telling my then 2 year old, "we cannot wave when we see Police Officers this week. We need to place our hand over our hearts to respect Daddy's friend who died." I will never forget attending Mike's wake and funeral with my husband, my Blue Family and the Chesna Family. Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will never forget. A police wake and funeral are things NONE of us ever want to attend again.

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. I support enhanced training and appropriate certification standards that apply to individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. Qualified Immunity, as I understand it, does not excuse criminal conduct. It is, instead, a legal protection offered to all public employees and serves as a protection against losing one's home or life savings in a civil suit. As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform. If they don't make those decisions quickly enough they face the very real chance of death or injury.

-Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried about liability.

-They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in.

-They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones.

Is there a chance that Sergeant Michael Chesna chose not to use his weapon on the morning of July 15, 2018 because he was worried that such use would have been viewed as use of excessive force? Was he worried that if he used his weapon he could potentially lose his family's home? The answers to those questions we will never know. It does seem reasonable to assume, however, that had Sergeant Michael Chesna chosen to use his weapon to shoot Emanuel Lopes he would still be here today. He would still be here with his family who miss him every single day. Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them. Police Officers who are forced to stop, pause and think about potential liability before they act are Police officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. The bill as it currently stands before you is NOT acceptable as a total package. If Legislation such as that tied to S.2820 is to be effective, appropriate and just for all citizens of our Commonwealth it takes time along with careful thought and consideration. Reactive and rash decision making do not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill and to not study pieces like Qualified Immunity further have been extremely disheartening. I appreciated those Senators who called for more time and for a closer look at the bill in order to produce a product that was fair and just for all citizens of our Commonwealth. I also appreciate the willingness of the House to hear from the citizens of the Commonwealth. Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way. I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Kristen Owings

35 Jillians Way

Bridgewater, MA 02324

781-718-3839

KristenOwings35@gmail.com

From: Seth Heacock <SethH11@hotmail.com>

Sent: Thursday, July 16, 2020 9:27 PM

To: Testimony HWM Judiciary (HOU)

Subject: Objections to Bill S.2800

Dear Chair Michlewitz and Chair Cronin,

My name is Seth Heacock and I live at 615 Boxford St in North Andover, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

Please know there are many good, hard working people, who believe in equality and equal rights and open discussion for positive reform in our society. This bill and what it represents is in direct opposition to our values and what makes MA and America such a great place to live. The way it which this bill is being quickly passed through without open discussion in the senate, is simply wrong and not how we as Americans do things and it is being recognized. There is a buzz among a very large group of us who have been forced to be silent because of the treatment you receive from social media or the news for sharing an opposing opinion. We are disheartened by the attack on law enforcement and this bill. No one agrees with what happened in MN but that does not mean an overhaul on all law enforcement is the answer. In fact, we probably need the opposite, more funding and more support for law enforcement.

We rely on law enforcement every day, and there are so many positives that go unnoticed. In fact, I bet most of those in the legislature rely on the men in women in uniform on a daily basis and know them personally. You know the type of people they are, the selflessness in what they do every day to serve and protect. Let us not forget the majority of law enforcement. The lack of respect, understanding of the training law enforcement goes through currently, the type of people the suit up every day no matter what to serve and protect us without question; this bill is a direct attack on them and on our safety of all of us as a society.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should

be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Seth Heacock

From: Alyssa Friedman <alyssafriedman4@gmail.com>
Sent: Thursday, July 16, 2020 9:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Good evening,

My name is Alyssa Friedman and I am a resident of Worcester, Massachusetts. I am writing to you to express my strong opposition to Bill S2820. I believe this bill is a very dangerous piece of legislation and could potentially have dire consequences for the citizens of the Commonwealth of Massachusetts.

Having someone you love leave the house, put on their bullet proof vest, say goodbye to your children, tell them you love them and not be 100% sure if they are coming home is a scary thing. But, first responders know the danger of the job when they take their oath to protect and serve, which is what they try to do each time they go to work. This bill is blatantly a slap in the face to them. Taking away qualified immunity and having no due process...who in the world would want to be a first responder? If this bill passes there are going to be many men and women who will not be able to do their job the way they have been for years and years to keep this state safe. In any dangerous situation that a first responder comes across it will truly not be worth it for them to do something because they will be afraid of being sued and losing everything they have worked so hard for. To make it even worse, no one will want to become a first responder...And then what will we do? This bill shows that the government doesn't have first responders back and is disrespectful to both them and their families and the sacrifices they make daily when they put their lives on the line for me, for you and for the citizens of this great state.

I hope you think long and hard before voting on this bill. I think it is quite clear what a world without police being able to do their job would

look like, for just one example, NYC...it is an absolute disaster. Is that what you want this state to become? Please, please vote NO on this bill.

I thank you, my family thanks you, the citizens of the Commonwealth thank you and every first responder who puts their life on the line every day thanks you as well.

I appreciate you taking the time to read this e-mail.

Best,
Alyssa Friedman

From: Rick and Sue Beaucage <rickbeau@verizon.net>
Sent: Thursday, July 16, 2020 9:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely, Richard Beaucage.... Braintree

Sent from Yahoo Mail on Android
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From: ELIZABETH N WAMBOLT <ewambolt@verizon.net>
Sent: Thursday, July 16, 2020 9:26 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

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SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

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Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Elizabeth Wambolt

Sent from my iPhone
From: Mary <forde.mary.e@gmail.com>
Sent: Thursday, July 16, 2020 9:26 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Testimony

Dear members of House leadership,

S2820 does not do enough for our Black and Brown communities and needs to be strengthened.

As the Families for Justice as Healing outlined, "The solution is to shift power and resources away from law enforcement and incarceration and instead into Black and Brown communities through a community-controlled process led by most-impacted people." [1]

S2820 does achieve this.

Instead, it puts MORE resources towards the police by increasing training, overview, and review instead of. Meanwhile, it caps the "justice reinvestment fund" at \$10 million.

It also does not do enough to actually address police violence or hold law enforcement accountable.

It does not include corrections officers in the definition of law enforcement. It allows law enforcement to suspend the decertification process for up to a year. It does not unilaterally ban the use of tear gas. It does not unilaterally ban chokeholds. It does not prohibit pretextual stops. It does not ban no-knock warrants. It does not end qualified immunity.

In short, this bill does not come anywhere near the significant change that is needed to address the racism systemic in the law enforcement system. Please, listen to the people actually impacted by these systems and not the law enforcement perpetuating the violence. Please, make deep, significant cuts in power and funding of our prison and law enforcement systems and re-invest that money into our Black and Brown communities.

Best,
Mary Forde
11 Vancouver St,
Boston MA 02115

1. <https://twitter.com/justicehealing/status/1280988435684220930>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_justicehealing_status_1280988435684220930&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=vcq6QeUxr7finzgZ590_UAA8WbTa8gff-TkOTM54mH8&s=Oax2dbpXW1sMNSxcq9BqKq5p_OYDqzjAla-jdtUtZuc&e=>>

From: Patricia Aurigemma <triciaetal57@yahoo.com>
Sent: Thursday, July 16, 2020 9:26 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820, strengthen & pass

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it, I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Paul R. Turgeon
Eastham

Sent from Yahoo Mail for iPad
<[From: coley107@yahoo.com
Sent: Thursday, July 16, 2020 9:26 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: Police Reform Bill](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=stWRZiADtZMXjVzHZYS0ONkDV_000oGwvQpk_3GHVWo&s=y1oku2mw0n0B2R1ft3HFwTli9sWEDx-GNhRg2PU6SD-8&e=></p></div><div data-bbox=)

Good Evening,

I would like to voice my concern over the Senate's bill to do away with qualified immunity for police officers. Qualified immunity is given to ALL members of state, municipal and federal employees in the course of the performance of their job for a reason. It is a protection for the employee and their families to not have worry about losing their home or life savings because someone didn't like the way they did their job. Qualified immunity as written does not protect individuals that violate the constitutional rights of others. But it does protect them and their families from frivolous lawsuits.

If you take it away from only one group - then that is discriminatory. And where does it end - EMT's, fire personal, DCF workers, city councilors, state reps?

If qualified immunity is no longer given to police officers, I believe the Commonwealth will lose a lot of qualified law enforcement officers.

While I understand the need for reform, please do not go overboard by punishing all police officers. They are not the enemy.

Thank you.

Sent from my iPhone
From: MoklerMcKunes@outlook.com
Sent: Thursday, July 16, 2020 9:26 PM
To: Testimony HWM Judiciary (HOU)
Cc: Biele, David - Rep. (HOU)
Subject: S. 2800

Dear Representative Biele,

My name is Colleen Mokler-McKunes and I live in your district at 232 Athens street South Boston Mass 02127 and I am a huge fan of those who protect and serve our community. As you consider legislation that affects police officers and their safety, and thus the safety of our entire community, please understand that protection and preservation of due process and qualified immunity are non-negotiable and must be defended. Failure to protect both will undoubtedly put all public employees in harm's way while drastically and negatively impacting public safety for us all.

WHY DUE PROCESS MATTERS- Any legislation must allow fair and equitable due process under the Law. Currently, when an officer is disciplined, he/she is entitled to due process and an appeal process with the employer. A new outside board (like the POSA Committee) should allow this process to complete before instituting a review. This will not only maintain fairness, but will allow the new Committee to have a full record and make determinations after a thorough and neutral process has been undertaken. Other public employees such as teachers go through a similar process; police officers deserve the same respect and rights.

WHY QUALIFIED IMMUNITY MATTERS - Qualified immunity does NOT protect bad officers who knowingly violate the rights of members of the community. It's worth saying again. It does not protect bad cops. Instead, it protects good officers who play by and follow the rules. The doctrine allows lawsuits to proceed if a government official (not just a police officer) had fair notice that his or her conduct was unlawful, but acted anyway. The standard is objective reasonableness. By abolishing or changing qualified immunity as it exists today, police officers will not know what is lawful or not. This creates hesitancy and uncertainty in how they perform their duties. This is UNSAFE for all communities.

In closing, we are NOT Minneapolis. So, changing due process or qualified immunity in Massachusetts, which would affect police officers only in Massachusetts, would only serve to punish the men and women in blue for something that happened 1000 miles away. Instead of penalizing and scapegoating, we should be celebrating and promoting the fact that our police officers, some of the best in the nation, are impressive examples of how policing should be done.

Sincerely,

Colleen Mokler-McKunes

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10

From: MARK KENNEDY <MKENNEDY@quincyma.gov>
Sent: Thursday, July 16, 2020 9:25 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform

As a resident of Massachusetts, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers,

experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully,

Mark Kennedy
Plymouth County Resident

Get Outlook for iOS <[The content of this email is confidential and intended for the designated recipient specified above. If you are not the intended recipient, then you received this message by mistake. Please notify the sender of the mistake by replying to this message and then immediately delete it from your computer. It is strictly forbidden to share any part of this message with any third party, without written consent of the sender.](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_o0ukef&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Tgd1PywVdl5qJIhIImPjwLEB-tPQOuBerV1SZ0c1HUQ&s=K2lun9LS_calMmODtN9AskbbAo2WpbdwVqnDE9UV3Cc&e=></p></div><div data-bbox=)

From: Don <northwilmington@comcast.net>
Sent: Thursday, July 16, 2020 9:25 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Would you please end the absolute absurdity that this bill purports to enact. You are going down a rabbit hole just to placate this violent movement. I can assure you nobody in my family or circle of friends will vote for anyone who stands by and lets this happen. It is unfathomable that it made it through the Senate. Stop the madness. It is a reckless and negligent way of thinking. This will create a hell on earth, whereby ordinary citizens will not be able to live a peaceful existence. People are scared by the potential passing of this reprehensible legislation. Let's not lose control.

Sent from Xfinity Connect Application From: Patricia Aurigemma <triciaetal57@yahoo.com>
Sent: Thursday, July 16, 2020 9:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it, I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police

accountable), introduce standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Tricia Aurigemma
Eastham

Sent from Yahoo Mail for iPad
<[From: Ashley Linnehan <ashlinnehan@gmail.com>
Sent: Thursday, July 16, 2020 9:23 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: Bill S.2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=yQtW-XC0B9xeT15mZ3HnzWijfDAV7UsaJ3iL5VWFJHU&s=ZA84PybC3nSrLbWg0QGZ2r_evXvcOVfKMvAkSzJ0i0s&e=>></p></div><div data-bbox=)

My name is Ashley Linnehan. I live in Merrimac, Massachusetts.

I absolutely agree with this bill; the police force has a lack of oversight which perpetuates this unjust and racist system. Even when good cops try to change the system and report inequities, they are fired, silenced, or otherwise face retribution; or they are fired for posting a family member's photo from a BLM rally (the Springfield PD).

If we are to create real change instead of just slapping a band aid on this very real issue, we need to reimagine a lot of the ways policing operates. Ending qualified immunity is essential. Police officers, like those in any other occupation, need to be held accountable for their actions. They need to be held accountable when they murder civilians, when they break the very law they are supposed to uphold, when they unjustly profile BIPOC, when they use chemical weapons such as tear gas on protestors for exercising their 1st amendment rights, when they punish actual good cops for speaking up.

The police were originally designed to catch runaway slaves, and, when over 400 years later, they are still murdering BIPOC with little to no accountability, it is terrifying. We need to make meaningful changes that will actually improve our state and our communities for the better. I believe passing this bill will aid in this process, but there is still a long way to go to be able to create an environment and a reality in which police do not target, abuse, and murder BIPOC, or anyone for that matter, but we need to address the racial inequities that have been built into our policing structure since its very inception first.

Thank you,

Ashley Linnehan

From: Somy Kim <somykim.neu@gmail.com>
Sent: Thursday, July 16, 2020 9:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reform, Shift, and Build Act

Dear House Ways and Means Committee,

As a sister of a formerly incarcerated youth, this act is very important to me. My brother's incarceration has left scars on him and my family that still deeply affect us today from 20 years ago. I ask that you make this crucial step in ensuring safety for our communities by nourishing, and not punishing, our youth.

Today, I am asking you to urge the Speaker to include these youth-focused policies in the House race equity bill. These proposals will address racial disparities in our justice system and hold law enforcement accountable when interacting with young people in our communities and in our schools:

* Require transparency and accountability by reporting race/ethnicity data at each major decision point of the juvenile justice system, as filed by Rep. Tyler (H.2141). Require law enforcement and other juvenile justice agencies to report data on young people at major decision points with the juvenile justice system to improve the state's policy and planning. For too long, we have waited for transparency
<<[* End the automatic prosecution of older teens as adults, as filed by Rep. O'Day and Rep. Khan \(H.3420\): Massachusetts' youth of color bear the](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_s_FACT-2DSHEET-2DData-2DCollection.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=C-r_rrt6Nq1Fiq7Z3EF26cYTIaIIos0Wr3EzDflYbw8&s=gDGUM0KPSPLZdj09zBY7pq4RdytMci f4ms0w15mGCQg&e=></p></div><div data-bbox=)

harshest brunt of our legal system with their over-representation in the adult criminal justice system. By raising the age at which a teenager can be automatically tried as an adult, we can hold young people accountable in a more developmentally appropriate setting, giving them a better chance to succeed and turn away from offending and reduce the harms of legal system involvement all while reducing crime in our communities. FACT SHEET <[* Expand eligibility for expungement to rectify the collateral consequences of the over-policing and criminalization of communities of color, as filed by Rep. Decker and Rep. Khan \(H1386\) and as passed in S.2800: There is overwhelming evidence <](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_s_FACT-2DSHEET-2DRtA21-2Dwith-2Dsponsors.pdf&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=C-r_rrt6Nq1Fiq7Z3EF26cYTIAIIos0Wr3EzDflYbw8&s=kNSHjQ1lRBH3IFmagkyOfxU4_vlrW3nV7kF_WdJjtW4&e=></p></div><div data-bbox=)

* End the surveillance and profiling of students in schools as amended in S.2800 Section 49 by prohibiting school police from sharing student information they gather through their interactions with students with the Boston Regional Intelligence Center (BRIC) and the Commonwealth Fusion Centers that are accessed by local, state and federal law enforcement. FACT SHEET <https://urldefense.proofpoint.com/v2/url?u=https-3A__docs.google.com_document_d_1YmlnfAJUax0G03Qo05Ch4IUiBYbVb2q1fUC1v4WF0EM_edit-3Fusp-3Dsharing&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=C-

r_rrt6Nq1Fiq7Z3EF26cYTIAIIos0Wr3EzDf1Ybw8&s=3ckSCCpOPzANJ0nyXKC708UW93tDZo3IPGVrr0IC1MA&e=>

* Prohibit law enforcement restraints of minor children in a prone or hog-tie position and require that de-escalation techniques are developmentally appropriate and require that law enforcement consider calling parents/guardians to de-escalate a situation with a child. Some of these provisions passed in S.2800 amendment 41.

* National and local studies have overwhelmingly shown that Black and Latinx students are significantly more likely to be suspended, expelled, and arrested in school than their white peers. Repeal the state mandate that every school district be assigned at least one school resource officer; require school committee approval by public vote for assigning SROs; require that law enforcement officers be stationed in a police station and on-call for schools, rather than being stationed on school property; and mandate that school districts and police departments comply with the reporting requirements of school-based arrests to qualify to have an SRO. These provisions passed in S.2800 amendments 25 and 80.

Thank you and I look forward to hearing back about your position on these priorities.

Best,

Somy Kim

11 Owen St, Mattapan, MA 02126

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Somy Kim, Ph.D.
Associate Teaching Professor
English Department Writing Program
443 Holmes Hall

Northeastern University
From: Mark Donovan <mgdonovan17@gmail.com>
Sent: Thursday, July 16, 2020 9:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police legislation testimony

Chairman,

Thank you for taking the time to read this.
My name is Mark Donovan and I reside at
200 Crescent St. Rockland, MA (617)458-1541220000001541 <tel:(617)458-1541>

I am writing to you today to express my opposition to any change in Qualified Immunity for Police, Firefighters, Nurses, etc. These essential employees have the toughest jobs in our society as displayed a few short months ago during the height of the Covid-19 pandemic. They all must act quickly and without hesitation in order to complete their professions safely.

To undercut or cause them to second guess their actions due to possible frivolous litigation while working is downright dangerous. It will cause Police Officers to be hurt/killed. To think that "ambulance chasers" will not seek out clients in order to file suits against the above mentioned Heroes is naive.

I implore you to consider how professional the Massachusetts Law Enforcement community is. We do not have the rampant problems found in other parts of the country. This bill will only further victimize lower income communities because Police will take on a more reactive approach to their jobs. Gangs and violent offenders will take over these already marginalized communities. The good residents of these communities will fear for their lives and the safety of their children. We already can see an example of this occurring in New York City. Police reform can and will happen however this bill is far over reaching and will have severely negative consequences for Law Enforcement and the communities they serve.

Schools should share whether a student is affiliated or is an active gang member with the Police. If not, recruitment in our schools and violence in schools will only increase. Schools will be a safe haven for gangs.

This knee jerk reaction bill will cause good Police to leave the profession and will further scare away potential recruits in a profession that has already seen a decline in qualified applicants due to the "war on Police".

Our Police need help and any and all training can only be beneficial to them but please do not handcuff them and prevent them from doing their job which in turn will bring about increases in crime and violence throughout this great Commonwealth.

Thank you for taking the time to hear me.

Respectfully Submitted,
Mark Donovan

Sent from my iPhone
From: Justin Burd <jburd3333@yahoo.com>
Sent: Thursday, July 16, 2020 9:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and

accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,
Justin Burd of Townsend
Jburd3333@yahoo.com

From: musiclover397@aol.com
Sent: Thursday, July 16, 2020 9:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Bryan Jennings <bejnnings5@gmail.com>
Sent: Thursday, July 16, 2020 9:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: The House Must At Least go as far as S.2820, if not further

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police which should, at the very least abolish qualified immunity.

Our law enforcement system is rife with obvious and documented racism that manifests in lawless and flagrant misconduct by police. Which regularly include murder of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate must pass a bill that ends qualified immunity entirely, drastically reduces the ability of police to use force, removes police from schools, expands juvenile expungement, and fully funds proper reentry programs to keep people out of prison.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is an abomination, at complete odds with any concept of equal justice. It serves no useful societal purpose, and promotes contempt for the rights of citizen by police. Police are given the right to use force by the Commonwealth, and should be held the highest possible standard of conduct; qualified immunity ensures they are held to no standard at all. The practice of qualified immunity is more at home in dictatorships and police states, not a liberal democracy. Further, we must cease surveilling juveniles with police in schools and let young people expunge records related to mistakes they made as a child. Holding police to account is the bare minimum that should be expected of a civilized society.

This matter could not be more urgent. At the very least, go as far as S.2820, and do everything you can to go further. People are dying, even more are being brutalized in the streets. This is a unique chance to be on the right side of history. Please seize it.

Sincerely,

Bryan Jennings
1 Emerson Pl Apt 10E
Boston, MA 02114
bejnnings5@gmail.com

From: Betsy McKenna <betsymckenna@gmail.com>
Sent: Thursday, July 16, 2020 9:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: **Opposition to S.2820**

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

> I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

>> (1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

>> (2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

>> (3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers,

experts in law enforcement should oversee practitioners in law enforcement.

>> In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

>> Thank you,

>> Betsy McKenna

>> 25 Upland Drive

>> Bridgewater, MA 02324

>> 508-455-7205

From: Margaret McLaughlin <snickers10146@yahoo.com>

Sent: Thursday, July 16, 2020 9:19 PM

To: Testimony HWM Judiciary (HOU)

Subject: Senate bill 2820

July 17, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Margaret McLaughlin and I live in Middleboro, MA, I work at Old Colony Correctional Center in Bridgewater, MA and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve

the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Margaret McLaughlin

From: Amy Toothaker <toothy410@aol.com>

Sent: Thursday, July 16, 2020 9:19 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony for Bill S 2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Amy Rando and I live at 238 Central Street in North Reading. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. Qualified Immunity exists so that Officers who are acting in accordance with their agency's policies and procedures and using the appropriate actions/force based on the situation they are presented with are protected from civil liability. Qualified Immunity doesn't exist to protect officers violating their agency's P&P or using excessive force. I am also opposed to public databases regarding officer complaints.

Should Qualified Immunity disappear officers will no longer be proactive or try to apprehend suspects or violent persons for the very real risk of being sued personally. I honestly believe criminals will be emboldened with the knowledge an officer won't try to apprehend them or put their hands on them. Crime will rise and the innocent public will suffer. Results are already evident in many major cities where officers are taking a hands off approach like the public has called for. Now in those communities leaders are coming forward asking for anti-crime units to be put back in place and more law enforcement.

In law enforcement, unlike many other professions, people can often be left unhappy when an officer is doing "good work". Good work means writing tickets to speeders hoping they slowdown in the future and prevent major crashes resulting in injuries or death. Good work is arresting the spouse who just beat their significant other- even though neither want the police to make an arrest. An Officer does it knowing the next beating could be their last one if they are killed. Good work might mean using lethal force to save someone else's life or your own. Does any officer want to be put

in these situations? The answer is no. Sadly, until every citizen abides by the law, police officers need to respond accordingly.

By taking away Qualified Immunity speeders won't be stopped for fear of accusations of bias or profiling. Batterers won't be arrested for fear the couple will accuse the police of using excessive force, even if the appropriate amount was used. A lawsuit could be filed against the officer even if it was found the police acted accordingly. Officers and innocent citizens will die at higher rates when an Officer hesitates to use the appropriate amount of force in a lethal situation (or perceived lethal situation- the police are not psychics) for fear of their family losing their home and savings... or even just being portrayed in the media as a murderer. I believe Sgt. Michael Chesna lost his life and an innocent woman in 2018 because of the fear of using excessive force as the perpetrator was "only" armed with a rock.

Good officers doing good work and being proactive will generate complaints. Having a database available to the public will place a target on officers more than there already is. It is very easy to find addresses available to the public online. Showing an Officer has a certain amount of complaints will give the false perception the officer is a bad one.

POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I respectfully request you do not remove Qualified Immunity, do not have a public database regarding officer complaints as this will jeopardize Officers and their family's safety more than it already is, and include rank-and-file police officers on the POSA Committee. Thank you for taking the time to read my testimony.

Amy Rando

Sent from my iPhone
From: Rebecca Vessenes <rvessenes@gmail.com>
Sent: Thursday, July 16, 2020 9:19 PM

To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support modifications/revoking qualified immunity for police officers. Police officers should not be immune to prosecution if they engage in egregious misconduct. It does not matter if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Rebecca Vessenes
339-234-6284

Somerville, MA

From: Jonathan Badgley <Badgley.Jonathan@gmail.com>
Sent: Thursday, July 16, 2020 9:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public Comment on the Reform, Shift + Build Act (S.2800)

Good evening,

Earlier today I learned about the Reform, Shift + Build Act (S.2800) which reached committee in the MA House of Representatives this week. As I understand it, the chair of the Senate Ways and Means committee has opened

a public hearing about the bill for MA residents to offer testimony in support or in opposition of this bill via email. I am reaching out today to express my support of this bill in its entirety, but also to express my unequivocal support for particular provisions of the bill that I see are most critical.

I unequivocally support SECTION 10 which partially breaks "qualified immunity" for police officers by allowing a person whose rights have been violated by an officer to file civil suit against officers for those violations of their rights and receive compensatory money damages. The doctrine of qualified immunity, codified in practice and statute, unreasonably protects police officers who violate the rights of citizens in the act of duty by effectively preventing any actionable legal redress for those violations. This provision provides a reasonable method of redress in these situations, and will in the long run reduce the frequency of rights violations by actors of the state.

The bill however does not go far enough, and I would ask that members of the committee consider additional changes to this bill (or to propose a new bill) that would require police officers to carry liability insurance, just as doctors are required to carry liability insurance. The current system simply does not hold police accountable for their actions, and a system of liability insurance would ensure that reckless police officers directly face the consequences of their actions through higher premiums or denial of insurance. Further, this bill or a future bill needs to address how damages are funded. Civil damages in cases involving rights violations by an officer should not be paid out by state or local governments. The public at large should not be held financially responsible for reckless police officers.

I unequivocally support SECTION 59 of the bill which allows an adjudicated delinquent or adjudicated youthful offender to petition for record expungement. I support the bill because it provides a critical pathway of rehabilitation for juvenile offenders. In many cases, juvenile offenders face their strongest punishment when they leave incarceration because of the incredible and undue burden that the status of criminal places on them. This is a burden they face for their entire lives. They face incredible challenges securing housing, employment, schooling, mortgages and many other necessary things in life because of the stigma and barrier that follows them. Background checks have become a gated community that leaves the most vulnerable on the outside.

The impact of a criminal record does not simply "follow a young person for their whole life" because the reality is that the impact compounds year after year. Missing a life stage or having a gap in employment is a huge set back that takes years to recover from for even non-offenders, and juvenile defendants are regularly asked to overcome an even greater challenge of having a gap in employment, housing or credit due to a criminal record. That's why the recidivism rate in MA is upwards of 76 percent three years following incarceration. The current system does not believe in rehabilitation because it does not allow juvenile offenders to achieve the legal status of rehabilitated.

What is worse is that these impacts are not distributed equally. Black and Brown juveniles are more often arrested, charged with more crimes, spend longer in incarceration and face greater challenges when returning to society. This provision not only provides necessary reform for juvenile offenders broadly, it is also critical in redressing systematic racism in the criminal justice system.

The existing statutes that allow juvenile expungement are not acceptable. First, the existing statutes only allow for the expungement if the offender has a single charge. Police officers and prosecutors routinely overcharge juveniles making this criteria nearly impossible to meet. Second, the law automatically disqualifies 150 charges which again puts incredible constraints on the applicability of the statute. Finally, and incredibly, the current statute does not make a distinction between a charge that is dismissed and a conviction. The SECTION 10 provision corrects these failures by allowing for multiple offenses to be expunged, allows judges to determine which charges can be dropped rather than legislators, and allows for a distinction between convictions and dismissed cases.

Despite what critics of the bill have said, especially those critics representing the police unions

<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.boston.com_news_local-2Dnews_2020_07_15_massachusetts-2Dpolice-2Dunions-2Dreact-2Dsenate-2Dbacked-2Dreform-2Dbill&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=5G1wiA_dmD9jV1jlbR8RX6OZu08tjs-zX7hreH8Y3CY&s=ADAU7vf2WZdldVvyBIztZhTZdkoh86xJ42PzNxGw7EQ&e=>, the bill has not been rushed and will not create a significant impact on the ability of police officers to protect the public. Advocates of the juvenile expungement provision have been working in MA to enact similar statute change for nearly 8 years

<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.lowellsun.com_2018_04_28_utec-2Dyouth-2Dled-2Dthe-2Dcharge-2Dfor-2Dexpungement-2Din-2Djustice-2Dreform-2Dlegislation_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=5G1wiA_dmD9jV1jlbR8RX6OZu08tjs-zX7hreH8Y3CY&s=73GJZ7LwE_ho_4wxt8Pfvfx5F1QuevFtvyxRz0nPwo&e=>, and there have been calls to abolish qualified immunity since the doctrine began to be established by SCOTUS in 1967. These are not extreme measures. These are not new measures. They do not interfere in the ability of police to do their jobs. What they do is place additional protections around the rights of the public -- the same public that the police have sworn to serve. This is especially true in the case of the qualified immunity provision: if police officers are not violating fellow citizen's rights, then there is no way for the revision to interfere with the performance of their duties.

I respect that police officers and representatives from the police unions do not want to be treated as if they are the same as the Minnesota PD. I understand that they feel that passage of a police and justice reform bill in MA on the heels of national protests communicates that the public has lost trust in MA police and that somehow they have been especially unjust.

That is a clear mischaracterization of the purpose of the bill and evidence that the police and their unions are not listening carefully to public concerns. The bill represents a wide variety of reforms that the public has been calling for over a number of years which the unions have fought against tooth and nail.

It is time for reform. Those who have no interest in change and justice are asking for a delay because delay just is the status quo. A delay means not holding police officers accountable. We cannot delay. We are tired. We need justice reform. This bill provides justice reform and it must be passed.

Thanks,
Jonathan Badgley
11 Roberts Road, Apt 1
Cambridge, MA 02138
From: Pamela Silvia <pammysilvia@gmail.com>
Sent: Thursday, July 16, 2020 9:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Vote No Bill S 2800

To Whom it may concern

My family, friends and peers are very confused, pained and concerned with the proposed Bill S2800. We all agree that no law abiding person of color should ever fear police brutality or discrimination. We are heartbroken at this aspect as we have blended families of color and many are people of color. I think the majority of Massachusetts residents all agree. Passing this bill as it is currently written will forever alter the safety of all citizens of Massachusetts.

I am a 53 year old widow of a wartime Veteran. A mother of two, one whom is disabled due to an incurable disease. I am also a 1989 nursing school graduate who worked in various positions and situations that police intervened to protect staff, other patients and protect an unstable patient from harming themselves. I have never encountered a police officer that hesitated to protect and serve. Last year, my daughters service dog was terminal. The dog suddenly could not stand. After contacting the animal hospital in the middle of the night for euthanasia information, it was the police who came and carried my daughters service dog into the car as she couldn't be lifted without assist. These officers did not know my daughter or her dog. They served. They were so gentle with the 90 lb Golden Retriever and showed such empathy to my daughter. They cried over a dog and are now being painted as racist killers.

Our law enforcement are sons, daughters, parents, siblings and friends. They are made up of all races. NOW they are all heartbroken at what this Bill means to them. It not only changes their job description but implies they are equal to the killer of George Floyd. What an insult that is to those who honor their profession. As a female with decades of experience in healthcare who has needed a police escort to my car because I feared walking alone after vague threats were made frequently by unstable patients. I could personally recount many many other interventions that were life saving. Dispensing Narcan, arriving on the scene prior to EMT and beginning CPR without hesitation. I could keep writing and praising. Instead I beg you to revise this bill. Police will no longer have the option or desire to intervene. I personally know many mental health

workers who absolutely can not and have NOT been able to handle contemporary unstable people. They frequently rely on the police for the safety of all. This proposal is preposterous and dangerous. I can not imagine any experienced medical/psychological professionals are supporting this bill. If so, the community demands to hear from them. They can not possibly have extensive diverse clinical field experience.IMPOSSIBLE! It is NOT being supported by anyone I know with a medical background. Bill S 2800 will ultimately protect less people in all ways.

Training with the input of the Black caucus , community policing, no chokeholds and reporting and removal of police who abuse the badge should suffice as a starting point. If you implement this current bill into law you will forever alter our primarily good policing in the state of Massachusetts. You will be responsible if I am harmed walking to my car. My daughter, my mother, my sister or my neighbor. You, the lawmakers will hold this responsibility. There is a better way to enforce better policing for ALL residents of Massachusetts. I do believe in your hearts you do know this but seem to be rushing without proper judgment in light of the heinous murder of Mr. George Floyd.

The community at large is devastated over his murder and similar situations. The Massachusetts community is also very upset that this bill passed at 4am. We love our neighbors of all colors including blue.

Passing this bill will discourage all law enforcement to step in to unknown sit and do their job. Stepping into the unknown is what law enforcement does every single day. If the police stop showing up, what do lawmakers think will happen? Do you honestly feel we will be safer? Do you not foresee early retirement and more lawless in our future? We foresee this. This will inevitably spill over to our FD and healthcare workers and cause unnecessary burden and harm.

All the people you praised for their selfless service during the peak of Covid 19 you will cause unnecessary ill will and burden.

Did you forget them that quickly?

They feel that you have.

We feel you have.

Our first responders are heroes not villains.

Again , my family and I beg you to not implement this into law.

I would appreciate a return email regarding your intentions.

Sincerely yours

Pamela Silvia

166 Chauncy St

Mansfield MA

02048

From: Jaime Mccann <jaims29@aol.com>

Sent: Thursday, July 16, 2020 9:17 PM

To: Testimony HWM Judiciary (HOU)

Subject: MA state police bill

Good evening,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and

accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,
Jaime McCann
150 Crimson St
Raynham MA 02767
Jaims29@aol.com

Sent from my iPhone
From: Nick Green <ngreen441@gmail.com>
Sent: Thursday, July 16, 2020 9:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: H2820

Dear Chair Michlewitz and Chair Cronin,

My name is Nicholas Green and I live at 26 John Alden Circle in Bellingham. I work at MCI-Norfolk and am a Correction Officer. I am also a part-time Police Officer with the Millville Police Department. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Nicholas Green

From: Kara Chapman <kudzichap@gmail.com>
Sent: Thursday, July 16, 2020 9:17 PM
To: Testimony HWM Judiciary (HOU)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Kara Chapman

East Bridgewater MA

Sent from my iPhoneFrom: Jeanette DeMasi <jeanettedemasi@aol.com>
Sent: Thursday, July 16, 2020 9:16 PM
To: Testimony HWM Judiciary (HOU)
Subject: S 2820

Dear Representative Aaron Michlewitz,

My name is Jeanette DeMasi and I live at 14 Bartley St., Wakefield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Jeanette DeMasi
From: Scott Gregory <217gregs@gmail.com>
Sent: Thursday, July 16, 2020 8:57 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Judiciary committee and members of the House of Representatives,

I am saddened to be typing this email in support of myself, my peers, and my family against the senate's decision to pass this bill. Democracy has been circumvented by the Senate when they forced this bill through without

public comments from those who have interests and elect them into office. I can only hope that this is not the case with this legislative body.

S.2820 is a dangerous bill for not only public servants, but for the citizens of the commonwealth. It was constructed out of emotions to a national tragedy, which rightfully should have led to a conversation, but not an attack on the most professional and highly trained police officers in the country. The greatest risk here is the cascade of failures that this bill, if passed, are certain to happen within our borders, within our cities, towns, neighborhoods, and eventually to the front door of those who never expected it. Foresight and common sense have been left behind when this bill was drafted and passed in the dead of night.

Should this bill pass, officers, FAMILIES of officers, who live everyday to protect against criminality, violence, and evil in all shapes and colors will have an even larger target on them. Who do you think would want to stay to protect after being attacked by their government? Who would take those places? How many votes will YOU lose by throwing everyone associated with law enforcement to the wolves? How many neighborhoods will fall into criminality when there are no longer officers willing to proactively protect those who can't protect themselves?

The simple fact is that if you vote to approve this bill, you will be moving backward in time, undermining work that labor unions have done to protect workers in all trades and aspects of public service. Qualified immunity does not protect officers who break the law. It doesn't hinder a criminal investigation into officers who abuse their power. It protects officers that act in good faith to SAVE people. Think about this, if this bill passes, an officer would then have MORE protection by NOT acting than acting in good faith. If that doesn't scare you than you'd better think about the repercussions that means.

Does the line end with police officers? How bout firefighters? Teachers? Judges? Politicians? Who knows... that's why it's such a dangerous precedent. Think about the citizens, the voters, the workers of the commonwealth when deliberating this bill. Invite a conversation on how policing could improve for our communities, but don't pass this bill, it is not the answer.

Respectfully,

Scott Gregory
Westfield, MA
From: Tom Cashman <trcashman@yahoo.com>
Sent: Thursday, July 16, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Cc: Garlick, Denise - Rep. (HOU)
Subject: Ma S2820

My Name is Tom Cashman. I live in Dover, Ma, and I represent myself and am not affiliated with any group.

Here is an email I wrote to Senator Mike Rush and Denise Garlick about two weeks ago.

I grew up in WR (West Roxbury), and my Dad was a US Marine and Boston Police Officer.

I have had enough of BLM. How about ALL lives matter, whether black, brown, pink, yellow, white.. its all about respect for the individual.

Being a policeman has gotten harder over the past 2-3 decades, especially in Boston. The metaphorical old drawing by Norman Rockwell about the policeman sitting at the cafe counter has been replaced by the Boston Globe insinuating that every BPD officer is a racist and a bully.

I happen to know many policemen that serve Boston. My friends come from multiple races and genders. The law currently in front of the legislature treats these good people like the bad people we need to protect our children from. This is a great example of "over-rotation", where in an attempt to provide the type of justice we all want based on the universal values of "God given rights"... we place some of our most valued civil servants in completely untenable situations.

I implore you to reverse your stance on Bill 2800, and think about legislative restraint. Imagine yourself in a policeman's shoes, trying to do the right thing... and wondering "what if?"... instead of doing the right thing and knowing that society and the laws of Massachusetts will have your back.

Thanks,

Tom Cashman

When I read some of the commentary made in the email I received, it is apparent that this is not a debate. I am particularly critical of the wording of section 3:

"Creating a commission on structural racism to study how the systemic presence of institutional racism has created a culture of structural racial inequality"

What happened to the "if" clause... as in "To study WHETHER structural racism exists in Massachusetts Police Forces, AND IF IT DOES, to seek to remedy that structural racism"?? You have made it a foregone conclusion to appease the mob.

As I stipulate in my email above... this completely well intentioned but misguided overreaction will not serve the commonwealth or its citizens... and the end result of this process will be to drive further wedges between the police departments and the people they PROTECT AND SERVE (regardless of what race, color or creed those police officers happen to be)

Tom Cashman

From: Berul977@aol.com
Sent: Thursday, July 16, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Dear House of Representatives,

Our names are Russell and Elizabeth Carman and we live at 7 Briarwood Lane Wakefield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1)Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2)Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3)POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015

President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Russell and Elizabeth Carman

From: jillcorwin826 <jillcorwin826@verizon.net>

Sent: Thursday, July 16, 2020 9:27 PM

To: Testimony HWM Judiciary (HOU)

Subject: Please veto bill S2800

To whom it may concern.

In regards to this bill, I am please asking you to veto bill S2800.

I understand changes need to be made, however just passing a bill for the sake of passing one, makes no sense. To pass a bill at 4:30 am is unconscionable.

More police training needs to be in the works for sure, but reverberations are not the answer.

Please veto this bill and let's work together to make it right for everyone and not rushing a bill with out completely thinking this through.

Thank you.

Jill Corwin

Sent from my Samsung Galaxy smartphone.

From: Dennis Cogavin <dcog185@gmail.com>

Sent: Thursday, July 16, 2020 9:15 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform

Hello,

I am writing out of concern for the pending police reform bill which is currently being discussed. In full disclosure I have been a police officer for 24 years. I writing to share my opinion and hopes regarding the proposed bill currently being discussed about police reform. I will not argue that there is a need for change and scrutiny in policing. We should be held to a higher standard. However, the police should NOT be painted with the same broad brush. Most police officers go work to do a good job. Very few are "bad apples". Although there are some no doubt. But in todays day in age many officers who are making split second decisions are having their lives and careers destroyed. Most of the times their actions are entirely appropriate. I feel most people would agree. However, today we see a small group of highly vocal, highly organized and often times violent group of people intimidating the rest. What we need now is a time to think reasonably and consider all aspects of the legislation. The bill

will have lasting repercussions in our state. More importantly many of the issues involving police alleged violence have not been in Massachusetts. So please be reasonable and take the time to consider the lasting effects of "knee jerk" legislation that is destined for failure or are at least flawed. But if it is discussed with more parties and thoughtful time the result will be more beneficial to everyone.

Thank you for your time,
Dennis Cogavin
West Roxbury, MA
From: Amy King <amm12@grad.bryant.edu>
Sent: Thursday, July 16, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Good Evening,

My name is Amy King and I live at 164 Meadowbrook Road in Hanover. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active duty Weymouth Police Officer, the daughter of a retired Provincetown Police Sergeant, and the daughter-in-law of a retired Weymouth Police Officer. Growing up as the daughter of a Police Officer I don't really remember being worried about my father going off to work. It was a different world then. Police Officers were respected and appreciated for the job they did. As the wife of a Police Officer in today's world things are different. Like all police wives, I watch my husband leave and hope and pray that he comes home safely every day. My last words to him every time he leaves are "be safe, I love you". In our world this is "normal" but not everyone lives in the same world we do. Not all wives need to say "be safe" when their loved one leaves for work.

I also write to you as a member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered. I will never forget the text message I received from my husband that he was safe but couldn't talk because I found out later that he was on his way to the hospital with Mike. I will never forget where I was when I learned the news that Mike had died. I will never forget attending Mike's wake on the day of my 10th wedding anniversary nor the funeral a day later with my husband, my Blue Family and the Chesna Family. Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will ever forget. A police wake and funeral are things NONE of us ever want to attend again.

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. Like many, I support enhanced training and appropriate certification standards that apply to

individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. Qualified Immunity, as I understand it, does not excuse criminal conduct. It is, instead, a legal protection offered to all public employees and serves as a protection against losing one's home or life savings in a civil suit. As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform. If they don't make those decisions quickly enough they face the very real chance of death or injury. Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried about liability. They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in. They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones. Is there a chance that Sergeant Michael Chesna chose not to use his weapon on the morning of July 15, 2018 because he was worried that such use would have been viewed as use of excessive force? Was he worried that if he used his weapon he could potentially lose his family's home? The answers to those questions we will never know. It does seem reasonable to assume, however, that had Sergeant Michael Chesna chosen to use his weapon to shoot Emanuel Lopes he would still be here today. He would still be here with his family who miss him every single day. Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them. Police Officers who are forced to stop, pause and think about potential liability before they act are Police Officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. The bill as it currently stands before you is NOT acceptable as a total package. If Legislation such as that tied to S.2820 is to be effective, appropriate, and just for all citizens of our Commonwealth, it takes time along with careful thought and consideration. Reactive and rash decision making does not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill and to not study

pieces like Qualified Immunity further have been extremely disheartening. I appreciated those Senators who called for more time and for a closer look at the bill in order to produce a product that was fair and just for all citizens of our Commonwealth. I also appreciate the willingness of the House to hear from the citizens of the Commonwealth. Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way. I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Amy King

164 Meadowbrook Road

Hanover 02339

From: Ronald Karcz <rwkarcz@yahoo.com>
Sent: Thursday, July 16, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

Ronald Karcz.

From: Joyce Higgins <jmhiggins@outlook.com>

Sent: Thursday, July 16, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down qualified immunity in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum it should specifically eliminate any provisions similar to sections 10, 49, and 52, as well as amend Section 63 to have more police representation.

Sincerely,
Joyce Higgins
Billerica, MA 01821

Get Outlook for Android <[rpresutt1@gmail.com](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=_RdpiR6veeTZslv5HUo9I4N39iTX5T7xEZCqjkixq3c&s=pWacDrIRKzOdBE3bMrUy24Vzuo_FbjBeYXqXvetSSYU&e=>
From: Bob Presutti <
Sent: Thursday, July 16, 2020 9:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Bob Presutti and I live in Wakefield. I work at the Norfolk Sheriff's Office and am a Corrections Officer there. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????????? ??????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Bob Presutti

From: taz dev <tazdev24@gmail.com>
Sent: Thursday, July 16, 2020 9:14 PM

To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Anthony LoPilato

8 Darby St

Tewksbury, Ma 02876

Sent from my iPad

Sent from my iPad

From: Nicole Torres <ntorres201@yahoo.com>

Sent: Thursday, July 16, 2020 9:14 PM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Nicole Torres Curral and I live at 373 Dawson Street, New Bedford, MA . As a constituent & registered voter, I write to express my opposition to Senate Bill 2820 & would like to be recorded as opposing said Bill.

This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Registered Voter

Nicole Torres Curral

Sent from my iPhone

From: Lydia Bowers <lydiadbowers@gmail.com>

Sent: Thursday, July 16, 2020 9:13 PM

To: Testimony HWM Judiciary (HOU)

Subject: Please advocate for Expungement in Massachusetts in house bill focused on racial justice

Dear MA Judiciary,

My name is Lydia Bowers and I am a resident of Somerville, MA. I am writing today over concerns about our current youth expungement law, which is overly exclusive to the point most young people cannot qualify. I know that the Legislature is planning to pass legislation to address police accountability and racial justice and I would really appreciate your support to make sure an expansion to the expungement law is included as part of this plan.

As an Human Resource professional, I have seen first hand how criminal records stay with people forever and prevent many from getting good jobs. I have advocated for hiring those with criminal records, and as a result have witnessed the deep stigma those with a criminal record encounter while job seeking. As long as these stigmas against hiring those convicted of crime, even low level crime, exist, youth expungement is crucial for a fair and equitable society.

In addition, race plays a central role in the problem with criminal records. Black youth are three times more likely to be arrested than their white peers. Black individuals are six times more likely to go to jail than whites despite being just 7.5% of the population. People of color are over-represented at every stage of the legal system and expungement will go a long way to undo the harm from this systemic racism.

I respectfully ask for an amendment that will:

1. Allow for multiple offenses to be expunged (prior to age 21).
2. Remove the list of 150+ charges that automatically disqualify and let the judge decide. Charges don't reflect the reality of an individual's character, guilt, likelihood of future risk, or ability to contribute to society in a positive way. Instead we should allow for judicial discretion. Since the 7 year felony and 3 year misdemeanor wait periods only begin at the end of one's sentence, the most severe charges like murder and aggravated rape which come with life sentences will never be eligible.
3. Differentiate between convictions and dismissed cases. Not all charges are equal.

Thank you for your consideration! This issue is very important to me, the young people in our community, and the entire Commonwealth of Massachusetts.

--

Lydia D. Bowers
860-450-9149 || www.lydiabowers.com
<[From: snowshoes@rcn.com
Sent: Thursday, July 16, 2020 9:13 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: Reject Senate Policing bill SB 2820](https://urldefense.proofpoint.com/v2/url?u=http-3A__lydiabowers.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiuk13zIs16rchf_GkGDD&m=M3EefVevXsGK9w86xGgGKOWIwEBN6j99rfiiE33mlwo&s=GHCXDsQ5MkxdQIptiIP15DDD6T4TO0102Lpq2T9ryyc&e=>></p></div><div data-bbox=)

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to

ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

From: Aryam Kifle <aryamakifle@gmail.com>

Sent: Thursday, July 16, 2020 9:13 PM

To: Testimony HWM Judiciary (HOU)

Subject: DO NOT PASS S.2820

Dear members of House leadership;

S.2820 does almost nothing to prevent state violence against Black people or stop the flow of Black people into jails and prisons.

I believe S.2820 will cause more harm than good by increasing spending on law enforcement through training and training commissions, expanding the power of law enforcement officials to oversee law enforcement agencies, and making no fundamental changes to the function and operation of policing in the Commonwealth. Real change requires that we shrink the power and responsibilities of law enforcement and shift resources from policing into most-impacted communities. The definition of law enforcement must include corrections officers who also enact racist violence on our community members.

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people. Rather than limiting legislation to moderate reforms and data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. I also support student-led efforts to remove police from schools.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there.

Thank you kindly for your time,

Aryam Kifle. Newton, MA

From: Bob Rinn <rrinn6490@gmail.com>
Sent: Thursday, July 16, 2020 9:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

?

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law

enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sent from my iPhone

From: Sean W <sdworrall1@gmail.com>

Sent: Thursday, July 16, 2020 9:12 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

The Chair of the House Committee on Ways and Means, Rep. Aaron Michlewitz, in cooperation with Rep. Claire Cronin, Chair of the Joint Committee on the Judiciary,

If passed as currently written, S2820 will cause men and women such as myself in the state of Massachusetts to be no longer able effectively perform their duties as police officers. Ending qualified immunity would place officers at risk of being personally liable due to actions on duty even if such actions were conducted in good faith. This would lead to a serious safety risk for police officers as well as the citizens of Massachusetts, as officers would no longer feel comfortable making a decision in a heat of the moment situation due to fear of "making the wrong decision". Not to mention the frivolous law suits that are sure to follow. I do not feel as though officers in the state are opposed to receiving more training or becoming licensed within the state. Personally, I would enjoy having access to further training opportunity and have no issue at all with becoming licensed in the state, but if qualified immunity is eliminated, I believe this would do far much more damage than good. This is simply punishing officers who work hard for their communities every day and would likely cause a large percentage of officers to leave the profession. This job can simply not be performed without qualified immunity. I think we all understand these are difficult times... but making rushed decisions at the expense of our officers is not the answer. I believe the fact that this bill was passed at 4am in the dead of the night speaks for it self... Please, DO NOT pass S2820 as written, as it will cause for more negatives than positives.

Patrolman Sean Worrall
Norton Police Department

From: Chip DiPietro <chpdip@comcast.net>

Sent: Thursday, July 16, 2020 9:11 PM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill S.2820

Although I agree with some of the items in the senate bill, like banning chokeholds, limit the use of tear gas and training them in the history of racism, I totally disagree with the removal of qualified immunity for law

enforcement officers. What also upsets me and many others is how the bill was drafted and voted on late at night and without any input from the police unions. My understanding is the law enforcement unions were and are more than willing to work with the legislature to make things better. Slamming a bill together in the middle of the night leaves me with little trust in our legislature.

If this bill were to pass as is, why would someone want to be a law enforcement officer? Way too much risk. Why would a law enforcement officer stick their neck and life on the line and have no backing. You think crime is bad now, passing this bill as is opens the doors for more disruption than we could ever imagine.

As I mentioned above, some things need to change, but more input is needed and more thought taken into consideration before we just try to pass something in the middle of the night.

Thanks,

Chip DiPietro

Resident of North Reading Ma.

From: whinnem13@verizon.net
Sent: Thursday, July 16, 2020 9:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity

To who it may concern,

I respectfully disagree with the proposed abolishment of qualified immunity for police officers and all responders.

While I fully support that reform is needed in a number of areas of policing, in order to change a dangerous culture that has too often protected officers who are unfit to wear the badge, I don't believe wiping out qualified immunity is the answer.

Honest, important steps can and must be made to change the numerous incidents that people of color unfairly suffer at the hands of unfit police officers.

However, eliminating an important tool like qualified immunity I believe would actually hurt the numerous good officers from doing their job effectively if the threat of lawsuits, etc., hang over their heads.

It is time for the people who make these decisions to look deeper than cosmetic fixes like this to truly address the issues of systemic racism,

both in law enforcement and society. In other words, don't just throw out the baby with the bath water. Look at the pieces of the system that work, why they work, and then address issues like hiring practices and accountability on the job and union protections that keep bad cops working.

Police are one of society's most important pillars. There are an untold number of good men and women in uniform who put their lives on the line each day. People who are better than I. Please don't risk losing them by making it more difficult to do what we ask them to do every day.

Sincerely,

Russell Alan Whinnem

Framingham, MA

From: Donna Forand <forandhockey@aol.com>

Sent: Thursday, July 16, 2020 9:12 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

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Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Donna Marie Forand

7744543392

Be someone's Encouragement Today!
From: Beverly Martin <bev.martin09@gmail.com>
Sent: Thursday, July 16, 2020 9:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd:

----- Forwarded message -----
From: Beverly Martin <bev.martin09@gmail.com>
Date: Thu, Jul 16, 2020, 9:06 PM
Subject:
To: <David.Biele@mahouse.gov>

Dear Representative Biele,

My name is Beverly Martin and I live in your district at 81 Orton Marotta Way Apt 6100 South Boston, MA 02127 and I am a huge fan of those who protect and serve our community. As you consider legislation that affects police officers and their safety, and thus the safety of our entire community, please understand that protection and preservation of due process and qualified immunity are non-negotiable and must be defended. Failure to protect both will undoubtedly put all public employees in harm's way while drastically and negatively impacting public safety for us all.

WHY DUE PROCESS MATTERS- Any legislation must allow fair and equitable due process under the Law. Currently, when an officer is disciplined, he/she is entitled to due process and an appeal process with the employer. A new outside board (like the POSA Committee) should allow this process to complete before instituting a review. This will not only maintain fairness, but will allow the new Committee to have a full record and make determinations after a thorough and neutral process has been undertaken. Other public employees such as teachers go through a similar process; police officers deserve the same respect and rights.

WHY QUALIFIED IMMUNITY MATTERS - Qualified immunity does NOT protect bad officers who knowingly violate the rights of members of the community. It's worth saying again. It does not protect bad cops. Instead, it protects good officers who play by and follow the rules. The doctrine allows lawsuits to proceed if a government official (not just a police officer) had fair notice that his or her conduct was unlawful, but acted anyway. The standard is objective reasonableness. By abolishing or changing qualified immunity as it exists today, police officers will not know what is lawful or not. This creates hesitancy and uncertainty in how they perform their duties. This is UNSAFE for all communities.

In closing, we are NOT Minneapolis. So, changing due process or qualified immunity in Massachusetts, which would affect police officers only in Massachusetts, would only serve to punish the men and women in blue for something that happened 1000 miles away. Instead of penalizing and scapegoating, we should be celebrating and promoting the fact that our

police officers, some of the best in the nation, are impressive examples of how policing should be done.

Sincerely,

Beverly Martin

From: Sara Dickey <sara.dickey13@gmail.com>
Sent: Thursday, July 16, 2020 9:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Another call to RAISE THE AGE!

Dear Chairs Michlewitz and Cronin,

I write to add my voice to the many who are speaking up about how important it is to include language around raising the age is in the state radical justice bill S 2820. I have worked with youth over the past eight years as a manager at More Than Words (<https://mtwyouth.org>) <https://urldefense.proofpoint.com/v2/url?u=https-3A__mtwyouth.org_d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=-4uosYYdnXmpBmxcLBxJATQXo4G16ASKptgAPhX_lb0&s=p_SLfgsWW24D-yMrVK9mbf72ZiIX9WU8nf4sC5W8stw&e=>>), where we empower young adults to take charge of their lives by taking charge of a business. I work with young people from all different backgrounds, all of whom deserve every ounce of care, compassion, and accountability we share with them over the 6-12 months we work together. Young adults make mistakes. We've all made mistakes, and lots of times we got second chances. I know I did.

Turning 18 didn't magically make me into a mature, responsible adult. I'm guessing the same is true for you. Young adults over 18 still make mistakes and mess up, but that doesn't mean they should automatically be tried as adults in the justice system. They're still learning and deserve compassionate accountability. Please include language to raise the age in bill S 2820. I am thankful for you helping keep youth out of the justice system, giving them a second chance to learn how to do better, and be better instead of just being locked up.

Sincerely,
Sara Dickey

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QKX1NwNkVpVFjkzPFeoG3_JOUeD2ohjkzsYmCvc&e=>
From: Greg Gaetano <bosoxremy@yahoo.com>
Sent: Thursday, July 16, 2020 9:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Greg Gaetano and I am a 22 year veteran officer at the Dracut Police Department. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Respectfully Submitted,

Officer Greg Gaetano

From: Nicholas <ncascarano@yahoo.com>
Sent: Thursday, July 16, 2020 9:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Nicholas Cascarano. I work at The Lemuel Shattuck Hospital Correctional Unit in Jamaica Plain MA as a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women

who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Nicholas Cascarano

From: George Rappolt <grappolt@rcn.com>

Sent: Thursday, July 16, 2020 9:10 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Dear Members of the House Judiciary Committee and Ways and Means Committee,

I am writing to you to voice my strong support for S.2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color. This bill is urgently needed because of the toxic culture that has overtaken many police departments, both in Massachusetts and in the nation as a whole. Police abuse civilians in ways that would be crimes for anyone else, with complete impunity. The press has treated this as a purely racial issue, because Black people are much more likely to be targeted than whites. However, the sad truth is that no one is safe from abuse by the police, and police retain their impunity no matter who they abuse. Recent events have made this obvious, as police target white protesters and as President Trump himself admits that more whites are killed by police than Blacks. Everyone needs police reform.

A particularly critical piece of this reform is an end to conditional immunity. The doctrine of conditional immunity shields police from meaningful legal action in all but the most extreme circumstances, effectively freeing them from any kind of accountability. No reforms can take hold until the police are accountable for their actions. This makes the end of conditional immunity key to actually implementing and enforcing all of the other reforms in S. 2820.

Please pass S. 2820 without diluting any of its provisions, and especially without weakening the provisions to limit conditional immunity. In their current form, these provisions constitute the bare minimum of what is actually needed.

Thank you for your consideration,

George A. Rappolt

9 Morgan Drive Unit 105

Natick, MA 01760

781-444-6875

grappolt@rcn.com

From: Laurel Chabib <laurelchabib@gmail.com>
Sent: Thursday, July 16, 2020 9:10 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition of S.2820

Dear House of Representatives,

My name is Laurel Chabib and I live at 273 Boston st., in Lynn. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. While I am in support of police reform and of far more severe consequences for officers who show a pattern of discrimination and inappropriate behavior, I firmly believe that this bill will open the door for a domino effect of serious societal issues.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law

enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Laurel Chabib

781-350-8266From:Michael Werner <michael.h.werner@outlook.com>

Sent: Thursday, July 16, 2020 9:10 PM

To: Testimony HWM Judiciary (HOU)

Cc: Dykema, Carolyn - Rep. (HOU)

Subject: Writing in support of S2820

Dear Chairs Michlewitz and Cronin,

I am writing to you to voice my support for S2820. It is imperative that we make this first step toward racial justice. As a Massachusetts resident I am tired of abuses of our neighbors at the hands of unaccountable law enforcement officers. I ask that you preserve the language creating an independent and civilian majority police body, limit qualified immunity, and reduce the school to prison pipeline by removing barriers to expunge juvenile records.

I also ask that you strengthen the use of force standard, fully prohibit facial surveillance technology, and lift the cap of the justice reinvestment fund.

Thank you for taking the time to review my input.

Michael Werner

Hopkinton, MA

From: Meg <mmccarthyegan@gmail.com>

Sent: Thursday, July 16, 2020 9:10 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

My name is Megan McCarthy-Egan and I live at 41 Gilbert Road, in East Weymouth <x-apple-data-detectors://0> and I am a huge fan of those who protect and serve our community. As you consider legislation that affects police officers and their safety, and thus the safety of our entire community, please understand that protection and preservation of due process and qualified immunity are non-negotiable and must be defended. Failure to protect both will undoubtedly put all public employees in harm's way while drastically and negatively impacting public safety for us all.

WHY DUE PROCESS MATTERS- Any legislation must allow fair and equitable due process under the Law. Currently, when an officer is disciplined, he/she

is entitled to due process and an appeal process with the employer. A new outside board (like the POSA Committee) should allow this process to complete before instituting a review. This will not only maintain fairness, but will allow the new Committee to have a full record and make determinations after a thorough and neutral process has been undertaken. Other public employees such as teachers go through a similar process; police officers deserve the same respect and rights.

WHY QUALIFIED IMMUNITY MATTERS - Qualified immunity does NOT protect bad officers who knowingly violate the rights of members of the community. It's worth saying again. It does not protect bad cops. Instead, it protects good officers who play by and follow the rules. The doctrine allows lawsuits to proceed if a government official (not just a police officer) had fair notice that his or her conduct was unlawful, but acted anyway. The standard is objective reasonableness. By abolishing or changing qualified immunity as it exists today, police officers will not know what is lawful or not. This creates hesitancy and uncertainty in how they perform their duties. This is UNSAFE for all communities.

In closing, we are NOT Minneapolis. So, changing due process or qualified immunity in Massachusetts, which would affect police officers only in Massachusetts, would only serve to punish the men and women in blue for something that happened 1000 miles away. Instead of penalizing and scapegoating, we should be celebrating and promoting the fact that our police officers, some of the best in the nation, are impressive examples of how policing should be done.

Sincerely,
Megan McCarthy-Egan, MSW, LICSW

Sent from my iPhone
From: Karen Sweeney <karens2000@comcast.net>
Sent: Thursday, July 16, 2020 9:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation

of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely Karen Sweeney

From: Jacqueline Moz <jlcamoz@gmail.com>
Sent: Thursday, July 16, 2020 9:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: My Opposition to Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Jacqueline Moz and I live at 362 Rindge Ave apt 8H. I work at Suffolk County Sheriff's Department House of Corrections and I am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Taking away funds from police or corrections is taking away training that is needed to better serve the commonwealth.

Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Jacqueline L. Moz

From: musa22west <musa22west@comcast.net>
Sent: Thursday, July 16, 2020 9:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement

field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Officer Jeremy Musa
545 Cooper Street
Agawam, MA 01001
Musa22west@comcast.net

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone

From: bons356@aol.com
Sent: Thursday, July 16, 2020 9:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

Barbara O'Neil-Sheehan
From: Lauren Delaney <lauren.delaney21@gmail.com>
Sent: Thursday, July 16, 2020 9:08 PM
To: Brady, Michael (SEN); l david.decoste@mahouse.gov; Testimony HWM Judiciary (HOU)
Subject: Oppose S2800

Hello,

I am all for police reform and change, but this bill is going to do more harm than not. In addition, the way this was passed is a terrible reflection of a knee jerk reaction from our white majority politicians. I support black lives matter and change. I also support the amazing police force we have in Massachusetts. This bill will do more harm than better. You will have many walking out on their jobs. Or get paid to do even less. Do the right thing.

Thank you,
Lauren Delaney
1508 Broadway
Hanover MA 02339

Sent from my iPhone From: Scott Gilman <scott.t.gilman@gmail.com>
Sent: Thursday, July 16, 2020 9:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony on S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I am writing in favor of S.2820 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. The final bill should eliminate qualified immunity entirely, introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no-knock raids like the one that killed Breonna Taylor.

Additionally, while this bill is a start, it does not go nearly far enough. We need to rapidly shift funding from the State Police and prisons to social services, education, environmental justice initiatives, and green jobs. Given the current political moment, and right on the heels of massive scandals and financial mismanagement among the State Police, voters in Massachusetts expect much, much bolder action from you.

Please let me know if you have any questions.

Best,
Scott Gilman
Somerville, MA

From: Deirdre Smith <dsmith0916@gmail.com>
Sent: Thursday, July 16, 2020 9:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

Dear Chair Michlewitz and Chair Cronin,

My name is [Insert Name] and I live at [Insert Address] in [Insert Town], Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiff's constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits.

The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Deirdre Smith

South Hadley, MA

From: Brendan55 <brendan55@charter.net>
Sent: Thursday, July 16, 2020 9:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Brendan O'Neill

12 Orchard Road

East Longmeadow, MA 01028

Brendan55@charter.net

From: Mark McKunes <markmckunes@yahoo.com>
Sent: Thursday, July 16, 2020 9:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: S. 2800

From: Mark McKunes <markmckunes@yahoo.com>
Date: July 16, 2020 at 9:03:11 PM EDT
To: david.biele@mahouse.gov
Subject: S. 2800

?Dear Representative Biele,

My name is Mark McKunes and I live in your district at 232 Athens street South Boston Mass 02127 and I am a huge fan of those who protect and serve our community. As you consider legislation that affects police officers and their safety, and thus the safety of our entire community, please understand that protection and preservation of due process and qualified immunity are non-negotiable and must be defended. Failure to protect both will undoubtedly put all public employees in harm's way while drastically and negatively impacting public safety for us all.

WHY DUE PROCESS MATTERS- Any legislation must allow fair and equitable due process under the Law. Currently, when an officer is disciplined, he/she is entitled to due process and an appeal process with the employer. A new outside board (like the POSA Committee) should allow this process to complete before instituting a review. This will not only maintain fairness, but will allow the new Committee to have a full record and make determinations after a thorough and neutral process has been undertaken. Other public employees such as teachers go through a similar process; police officers deserve the same respect and rights.

WHY QUALIFIED IMMUNITY MATTERS - Qualified immunity does NOT protect bad officers who knowingly violate the rights of members of the community. It's worth saying again. It does not protect bad cops. Instead, it protects good officers who play by and follow the rules. The doctrine allows lawsuits to proceed if a government official (not just a police officer) had fair notice that his or her conduct was unlawful, but acted anyway. The standard is objective reasonableness. By abolishing or changing qualified immunity as it exists today, police officers will not know what is lawful or not. This creates hesitancy and uncertainty in how they perform their duties. This is UNSAFE for all communities.

In closing, we are NOT Minneapolis. So, changing due process or qualified immunity in Massachusetts, which would affect police officers only in Massachusetts, would only serve to punish the men and women in blue for something that happened 1000 miles away. Instead of penalizing and scapegoating, we should be celebrating and promoting the fact that our police officers, some of the best in the nation, are impressive examples of how policing should be done.

Sincerely,

Mark McKunes
Cell 617-733-6849

Thank You,
Mark M. McKunes

From: Adrian Gilmore <addieg711@gmail.com>
Sent: Thursday, July 16, 2020 9:07 PM

To: Adrian Gilmore; Testimony HWM Judiciary (HOU)
Subject: Bill S2800

My name is Adrian Gilmore and I live in Roslindale, MA. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

?The proposed changes to QI will have a serious impact on critical public safety issues.

?Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

?The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by

groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in laborrelations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Adrian Gilmore

From: rmonfreda@charter.net
Sent: Thursday, July 16, 2020 9:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Honorable Representative

The Massachusetts legislature has recently proposed a massive bill reform that it intends to pass without a public hearing. This Bill was largely authored by people who consistently oppose police services. Why would you consider passing such sweeping changes without a public hearing - what happened to transparency in Government?

As a constituent, I demand that you take the following action before voting on ANY such bill.

Read The Bill

Ask How Our Police Departments In Your District Are Actually Performing

AT A MINIMUM HOLD A PUBLIC HEARING

These are very minimal requests before passing such a massive legislation that will have such a huge impact our communities.

There is so much to this bill that is of concern. Just some impacts that are extremely concerning to me my family and friends:

It removes authority from City's and Towns to control their own employees

Removes the rights of police to monitor gang activity in schools

Removes the rights of public safety officers

Exposes police officers and their families to personal liability, even when acting in Good Faith

Puts the lives of our police officers in danger unnecessarily

Creates a police licensing board that is staffed by organizations who sue our communities and advocate for the elimination of police services.

I could go on and on after reading this bill in its entirety, however fear that you may not read my email. Please do the right thing. The recent Unfortunate incidents that All agree should never have happened was wrong, however we cannot turn our communities and country upside down for the sake of some particularly bad individuals. We should work on finding common ground to make corrections that would help eliminate such

individuals that are appropriate. We need our Police, and my fear is, who in their right mind would even want to be an officer today and subject themselves and family to such unnecessary danger.

I feel our community is blessed, and I firmly believe our Police care about our communities. I also believe when they leave their loved ones as they go to work to keep our communities safe, they do NOT look for trouble or target specific individuals.

Do the right thing and Hold A Hearing. We intend to HOLD YOU ACCOUNTABLE, and we trust that you will do the same.

Respectfully

Ralph R Monfreda

Worcester MA

From: Dot Odgren <dotao@aol.com>
Sent: Thursday, July 16, 2020 9:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Encouraging the House to enact a bill similar to S 2829

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful

in their own schools. Municipalities should be able to make their own decision. f

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Thank you.

Dot Odgren

[978-464-2017

Princeton, Ma 01541

From: Nathan Curvelo <ncurvelo27@gmail.com>
Sent: Thursday, July 16, 2020 9:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Nathan A Curvelo

65 Seymour St

New Bedford MA 02744

Ncurvelo27@gmail.com

From: Liz McGuire <lizmcguire@gmail.com>
Sent: Thursday, July 16, 2020 9:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Urge you to pass S.280 into law

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.280 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban teargas, chokeholds, and no-knock raids like the one that killed Breonna Taylor.

Thank you,

Elizabeth A. McGuire

Brighton, MA

From: Keith Smith <keithsmith@outlook.com>
Sent: Thursday, July 16, 2020 9:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street <[Boston, MA 02133 <](https://urldefense.proofpoint.com/v2/url?u=https-3A__eur06.safelinks.protection.outlook.com_-3Furl-3Dhttps-253A-252F-252Fwww.google.com-252Fmaps-252Fsearch-252F24-252BBeacon-252BStreet-252B-25250D-25250A-252B-25250D-25250A-252BBoston-252C-252BMA-252B02133-253Fentry-253Dgmail-2526source-253Dg-26data-3D02-257C01-257C-257C5c1648bef45a43aa288908d829ecbd90-257C84df9e7fe9f640afb435aaaaaaaaaaaaa-257C1-257C0-257C637305444046881242-26sdata-3Denhcf3u05Et0G9S7EghPTHiyCmxMCelTvofX1NPf-252FX8-253D-26reserved-3D0&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=dScqiEfU3U8XpZzFifNfk2T6dkpiDokH1tEEJq84ZGo&s=VdBVG5QtwLwYg0fPtLBRDAWZg9G_SgUJp6hR6I4BZZc&e=>></p></div><div data-bbox=)

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My name is Keith Smith and I live at 2 San Souci Dr. in S. Hadley,
Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800,
which was passed in the Massachusetts Senate this week and is being heard
tomorrow by you the Massachusetts House of Representatives for
consideration.

My oppositions to this bill are very simple and straight-
forward. First, this bill will change the current legal standard of the
Qualified Immunity doctrine in Massachusetts state courts. The present
standard allows the courts to consider past precedent and established
legal authority, and the information the public official possessed at the
time of their alleged illegal action when determining whether the doctrine
will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only
allow the court to consider what every reasonable defendant would have
understood as being illegal at the time of their alleged illegal action
before allowing the case to go forward. This shift in legal doctrine would
completely ignore the bedrock legal doctrine of stare decisis and legal
precedent, and prohibit courts from benefiting from past decisions, both
mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it
places far too much subjectivity into the decision whether to bring
forward cause of action against a public employee. A finder of fact will
be left to make their decisions in a vacuum, without the benefit of
fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the
Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a
plaintiff's case may only go forward against a public employee for acts
that interfere with the exercise and enjoyment of [a citizen's]
constitutional rights, as well as rights secured by the constitution or
laws of the Commonwealth, where such interference of constitutional or
statutory rights were achieved or attempted through threats, intimidation
or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the
requirements of threats, intimidation and coercion be present in a public
employee's alleged violation of the plaintiffs constitutional rights. This
will, in effect, open the flood-gates for causes of action to be brought
in Massachusetts state courts under the MCRA under this weakened standard.
As you are aware, causes of action that lie under the MCRA are eligible
for consideration of awarding attorney's fees if there is a favorable
verdict for the plaintiff. What will stop unscrupulous plaintiffs and
their attorneys from filing suit under this weakened standard in an
attempt to exact a quick settlement that includes attorney's fees? The

gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Keith Smith

From: David Furtado <davefurtado13@gmail.com>
Sent: Thursday, July 16, 2020 9:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: House Bill 2820

To Whom It May Concern,

I am writing this email to express my grave concern over House Bill 2820. I cannot express my disappointment in the Massachusetts State Senate with the passing of House Bill 2820. Not only did the senate label the hardworking men and women of law enforcement, including officers of color, as racists but they also targeted all public sector employees and their unions with this haphazardly crafted bill.

Stripping public employees, especially police officers, of their Qualified Immunity will without a doubt hinder their ability to perform their duties to the utmost. The principle of Qualified Immunity is fully supported by the Supreme Court of the United States in case law and allows public servants to work without fear of personal liability for simply doing their job. The Senate Bill not only affects police officers, but also

firefighters, EMS, other healthcare workers, and teachers. It makes little sense to go after people who play such a vital role in the well being of our communities.

I am in full support of holding people accountable for wrongdoing, however officers should not need to work in constant fear of legal retaliation for doing their job. I am in full support of measures such as more frequent and intensive training for police, but the loss of Qualified Immunity is something I cannot under any circumstances agree with.

I hope that the Massachusetts House of Representatives sees the clear flaws in this Bill and takes corrective measures to ensure a safer Massachusetts for all.

Thank you for your time,
David Furtado
71 Emerald Drive
Lynn, MA 01904
From: Theresa <tjfm88@gmail.com>
Sent: Thursday, July 16, 2020 9:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: DO NOT SUPPORT HOUSE BILL S2820

I DO NOT SUPPORT HOUSE BILL S2820.

Please do not pass this bill. This will destroy our state and FRONTLINE WORKERS!!!!

Theresa J. McIrney
tjfm88@gmail.com

Sent from my iPhone

From: Bret LaBelle <bhlable@aol.com>
Sent: Thursday, July 16, 2020 9:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: Crime Bill

My Name is Bret LaBelle. I'm a Boston police Sergeant and I have been a police officer since 1998. Early in 2016 I was working in the seaport area of Boston when a man walked up to me and told me a man was passed out on the street a few blocks away. (The reporting man continued on his way...didn't help the victim besides telling me that he was in distress.) I arrived on scene to find a man in his 50s'/60's wearing an expensive suit and overcoat lying on the ground. I immediately checked his vitals and learned he was not breathing and he didn't have a pulse. I notified Boston operations of my location, asked for an ambulance and immediately

started CPR. I performed CPR for seven minutes (Seemed like forever) until the Boston Ambulance arrived. During the seven minutes at least two times I heard ribs breaking, which they tell you will possibly happen in CPR training in the academy. Knowing that by doing CPR on the victim I was doing more good than bad even with the broken ribs I continued. The ambulance arrived and transported the victim to the hospital. The victim survived!!

I arrived on scene that day in 2013, and rendered aid to a complete stranger without worrying that the man I was trying to save would try and sue me later. I'm terrified of a world where officers, nurses, doctors, or teachers fail to act due to the fear of being sued.

Consider a call for a child locked in car on a 90 degree summer day... or a dog for that matter. Break the windows of the car to set them free and then you will be held liable for any damages. Lawyers already comb police reports looking for new cases. I was recently struck by a car on a bicycle while working. Days later I was contacted by 15 law firms asking me if I wanted to sue the person who accidently struck me. They had my home address and phone number which wasn't on the report!!! Without the qualified immunity, the law suits will come, even in cases where we save or try to save people's lives.

I have been a police officer for 22 years. 99.9% of police officers retire without ever using their service weapon (GUN). Thank god I have never been in a situation at work where I had to use my service weapon. Contrary to the rhetoric recently, Officers pray every day that they never have to use it.

The part of the bill that says "Officers will not have sex with persons in custody" is just insulting. I have never in my years seen this or ever heard of it happening. I looked online and couldn't find one case of a Police Officer having sex with a prisoner in Massachusetts. Who in god's name came up with that section??? You really need to stop and look at this bill. A lot of sections are completely ridiculous.

This bill does not help keep people safe. It does the opposite. It puts your constituents in jeopardy. Officers will be be scared to act due to fear of legal retribution for simply doing what you hired them to do, save lives and help people in times of need.

I URGE you not to pass this Crime Bill legislation in Massachusetts for atrocities that occurred in Minnesota. We live nowhere near that state. That would be like me disciplining my children because I learned about two kids in New Jersey playing with fire. It just doesn't make sense!

Thank you,

Sergeant Bret LaBelle
Boston Police Department

From: Ariel Eromin <arielbrianne93@gmail.com>
Sent: Thursday, July 16, 2020 9:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Testimony

Dear Chair Michlewitz and Chair Cronin,

My name is Ariel Eromin and I live at 13 Waverly Road, Woburn MA 01801. As a constituent and a long time girlfriend of a Law Enforcement Officer, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the

appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste.

Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Ariel Eromin

From: Marina K Burliss <cutterfarm@comcast.net>
Sent: Thursday, July 16, 2020 9:04 PM
To: 'Marina Burliss'
Cc: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820.

Dear Chair Michlewitz and Chair Cronin,

My name is Marina K Burliss and I live in Dracut, MA <x-apple-data-detectors://2> . I own and work at The Cutter Farm in Dracut. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Marina K Burliss

Sent from my iPhone

Marina K. Burliss

The Cutter Farm

C: 978-697-7858

info@cutterfarm.com

www.cutterfarm.com

From: Louis C Rosa <lourosa@mit.edu>
Sent: Thursday, July 16, 2020 9:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: University Police Union Coalition Testimony for Bill S.2820

University Police Union Coalition

MIT Police Association, Harvard University Police Association, Boston College Police Association, Boston University Police Association, Tufts University Police Association and Northeastern University Police Association

To the Honorable Members of the Massachusetts House of Representatives:

Police Officers within the University Police Union Coalition provide public safety services at the six largest Universities in Eastern Massachusetts. Our Coalition represents over 250 sworn law enforcement Officers.

We are universally opposed to Massachusetts Senate Bill S. 2820 "police reform" presently under consideration by the House of Representatives. The reasons for this opposition is that we see Bill S. 2820 detrimental to public safety in Higher Education Campus Law Enforcement, as well as all Law Enforcement in the Commonwealth of Massachusetts.

This Bill lacks transparency for Law Enforcement Officers to have Due Process and the Right of Appeal. Officers and their families will be impacted the greatest from this Bill due to a loss of employment and the degradation of their career path in Law Enforcement.

The measures under consideration are grounded in incidents of abuses in other parts of our country. As deplorable as those are, there is simply

no body of evidence that compels drastic action at this time in Massachusetts to eradicate non-existence abuse.

Passage of these measures under consideration are so lacking in due process for police officers, so destabilizing to job security, and so likely to leave police officers more vulnerable to violence, injury and death from lawless elements.

We are urging the Massachusetts House of Representatives to not consider Bill S. 2820 as it is currently constructed. The elimination of Qualified Immunity and the lack of transparency in an appeals process needs to be replaced with new language that does offer Qualified Immunity and Due Process with the right of appeal for Officers.

We want to continue to serve our universities and their communities with the fair, compassionate and protective policing that has so consistently characterized our service over time. We urge you take a step back and allow for research, citizen input, debate, and thoughtful deliberation before you take extreme actions that may well have disastrous, unintended consequences.

Thank you,

Joseph S. West.

MIT Police Association

President

(Cell) 617-852-7627

jswest@mit.edu

David Sacco

MIT Police Association

Vice President

(Cell) 617-438-1583

dsacco@mit.edu

Louis Rosa

MIT Police Association

Secretary/Treasurer

(Cell) 617-852-0608

lourosa@mit.edu

Santos Perez

Boston College Police Association

Union Steward Representative

(Cell) 617-828-8151

Santos.perez@bc.edu

Michael Allen

Harvard University Police Association

President

allen@hupd.harvard.edu

(Cell) 617-512-4965

Joseph Steverman

Harvard University Police Association

Vice President

steverman@hupd.harvard.edu

(Cell) 781-727-0285

Stephen Brown

Tufts University Police Association

Vice President

Stephen.brown@tufts.edu

(Cell) 978-375-4959

Glenn Lindsey

Northeastern University Police Association

Vice President

g.lindsey@northeastern.edu

(Cell) 774-210-0023

?

From: Faton Ramadani <fatonrama@gmail.com>
Sent: Thursday, July 16, 2020 11:24 PM
To: Testimony HWM Judiciary (HOU)
Cc: fatonrama@gmail.com
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Faton Ramadani

Winthrop, MA 02152

Fatonrama@gmail.com

From: Steve <197stevev@comcast.net>
Sent: Thursday, July 16, 2020 11:22 PM

To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

To all who will listen.

Please vote against the new proposed Police Reform Bill.

Since Ferguson, Police Officers have hesitated and been hurt for doing so.
Please review the facts!!!

If this bill passes, Police Officers will not be able to perform their duties.

Qualified Immunity is so important to protect each and everyone of us, including our families.

We're watching everyone bow down to the mob. Please do not be a statistic.
Please stand for Law & Order!!!

Please vote no!!!

Thank you

Officer Steve Valério

Sent from my iPhone

From: Daniel Shea <danielshea0@gmail.com>

Sent: Thursday, July 16, 2020 11:21 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820 Opposition

Good Evening,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Daniel Shea

Daniel.shea0@gmail.com

From: Tim Cannistraro <tim.cannistraro@icloud.com>
Sent: Thursday, July 16, 2020 11:20 PM
To: Testimony HWM Judiciary (HOU)
Cc: Garlick, Denise - Rep. (HOU)
Subject: Police Reform Bill Testimony

? Dear House Members,

I have noticed these concerns with the bill you are looking to pass. I think we as a community who will be directly effected by this bill passing have a right to have these questions answered to why this bill should pass. I don't believe this will make us safer. I believe this is strictly political, which can be seen with the small almost petty way the identification wording of the laws had to be changed, and the fact that the movement has been pushed in on you guys to take this action. I think that this is something that a lot of cities and towns within the commonwealth will use to pass their own change to policing and I think something that is basically a list of demands from an activist organization or organizations is not what we should be pushing through to make law. These things that you have in here are not new ideas. They

have been ideas since the 90's and some back to the 60's and there is a reason they have never passed before. Please take my questions into consideration when you are thinking about making this bill legal law. I think things definitely have room to improve but they should improve for the better of safety for the entire community of the state and not just the POC of the state or vice versa.

Sec 1 lines 64-66: . Funds received under this subsection shall be deposited in a separate account with the state treasurer, received by the treasurer on behalf of the commonwealth and expended by the commission in accordance with law.

What does the law allow this money to be spent on? I believe this is very important to know since it is being paid to the commonwealth which is essentially the tax payers money at that point.

Why do we not have any white members on this board? Would this every be allowed to happen today, that we would have a group of members put together for whatever reason and not have a POC be on the board? I believe it would be considered discrimination if we did not allow a person of color specifically.

Section 2 Lines 73-75 (c) personnel and medical files or information and any other materials or data relating to 74 a specifically named individual, the disclosure of which may constitute an unwarranted invasion 5 of 72 75 of personal privacy; provided, however, that this sub clause shall not apply to records describing the disposition of a law enforcement misconduct investigation.

This is wrong on every level. This means that there only has to be an investigation opened up on a police officer in order for you to access their medical records. This has no stipulation that doesn't allow the commission to make this public without any due process. This is not right and should have language that is put in it that counsel can look at the information but can not make it public. The public does not need to know about a police officers health records. This will make it so that people will not want to join the police in the future because the HIPPA law will not apply to them. Which will in turn put areas of higher crime into a bigger whole in terms of safety.

Section 4 lines 128-129: (iv) the history of slavery, lynching, racist legal institutions and racism in the United 129 States.

Where is this history coming from? What history book and racist legal institutions and racism is not a history, it's an opinion and a theory. I don't think its right to make a cop be put through opinion trainings and theory indoctrination attempts. If you want to teach them the history we need to go to actual history textbooks and keep political theory's out of our law enforcement institutions.

Section 6 lines 164-165 164 <tel:164-165%20164> Section 221. There shall be an independent police officer standards and accreditation 165 committee within the executive office of public safety and security: 1 person appointed by the ACLU (Open Society funded has Bernadine Dohrn on board of directors who was part of weather underground a communist terrorist organization back in the 80's she once said "Dig it. First they killed those pigs, then they ate dinner in the same room with them, they even shoved a for into a victims stomach. Wild!" when talking about the Charles Manson crew murders, she also murdered a cop in 1970 during a Boston Bank robbery) 2 NAACP appointees (open society funded with \$15Million in October of 2019) and zero white people.

How are we going to allow groups who are funded by an international terrorist by the name of George Soros who is against law enforcement and one of these groups has someone on their board of directors who has served jail time and also was an active member of the terrorist group Weather Underground, to have complete control over our policing of the state and on our state college campuses. How does this make policing better for anyone? Why do they have to control all training for police?

Section 223: line 248-249: the age, gender, 249 race and ethnicity of each person involved in the incident, if known;

First of all why wouldn't this be known, this is something that is very basic and should be mandatory to make a claim against a police officer. Also if you are going to be making the name of the police officer public, it is only fair that the name of the people or persons bringing the investigation or complaint against them? Do you not agree and why or why not?

Line 306-308 The police officer standards and accreditation committee shall have the authority to 307 issue subpoenas to obtain all documents, materials and witnesses relevant to a complaint. A 308 subpoena may be issued by the chair or by any 3 committee members acting concurrently.

So there are three members from George Soros funded organizations on this committee so they automatically can get any subpoena that they want. How is that fair? Why wouldn't it be a vote by the committee? What's the point of having a committee of 13 people if they don't vote on something like this?

Section 225. (a) The police officer standards and accreditation committee shall revoke an 327 officer's certification if:

Lines 339-347: (ix) the officer has a sustained complaint of misconduct based upon conduct consisting 17 of 72 340 of: (A) use of deadly force in violation of chapter 147A <x-apple-data-detectors://2> ; (B) use of force in violation of said 341 chapter 147A <x-apple-data-detectors://3> resulting in serious bodily injury as defined section 13K of chapter 265; (C) failing 342 to intercede to prevent the use of unreasonable force in violation of section 3 of said chapter 343 147A <x-apple-data-detectors://4> ; (D) conduct that would constitute a hate crime, as defined in said section 32 of said 344 chapter 22C; (E) intimidation of a witness, as defined in section 13B of chapter 268; (F) 345 tampering with a record for use in an official proceeding, as defined in section 13E of said 346 chapter 268; (G) perjury, as defined in section 1 of chapter 268; or (H) filing a written police 347 report containing a false statement, knowing the statement to be materially false.

So all that has to happen for them to have their certification taken away, which in turn would make them ineligible to work as a cop, would be to have someone bring a complaint against them for any of these things? It doesn't say anything about being convicted of a complaint, it just says the complaint needs to be brought up against them. This is going to put police officers in a place that no matter what they do, people will be able to bring up a complaint against them with no fear of if the complaint is justified or not. The cop will be fired so they have the power in the situation. Do you believe that the complaintive should have the ultimate power against the cop? If you do wouldn't that nullify his ability to do his job which is to enforce the law?

The word "Shall" should be removed from this bill because it is deceptive language that could mean, has a duty to or is required to and at the same time it could mean, may. Do you agree that the word is deceptive? Do you think it should be removed?

Line 543 to 547 A person who has attained the age of 19 on or before the final date for the filing of 544 applications for the state police cadet program shall be eligible to take the qualifying 545 examination for the state police cadet program. A person who has attained the age of 26 on or 546 before the final date for the filing of applications for the state police cadet program shall not be 547 eligible to take the qualifying examination for the state police cadet program.

Why would you want to lower the age of the cadets of the state police? The older you are the wiser you are. It was 21 and 34. Can you tell me how you think this will help keep the community safer. Why you back this portion of the bill.

Qualified immunity. If you think the police officers and other public servants should not have it then it should not be available for anybody. Judges, mayors, teachers, governors, members of senate and members of the house. Do you agree with this and why or why not?

I believe these questions should be very easy for anyone to answer if they are familiar with the bill that they are voting on. I understand that there is call for change and people feel that they have been given the short end of the stick for a long time. I believe that by doing it this way will only hurt the community. I could even see if you guys were to enact a temporary order on some of this stuff to test out its efficiency and see if it is even practical and what problems come up while you are enacting the laws.

The people that you ultimately bring on the committee will have a lot of power over the people who are here to protect our streets and communities. We just need to be careful who we entrust with that power. I believe that glue should have representation from the Cop Union, as well as an advocate for white cops as well. It's really sad that in 2020 we have to put labels on cops by skin color as well. It's not unifying at all. We are supposed to be the UNITED states of America. This is ripping our country apart. Hopefully you will take my questions to heart and I hope you have some answers to them as well.

Thank you,

Timothy Cannistraro

MA Resident

6178933191

Tim.cannistraro@icloud.com

617-893-3191

Tim.cannistraro@icloud.com

From: Christopher Alves <christopheralves58@gmail.com>

Sent: Thursday, July 16, 2020 11:19 PM

To: Testimony HWM Judiciary (HOU)

Subject: Re: Bill

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820.

I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers,

experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Christopher Alves

850 Main Street Unit B, Falmouth, MA 02540

From: richardflinn@aol.com
Sent: Thursday, July 16, 2020 11:19 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Samantha Pizzi <samanthapizzi@yahoo.com>
Sent: Thursday, July 16, 2020 11:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

To whom this may concern:

My name is Samantha Pizzi, a dental hygienist living in Abington, Ma. My friends, relatives, and boyfriend are all in the police force. I know whoever is reading this you also know someone who is also a police officer.

I am reaching out in regards to the new police reform bill. I disagree with the qualified immunity part of the bill, immensely. This bill that is

up for debate is not only hurting the police force but it is hurting the civilians who will need their help. As police men(women), their duty is to act when in need, in very high tense situations that we could not possibly even comprehend. You now put them in a UNETHICAL decision(should I think of myself, or help the helpless civilian in need), which could lead them to hesitate to act.

On the news, social media, the internet we hear about the horrible things cops do. Well now you are putting the good cops at risk. You're putting the cops at risk who love to help people in need, who save lives giving BLS(basic life support), when seeing a dog in a hot hot car - save the animal, and most importantly doing their job aka doing what they can do for others.

I truly urge you to think of the last time your family or friends needed a police officer. I want you to think about what would of happened if the cop was not able to help the best he/ she could because of his life/ family being on the line.

Please take this into consideration

Respectfully,
Samantha Pizzi
From: dg2142@aol.com
Sent: Thursday, July 16, 2020 11:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Daniel J. Gill

48 Squire Shaler Ln.

Lancaster, Ma 01523

From: Rebecca Bailey <merzrl@yahoo.com>
Sent: Thursday, July 16, 2020 11:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for S2820

Dear MA Representatives,

I am so grateful that the MA Senate has passed S2820, a set of very important police reforms with which I am in total agreement. I am writing to urge you in the strongest possible terms to vote in favor of this bill, and in fact to strengthen it in a few ways: 1) by including an outright ban on chokeholds and tear gas; and 2) by prohibiting the use of facial recognition systems entirely (rather than the one-year moratorium in the Senate bill).

There is so much evidence that many things we ask police to do right now are more appropriately handled by social workers, mental-health professionals, crisis counselors, and so on. In addition, there is no need for our police to have military-style equipment – they are not an invading force facing a hostile enemy, but rather are supposed to protect and help.

I look forward to the passage of a strengthened version of this bill as a major step toward police reform that will better serve both the men and women who wear the uniform as well as our Black and Brown communities.

Thank you for reading my comments.

-Rebecca Bailey
Reading MA
617-512-0995

From: Kelly Raghavan <kellyz.raghavan@gmail.com>
Sent: Thursday, July 16, 2020 11:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: Virtual testimony re: SB 2800

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Kelly Raghavan. I am a resident of Lincoln, MA and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I support this bill because I believe it is vitally important to change the way law officers police people of color in our state and in our country in general.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Kelly Raghavan

Lincoln, MA

From: Reza Akhtar <akhtar.reza.nik@gmail.com>
Sent: Thursday, July 16, 2020 11:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reform, Shift, and Build

Hello,

My name is Reza Akhtar, and I am a resident of Boston, MA. I am writing to encourage the Massachusetts House of Representatives to pass the Reform, Shift, and Build Act (S.2800). Policing in this state and across the country has exceeded its reasonable use, and it is being leveraged to

punish citizens' poverty, mental illness, and race. It is imperative that we rely on positive change, not policing, to create a safer society.

Please vote to reform the police, shift funding away from police departments, and build up our communities.

Sincerely,
Reza Akhtar

From: David Faucher <david.faucher@gmail.com>
Sent: Thursday, July 16, 2020 11:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: House Bill S.2820

Representative Michlewitz and Representative Cronin,

I am writing to you this evening to share my personal thoughts on the proposed bill in the house S.2820 in regards to police reform. Seeing the context of the bill that was passed by the Senate was disheartening to say the least.

For the past 12 years I have served the Town of Shrewsbury as a police officer. Since 1973 my family has been a part of serving the community. My father laid the groundwork for me to become a police officer, even though he attempted to persuade me to choose another career field. My job is very important to me and I have served my community with an extreme level of professionalism since I graduated from the police academy in 2008. Unfortunately my father and I share a common bond that I honestly wish did not exist. My father lost his friend and coworker James Lonchiadis in 1975, and I lost my friend and academy mate, Sean Gannon, in 2018. Regardless of the dangers of my job I show up every day to do whatever I am asked to do. I treat people with respect and how I would want my family treated by police officers.

I watched the Senate hearings and was completely taken back by the characterization of the hard working individuals in my profession by Senator Brownsberger and others. Senator Brownsberger continued to use the issues of one jurisdiction to paint the police in a negative way throughout his arguments. This appears to be one of the failures in this entire "movement." The country, the media, and now politicians are basing their thoughts and ideas of policing on single issues and painting the entire profession as a problem. I came across a social media post the other day that said the police are killing unarmed blackmen every day in the United States. If you take 30 seconds and look at the facts, 7 unarmed black men were killed by police in the United States in 2020. I cannot attest to each of the cases but it is clearly evident that people are using skewed facts and false narratives to build an ever growing battle against the police.

The bill passed by the Senate and now before you will decimate the profession of policing in Massachusetts. I would ask you to ask yourself

the simple question; looking at the bill before you, the salaries officers are paid, and the recent uptick in violence towards police, would you become a police officer? I would be hard pressed to believe any reasonable person would not.

I love my job. I love helping people. I don't ask for recognition or accolades, I just like doing my job. No one talks about when I bought two days worth of meals for a family stuck in a motel who were not the same race as I was. No one talks about having to view child pornography as an Internet Crimes Against Children investigator, thinking of how to protect your own child from predators. No one talks about when a female attempted to stab me in the arm with a crack pipe and saw no punishment. When something happens 1500 miles away where a police officer commits an atrocious crime, suddenly I am no different than him in the public's eyes. That is a grave injustice to police officer's like me, who do the job in a professional and respectful manner and serve the population regardless of skin color, sexual orientation, religion or socio-economic status. I did nothing wrong. Yet I am paying a very painful price for someone else's actions.

There are many issues to the current bill that I believe will have dire consequences if passed. The first issue is regarding qualified immunity. Changing or weakening the current qualified immunity protections will bring a flood of lawsuits not against just police officers but all public officials. The amount of frivolous lawsuits will cripple the court system, create an unnecessary log jam, and immense financial burden to the municipalities where officials serve. More importantly from the view of a police officer, hesitation will continue to be at the forefront of every officer's mind when thinking their actions, when judged by others not present, will potentially hurt them financially. Hesitation is one of the most dangerous aspects of the police world and results in one thing, harm. The harm will reach far and wide. Crime rates will surely rise, residents in your towns and cities will be crippled by fear of not being protected, and officers will leave the job or slip into a condition of only acting when absolutely necessary.

The legislature needs to move forward with reform for policing and there are many officers who agree with that notion, myself included. Rushing this bill through both the House and the Senate while stripping an officer of their rights to due process if terminated, leaving them open to enormous scrutiny by individuals who have never put on a uniform, and putting targets on their back for reacting to the violent world that appears before them is dangerous and disrespectful to those who wear the badge proudly.

I believe that there is a level of reform needed in policing. I also believe that this is a two way street and there should also be reform in society. The news over the past two days has been frightening. Children killed in cities, police officers being attacked and murdered. Chaos is starting to break out nationwide. We cannot allow this to permeate

Massachusetts. We have some of the finest law enforcement agencies in the country and we need to strengthen them, not weaken them. We need to be able to recruit professional individuals who will serve their communities proudly. If this bill passes without taking into consideration a fair treatment for police officers I truly fear that we will never recover from the harm that is done.

Please consider slowing this bill down. Bring more stakeholders to the table to craft a sensible bill that protects those who will be most affected by the bill. The fathers, mothers, daughters, sons, brothers and sisters that put on a uniform each and everyday to protect you and your constituents from the evil that lurks in the shadows deserve more than what is being proposed.

I appreciate you taking the time to hear my testimony.

Respectfully,

David Faucher
Shrewsbury, Massachusetts

From: Meagan Cotter <meagan.cotter@gmail.com>
Sent: Thursday, July 16, 2020 11:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Urgent Action to support Mass. Police Reform Bill

Hello,

I urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety (State Representative [Liz Miranda
<

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth (State Representative Michael Day) which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

This is important to the public health and safety of all citizens of the United States. We must be better.

Thank you,
Meagan Cotter
6 Island Rd, Groton, MA 01450
978.502.5585
From: Emmet Smith <remsmith@comcast.net>
Sent: Thursday, July 16, 2020 11:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

My name is Robert Emmet Smith, I reside at 92 Spruce Road, Reading, MA.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal

precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Also and most importantly, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Lastly, let me say enough is enough ! Is this how we are supposed to adjudicate ? Because of the heinous actions of an individual, or even several, we should throw common sense out the window ? Our institutions are under siege, and in particular, those who choose to serve and protect us, and they should not be thrown under the bus for the sake of political expediency.

Sincerely,

R. Emmet Smith

remsmith@comcast.net

617-257-3730 M

From: jfcoughlan@aol.com
Sent: Thursday, July 16, 2020 11:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Jack Coughlan
Mashpee, MA
From: Yessenia Gomez <gjess04@gmail.com>
Sent: Thursday, July 16, 2020 11:10 PM
To: Testimony HWM Judiciary (HOU)
Subject: Written Testimony

My name is Yessenia Gomez and I live at 23 Leos Lane Avon. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are: (1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants. (2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits. (3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement. In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve. Sincerely, Yessenia Gomez
Police Officer
617-281-5953

From: Eric Yelle <yelleboski@aol.com>
Sent: Thursday, July 16, 2020 11:10 PM
To: Testimony HWM Judiciary (HOU)
Subject: SB 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Eric Yelle and I live in Bellingham Ma. I work at the Massachusetts Department of Correction and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????????????? ??????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Eric Yelle

Sent from my iPhone
From: AEM <amymac.ellis13@gmail.com>
Sent: Thursday, July 16, 2020 11:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Amy MacHugh and I live at 29 Wilson St in Reading, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Amy MacHugh

From: Nuss, Eric <ENuss@yarmouth.ma.us>
Sent: Thursday, July 16, 2020 11:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

To: Massachusetts House of Representatives
From: Eric Nuss: Yarmouth Police Detective (508) 726-9550
Date: 07-16-20
Re: Bill S2820

I would like to address the bill that is being considered by the House of Representatives. My goal is to not address the bill, but the reasons it is being proposed. My understanding is that this is an emergent action due to the systematic racism in policing. What this means is that the system of policing is systematically racist. So I would like to propose a challenge to House members. If the act of policing is systematically racist in the Commonwealth of Massachusetts, I would ask each representative to cite 3 examples of policing where Officers based their actions or responses based simply on race. This should be a very simple task seeing as racism is ingrained in the profession. And to be clear, I am not asking you to read form letter emails from the NAACP as proof of this claim, or emails sent by individuals "claiming abuse". I am asking Representatives to name 3 confirmed cases which have been independently investigated and substantiated. Not only can you not name three, you cannot name one.

I have been a police officer for 26 years. I have seen the evils of this world. Make no mistake about it, this evil exists. What this bill, if passed, will succeed in doing is simple. Police departments and police officers will no longer do their jobs for fear of civil action. There will be mass exodus from the profession that I am passionate about, and very few qualified individuals will be willing to fill those shoes. The crime rate will SKY ROCKET. Only the representatives will be left to answer the complaints of their constituents as to why they were allowed to be victimized.

Eric Nuss

Sent from my iPhoneFrom: The Keifers <ekeifer@wans.net>
Sent: Thursday, July 16, 2020 11:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Jennifer Keifer. I am a resident of Danvers and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

As the law-abiding parent of a Black son with mental health struggles, our family has had many interactions with police. Each time, I worry that my son's mental health diagnosis could become his death sentence.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Jennifer Keifer

42 Centre St

Danvers, MA 01923

March like a Mother: for Black Lives

Sent from AT&T Yahoo Mail for iPhone
<[From: Maryann Rodman <maryannrodman1002@gmail.com>
Sent: Thursday, July 16, 2020 11:07 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: Police Reform Bill](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=yWC7hC1kgvNAI7dZ5f7rdfKBet91mDkuHtclQABixvc&s=JK-AnEo-IFrpxyb6mabGYEwY7cKuog4ewHNjzSRpNno&e=></p></div><div data-bbox=)

Thank you for allowing for me to be heard regarding my feeling on this bill.

What had happened to bring all of this on was and is terrible and I do not know anyone who feels otherwise including Police

Officers. This is not how they do their job.

I am very much against this bill and the way it is written, the way it is written is very negative and it generalizes all Police officers. We cannot have this the way it stands, we cannot generalize our Police Officers, qualified immunity needs to be protected. It protects the Police Officers and every public employee from frivolous lawsuits who have acted in good faith and not broken the law. Qualified immunity does not protect Officers who break the law or policy, there are policies in place to oversee these already.

I am not against training and accountability, resources, and more to improve the standards of the profession, we need that in every job no matter what risks there are, but for this and the lawsuit culture we are in it is wrong. But that is how we reform, we teach, we train, we make sure people have the tools they need to do their jobs, we make sure they have the resources they need as well, we don't go after everyone and fight to destroy them.

I am also against the formation of the civilian committee that would be the oversight on disciplinary situations. Having a civilian committee not having experience in law enforcement would not have an unbiased opinion. It would leave the doors wide open for anyone to say anything true or not, exaggerated or not how would it be sifted thru. Where is due process, one word against the other? Too many unanswered questions. If this committee has to stay in place it needs to have people with understanding of law enforcement and would protect the rights of the Policer Officer as well.

Between having this committee and not protecting Qualified Immunity would put our Police and the profession in a bad situation for the Police and the public.

As I had said before, I am not against Reform but it needs to be done right, there needs to be more conversation, and more than this one time, we need to protect those who protect us.

People are angry now, I perfectly understand that, but we can do better and we need to do better, we need not to generalize the whole population of good Officers. These are the Police officers that deserve better.

So please be brave, be strong insist on conversation with the people who know the profession. Talk to each other, slow this down.

Making decisions in anger, or quickly never work in any form, not in our family life or work life or political life.

We need to have conversations with Law enforcement input and have public hearings on the reform measures. So what if it takes time, our Police Officers, our 1st Responders deserve it.

We need to start over with this bill, but in the meaningful way to make changes, changes that will improve us a society, and protect the integrity of these professions.

Thank-you for your time, I hope there will be many more hearings. This needs to be done correctly, and I would be more

Than happy to give my time to work with any of you to make sure there is something in place we can all be proud of.

Please feel free to touch base with me.

Maryann Rodman

From: mowings30@gmail.com
Sent: Thursday, July 16, 2020 11:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill No. S2820 Title: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Good Evening

* I would like to voice my condemnation of Bill S2820 as it is written. This bill was rushed through the senate without much thought and it shows. I think that it is time for the House to show that cooler heads can prevail. By taking a step back and voting no on the bill, with proper research, a bill could be created that would benefit everyone in the commonwealth. There are certainly areas that could improve in law enforcement and I think that by voting no on this bill as written, it would provide time for a committee to be formed, research to be completed and an intelligent solution found and presented as a new Bill. The issues in this Bill are important ones that can't be thrown together haphazardly and expected to have a positive outcome for our citizens. The public was excluded from providing important insight on this bill. The fact that

there was no input from the public tell me that the creators of the bill were aware of what input would be given by the public and that there would be resistance. Instead, they created the bill days before it was to be voted on the senate floor. I urge you to vote no on this bill.

* Police across the commonwealth support uniform training standards and policies and have been requesting more training for years. This is a great idea, but I would like to see it researched in depth. Where will this funding come from and how will it be instituted? Will the local municipalities be left to carry the monetary burden for this mandated training? Again, I'm being repetitive, but more time has to be put into researching the implementation of these points.

* The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police. The FOP will not support any bill that does not include the same procedural justice safeguards members of the communities we serve demand and enjoy. This is a sticking point for police officers across the commonwealth. I could understand if there were serious issues regarding officers in Massachusetts but that's just not the case. We have some of the best trained officers in the state and an incident that happened in another state shouldn't dictate changes to a system that works without much issue in Massachusetts. Officers need these protections. You are going to welcome frivolous complaints against officers and these boards will hear those complaints. I can see this ending badly when you involve people that don't understand the job of policing, case and point, our Senators. With the Bill written the way it was it's clear that they don't understand the current climate of policing in Massachusetts. We don't want the bad apples on the job and we do a fairly decent job of rooting them out.

* Their proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth and as constructed incapable if being fair and impartial. There needs to be more thought put into this, and changes made. I think this can be accomplished by taking the time to do the proper research. Is this even really necessary?

* I've said this already, but the senate is jumping on a bandwagon with a knee jerk reaction and is changing a system that doesn't appear (in the 15 years of LE experience) to have been an issue here in Massachusetts. Officers here are highly trained, and most are well educated individuals.

* This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers, it protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. Officers can still be criminally charged for their actions and can also be sued in federal court for civil rights violations. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few. The thought that Qualified Immunity should be taken away blows my mind. Any change to the way in which it is written will have officers second guessing themselves and god forbid, outright refusing to get involved for fear of losing their homes and property. Through the research I've done, if Qualified immunity is taken away or changed for any reason, I'll have more protection by not taking action. That's a scary thought. This doesn't just apply to police officers either. This will affect police, fire fighters, teachers, nurses, doctors and the list goes on. If you vote to change Qualified Immunity I can guarantee that there will be a mass exodus of officers from the job. You'll also have issues recruiting candidates. Think about that for a minute. Who is going to take a job or stay on a job any longer than they have to when you could lose everything for doing the right thing? I noticed that officers would be open to a law suit if the persons rights were taken away and in the context of the bill I can only imagine that if someone had been taken into custody and at some point during the arrest that person was found not to be the suspect or probable cause was not found, the officers would now face a personal lawsuit. That's just one example of how that change would affect officers. I could have misread that article but for some reason I doubt that. This article more than anything will affect how policing continues into the future. Officers will be afraid to make that split-second decision that might hurt them, their family, or take their home from them. Bottom line, this is scary, and the fact that the senate saw a need to attack this protection is just absurd.

* Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard. As for use of force incidents and choke holds, a complete ban on any defensive tactic is absurd. When an officer is in a fight for their life, you don't think they are going to second guess themselves in using a chokehold if that is all that stands between them going home or being killed? With all the oversight, the threat of being called a racist and being the next YouTube officer, guys are second guessing themselves every day. Take Sergeant Michael Chesna for example. I can only imagine what went through his head

in the seconds before his death, but he hesitated and for whatever the reason ended up not going home to his family that morning.

* If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

* I know that police reform is the hot button issue these days, but your focus shouldn't be in places where problems don't exist. You should be concentrating on the victims of crime. Whether the officer was the perpetrator or not, laws need to be changed to better protect them. I'm sure that you are aware of it but if not, with the recent court decision regarding interfering with a police officer, if someone commits a crime against you and it isn't an arrestable offense, Officers have no power to force the aggressor to identify themselves? As an example if someone commits an assault and battery against you, and we are called to the scene (disturbance is over and everyone is just standing around) and the person that assaulted you refuses to identify themselves, Officers have no way to force that person to identify themselves. Assault and Battery in the past is not arrestable. I then have to tell you as the victim to contact your legislator to change the law, where in the past I would have been able to arrest that person for interfering with a police officer. Under the new ruling we are powerless to help that person seek justice, and their aggressor walks away. Interfering with a police officer now has to be committed using physical force. This is just one example of ways in which our jobs are being made more difficult and when legislation like this is presented and voted forward, it makes the future seem that much dimmer.

Thank you for your time and consideration,

Matthew Owings

35 Jillians Way

Bridgewater Ma 02324

(508) 989-1008

MOwings30@gmail.com

From: Joan Krokowski <picka232001@yahoo.com>

Sent: Thursday, July 16, 2020 11:06 PM

To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: kim jenkins <kjenka05@comcast.net>
Sent: Thursday, July 16, 2020 11:05 PM
To: Testimony HWM Judiciary (HOU)
Cc: cis@sec.state.ma.us
Subject: My concerns and testimony s2820

Good evening,
My name is Kim Jenkins and I live at 108 Tecumseh Drive in Hanover. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. I write to you as the wife of an active Weymouth Police Officer who has served his community with dignity and respect for over 15 years. Like all police wives, I watch my husband leave for his shift and hope and pray that he comes home safely every day. I rarely sleep well and my children know that their Father risks his life every time he goes to work and that there is no guarantee he will come home alive after his shift. In our world this is "normal" but not everyone lives in the same world we do, not all wives need to say "be careful" and not all kids have to say "be safe" when their loved one leaves for work.

This week we all remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered. When we got the call about Mike my Husband and I were on a rare but needed trip to relax on the cape. We got a call about an officer down, immediately paid our breakfast bill, we checked out of our hotel early and we went home to support the department. The coming days would prove to be some of the most difficult days our entire family have ever experienced. I remember seeing Mike laid to rest in the same exact uniform my Husband wears. I remember seeing the

grief and sadness in his Widow's eyes as she sobbed and her children clung to her. I also remember seeing many politicians, including Governor Baker, at his services to "pay respects". Well this bill does the exact opposite! This bill would only increase situations like the one that happened to Mike Chesna. The suspect "only had a rock". Mike, a purple heart veteran, very experienced Police Officer, hesitated and was killed. Why?????!!

There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform.

Like many, I support enhanced training and appropriate certification standards that apply to individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. As I understand it, Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits. As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform. If they don't make those decisions quickly enough they face the very real chance of death or injury. Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried about liability. They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in. They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones. Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them. Police Officers who are forced to stop, pause and think about potential liability before they act are Police officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. The bill as it currently stands before you is NOT acceptable as a total package. If Legislation such as that tied to S.2820 is to be effective, appropriate and just for all citizens of our Commonwealth it takes time along with careful thought and consideration. Reactive and rash decision making in the middle of the night do not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill at 4am and to not study pieces like Qualified Immunity further have been extremely disheartening. I appreciated those Senators who called for more time and for a closer look at the bill in order to produce a product that was fair and just for all citizens of our Commonwealth. I also appreciate the willingness of the House to hear from the citizens of the Commonwealth. Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way. I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Kim Jenkins

108 Tecumseh Drive

Hanover, MA 02339

617-962-6696

From: Louis C Rosa <lourosa@mit.edu>
Sent: Thursday, July 16, 2020 11:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: University Police Union Coalition Testimony for Bill S. 2820

University Police Union Coalition

MIT Police Association, Harvard University Police Association, Boston College Police Association, Boston University Police Association, Tufts University Police Association and Northeastern University Police Association

To the Honorable Members of the Massachusetts House of Representatives:

Police Officers within the University Police Union Coalition provide public safety services at the six largest Universities in Eastern Massachusetts. Our Coalition represents over 250 sworn law enforcement Officers.

We are universally opposed to Massachusetts Senate Bill S. 2820 "police reform" presently under consideration by the House of Representatives. The reasons for this opposition is that we see Bill S. 2820 detrimental to public safety in Higher Education Campus Law Enforcement, as well as all Law Enforcement in the Commonwealth of Massachusetts.

This Bill lacks transparency for Law Enforcement Officers to have Due Process and the Right of Appeal. Officers and their families will be impacted the greatest from this Bill due to a loss of employment and the degradation of their career path in Law Enforcement.

The measures under consideration are grounded in incidents of abuses in other parts of our country. As deplorable as those are, there is simply no body of evidence that compels drastic action at this time in Massachusetts to eradicate non-existence abuse.

Passage of these measures under consideration are so lacking in due process for police officers, so destabilizing to job security, and so likely to leave police officers more vulnerable to violence, injury and death from lawless elements.

We are urging the Massachusetts House of Representatives to not consider Bill S. 2820 as it is currently constructed. The elimination of Qualified Immunity and the lack of transparency in an appeals process needs to be replaced with new language that does offer Qualified Immunity and Due Process with the right of appeal for Officers.

We want to continue to serve our universities and their communities with the fair, compassionate and protective policing that has so consistently characterized our service over time. We urge you take a step back and allow for research, citizen input, debate, and thoughtful deliberation before you take extreme actions that may well have disastrous, unintended consequences.

Thank you,

Joseph S. West.

MIT Police Association

President

(Cell) 617-852-7627

jswest@mit.edu

David Sacco

MIT Police Association

Vice President

(Cell) 617-438-1583

dsacco@mit.edu

Louis Rosa

MIT Police Association

Secretary/Treasurer

(Cell) 617-852-0608

lourosa@mit.edu

Santos Perez

Boston College Police Association

Union Steward Representative

(Cell) 617-828-8151

Santos.perez@bc.edu

Michael Allen

Harvard University Police Association

President

Michael_Allen@hupd.harvard.edu

(Cell) 617-512-4965

Joseph Steverman

Harvard University Police Association

Vice President

Joseph_steverman@hupd.harvard.edu

(Cell) 781-727-0285

Stephen Brown

Tufts University Police Association

Vice President

Stephen.brown@tufts.edu

(Cell) 978-375-4959

Glenn Lindsey

Northeastern University Police Association

Vice President

g.lindsey@northeastern.edu

(Cell) 774-210-0023

?

From: David D'Amico <daveded9@gmail.com>
Sent: Thursday, July 16, 2020 11:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: Comments on An Act to Reform Police Standards

To the members of the Legislature,

My name is David D'Amico. I am not in law enforcement, but have many family and friends who are. I've had the pleasure of hearing many stories of policing over the years. I'll say that all of them share something in common. The stories deal with what a reasonable person would do in situations, both in terms of members of the public and the police officers involved. I have no doubt that policing standards need to be reformed. Let's do it with common sense and from the perspective that the vast majority of police are good people wanting to do a good job.

I urge you not to accept the Senate bill which was done without public input and in great haste. Proper reform, to be done well, will be in stages. There are immediate needs. Moving misconduct reviews from the police to an independent review board makes sense. That board needs to be small in size, able to act quickly, and focused on policing policy, the justice system, and fairness to the public. Police unions will protect their members regardless of the situation. They have to do that. The review board needs to rise above that and be able to document and catalog cases, make them generally available, and stay focused on acting in the best interest of the public. Good police will stay to do what they do best. Bad cops will get weeded out more quickly and stay off of our streets.

Moving funds from policing to social services sounds like a good idea, but understand that in many cases, we'll want police officers working with these professionals. It will be dangerous for them to act independently in many, many cases. This area needs further review to understand all the impacts and interactions that it presents. Certainly we ask too much of our police officers today. The job needs to be redefined in a thoughtful way.

Lastly, I'd ask you to tread very carefully on qualified immunity. Every government official in Massachusetts is covered by qualified or absolute immunity. This is done to shield officials from frivolous actions taken against them while they are doing their job. It is a necessity for any public official to do their job effectively. They should not have to

worry about their financial livelihood every time they go to work. In the case of police, they are forced to make split second decisions to protect themselves and others from violent criminals. Qualified immunity does not shield them from illegal acts. When someone in government including the police breaks the law, they are held accountable. To strip protection from police for actions they are forced to make in seconds is wrong. However, proper review and being held accountable for those decisions needs to be the goal.

The State Police Association of Massachusetts put forward a request for several common-sense amendments to the Senate Bill that would give law enforcement a voice in reforming policing. To reform policing you must include those doing the job. They only ask for a voice in this process so that the final product benefits everyone. I have included the State Police Associates recommendations below for you and urge you to consider them.

Massachusetts has always been a national leader in policing standards. Please take the time this legislation needs to provide a more balanced and thoughtful bill than the one passed through the Senate. Doing it in stages makes a lot of sense and can ensure that we do it right and lead the country again in this most important issue.

Thank you for your time,

David D'Amico, Medway, MA, 508-533-7824

State Police Association of Massachusetts recommended amendments to the Senate Bill

48 - State Police Colonel - Filed by Senator Rush

This amendment seeks to retain the rank of Colonel coming from within the ranks of the MSP. It states that the Colonel could also fill the dual role as a Superintendent (as is the case today), and if a civilian Superintendent was to be appointed, it greatly increases the requirements of a Superintendent, and retains the position of Colonel from within the ranks of the MSP. Further, if such an outside appointment was to be made, this amendment would ensure that the appointee would have the basic elements required to command and operate a diverse organization such as ours and would double the minimum years' experience required from 10 to 20 years.

74 - Qualified Immunity - Filed by Senator Tran

This amendment seeks to amend the bill in SECTION 10 by striking subsection (c) of section 11I. The following would be struck - "In an action under this section, qualified immunity shall not apply to claims for 431 monetary damages except upon a finding that, at the time the conduct complained of occurred, 432 no reasonable defendant could have had reason to believe that such conduct would violate the 433 law."

Complimentary to this amendment is #137 (filed by Senator Velis), which also strikes the Qualified Immunity section and adds a special commission to study Qualified Immunity.

"Qualified immunity balances two important interests—the need to hold public officials accountable when they exercise power irresponsibly and the need to shield officials from harassment, distraction, and liability when they perform their duties reasonably." Pearson v. Callahan.

77 - Discipline Changes - Filed by Senator Tarr

This amendment moves to amend the bill in SECTION 18 by striking in line 621 the words "1 year" and replacing therewith- "45 days". This would allow for our officers to seek an appeal of an administrative suspension without pay within 45 days, not the 1 year as drafted. This is an important Due Process piece for our officers and grants the Department of State Police more than the required 30 days to complete their investigation.

114 - Representation on POSAC - Filed by Senator Rush

This Amendment move to amend the bill in SECTION 6, by striking lines 164-192 in Section 221 and inserting in place thereof:-

"Section 221. There shall be an independent police officer standards and accreditation committee within the executive office of public safety and security consisting of: 13 members appointed by the governor, 1 of whom shall be the Attorney General or her nominee, 1 of whom shall be the Colonel the Massachusetts State Police (or a sworn Officer designated by the Colonel), 1 of whom shall be the Commissioner of the Boston Police Department (or a sworn Officer designated by the Commissioner), 1 of whom shall be a chief of police of a mid-sized municipality who is a person of color to be nominated by the Massachusetts Chiefs of Police Association Incorporated, 1 of whom shall be the President of the Massachusetts Association of Minority Law Enforcement Officers, Inc., 1 of whom shall be the President of the State Police Association of Massachusetts, 1 of whom shall be the President of the Boston Police Patrolmen's Association, 1 of whom shall be a sworn Police Officer nominated by the Massachusetts Law Enforcement Policy Group, 1 of whom shall be a retired judge, 1 of whom shall be a Professor of Criminal Justice from a Massachusetts College or University; 1 of whom shall be an expert in the field of use of force, 1 of whom shall be an expert in the investigation of firearms discharge; and 1 other member; provided, however, that non-law enforcement members shall have experience with or expertise in law enforcement practice and training, criminal law, or the criminal justice system. Appointments to the police officer standards and accreditation committee shall be for terms of 3 years and until their successors are appointed. Vacancies in the membership of the committee shall be filled by the original appointing authority for the balance of the unexpired term. Members of the police officer standards and accreditation committee shall be compensated for work performed for the police officer standards and accreditation committee at such rate as the secretary of administration and finance

shall determine and shall be reimbursed for their expenses necessarily incurred in the performance of their duties."

From: Diana Chase <desolari@gmail.com>
Sent: Thursday, July 16, 2020 11:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: MA Police Reform Bill

To Whom It May Concern,

I write you as the daughter, granddaughter and great-granddaughter of 3 men that bravely put their lives on line on a daily basis to protect their neighbors and community on a daily basis. To learn that this new bill eliminates qualified immunity is both maddening and terrifying. Families will no longer just have to worry about their loved one coming home from the job, but will now have to worry about being sued if they injure someone while trying to perform the duties of their job to serve and protect the public.

We all know that change is necessary and cannot condone the actions of those that abuse their power, but this bill that was approved by the Senate without any public input, goes against everything we stand for as a country. As a mother, I'm incredibly saddened to be raising my children in a world where the crimes of a few result in consequences for all.

Thank you for your time,

Diana Chase
Haverhill, MA
978-702-4725

From: N P <noahpack@gmail.com>
Sent: Thursday, July 16, 2020 11:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Everyone supports reasonable police reform. Police officers especially want to be better - not one officer took the job to needlessly harm another human being or to be the perpetual scapegoat for society's and our leaders' failures. This police reform bill is an opportunity to do something meaningful, to build a better system and to thoughtfully encourage police excellence. Please do it thoughtfully, intelligently, and fairly.

The Senate made a mistake by passing S.2820 as it was written. The Senate went looking for trouble, diagnosed it incorrectly, and applied the wrong remedies. Taking away due process, incentivizing complaints and personal lawsuits, and publicly punishing and humiliating officers does not make them better - it takes out their knees and their souls - and makes them

worse. Our citizens deserve better, and their Senate let them down. The House has a chance to fix this and to not make the same mistakes.

As your constituent and a resident of Hampshire County, I write to you today to express my strong opposition to many parts of the recently passed S.2820. We need to prioritize reform efforts to focus on establishing a standards and accreditation committee, which includes increased transparency and reporting, as well as the promotion of diversity and restrictions on excessive force.

However, I am deeply concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process must not be viewed as an arduous impediment for police officers but still as a demanded principle of fundamental fairness, procedure, and accountability in all other professions.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers or shield officers from criminal or all civil liability, and we must stop spreading that false narrative. It does not protect the officers who were responsible for the death of George Floyd or any other criminal situation, contrary to Senator Cyr's misunderstanding of the law. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes and reduces important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections. If you want to lower recruitment of qualified and diverse candidates, encourage retirement of

every police officer who is able to do so, and completely gut the morale and security of every single police officer working in the Commonwealth, go ahead and support this amendment with that result clearly in mind.

(3) POSA Committee: The composition of the POSA Committee must include more police leaders/officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement. Creating a POSA committee that is overwhelming comprised of groups with political agendas and no practical knowledge or experience in the field will result in a tremendously unfair process that will lack basic integrity, trustworthiness, and professional support.

In closing, the men and women who chose to serve our communities across Massachusetts, like us all, are imperfect human beings. For that we must all work to help them become better. But you as legislators must treat them fairly and you must think about the long term damage that will be done by taking their legs out from underneath them - not just harm to the officers themselves, but to the very people who need their commitment and above and beyond service the most. I implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Noah Pack

PO Box 15568, Springfield, MA 01115

413-384-5150

From: MacHugh, Robert <rmachugh@ci.reading.ma.us>
Sent: Thursday, July 16, 2020 11:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

Detective Robert J. MacHugh
Reading Police Department
Cell - (781) 656-3120
From: Joanne Smith <jojolib@aol.com>
Sent: Thursday, July 16, 2020 11:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: ROUND 2: S.2820 Reforming Police Standards Hearing Notice
- HWM and Judiciary Committees - DEADLINE July 17, 2020 at 11 a.m.

Sent from my iPhone
Please email comments to Chair Aaron Michlewitz and Chair Claire Cronin at
Testimony.HWMJudiciary@mahouse.gov
<mailto:Testimony.HWMJudiciary@mahouse.gov> no later than:

Friday, July 17, 2020 at 11:00 a.m.

Subject Line: Objections to S.2800

Representatives Michlewitz and Cronin
Massachusetts House of Representatives
24 Beacon Street
Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Joanne Smith and I live at 92 Spruce Rd in Reading,
Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of

flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Joanne R. Smith

From: Tarr, Bruce E. (SEN) <Bruce.Tarr@masenate.gov>
Sent: Thursday, July 16, 2020 2:08 PM
To: Tarr, Bruce E. (SEN) <Bruce.Tarr@masenate.gov>
Subject: S.2820 Reforming Police Standards Hearing Notice - HWM and Judiciary Committees - DEADLINE July 17, 2020 at 11 a.m.

Good Afternoon,

Because of your expressed interest in S. 2800, which is now numbered S. 2820, I am writing to inform you that the House, unlike the Senate, will be holding a form of public hearing on the bill. The notice for that hearing appears below, and I strongly encourage you to share your thoughts with the House through this process and if possible, share with me a copy of your written testimony.

Sincerely,

Bruce Tarr

State Senator

The Commonwealth of Massachusetts

STATE HOUSE, BOSTON 02133

Rep. Aaron Michlewitz

Rep. Claire D. Cronin

Chair, House Committee on Ways and Means

Chair, Joint Committee on the Judiciary

HEARING NOTICE

Deadline Date: Friday, July 17, 2020

Deadline Time: 11:00 AM

Re: Acceptance of Written Testimony
Only

Contact: Testimony.HWMJudiciary@mahouse.gov
<mailto:Testimony.HWMJudiciary@mahouse.gov>

WRITTEN TESTIMONY VIA EMAIL ONLY

The Chair of the House Committee on Ways and Means, Rep. Aaron Michlewitz, in cooperation with Rep. Claire Cronin, Chair of the Joint Committee on the Judiciary, will accept written testimony only via email until Friday, July 17, 2020 at 11:00 a.m. on the following bill:

Bill No.

Title

S2820

An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Please email comments to Chair Aaron Michlewitz and Chair Claire Cronin at Testimony.HWMJudiciary@mahouse.gov <<mailto:Testimony.HWMJudiciary@mahouse.gov>> no later than:

Friday, July 17, 2020 at 11:00 a.m.

The Chairs request that those submitting testimony provide your name, organization, and phone number.

You may contact staff with any questions at (617) 722-2990 or (617) 722-2396.

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From: Phyllis Neufeld <pbneufeld@gmail.com>
Sent: Thursday, July 16, 2020 11:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: House Bill 2820 as amended

House Ways and Means Representative Aaron Michlewitz and Judiciary Chair Representative Claire Cronin:

As a 40 year veteran teacher, I am deeply concerned about the Senate language on qualifying immunity. I believe the wording is so confusing that teachers will hesitate to get involved to protect their students. Let me be specific. If two students begin fighting and place the teacher in the position of having to pull one of the students off the other to protect the student(s), the teacher would have done so knowing that "you are not supposed to touch your students". Under the language that exists presently, the teacher would not be faulted for breaking up the fight. Under the new language, if the teacher has to admit that touching a student is known to be taboo, they could be held liable for pulling that student off the other. The law as it exists now is fine. Please don't change it to language that could potentially harm educators, social workers, and many others.

Thank you for your consideration.
Phyllis Neufeld
3 Meadowvale Rd., Burlington, MA 01803
From: Jon Sturgis <jsturgis@redhat.com>
Sent: Thursday, July 16, 2020 11:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Testimony

Members of the House Committee on Ways and Means and Judiciary members,

I am writing in regards to the S.2820 proposed legislation that will be discussed and voted on.

I want to preface my opinion below with that I am a current voter, family of 5 in the Worcester County area. I am a public servant, as well as my wife. My extended family includes diverse cultural backgrounds that are public servants such as nurses, firefighters, teachers, military and police. We collectively have discussed the recently passed senate bill, and although I do not represent each voter, I can speak to the overwhelming feedback from them.

- Do not support the removal of Collective Bargaining.
- Do not support removing Due Process
- Do not support removing Qualified Immunity
- Do not support close door sessions without representation

- Support training reform and identify training gaps that make our public servants and communities safer

Lastly, and most importantly, we do not support the mob mentality and knee jerk reactions that we have seen at 4am in the Senate and across the nation. Massachusetts has some of the finest and professional, educated, hospital workers, teachers, police and fire that set the standard across the nation. We are proud to be a part of that history, and you as our elected leaders should be embracing and thanking the commitment to those in uniform.

I would encourage you to view the FBI crime statistics. I can assure you after considering national data, you will conclude the evidence to our inner city problems is not the public servants in our Commonwealth. This legislation, if passed, will put our communities at risk and most importantly, the communities with high crime rates that need police, fire and EMS services.

We can do better, together, but not by legislating public servants out of a profession they have committed their life to doing. I would be honored to discuss further.

Respectfully,
Jonathan Sturgis
978-503-4648

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Jon Sturgis

Product Manager, Cloud and Service Providers

Red Hat US Westford, MA

T: 978-503-4648

<<https://marketing-outfit-prod-images.s3-us-west-2.amazonaws.com/f5445ae0c9ddafd5b2f1836854d7416a/Logo-RedHat-Email.png>>
Certified Cloud and Service Provider Program
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From: thomas.carey55@gmail.com
Sent: Thursday, July 16, 2020 11:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 testimony

I am a resident of Milton and a Sergeant for the Norwood Police. I, like any decent person, was horrified to watch George Floyd's murder. I

realize that people in my profession have caused a great deal of damage to minority communities in the past, and I am motivated to make law enforcement better in the future. I am saddened that it took Mr. Floyd's murder to get people moving.

I am seriously concerned with a few of the items put forth by the Senate, and I am entrusting the House will correct these things. One of these items that I feel will have an extremely negative impact on my profession is ending qualified immunity. Police officers make split second decisions in rapidly evolving and dynamic situations, and we do so to protect the public. Qualified immunity DOES NOT and SHOULD NOT protect us, should we violate clearly established law, or prove to be incompetent. Qualified immunity does shield police, and many other public officials, including yourself, from frivolous lawsuits. In a recent study done by UCLA, researchers found that courts only accept a qualified immunity defense around 12% of the time.

Ending qualified immunity will have a disastrous effect on police hiring. It will be harder to attract quality candidates to effect the change that the profession needs. This comes at a time when our candidate pools are already at all-time lows. We desperately need to attract the best people from our communities to work in law enforcement. Ending qualified immunity for police will be counterproductive to that. Please consider opposing ending qualified immunity for police.

I am also concerned that the Senate's bill takes away due process in disciplinary matters. A right that the Supreme Court has upheld in all civil and criminal cases since the birth of our nation, and a right that organized labor has fought for since its inception. The Senate wishes to create a disciplinary review board with no law enforcement representation to sit in judgement after the fact, to judge an officer's reasonableness. Reasonableness being the key operating term set forth by the Supreme Court in many landmark use of force cases. Unless politicians and activists can say that their knowledge supercedes the US Supreme court, then it becomes essential that the review boards are compromised at least partially by law enforcement. What can a community activist speak to in terms of reasonableness of a job they know nothing about, except as an uninformed observer?

I ask you to help law enforcement effectively keep our communities safe. The unintended consequences of the Senate's bill will reap a whirlwind of consequences for our communities if left unchecked by the House.

Sergeant Thomas Carey
182 Thacher St
Milton, MA
7816302318

Sent from my iPhone
From: lydia005@gmail.com
Sent: Thursday, July 16, 2020 10:58 PM
To: Garballey, Sean - Rep. (HOU); Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

Dear Rep. Garballey:

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Sincerely,
Lydia Carmosino
617-901-2209

Arlington, MA

From: James McCurdy <jamesmccurdy1@gmail.com>
Sent: Thursday, July 16, 2020 10:58 PM
To: Testimony HWM Judiciary (HOU); Murray, Brian - Rep. (HOU)
Subject: Amendments to S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

As a father of two children and a husband living and working in Massachusetts, I am shocked that the State Senate would pass legislation that makes it more difficult for police officers to protect my family and our community.

I'm even MORE shocked that they would do it at 4:00 AM on a holiday weekend with no hearings. I am sure you can imagine how this makes the average resident feel. Not exactly like we are part of the process. In my opinion, making laws in the dark like this feels like a threat to our democracy.

As a peaceful person who wants law and order in our town, it is mystifying to me that anyone would consider making police work more dangerous than it already is. These first responders have been crucial during this pandemic, saving lives and protecting us. They are the moral fiber that holds our community together, keeping us from anarchy. Removing their qualified immunity and making them subject to endless lawsuits under S2820 will only make their policing less effective and make us all less safe.

Certainly, I recognize the need for reform and training in light of recent events where police brutality has gone unchecked. There is no doubt in my mind that reform, training and standards are needed.

My neighbor is a police officer in the City of Boston. He asked me to help the Boston Superior Officers Federation (BSOF) reach out to the Committee and ask for support for Amendments 114,116,126,134,129, and 137 to Senate Bill S2820.

These amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I ask the Committee to support these amendments and support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, including police officers.

Further, I ask you to seriously consider the removal of Qualified Immunity (QI) and think through the impact police officers who are already hamstrung by fear of being sued, fired or prosecuted will now have if they are constantly worried about being sued.

I would ask you to support the BSOF and the aforementioned amendments to S2820 when it is considered in Committee and debated on the House floor.

In this time of civil unrest and pandemic, the last thing our communities need is for the police to be unable to better do their jobs. My children and my family depend on them to keep us safe, and I'm sure they keep your families safe as well.

I thank you for your consideration of my testimony on this crucial public policy issue.

Sincerely,

James McCurdy
10 Jasmine Road
Medway, MA 02053
508-942-8818

jamesmccurdy1@gmail.com
From: mackenzie reynolds <mackenzielaurenreynolds@gmail.com>
Sent: Thursday, July 16, 2020 10:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820 (S2800)

Dear Members of the House and Ways and Means,

My name is Mackenzie Reynolds and I am writing to you in regard to the Police Reform Bill S2820. I am asking you and the rest of the House of Representatives to please consider making amendments to this bill. The following 3 areas are concerns of mine. All public employees should have the same rights when it comes to Qualified Immunity, Due Process / Collective Bargaining, and then make up of then POSAC board. When it comes to Qualified Immunity even you and the rest of the House and Senate enjoy this protection so why should those that put their life on the line every day not have the same protection which they won't if you don't make changes to the bill. When it comes to the POSAC board, again why should Police Officers not be judged by their peers just like Doctors, Lawyers, Judges, and every other profession? The way it is set up now they will be judged by individuals that have no Law enforcement experience, those that already don't like the police, those that already sue the police. Then to decide whether they (the Police) did anything wrong or should have done things different don't know what it is like to be in the position the officer was in and have never been in a high-stress situation where seconds could mean life or death for them or the general public. How many times does Police go to a domestic call safe a woman or man that was getting beat up and abused to only have that same person make false accusations against the Police and say that what is in the report never happened? If you have never been in that situation how can you possibly judge someone who has? Again there is no consequence for someone who lies about police misconduct, excessive force, or claiming they are lying in their reports. When it comes to due process again the way the bill is written its up a board just about entirely made up of non-law enforcement and those that have an ax to grind with the Police. They are going to say your fired, suspended, and the Police officer will not have the ability to challenge that decision anywhere, and then they can't even get another job in law enforcement anywhere. The bill is basically taking away civil service and the protection it offers. Some say that's why it needs to be gone, but there are steps the Cities and Towns can take to get rid of a bad Police officer they just have to do it the correct way instead of jumping from a-z. Sure there is room for Reform in the Criminal Justice System, but you have tom remember this is no Minnesota, New York, Atlanta. We have some of the very best-educated and trained Police Officer's here in MASSACHUSETTS. You should not punish our officers for the bad behavior of other officers from other states. If you do I fear we will lose a lot of officers to retirement and have one hell of a time trying to replace those officers with good candidates because who would want this job with no job protection, protection from frivolous law suits, and worst going to jail or charged with a crime because you are being judged by someone that doesn't know how to do the job.

Thank You for listening

Mackenzie Reynolds

24 Dolge Ct

Charlton, Ma 01507

From: Eli Adler-Roth <elirothri@gmail.com>
Sent: Thursday, July 16, 2020 10:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: Re: S2820 Testimony

I just now realized that I failed to provide my phone number, as requested by the honorable Chairs. My apologies. It is (401)439.3628.

I am not speaking on behalf of any organization; I'm a private citizen and my views are my own.

On Thu, Jul 16, 2020, 10:07 PM Eli Adler-Roth <elirothri@gmail.com> wrote:

Distinguished Representatives,

Thank you for making time for citizen input on this important bill, S2820. I will make my comments as brief as possible, but feel I have unique personal perspective on the issues disused.

I am writing in strong support of the bill. As a clinical social worker, I have seen, firsthand, the profound good that police officers can accomplish in their roles. Sweeping police powers and a lack of officer accountability, however, more often than not are barriers, not aids, to effective policing. S2820 will more effectively position law enforcement to act with only the tools, tactics, and mentalities appropriate for the job. My time in social work strongly informs this position.

In my career, I have deescalated and evaluated those in mental health crisis in emergency departments. I have sat across from men convicted of brutal acts of domestic violence to assess their accountability and preparedness to end community supervision. I have counseled and safety-planned with survivors of these violent assaults. I have intervened with clients who were hours or even minutes removed from a suicide attempt.

For the majority of my career, I worked in a residential setting. Among many other duties, I had the privilege of training clinical and non-clinical colleagues on the principles and techniques of deescalation and safe, compassionate physical restraint. We always taught that going "hands on" was an absolute last resort, but, due to the acute nature of the population we served, I, unfortunately, had to engage physically several dozen times over the course of a few short years. In that time, I was bit, punched, stabbed, spit on, kicked, grabbed between the legs and pulled by the hair.

Never once, in my career, have I had the luxury of a combative union which would fight for my job if I choked someone to death. Moreover, never once have I felt as if the free reign to strangle even the most violently dysregulated client would have made me any safer in the long run. This distinction is important for those using the narrow lens of exclusive

prioritization of officer safety at any cost. Even ignoring the rampant brutalization of disproportionately Black, Brown, poor, and mentally ill civilians in crisis, different tactics will also translate into reduced risk to officers. In my residential work (and elsewhere in my career), we saw every day that the safest strategy for client safety was also the safest strategy for our own: responding with calm, compassion and connection. In this vein, I want to share one disappointment I have with the bill, which is a failure to make fear-based "warrior" style trainings for police illegal by law.

This critique notwithstanding, S2820 is an important step forward in the long overdue process to establish officer accountability, and to modernize and humanize law enforcement. Again, I know that many officers who wear the uniform do so with love for their communities and the very best of intentions. However, the fear and anger felt by so many, especially many marginalized people, is a predictable consequence from generations of tolerance of cruel and ineffective policing (which is only now, it seems, getting caught on film). The well-deserved distrust many of my clients have for police manifests in the perpetuation of poverty, generational trauma, and inability to access community resources and supports. As a Massachusetts citizen who has also dedicated his career to the safety and well-being of his community, I urge you in the strongest possible terms to pass this bill into law.

Thank you for your time and consideration,

Eli Adler-Roth, LICSW
North Andover

From: Meaghan Welch <welch.me@gmail.com>
Sent: Thursday, July 16, 2020 10:57 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate police reform bill, S.2800

Good morning,

The League of Women Voters advocates against systemic racism in the justice system and supports preventing excessive force and brutality by law enforcement.

We urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda bans choke-holds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

Best,
Meaghan Welch
Salem, MA
From: ALAN LABELLA <djconnn@comcast.net>
Sent: Thursday, July 16, 2020 10:56 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

My name is Alan LaBella and I live at 5 Cherry Street Saugus and as a concerned citizen and father in law of a Massachusetts State Police Officer , I am writing to voice my opposition to the Senate's Police Reform Bill.

From: Wendy Holt <wendyh@dmahealth.com>
Sent: Thursday, July 16, 2020 10:56 PM
To: Testimony HWM Judiciary (HOU)
Cc: Gouveia, Tami - Rep. (HOU)
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has

not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Wendy Holt

978-424-5468

30 Dover Street

Concord, MA

From: Doug Connor <connor.doug@gmail.com>
Sent: Thursday, July 16, 2020 10:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public

employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Douglas Connor

7 Tilden Rd.

Canton, MA 02021

Connor.doug@gmail.com

From: Christopher Peckham <co5363@me.com>
Sent: Thursday, July 16, 2020 10:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

take your time to have your family, friends and all others who support police and correction officers, to copy this post and send it to:
Testimony.HWMJudiciary@mahouse.gov

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is "Christopher Peckham" and I live in "Fall River Massachusetts." I work for the "Massachusetts Dept of Correction" and I'm an "Officer". As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

???: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates

for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

(Officer Christopher Peckham, Massachusetts Dept of Corrections)

Christopher M Peckham
City Councilor, Fall River Massachusetts
Chairman, Public Safety Committee

1 Government Center, Fall River Massachusetts
c.peckham@fallriver.org
C: 774-379-2717
O: 508-324-2000

From: Jesus Dones <jssdones@gmail.com>
Sent: Thursday, July 16, 2020 10:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: My Opposition to Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Jesus A. Dones and I live at 362 Rindge Ave apt 8H Cambridge, MA 02140. I work at Dynavac and I am a Welder. As a constituent, I write

to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While they are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. My wife is a Correction Officer and I worry for her safety everyday she goes into work. I pray she comes back home to my son and I safely. She works in a place where some of the most dangerous people live in. Although, we are not opposed to Officers being better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. We want to raise our son and future children in a safe state. We want our family and friends to live in a safe state. Thank you for your time.

Sincerely,
Jesus A. Dones From: Michele Giglio <mmgiglio@aol.com>
Sent: Thursday, July 16, 2020 10:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: In support of law enforcement

To Whom It May Concern,

Being the Mom, Niece, Cousin, Neighbor and friend of current and past law enforcement, I support the police and first responders. I am wholeheartedly against getting rid of the legal protection they currently have.

Sincerely,

Michele M Giglio
40 Farmington Circle
Marlborough, Massachusetts
01752

508-873-5556
From: nick clemente <nickclemente4@yahoo.com>
Sent: Thursday, July 16, 2020 10:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

Dear Chairs Michlewitz and Cronin,

My name is Nick Clemente and I live at 78 Webster St. in Medford Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard in the Massachusetts House of Representatives tomorrow for consideration.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant (most likely a police officer) before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will

be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far-reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Very truly yours,

Nicholas Clemente

78 Webster St.

Medford, MA 02155

Sent from my iPhone

From: Matthew Kane <mattkane1986@gmail.com>

Sent: Thursday, July 16, 2020 10:53 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony S 2820

Good Evening,

My name is Matthew Kane. I am currently a State Trooper assigned to the Russell barracks. Prior to becoming a Trooper I was a Firefighter/EMT in Westfield. I am a 3rd generation civil servant. I am proud of the job I do everyday. Despite the loud vocal critics of police I believe the silent majority of citizens support us. Many Senators spoke in support of police across the Commonwealth during the debates on S2800.

In many rural parts of the Commonwealth the State Police function as the primary law enforcement agency. Many of the towns in my patrol area have small, part time police departments, if they have one at all.

As you can imagine I have dealt with a wide range of calls for service and emergencies. I have approached and handled each one as if it was my loved one involved. I have dealt with autistic juveniles armed with a knife, felons with stolen guns, fatal crashes, domestic disputes, parenting issues, solved breaking and entering cases and used a lasso to catch a loose llama on a state highway. Police today are social workers, mental health workers, de facto parents, investigators and everything in between. I don't think my skills or empathy are extraordinary or unique. I believe police officers across the state go to work everyday to make a difference and provide a good life for their family. Although there is always room for improvement and I agree with portions of S2820 I believe it is overly ambitious and far reaching.

Qualified Immunity and the protection it provides all public servants cannot be understated. If this legislation passes there will undoubtedly be an increase in lawsuits against all public servants. With those lawsuits come trials and rulings by a judge which will establish case law. Reasonableness will be ever evolving and change with each court ruling. Decisions that are made in a split second will be scrutinized years later. In my opinion this will cause Troopers to hesitate during life or death situations. Proactive policing will suffer severely, the citizens of the Commonwealth will bear the brunt of those consequences.

I have no issues with Troopers being certified. More training and continuing education benefits everyone. I think it's very important the Commission tasked with overseeing this be comprised of professionals trained in law enforcement. No one hates a bad cop more than a good one. Who better to help hold the bad ones accountable than those who strive for perfection.

Perhaps the most concerning testimony I heard during a debate in the Senate was in reference to 2 police officers a local police Chief "couldn't get rid of". The Senator made reference the Chief couldn't because they made a minor administrative error during the process. I have no doubt the local Chief told the Senator that but I doubt the veracity of that being the case. There are processes in place currently to terminate officers. If they aren't followed sometimes cases are overturned at arbitration or civil service. No different than our court system, if evidence isn't obtained properly or legally it is thrown out, as it should be. Police officers deserve the same rights all citizens are afforded. Labor unions have fought for due process and rights for members since their inception. Should a certification be revoked by POSAC there needs to be some route of appeal before a neutral party. Civil service was established to ensure jobs were obtained on merit and not patronage. I'm fearful of POSAC being used as a tool to circumvent Civil Service, that is why I believe it's important to have police unions represented on POSAC.

Respectfully submitted,
Matthew Kane
(413)335-6032
mattkane1986@gmail.com

From: Sue Bertone <smbertone@live.com>
Sent: Thursday, July 16, 2020 10:52 PM
To: Testimony HWM Judiciary (HOU)
Cc: McMurtry, Paul - Rep. (HOU)
Subject: Fwd: Rushed Police Reform

To House representatives: please consider my concerns for the current police reform legislation as explained to Representative McMurtry below. Thank you.

Begin forwarded message:

From: Sue Bertone <smbertone@live.com>
Date: July 16, 2020 at 10:01:08 PM EDT
To: "Paul.McMurtry@mahouse.gov" <Paul.McMurtry@mahouse.gov>
Cc: Sue Bertone <smbertone@outlook.com>
Subject: Rushed Police Reform

?Mr. McMurty,

I hope this note finds you keeping healthy in these uncertain times.

I'm a voting citizen in Westwood and have never written to ask for consideration of legislation, as I typically support the great work those in our state, county and town governments do!

However, while we may need some type of review related to clear, unnecessary police brutality, I strongly believe the current legislation for Police Reform that will be voted upon on Friday July 17th is rushed and does not fully consider the consequences we will all face if it passes in its current form.

I respectfully ask for you to NOT vote in favor of this rushed and deeply flawed legislation until a more rationale reform bill can be drafted. Please also emphasize to your colleagues in the legislature they should not feel rushed on this- it's too important - let's all work to get this right before it's too late.

Please continue to help us protect our state and citizens by rejecting this legislation and asking for more time to develop a sound proposed reform that addresses true issues.

Thank you for your service and support.

Regards,

Sue Bertone

142 Stanford Drive

Westwood, MA

781-269-5005

From: Teresa Rodriguez <teresa_a_rodriguez@yahoo.com>

Sent: Thursday, July 16, 2020 10:51 PM

To: Testimony HWM Judiciary (HOU)

Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Teresa Rodriguez. I am a resident of Jamaica Plain and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I am a teacher and have been waiting for decade for this type of police reform. We need to put parameters, accountability and reform efforts in place to protect our citizens. In fact, I wish it went further but this is the legislation we have for now. I want to you know I support it whole heartedly.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Teresa Rodriguez
790 Centre Street
Jamaica Plain, MA 02130

From: David Meulenaere <dmeulen@hotmail.com>
Sent: Thursday, July 16, 2020 10:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to

personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

David Meulenaere

152 Pakachoag Street

Auburn Ma

Dmeulen@hotmail.com

508-345-7920

From: Carline Kelly <cek678@gmail.com>
Sent: Thursday, July 16, 2020 10:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please pass a strong version of S2820

As a constituent living in Waltham, MA, I am writing to ask you to please pass a strong version of S2820. I have lived in Waltham for the past 6 years and am raising my family here. I am a white woman, married to a black man and together we have two biracial sons. I have also been a teacher in Boston Public Schools for the last 16 years. I have friends who are police officers and I support them and much of the work that they do. However, for far too long, there has been legislation passed that has changed policing so that it is much more aggressive, more detrimental to our communities, and completely inequitable. As my sons are growing up, I fear for their lives and no one should have to feel this way. Supporting this bill does not mean that I think police officers are bad people. It

means the system and structures in place are inequitable and they need to change. Now.

I'm writing to ask you to please support prohibiting violent police tactics -- this includes ANY choke holds that could come close to injuring a person! These have no place in our community, especially since implicit bias exists; racism exists. We, as white people, are all racist because we are part of a racist system. It doesn't mean we are bad people. It means that it is OUR JOB to strive to be antiracist and to find all the ways in which we can consistently fight racism day to day to create a more just and equal society. That includes not harming or killing community members, especially when a disproportionate number of individuals stopped by police are people of color.

I also ask that you impose meaningful restrictions on qualified immunity. Police officers need to be held accountable for their actions. Maybe if police officers are held accountable, more police officers will make a greater effort to strive to be antiracist and the amount of tragic deaths, injuries, and violence at the hands of police officers will be diminished. As a white high school teacher in Boston, I am on my own journey of becoming antiracist and I strongly believe that if I do not fight to be antiracist (through educating myself about race, racism, whiteness, and my personal biases, decolonizing my curriculum, using culturally responsive teaching methods, analyzing and changing racist policies at my school and in my district, etc), I should not be in this profession. I did not learn any of this in my teacher prep program so it is on me to do this on my own time. Police officers should be learning how to be antiracist in their profession as well - in their preparation would be best!

Finally, please support a BAN on the use of dangerous and discriminatory facial recognition technology. This technology is not valid and has been proven to make policing even more racist than it already is.

I am a mom, a wife, a teacher, and a resident of Waltham. I know many of my neighbors support these same ideas. You are in a unique position to fight for antiracist policies - I am doing my part by sharing my opinions with you, but I cannot vote to change the law. Please do your job and fight for anti-racist polices; fight for our community.

Thank you for your time.

Sincerely,

Carline Kelly Bowen

From: loumetzger@aol.com

Sent: Thursday, July 16, 2020 10:50 PM

To: Testimony HWM Judiciary (HOU)

Subject: House Action Needed Now on Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means and Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Based on the multiple instances of misconduct that are being illuminated by news accounts, legislation is urgently needed to ensure a change in police behavior and culture so as to reestablish trust between law enforcement and the community. Accordingly, I support the position of the Greater Boston Interfaith Organization (GBIO) and urge you and the House to pass police reform that includes:

- * Peace Officer Standards & Training with certification and decertification
- * Civil service access reform
- * Commission on structural racism
- * Clear statutory limits on police use of force
- * Qualified immunity reform

Thank you very much.

Louis Metzger

loumetzger@aol.com

508-650-2921

1 Morgan Drive

Natick, MA 01760

From: McGrath, Michael <McGrathM@worcesterma.gov>

Sent: Thursday, July 16, 2020 10:50 PM

To: Testimony HWM Judiciary (HOU)

Subject: New Police Reform Bill S2820

Good Evening,

My name is Michael McGrath I am currently a Police Officer for the Worcester Police Department. I am writing to you to discuss my feelings about the New Police Reform Bill S2820. Looking at the Qualified Immunity first, if we lose our qualified immunity this directly impacts my family on multiple levels. Not only will I now be subject to personal lawsuits that will not only affect me personally but it will also affect my wife and our two little boys future as well. My wife and I have worked very hard to give our children the life they deserve (also my wife is a public school teacher so she is also subject to personal law suits if we lose this) and now their future may be in jeopardy. I have been a Police Officer for 10 years and I love this profession, and I feel I have done a

great job (0 lawsuits or complaints) now I feel a sense of hesitation and uncomfortableness answering routine calls for service.

Looking at due process which I was always informed was fair treatment through the judicial system to every citizen. Now that I am a Police Officer in a City that has done a great job in a State that has done a great job I now am no longer afforded this treatment because of a tragedy that occurred hundreds of miles away. The Senates Bill goes against their platform as being labor/ union supporters, it seems as if this bill is an Anti-Labor Bill.

POSAC board makes me the most nervous as an Officer. Now a panel of members of the community who have never walked in my shoes, have never dealt with the public, and have never been a Police Officer can determine whether I can continue to remain an Officer because they don't agree with a split second decision that was made by myself or my fellow Officers. The POSAC board needs to have men and women who have worked in this profession if it is going to determine our fate. I wouldn't want to be on a board to determine the fate of a Doctors medical decisions because I don't know anything about his or her profession and I don't feel that is fair.

I appreciate you taking the time to listen to what I have to say! I still love this profession and am still determined to do a good job, and continue to make my family proud!

Respectfully Submitted,

Michael McGrath

508-799-8606

From: Karen Blumenfeld <oxbow3@comcast.net>
Sent: Thursday, July 16, 2020 10:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: Include language about Raise the Age in the Reform, Shift, + Build Act.

Dear Chair Michlewitz and Chair Cronin,

I'm a huge supporter of More Than Words, a social enterprise that helps system-involved youth take charge of their lives by taking charge of a business. I've been volunteering at More Than Words for four years and have seen the incredible results of this visionary organization's work. In full support of More Than Words' mission, I urge you to include language about Raise the Age in the Reform, Shift, + Build Act.

Thank you,
Karen Blumenfeld
113 Oxbow Road
Wayland

From: A Barrett <barretthanover03@gmail.com>
Sent: Thursday, July 16, 2020 10:49 PM
To: DeCoste, David - Rep. (HOU); Testimony HWM Judiciary (HOU); Brady, Michael (SEN)
Subject: Police reform bill

Dear gentleman,

As a concerned resident and voter of Massachusetts I would like to request that the police reform bill be reviewed again. This reform does not work. Our officers at both state and local levels put their lives on the line everyday. To vote on this bill at 4am on the anniversary of Sargent Chesna shows so much disrespect to the men, women and families of LEOs.

I ask that you please listen to the public, in this state, and reconsider the police reform bill.

Sincerely,
Amy Barrett
Hanover, MA

From: Kevin Walsh <kevin.v.walsh@gmail.com>
Sent: Thursday, July 16, 2020 10:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public Comment

Im writing to support the following measures. Please vote in favor of each. It's in the citizens best interest that these get passed. No knock warrants in particular are an evil practice, and the police force should be taught from day 1 that it is their duty to serve the public transparently.

Thank you,
Kevin Walsh - 617-416-2919 - Kingston MA

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety (State Representative Liz Miranda
<

NRO5150_t5yRlbwCf7XeUffft8Gigp5FdyGwZUbrVGY>) bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth (State Representative Michael Day) which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.URGENT ACTION!

From: JENNIFER T REYNOLDS <reynolds2424@msn.com>

Sent: Thursday, July 16, 2020 10:49 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S2820 (S2800)

Dear Members of the House and Ways and Means,

My name is Sue Reynolds and I am writing to you in regards to the Police Reform Bill S2820. I am asking you and the rest of the House of Representatives to please consider making amendments to this bill. The following 3 areas are concerns of mine. All public employee's should have the same rights when it comes to Qualified Immunity, Due Process / Collective Bargaining, and then make up of then POSAC board. When it comes to Qualified Immunity even you and the rest of the House and Senate enjoy this protection so why should those that put their life on the line everyday not have the same protection which they won't if you don't make changes to the bill. When it comes to the POSAC board, again why should Police Officers not be judged by their peers just like Doctors, Lawyer, Judges and every other profession. The way it is set up now they will be judged by individuals that have no Law enforcement experience, those that already don't like the police, those that already sue the police. Then to decide whether they (the Police) did anything wrong or should have done things different don't know what it is like to be in the position the officer was in and have never been in a high stress situation were seconds could mean life or death for them or the general public. How many times do Police go to a domestic call safe a woman or man that was getting beat up and abused to only have that same person make false accusations against the Police and say that what is in the report never happened. If you have never been in that situation how can you possible judge someone who has. Again there is no consequence for someone who lies about police misconduct, excessive force, or claiming they are lying in their reports. When it comes to due process again the way the bill is written its up a board just about entirely made up of non law enforcement and those that have an ax to grind with the Police. They are going to say your fired, suspended, and the Police officer will not have the ability to challenge that decision anywhere, and then they can't even get another job in law enforcement anywhere. The bill is basically taking away civil service and the protection it offers. Some say that's why it needs to be gone, but there are steps the Cities and Towns can take to get rid of a bad Police officer they just have to do it the correct way instead of jumping from a-z. Sure there is room for Reform in the Criminal Justice system, but you have tom remember this is no Minnesota, New York, Atlanta. We have some of

the very best educated and trained Police Officer's here in MASSACHUSETTS. You should not punish our officers for the bad behavior of other officers from other states. If you do I fear we will lose a lot of officers to retirement and have one hell of a time trying to replace those officers with good canadites because who would want this job with no job protection, protection from frivolous law suites, and worst going to jail or charged with a crime because you are being judged by someone that doesn't know how to do the job.

Thank You for listening

Sue Reynolds

123 Holden St Apt J8

Worcester, Ma 01606

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ktU0N1ZBLdQg-nyIAMV_VQhQleN-8v0KFvRJyZrKMPw&s=2sPLW2UVSAA9X87AqJt43uXdtWrHufTwNjry2uwB_sc&e=>> for Windows 10

From: Charlene <kevcharl@comcast.net>
Sent: Thursday, July 16, 2020 10:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: The police

Dear Chairs Michiewitz and Cronin,

My name is Charlene Coughlin and I live in Burlington, MA. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

?The proposed changes to QI will have a serious impact on critical public safety issues.

?Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

?The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter. I hope you will take these concerns into consideration.

Sincerely,

Charlene Coughlin

Sent from my iPhone

From: Thomas Wilson <thomas.d.wilson1@gmail.com>

Sent: Thursday, July 16, 2020 10:48 PM

To: Testimony HWM Judiciary (HOU)

Subject: Disappointed Trooper

Good Evening,

I can't help but to feel utter disappointment in my Senate, I'm not really mad because I understand the game of politics, just disappointed. I highly doubt anyone will read this, but I'm still going to write it. I guess it will serve better then the standard cookie cutter template.

I have served my country and I have served the Commonwealth for the majority of my adult life. Over my years of service I have encountered thousands of people, many of them with questions about my profession. Friends, family, and even strangers would ask me "What's it like being a cop?" I always responded basically the same way, from my heart and honestly. I wanted people to understand what it's really like to be a police officer. I wanted to humanize the people of my profession. Tonight I want to share my thoughts with you.

This is a mentally taxing job but it needs to be done. It needs to be done by people of the highest standards of integrity. This job carries many risks, not only physically, but liability wise. I play by the rules and I act in good faith, I respect the constitution so I have no fear.

I do not enjoy writing tickets. I write them to only those that truly deserve them, for the safety of our roadways. Most people deserve a break- and usually get one.

I do not enjoy taking away people's freedom, but It is my job to enforce the law. I do what I have to do when I have to do it.

I do not disrespect people I encounter. I let their attitude determine the outcome of our interaction. I never want to get into a physical altercation unless it is absolutely unavoidable.

I never want to take a persons life, but I have accepted the fact that some day I may be called on to do so.

We the police are societies worker bees. We respond to the tasks given to us. We help those who need help, we stop those who need to be stopped, it's pretty simple.

Without us, society doesn't work. We are good and decent, we love our families, and we are loyal.

The facts don't lie. Nearly every single police interaction ends peacefully, that's how we like it. We have saved thousands of lives in the Commonwealth and have taken so very few, and only when left with no alternative.

We are assaulted, stabbed, shot, and killed. We bear the brunt of everyone's anger and frustrations.

Please do not make this job more difficult then it already is. We need your support. Do not cave to radicals who will never be pleased. We only want to be treated fairly and left to do our jobs.

The people of Massachusetts are not dumb. The overwhelming majority of the people support us and we support them. This bill is absolutely terrible and everyone knows it.

The best most qualified people will leave this profession. Good cops will go into self preservation mode and the people will suffer. Do not make good decent police officers fear for the way they provide for their families.

Respectfully,
Trooper Thomas Wilson
Massachusetts State Police

From: Lenore Montanaro <lenore.montanaro@gmail.com>
Sent: Thursday, July 16, 2020 10:47 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820: Special State Police Officers

Dear Chair Michlewitz and Chair Cronin:

Thank you for accepting public comment regarding Senate Bill 2820. I write today as an ordinary member of the Massachusetts Bar and not on behalf of any person or any entity.

I want to express my support and admiration for all that you do to ensure fair and just policing for all. As such, I humbly request that you include a provision in S.2820 that would require Massachusetts special state

police officers, as defined in Mass. Gen. Laws c. 22C § 51, 56, 57, 58, and 63 to be subject to public records requests.

Generally, municipal and other police officers who work on behalf of people and animals in their communities are subject to these requests, so long as there is no applicable privilege. Likewise, special state police officers who are empowered with police powers on behalf of animals, for example, should also be subject to public records requests laws to ensure transparency. See Mass. Gen. Laws c. 22C § 56

As an attorney, I understand that public records laws are another tool in the toolbox for information gathering and for ensuring justice. Now, more than ever, our society needs this balanced openness of information: "transparency breeds legitimacy."

Thank you for your leadership. Please contact me if I may be of service.

Kind regards,

Lenore

LENORE M. MONTANARO, ESQ.

Licensed to practice in Massachusetts, Rhode Island, District of Columbia, and the U.S. District Court of Rhode Island
401.447.6930

From: paul.lazar17@gmail.com

Sent: Thursday, July 16, 2020 10:47 PM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to S. 2820

Dear House of Representatives,

My name is Paul Lazar and I live at 845 East Third Street, South Boston. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1)Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2)Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act

reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Paul Lazar

Sent from my iPhone From: kimballw22 <kimballw22@gmail.com>
Sent: Thursday, July 16, 2020 10:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please consider the consequences

Good evening,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their

respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

William R. Kimball

141 Center Rd Gill, MA 01354

Kimballw22@gmail.com

Sent from my Verizon, Samsung Galaxy smartphone

From: Thomas Parker <tolylyu473@gmail.com>
Sent: Thursday, July 16, 2020 10:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous.

Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Thomas A. Parker

From: Jayne Serratore <jserratore@amorymedical.com>

Sent: Thursday, July 16, 2020 10:44 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony S2820

To whom it may concern,

I'm writing to you tonight as an aunt of two state troopers, friend to numerous police officers and Mother of a newly inducted Correctional Officer writing diligently to become a man in blue to protect and serve.

My son is just beginning his life, he's just started investing in his future with his fiance, buying a home and looking forward to a family one day. By passing this you are potentially crushing the goals he's creating that will effect so many others.

Why would he want to buy a new home, put a wife and children at risk because you are stripping them from protection and serving.

My nephew was on the special task force that hunted for the Boston Marathon bomber, how can you forget moments like this when you're trying to pass this monstrous and disastrous bill. Can you imagine the Tsarnaev brothers being able to sue or physically attack these troopers trying to protect and serve Massachusetts after the devastation caused during the bombing. Because this is what will happen should this pass.

My niece faced so many discriminatory challenges working her way up to a state trooper, she saw her brother in action looking for Dzhokhar Tsarnaev and his dedication in making sure communities stayed safe while searching for him. She knew at that moment what her calling was. She came down with a severe case of the flu and mono during training and never skipped a beat. Her 1st night solo she made 3 arrests of drunken drivers and saved countless families on the roads from potential fatalities. How can she continue safely do her job facing backlash that could cause her to loose her beautiful home of 2 years and her family because someone she kept off the streets hunted her down!

Massachusetts has been our families home since my great great grandparents immigrated over 100 years ago, it's so sad that many people are threatening a mass exodus of the state we are proud to call home and ask that you humanize this bill. We are not blind and know 1st hand there

are bad cops out there, let's remove them and replace them with more gems like my family and friends are.

Please vote no, come up with a better solution, there has to be a compromise where the right people win and the citizens of our great state will continue to feel safe.

Thank you for your time.
Jayne M Serratore
170 Pleasant St
Norwood MA 02062

781-414-2876

Jayne M. Serratore, CMA, LSSGB, CSM, ASM, CAPM
Amory Medical
1101 Beacon St
Suite 2W
Brookline, MA 02446
(O) 617-731-2000 (C) 781-414-2876
From: Laura Guggenheimer <lguggs@gmail.com>
Sent: Thursday, July 16, 2020 10:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony for Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Laura Guggenheimer with the Greater Boston Interfaith Organization (GBIO). I live at 25 Romsey St, Dorchester, MA 02125. I am writing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards & Training with certification
- * Civil service access reform
- * Commission on structural racism
- * Clear statutory limits on police use of force
- * Qualified immunity reform

I believe that these reforms are long overdue and critical to include.

Thank you very much.

Laura Guggenheimer

Lguggs@gmail.com

914-815-2896

25 Romsey St, Dorchester, MA 02125

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Laura Guggenheimer with the Greater Boston Interfaith Organization (GBIO). I live at 25 Romsey St, Dorchester, MA 02125. I am writing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards & Training with certification
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- * Clear statutory limits on police use of force
- * Qualified immunity reform

I believe that these reforms are long overdue and critical to include.

Thank you very much.

Laura Guggenheimer

Lguggs@gmail.com

914-815-2896

25 Romsey St, Dorchester, MA 02125

From: Samantha Eshner <samantha.eshner@gmail.com>
Sent: Thursday, July 16, 2020 10:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Concerns Regarding S2800

Dear Representative Michlewitz and Representative Cronin,

I write to you today to express my opposition to S.2800. This bill has been thrown together without the full consideration of the lasting negative outcomes. It robs police officers of the same Constitutional Rights extended to citizens across the nation. I write to you as a concerned citizen who is afraid that if this bill is passed, the safety of our communities will decline and I for one do not want to raise my children in a state where I need to worry anymore than I already do about their safety but I am also writing to you as the proud wife of a police officer- an educated, respectful, fair man who has served his country honorably and has now chosen to serve his community.

My husband has chosen a career that keeps him away from our family quite often which is not easy but it is a career he is extremely proud of and happy to do because he cares and wants to make a positive impact for which I could not be any prouder. He and his fellow officers have spent countless hours working to bridge the gap between officers and the community they serve. He created the 1st Community Officer position in our town and from there has started a Junior Police Academy Camp for kids, held presentations for parents on drug awareness, followed up with overdose victims to offer assistance and many other community based events. By passing this bill without taking the time to research the effects you are just taking away the progress they and many others have made and putting a divide between officers and their communities.

I would also like to share a recent experience that my family went through. Our 15 year old daughter was at the South Shore Plaza during the shooting that happened there 2 weeks ago. I can't explain the absolute sick feeling that came over me when I got the call, "Mom, don't panic but there is a shooter at the mall". That call will forever haunt me. I immediately rushed to the mall to get her and when I approached the mall entrances I saw dozens and dozens of officers running towards the mall. They were putting themselves in danger to help others. People they didn't know but knew were in danger and needed their help. They didn't care what your race, gender, beliefs, etc were- they just wanted to help! That is what good officers do, they help those who need it and keep us safe.

Nobody is more upset at what happened to George Floyd than good cops. Why are those good cops being vilified? They are just as outraged and hurt. If a few bad officers makes the whole group bad then that should stick for all groups- teachers, doctors, nurses, politicians, bankers and so on.

I am asking that you do what is right and not rush into this bill. I think I speak for many when I say there are some good parts of this bill but there are many parts that will only lead to the decreased safety of our communities and mass exodus of the good police officers we need. A couple of the key parts I believe need to be reevaluated are Qualified Immunity and the POSA Committee. Why would anyone want to do this job knowing they are not supported. We are better than this as a state! We all know this bill needs more time to be the best it can be. I am pleading with you to not rush into this and give it the time and research it deserves.

Sincerely,

Samantha Eshner
63 Stevens Drive Holbrook, MA
617-721-6721
From: Sean Harrington <sharrington517@gmail.com>
Sent: Thursday, July 16, 2020 10:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2800 Opposition

To whom it may concern,
I am sending this email to express my strong opposition of Bill S.2800. This Bill has language that is going to significantly tie the hands of police officers, and as a member of the law enforcement community, it is extremely worrisome for not only myself and all police officers, but to our families' livelihood as well. Please take the word of all stakeholders seriously for we protect the communities that we love and need the support from our government in return. I am always available to discuss this matter further. Thank you.

Respectfully,
Sean Harrington From: Vincent Pizzi <vinniepz@icloud.com>
Sent: Thursday, July 16, 2020 10:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

I have always encouraged my children as they were growing up, do something that is rewarding and gives back to others. They have followed that advice.

Now as the father of a law enforcement officer, I can say I find it truly disturbing that some of those in our government would consider taking away from these hard working men and women only to satisfy the sins of a very few.

I pray that they are protected properly as they go out each day to serve the public. Their families worry for them every time they leave for work and face the unknown.

I am proud of my son and all that he has done to achieve his dream as a police officer. Please continue to do what is best for these noble men and

women of law enforcement and ensure their immunity stays in tact as it has for many years.

Thank you

Vincent Pizzi

445 Great Neck Rd North

Mashpee, MA

02649

508-274-3619

From: Jim Gillespie <jegillespie1020@aol.com>
Sent: Thursday, July 16, 2020 10:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Mike Mosher <mmosherlmt@yahoo.com>

Sent: Thursday, July 16, 2020 10:38 PM

To: Testimony HWM Judiciary (HOU)

Subject: Senate bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Michael Mosher and I live at 48 Old Mill ln, Templeton MA 01468. I work at North Central Correctional Institution-Gardner and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Michael Mosher

From: ebkarp4@aol.com
Sent: Thursday, July 16, 2020 10:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means
Representative Claire Cronin, Chairperson, Join committee on the Judiciary

Hello, my name is Dr. Eleanor B Karp with the Greater Boston Interfaith Organization (GBIO). I live at 372 Weld St. West Roxbury, MA. I am writing to urge you and the House to pass police reform that includes:

- * Implement Peace Officer Standards and Training with Certification
- * Civil Service access reform
- * Commission on structural racism
- * Clear statutory limits on police use of force

thank you very much.

Eleanor B Karp, Ph.D.
ebkarp4@aol.com
617-510-2430
372 Weld St. West Roxbury, MA 02132-1033

From: Nick Pak <nicholas.r.pak@gmail.com>
Sent: Thursday, July 16, 2020 10:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers,

experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Nicholas R Pak

45 Sachem Rock Ave

East Bridgewater

Nicholas.r.pak@gmail.com

Sent from my iPhone
From: Mike Close <mclose14@gmail.com>
Sent: Thursday, July 16, 2020 10:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

My name is Michael Close, Trooper with the Mass State Police and presently living in Canton. As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections. Imagine if qualified immunity was applied to our judges? Any time a convicted felon was let out of jail and committed a crime, that judge could be sued civilly?

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I truly believe that our training should, in fact, be a model for other police agency's throughout USA. We have adapted to and lead the way from previous BLM protests; we have been under the microscope of racial profiling since the early 2000's where we embraced the new uniform Massachusetts citation to collect data into racial profiling and continued to be advocates in the efforts of racial equality. The amendments that have been implemented are extremely short sighted and need a good hard look at what is fair and equal, to everyone!

I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Tpr. Michael Close
69 Kenney St
Canton, MA
michael.close@pol.state.ma.us
617-719-6454

Mike Close
617-719-6454

Sent from my iPhone
From: Hannah <varnerh@gmail.com>
Sent: Thursday, July 16, 2020 10:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: I support S.2820

Hello Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820. I hope that you are able to pass this through committee and through the full Senate very soon. I know legislation can sometimes get caught up or tabled with controversy or shifting priorities, but this bill should stay a priority.

It would also benefit the Commonwealth if S.2820 could be strengthened so that the final bill includes the following key actions (in addition to those already included) that will make our communities safer. These include:

1. Eliminate qualified immunity so police can be held accountable
2. Create strong standards for decertifying problem officers, and
3. Ban tear gas, chokeholds, and no knock raids entirely.

I trust that we are all in agreement that the people of Massachusetts are good and kind, and would not want a no know warrant to kill the next Breonna Taylor in our community. We need to legislate our good intentions and our values, this starts with S.2820

Thank you,
Hannah Varner
Cambridge, MA

Pronouns: she/her/hers
From: Sharon Bonanno <sharbonanno@gmail.com>
Sent: Thursday, July 16, 2020 10:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support Amendments...

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The

senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Sharon Bonanno

Resident

33 Raven Rd

Canton, MA 02021 <x-apple-data-detectors://61/1>

617 699- <tel:617%20699-2914> 6771

From: Gavin Keenan <gavinkeen@comcast.net>
Sent: Thursday, July 16, 2020 10:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: Comments on Bill S.2820

I am writing to express my opposition to Senate Bill S.2820 currently under review by the House Ways and Means Committee. Specifically, I oppose

adoption of the bill in its present form inclusive of Section 11(c) which states:

" In an action for monetary damages under this section, qualified immunity shall not apply unless no reasonable defendant could have had reason to believe that such conduct would violate the law at the time the conduct occurred. Nothing in this section shall affect the provisions of chapter 258 with respect to indemnification of public employees."

As a former chief of police in Massachusetts and someone with thirty years of policing experience, I am keenly aware of the liability risks shouldered by police officers in the course of their everyday duties. We expect police officers to both observe and respond to reports of crime, suspicious activity, domestic violence, accidents, public disorder and other situations creating risk to the law abiding public. Many of these situations involve people under the influence of a substance, inclined to violent reactions to law enforcement or exhibiting other anti-social behaviors. Often there is no playbook response that police may employ to deal with these situations, requiring them to use their skills and limited array of tools available to improvise and bring about a reasonable solution to the problem. When involved with a violent, non-cooperating subject or subjects, police are uniquely challenged, with a peaceful solution often beyond their abilities to bring about. In these situations involving confrontational subjects, police often need to use reasonable force to survive the encounter, make an arrest and restore order and public safety. These situations are neither text-book perfect nor pleasant to witness or participate in. Until now, police have always been secure that their necessary and lawful actions done in the performance of their official duties would render them immune from personal liability incurred through frivolous lawsuits filed by those seeking to punish officers for their actions and suppress effective policing through civil intimidation. The thrust of Section 11(c) would rob the police of this reasonable protection.

Should this section be adopted in the current anti-police climate, I fear the police will be further exposed to personal and financial risk, with municipalities leaving officers so accused to defend themselves, risking crippling financial and personal loss. People rightly expect the police to protect and serve the interests of their community. The community rightly owes the police the same protection. I urge the committee to eliminate this egregious section from the bill under consideration.

Sincerely,
Gavin Keenan
Chief of Police (Ret.)
Ipswich, MA
(978) 500-6769

From: Y! <depol82@yahoo.com>
Sent: Thursday, July 16, 2020 10:35 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill relating to Police REFORM

The Chair of the house judiciary committee,

Recently there has been given much attention to reforming the Police many reforms have been tossed about. I have watched in dismay the publicity and rancor surrounding this controversial bill.

For 39yrs I had the honor to serve the City of Boston as one of its Police Dept. I watched as then Lt. WILLIAM BRATTON began and organized community Policing in Dist 4. I watched as the focus changed from Law Enforcement to order maintenance. The community in many ways embraced the concept and great strides were made in Police Community relations.

Now the actions of a small percentage of Police Officers have placed an onus on the Majority of Officers who perform honorably, competently and professionally. Yet this bill especially the "QUALIFIED IMMUNITY" part seeks to punish the vast majority of these officers.

I read how so called peaceful demonstrators have attempted to sway your judgement with mob rule and intimidation. Please do not pander to these violent people. One officer breaks the law and a hat is placed on All POLICE OFFICERS. Much violence and destructive vandalism is perpetrated by these mobs yet they are labeled as only a few are violent rest are peaceful. These officers stand on the front lines determined to perform professionally and in compliance with the laws by which they are governed. I respectfully request you consider this when pondering the fate of this bill that is before your committee. Many of these so-called reforms are in place in one form or another. If a POLICE OFFICER COMMITS A CRIME then he/she should be so adjudicated. That is already in Place. Please do not punish the vast majority of Police Professionals who only seek to be professional and who do (as any human being does) make an honest mistake. That even then they are punished by rule and regulation.

Police Officers answer to the public, to their superior officers, to defense attorneys, to district attorneys, to the law and finally to dept rule and regulation. Why even consider many parts of this bill that was formed in haste and seeks to PUNISH ALL THE OFFICERS who serve the commonwealth. Especially the many departments that are diverse racially and perform well and I might add under increased pressure from all the aforementioned.

Respectfully,

Robert C. DiPasquale

Sgt. (retired) Boston Police Dept.

depol182@yahoo.com

From: Richard Carey <racarey3@yahoo.com>
Sent: Thursday, July 16, 2020 10:35 PM
To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPad
From: PETER A SOUTHWICK <p.southwick@comcast.net>
Sent: Thursday, July 16, 2020 10:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct

by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Peter Southwick
617-710-2691
Arlington, MA

From: Barbara O'Toole <barbara.j.otoole@gmail.com>
Sent: Thursday, July 16, 2020 10:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

I am totally against this bill. The house and senate can sit in the comfort of their homes while these police officers put their lives on the line everyday and this is the thanks they get. You should all be ashamed of yourselves. You forget 911, Boston marathon. Las Vegas and much more. Their lives matter.

Sent from my iPadFrom: Julie Pennellatore <juliempennellatore@gmail.com>
Sent: Thursday, July 16, 2020 10:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: Concerned Constituent

To the House Committees on Ways and Means and the entire Judiciary,

Thank you for taking the time to solicit public testimony and for reading my email in its entirety. As a constituent, and having not been provided this opportunity by the Senate, I find it imperative that you hear my

thoughts and concerns over S.2820 and the strong opposition I have to many parts.

I am a resident of Worcester. I was born, raised and educated in this Commonwealth and am a proud public school teacher and an even prouder wife of a Law Enforcement Officer.

I appreciate the intent behind a reform bill, one that builds a more equitable, fair and just Commonwealth. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now. I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement. Does it not seem counterintuitive to do anything else?

Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process is a principle of fundamental fairness, procedure and accountability. It neither makes sense nor is fair to take this away from police officers.

Qualified Immunity: Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments. The misconception is that Qualified Immunity protects bad police officers. This is untrue, and quite the contrary - it protects the good, well-intentioned police officers, like my husband. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. Therefore, it should be noted to the public that this is far-reaching and affects the public sector as a whole, not just police officers. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections. Furthermore, it creates fear in these workers: fear of losing their homes and livelihoods.

The mere proposition of this, as a teacher and a police officer, has incited anxiety, panic and frustration in our household.

Collective Bargaining Rights: Collective Bargaining is the reason why Massachusetts is comprised of the most intelligent, well-educated and hard working police officers, teachers, nurses, fire fighters, corrections officers, etc in this country. Working for fair wages, in safe settings, with good benefits is the fabric of this Commonwealth. Instating this anti-labor law is a major flaw and goes against the support of labors and unions.

Seeing these potential changes has brought up much conversation in our home. With this potential change, my husband and I have discussed leaving the very state we were born, raised, educated and married in. Seeing these parts of the bill go into effect tells us that we are no longer meant to be here - a fate we wish not to encounter, as we believe in Massachusetts and what it can be moving forward, for all.

In closing and to reiterate, my husband and I, along with so many other constituents of the Commonwealth want to see change, especially for those in communities of color, but taking away the rights of those in the public sector will not aid in this fight. Those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement, and the public sector as a whole, with the respect and dignity they deserve.

Sincerely,
Julie Pennellatore
508-320-6378

From: Dawn Thyne-Naddaff <jtsandprints@gmail.com>
Sent: Thursday, July 16, 2020 10:33 PM
To: Testimony HWM Judiciary (HOU)

Dear Chairs Michiewicz and Cronin,

My name is Dawn Naddaff and I live in Burlington, MA. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

?The proposed changes to QI will have a serious impact on critical public safety issues.

?Unintended and unnecessary changes to QI will hamstring police officers in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

?The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unacceptable and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter. I hope you will take these concerns into consideration.

Sincerely,
Dawn NaddaffFrom:Nate <nate_dumas@ymail.com>
Sent: Thursday, July 16, 2020 10:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2800

?
?

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Nathaniel Dumas I live at 42 Brookside Ave in Webster MA. I work at MCI-Concord and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better

it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely.

Nathaniel Dumas

Sent from my iPhone

From: Laura MacHugh <laura_diangelis@yahoo.com>

Sent: Thursday, July 16, 2020 10:32 PM

To: Testimony HWM Judiciary (HOU)

Subject: Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street <x-apple-data-detectors://3>

Boston, MA 02133 <x-apple-data-detectors://3>

Dear Chair Michlewitz and Chair Cronin,

My name is Laura MacHugh and I live at 358 Summer Avenue in Reading, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiff's constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process.

We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Laura J. MacHugh

From: Alyssa Kelly <lyssmarie10@gmail.com>
Sent: Thursday, July 16, 2020 10:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

To whom this may concern:

My name is Alyssa Kelly, a dental hygienist living in Weymouth, MA. My fiancé is a police officer with the Abington Police Department. My phone number is (413)8228906.

I am reaching out in regards to the new police reform bill. I highly disagree with the qualified immunity part of the bill, as police officers have a duty to act, and without qualified immunity, good police officers will hesitate to act. This will not be a safe world without qualified immunity, and I would hate to see individuals get hurt because officers have to second guess their actions. Please take this into consideration.

Thank you for your time,

Alyssa

From: Rob Coppola <coppolarf@merrimack.edu>
Sent: Thursday, July 16, 2020 10:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S 2820

Good evening,

My name is Robert Coppola and I live at 12 Locke Hill Lane, Amesbury, Ma. I am writing you to tell you about my support for the Police who serve the Commonwealth of Massachusetts. Furthermore, I would like to reinforce that this bill (S2820), written as it is, is dangerous for the police, their families, and the communities they live in.

There is no foreseeable way that this bill will help anyone except those looking for a way to break the law.

I understand and accept that change will make the world a safer place in which to live; however, this bill is not that kind of change.

Take a moment to listen closely, that sound you hear is the wind being let out of the sails of thousands of Massachusetts Police Officers. The people who respond whenever a person calls, no matter how frivolous or dangerous. The people who volunteer countless hours of their own time to improving their communities. Coaching sports teams, volunteering at the Special Olympics, and donating their own time and money to help others. The men

and women who will drop what they are doing to change a flat tire, or fill a gas tank with their own money, most instances which will never be spoken of. These are the men and women who run toward the sound of gunfire and bombs going off when everyone else is running away. The bill that passed in the Massachusetts State senate was a slap in the face to everyone that wears the badge, as well as their families.

I urge you not to pass bill S.2820

Respectfully,

Robert CoppolaFrom: Ryan <ryguyk22@msn.com>

Sent: Thursday, July 16, 2020 10:32 PM

To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Ryan Kane and I live at 2248 Washington St. East Bridgewater MA 02333. I work at Old Colony Correctional Center and am a Correction Officer 1. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the

Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Ryan Kane

Sent via the Samsung Galaxy S20+ 5G, an AT&T 5G smartphone

From: Kristen Gmail <kristenbishopre@gmail.com>
Sent: Thursday, July 16, 2020 10:31 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support our police!!

Kristen Bishop
Cell/text: 617-962-7065
Success Real Estate
Sent from my iPhone
From: Tina McWhinnie <mcwhinnie.tina@gmail.com>
Sent: Thursday, July 16, 2020 10:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Law enforcement bill

Dear Chairs Michiewitz and Cronin,

My name is Tina McWhinnie and I live in Burlington, MA. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

?The proposed changes to QI will have a serious impact on critical public safety issues.

?Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited

public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

?The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter. I hope you will take these concerns into consideration.

Sincerely,
Tina McWhinnie

Sent from my iPhoneFrom: Rita Colafella <colafella@gmail.com>
Sent: Thursday, July 16, 2020 10:29 PM
To: Testimony HWM Judiciary (HOU)

Subject: Testimony for Senate Bill 2800

Dear Judiciary Committee:

Please preserve the following from Senate Bill 2800.

Creating an independent and civilian-majority police certification/decertification body

Limiting qualified immunity so that victims of police brutality can sue for civil damages

Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records

Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities

Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

Please add the following to the bill.

Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas

Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)

Lifting the unnecessary cap on the Justice Reinvestment

Don't buckle to special interests.

Thanks,

Rita Colabella

From: Dawn <sunnydawn772@gmail.com>
Sent: Thursday, July 16, 2020 10:29 PM
To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is Dawn Favalora and I live at 41 Bexley Rd Framingham, MA . I work at MCI-Norfolk and am a sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Dawn Favalora

Sent from my iPhoneFrom: Bob <bobdog8662@verizon.net>
Sent: Thursday, July 16, 2020 10:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: POLICE REFORM BILL S2820 - Concerns with qualified immunity within this bill to be considered

To Whom It May Concern;;

My name is Robert J. Tibert and I live in Rockport MA. I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration,

Robert J Tibert
4 Mckays Drive Rockport, Ma.
bobdog8662@verizon.net
From: Brian Gavioli <bgavioli@gmail.com>
Sent: Thursday, July 16, 2020 10:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, extremely concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and

correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you for your time and attention.

Respectfully,

Brian Gavioli
9 Cirrus Drive
Ashland, MA

bgavioli@gmail.com

From: Carolina Bellani <bellani.c@northeastern.edu>

Sent: Thursday, July 16, 2020 10:27 PM

To: Testimony HWM Judiciary (HOU)

Subject: Support the Reform, Shift + Build Act (S.2800)

Hello,

I am a student in Boston, MA and I unequivocally support the Reform, Shift + Build Act (S.2800).

Massachusetts has always been on the forefront of states passing legislation to support the people that live here and we've never shied away from decisions that seemed radical at the time. I have always been proud of MA being the first state to legalize gay marriage, and I hope to see us continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow. It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,

Carolina

From: Crighton, Brendan (SEN) <Brendan.Crighton@masenate.gov>

Sent: Thursday, July 16, 2020 10:27 PM

To: Sean Crowley; Testimony HWM Judiciary (HOU); Wong, Donald - Rep. (HOU)

Subject: Re: [External]: Police Reform bill S.2820

Thanks Sean. Appreciate you reaching out and sharing your concerns. Do you have time for a call to talk more? If so what is the best number and time to call?

-Brendan

Get Outlook for iOS <https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_o0ukef&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-

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eTvCdhaza9TB6s&s=12x141ZDAuFAhJwAWYUz655nqfliwS6-9gbaGyXStZg&e=>

From: Sean Crowley <stc012@icloud.com>
Sent: Thursday, July 16, 2020 8:02:06 PM
To: Crighton, Brendan (SEN) <Brendan.Crighton@masenate.gov>; Testimony HWM
Judiciary (HOU) <Testimony.HWMJudiciary@mahouse.gov>; Wong, Donald - Rep.
(HOU) <Donald.Wong@mahouse.gov>
Subject: [External]: Police Reform bill S.2820

?

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers,

experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Sean T Crowley

19 Allston St, Lynn MA, 01904

From: Joseph Veilleux <jlv82199@comcast.net>
Sent: Thursday, July 16, 2020 10:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill #2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Joseph Veilleux and I live In Franklin, I work at MCI Cedar Junction and I am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

??: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

?????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

??: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective

bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Joseph Veilleux

Sent from my iPhone
From: Ken Pedone <kfpedone@gmail.com>
Sent: Thursday, July 16, 2020 10:25 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

To Whom This May Concern,

I'd like to express my opposition towards this proposed bill, as a police officer in Massachusetts, I have spent a long time trying to get where I am. I have my degree in Criminal Justice, and while doing so, I participated in seven internships with varying agencies. I did everything possible to get a chance at becoming a police officer, however it was never my dream.

When I was younger, my cousin was a Boston Police Officer, and I idolized everything he did. Growing up I wanted to work with animals, but in high school I found out my cousin had been one of the "dirty cops," we see in the media. He went from being my hero, to someone I had to struggle with associating with. My cousin had lied in court, covered up another dirty cop's mistake, and thoroughly destroyed the trust of the community he served. I'll include the article from his court date within this email.

After finding out what my uncle had done, my hero, my desire to become a police officer formed. I wanted to do what I could to be better than him, to gain trust back between police officers and the public, and to make sure I was one of the "good cops." Fortunately, I was finally able to achieve the first step to that desire by becoming a police officer in 2017. I learned quickly that routine police work is fun, stressful, and exhilarating. It's also very rewarding, even when I'm put into situations that I have to enforce the laws with a citation, criminal application, or arrest, I always treat someone with respect and as a human. My partner has often said that I can end any situation with a handshake.

I'm not trying to gloat or brag, but I have been placed into plenty of situations, stressful and not, that I always handle appropriately because

that's how it should be. In my career I have seen other officers abuse their badge, and I have even spoken up against them, because it makes other officers look like monsters. However there are officers like myself that want to help, and that treat people like people.

The proposed bill would only cause a negative impact on police and the community. Essentially, I could be sued in court for placing handcuffs on a suspect. I could be sued for performing CPR on someone unresponsive. The qualified immunity protects first responders from having frivolous lawsuits against them. It doesn't target dirty police officers, it targets all police officers wearing a badge.

Massachusetts has always been ahead of the curve with mostly everything, but specifically in policing. Police departments in Massachusetts have had advanced policies and procedures that cover everything, for years. The use of force model has been implemented and practiced in Massachusetts for years. Officers in Massachusetts are often reprimanded, counseled, or otherwise terminated for any sort of misconduct.

The job is stressful enough, from seeing death often, people at their worst, or department affairs, now officers have to worry about being sued for doing their jobs. A lot of officers who are eligible to retire, are retiring, a lot of officers on the job are considering leaving policing, and a lot of people interested in becoming police officers aren't.

More people will be hurt, the career will be even more understaffed than we are, and a further divide will happen between policing and the community. If anything, we need more training in tactics, medical affairs, and deescalation.

Most departments send their officers to these trainings already, my department does, and a lot of these trainings are available anyway. However, a lot of these trainings cost money and officers either can't afford it, or the department can't afford to send them. I believe we need more training if anything, if we're defunded, or afraid to do our routine jobs, then policing will take a negative turn. More problems will arise from this with more undertrained police officers, understaffed departments, and poor community relations.

Personally, I know officers who would be more hesitant to act in any routine situation, if they were afraid to be sued. Violent criminals may run free, knowing that officers won't act right away, or be afraid to go hands on. Some of us may wait for paramedics or EMTs to perform medical related duties, causing a delay in treatment. We act in good faith and in the course of our duties because it's what we signed up for and it's our job. This bill isn't what we signed up for, and a lot of us feel it's rushed, not well thought over, and only proposed to "appease" as if "something was done." Officers will retire, will quit, and it's a sad thing to leave communities without police.

I chose to be a police officer to help everyone, and I wanted to be the best police officer for every person I interact with. My cousin disgraced the badge, I want to bring pride and honor to it.

Respectfully,

K. Pedone

Article about my cousin:

http://archive.boston.com/news/local/massachusetts/articles/2004/10/07/lying_in_police_probe_not_a_big_deal_witness_says_he_was_told?pg=full
<[Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Jim Raso <jimrasol@comcast.net>
Sent: Thursday, July 16, 2020 10:24 PM
To: Minicucci, Christina \(HOU\); Nguyen, Tram - Rep. \(HOU\); Testimony HWM Judiciary \(HOU\)
Subject: Testimony S.2820](https://urldefense.proofpoint.com/v2/url?u=http-3A__archive.boston.com_news_local_massachusetts_articles_2004_10_07_lying-5Fin-5Fpolice-5Fprobe-5Fnot-5Fa-5Fbig-5Fdeal-5Fwitness-5Fsays-5Fhe-5Fwas-5Ftold-3Fpg-3Dfull&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=EpA4L5sJMtl_7LL2Ouf60QFnqFGX184qdGh-MWX6kxI&s=QvaxX1QYVfPBehVY7Co4SJazCOYpox-IYIGVj0jJqlY&e=>
From: Ronald Mazzola <ronmazzo@aol.com>
Sent: Thursday, July 16, 2020 10:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820</p></div><div data-bbox=)

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Dear Representatives,

My name is Jim Raso and I am a North Andover resident. I have had the honor and privilege to be a member of the Lawrence Police Department for the last 25 years and a patrol supervisor for the last 19 years. In addition, I have been a Massachusetts attorney for the last 23 years. I have had the opportunity to work with, train and supervise numerous hardworking, dedicated and compassionate officers in the department during this time. I have also been fortunate enough to have the responsibility of working with and training law enforcement officers throughout the Commonwealth. Day and night we as officers risk our own lives to protect our communities and we deserve more from our legislature; more input, more support and much more respect.

For the past eleven years I have been a member of the Massachusetts Municipality Police Training Committee and have trained both recruits and veteran officers from all over the state in various subjects, including criminal law and procedural justice. Our Massachusetts officers have been and continue to be trained to the highest standards and take their training seriously. Have you taken the time to actually review any of the training materials you think are deficient? Have you taken the time to compare our training to that of other states? Have you taken the time to review Massachusetts statistics for everyday police interactions? The answers have to be no because there is no way that the necessary and proper research could have been done in the unprecedented short amount of time that this legislation was thrown together.

In 2011, I and about twelve other officers were called in for an emergency. Two men, one of them elderly, had been tied up and beaten while working at a liquor store. The victims had been pistol-whipped with guns and were seriously hurt. The perpetrators were still in the building, armed with firearms, when police arrived. Our job was to go into the building, knowing they were dangerous and knowing they were armed with firearms. And do you know what all of us did that day when we got the call to come in? We dropped what we were doing, kissed our families' goodbye and responded as quickly as possible to help. After a five-hour stand off we were able to arrest the suspects. Do you know what the citizens of Lawrence did as we escorted the suspects out of that building? They clapped and thanked us.

In April 2013 every law enforcement officer in every law enforcement agency in Massachusetts made themselves available to assist in investigating and locating the suspects who were involved in the Marathon bombings. Again, without hesitation myself and numerous other members of the Lawrence Police Department were called in to head to Watertown to help search for the terrorists. Guess what we all again did without hesitation? Dropped what we were doing, kissed our families' goodbye and headed to Watertown. There were hundreds of officers working together to protect the Commonwealth and other potential victims. Do you know what happened when he was located and taken into custody? Every person in the area came out of their homes, lined the streets and cheered and clapped for us. They were grateful for our sacrifice and appreciative for what we had done.

In September 2018 as I sat home with my family taking care of my infant twins and a two year old I, like many other law enforcement

officers in the Merrimack Valley, got the call that we had to come into work as quickly as possible because there were gas explosions everywhere. Guess what we all did yet again without hesitation? Dropped what we were doing, kissed our families' goodbye and headed into a city that was literally exploding. For the days and weeks that followed we came into the city and protected the homes, property and the people of Lawrence and the Merrimack Valley. The citizens and politicians were thankful and appreciative every single day for what we were doing.

Now, less than two years later I sit here wondering and asking myself what has happened? Why are you all turning your back on us now? The law enforcement officers of Massachusetts are NOT the law enforcement officers of Minneapolis. If any of you have actually taken the time to talk to any officer you would know that none of us agree with what he did and none of us think it was ok.

What you have chosen to ignore or don't understand is that qualified immunity does not protect that behavior. Qualified immunity protects good officers from doing the right things. It does not and has never protected bad officers from doing bad things.

I can honestly say what the Senate did this week is nothing short of disgusting. Passing a bill that directly impacts policing without any input from law enforcement proves that this bill has nothing to do with what is in ANYONE'S best interest when it comes to law enforcement. This bill is a political stunt and the reason why it was done in the middle of the night was because they didn't want people to realize what was going on.

You are going to have a police review board made up of people that have no law enforcement background or experience? Are they going to attend an academy? Are they going to undergo the same training we go through? Are they going to come to Lawrence at 2am on Saturday morning to experience what actually happens? When a doctor's judgment is called into question isn't his/her conduct reviewed by other doctors to see if it was reasonable? When a lawyer's judgment is called into question isn't his/her conduct reviewed by other lawyers to see if was reasonable? Why should we be treated any differently?

There are some really good things that could have come out of a bill that was created with the input of all involved. We can always do better and if there are things that can be done that make me a better police officer I would embrace that without hesitation, as I am sure my colleagues would as well but this bill is not that. This bill and the way it has been created a horrible divide in our communities. We should be coming together to make our communities safer for all and what this has done has made it more dangerous.

I respectfully request that you not support this bill. Please take the time to properly research these crucial issues. I would be happy to answer any questions or share my first hand experiences with any and all of you. In fact, if any of you want real life first hand experience I invite you to come with me for a ride along at anytime.

Sincerely,
/s/ Jim Raso
Lt. Jim Raso
Lawrence Police Department
(978) 655-5374

From: Erin Moreno <esmoren011@yahoo.com>
Sent: Thursday, July 16, 2020 10:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: BILL s2800

Dear Elected Officials:

My name is Erin Moreno and I am a voting constituent living in Northborough Ma. The men and women who serve and protect our communities deserve better than what our elected officials in the Senate have done in moving forward Bill S 2800 I strongly oppose Bill S 2800, not only for the underhanded way I believe this bill has circumvented the public process, debate, and input across the board but also for some of the content. I am told with less than a day's notice that "public" input can be provided via email....by 11AM tomorrow.

What a State we are living in where our politicians may expect an officer to choose between dereliction of duty and civil liability; essentially what the SCOTUS stated-although far more eloquently, when it justified the NEED for qualified immunity for our police. What a State where police officers are told they "shall arrest" under certain circumstances all while a DA in the Commonwealth indicates resisting arrest won't be prosecuted. What a State we live in, where I as a civilian could use whatever reasonable force is necessary to save my own life but an officer, who is more likely to be in said situation, may be told that he/she cannot. What a State we live in where public officials across the Commonwealth are granted variations of qualified immunity, but police, whom will be placed in the MOST volatile of situations are told they may not be protected. I have read this bill and its amendments and am deeply concerned that its passing will result in many good officers leaving due to undue and ill considered burdens. For this same reason I believe the Commonwealth, who has been on the forefront of recruiting qualified individuals, would be discouraging many new and qualified candidates whom desire to make a difference in their calling from seeking a career in policing. This bill if passed would seem to invite the opportunity to deny our Police men and women with some of the same Constitutional protections, for which they swore an oath to defend and protect and for which they are required to uphold. Police reform is important and should be addressed but Bill 2800 as it is written is NOT the answer.

I ask you to consider who comes when people call for help, who we wish was there when we witness a crime or feel scared, who runs to danger when others run from it, whom stays with our loved ones bodies after an unattended death so we may grieve - at times for hours, who helps deliver

babies on the side of the road, who works 16 hour shifts then shows up in court to testify when they should be sleeping, who administers Narcan before the medics arrive and who offers services to our loved ones suffering addiction, who stays up to date on case law and is expected to be an expert within a hour of a new law, mandate, or policy being enacted, who throws out their clothes at the end of shift because they have been bloodied, who is spat upon during a situation where police "shall" arrest, who helps you change your tire on the Masspike, who despite universal precautions may be injured and subject to HIV exposure protocols and all that entails for the officer and their family in the coming months, whom responds to and investigate the most heinous acts of domestic and sexual violence, who file Section 12s on behalf of those whose mental illness has resulted in danger to self or others, who conducts wellness checks at the request of family, friends or coworkers who worry about another, who file Section 35s on behalf of those whose drug or alcohol use makes them a danger to themselves or others, who completes risk assessments on victims of domestic violence and refers victim's to agencies available to help, who assists DV victims with obtaining 209A restraining orders, who assists victims of harassment, stalking and sexual violence with 258E Harassment prevention orders, who respond to alarm calls at your residence or business ensuring the safety of your person and property, who accompanies Probation Officers and DCF workers when needed at home visits, who see the results of the most abhorrent and unconscionable acts by offenders, who regularly works holidays and weekends, overnights and are forced on doubles, who on average dies within 5 years of their retirement and 12 years earlier than the average for the general population, who buys lemonade while driving by some kids with a stand, who is willing to leave their family to protect ours, who shows up early for shift because there aren't enough school crossing guards to man the posts, who responds to car accidents-providing medical attention while simultaneously conducting an investigation and securing a scene, who blocks intersections during loved one's funeral processions, who engages in community policing daily, who get home from work and tell their family their day was "fine" and whose family knows what that means, for those who every day have dozen's of interactions with those in their communities, for those men and women of our Police Departments whom do so much more than I can honor in an email and for their family and friends who are shaking their head in disbelief upon reading this Bill. Please consider us.

I ask this sharing that I contacted my Senator and Representative days ago with only one responding with an automatically generated email (how personal) asking for my contact information.. although they never used it. I hope for your time and serious consideration and thank you for your service to the Commonwealth on behalf of your constituents.

Erin Moreno
Northborough, MA 01532

Sent from Yahoo Mail on Android
<https://urldefense.proofpoint.com/v2/url?u=https-3A_go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-

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From: Brian D. Menton <bdmenton@yahoo.com>
Sent: Thursday, July 16, 2020 10:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

Brian Menton
43 Sparkill St.
Watertown, MA 02472
(617) 645-6226

Dear Chairman,

As a State Police lieutenant (retired) I encourage dialogue on police reform. But thrust upon us, our communities, an emergency bill that's clearly motivated to appease a radical and dishonest movement and I'm frightened. Frightened for my family's future, frightened for our communities and especially frightened for our young and dedicated law enforcement officers who provide us ALL with a sense of civility and security. Was the mental health and stability of police officers involved in your discussions? For these young woman and men chose their profession of public safety service for the most honorable of causes. The psychological abuse inflicted upon them currently, primarily due to the lack of governmental support, is second only to their fear of violence specifically directed toward them. On a much smaller scale I've been here before. In the past it was falsely alleged that law enforcement disproportionately targeted minorities regarding traffic violations. After spending millions of tax payer dollars investigating and changing protocols the allegations were unsubstantiated and after much initial media brouhaha the matter quietly faded away. During my 29 years of service I did witness isolated cases of racism within law enforcement, however I never witnessed systemic racism. I NEVER witnessed anyone being targeted solely due to race so help me God. For the security of our communities and the health of our honorable police officers I implore you to table this bill and continue rational discussion on police reform.

Respectfully submitted

Sent from my iPhone
From: Paul Moses <suemopaul@yahoo.com>
Sent: Thursday, July 16, 2020 10:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a

commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Paul Moses

Sent from my iPhone
From: chachi2257 <chachi2257@gmail.com>
Sent: Thursday, July 16, 2020 10:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

Good evening,

I am writing you today asking you to please not vote for this bill.

This will only put our officers lives in more danger and now they can be sued personally for anything and everything.

There are 800,000 officers in this country who proudly protect and serve everyday to keep us safe, yet they are being judged on the actions of a few.

Not long ago they were being hailed as heroes for being on the front lines and now because of the radicals who have waged war on them and have left them to fend for themselves.

How can we turn our backs on them when every minute of every day they are there for us.

They are so much more than the general public know, they are there to stop crime, to help children who are victimized, hold the hand of a crying parent who just lost someone.

They have not even been shown the respect to be part of the board, but rather have people who know nothing of what they face everyday.

I suggested you go on a ride along some Friday or Saturday night to see what they deal with daily.

No one has asked them what their thoughts are, most give their hearts and soul to the job, its something they were born to do help people all people.

We all need to admit there are bad people in this world and bad things happen, see these men and women for all they do. We, I don't want to lose them, we need them, please lets work together i believe we can do this.

I respectfully ask you to stand up and do the right thing.

We families see our loved ones leaving for their shift and pray they come home safe from all the danger in the world, but we now have an added worry about their future and the future of every good citizen from those who should be standing with them.

Respectfully
Diane Bourisk

Sent from my Verizon, Samsung Galaxy smartphone

From: Laura <lgregrpt@aol.com>
Sent: Thursday, July 16, 2020 10:20 PM
To: Testimony HWM Judiciary (HOU); Pignatelli, Smitty - Rep. (HOU)
Subject: Bill S.2820

Good Evening Judiciary Committee and Rep Pignatelli,

As a resident of Blandford MA and a wife of a retired MSP LT and mother of Northampton PD patrol officer, I am writing to you in support of my family and their peers in law enforcement against the senates decision to pass this bill without appropriate democratic process which excluded public

comments. I am writing in the hope that you will recognize the injustice this has resulted and neglected due process.

Bill S.2820 was constructed out of emotions of a national tragedy which should have led to a conversation instead of punitive conduct toward our Commonwealths professional and highly trained officers. It is my opinion that foresight and common sense have been forgotten when this bill was drafted and passed in an overnight session. I believe that promoting this bill is moving backward in history and undermines the work and commitment which our officers, police departments and unions have competed to strive to be the best that they can be. Qualified Immunity does not protect officers who break the law nor does it hinder a criminal investigation into officers who abuse power. It actually protects the good officers who act in good faith and put their lives on the line for all citizens. If passed I fear an officer would actually have more protection by not acting rather than acting in good faith. So then what will that mean for us citizens.....less protection. More chaos. More crime.

In Blandford we have very low crime and rely on a part time force shared with Chester as well as the Russell SP barracks. I fear if qualified immunity is taken away our part time force will dissolve as I do not believe any officer would be willing to accept the increased liability, especially in a culture of dehumanization toward the police. I also fear that this result will also trickle into other public servants such as teachers, firefighters, judges and even politicians.

Based on my beliefs I am encouraging you to not accept this bill as presented.

Thank you for your time.

Laura Gregory
84 Chester Road
Blandford

From: Madeleine Kaduboski <mckaduboski@yahoo.com>
Sent: Thursday, July 16, 2020 10:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about

their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Samantha Reif <spreif78@gmail.com>
Sent: Thursday, July 16, 2020 10:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police social worker's written testimony S.2820

It is difficult to be at a place where this written testimony needs to be submitted, and it is challenging to know the right words to say at a time like this, but I'm going to try to express how social services and policing CAN and already DO play beautifully together. I have been a police based clinician for approximately 5 years and through this period I have had the privilege of partnering with law enforcement officers (LEOs) on policy reform, co-response, training, advocacy, and multiple different elements of where social work and police overlap. The important thing to remember moving forward is that police and social work each have important jobs and roles, however, I do not believe it is appropriate to ask one to do the other's job as I wouldn't ask the other to do the other's job. Police serve roles as police and social workers serve roles as embedded clinicians, they both are valued, needed, and should be respected.

I am a social worker, and therefore my professional organization, the Massachusetts' Chapter of the National Association of Social Workers (NASW), is in support of the S.2820. However, I, as a social worker, am NOT in support of this bill and feel it is counterproductive with efforts which this same group (NASW) are proposing and efforts/advancements which have already been created and established within Massachusetts police departments.

I am a police social worker, and therefore the unions which my co-responders are part of are primarily against this bill. None of my co-workers or LEOs feel what transpired with George Floyd was fair, just, or right. None of my co-workers or LEOs support bad police officers, support illegal behaviors completed while on duty, nor advocate for injustice.

Over the past 5 years, I have developed a unique insight on how police departments function, what goes into being a police officer (as best as I can understand as a civilian), and how most cops come to work highly valuing their oath of protecting and serving their community and state. I have worked in two different police departments and therefore not only having one department's experience but two very different departments - one urban and one suburban. There were differences, but ultimately both departments had dedication and commitment to serving their residents in whatever needs that entailed. For some, that means slowing down traffic

where their kids play, for others that means removing their abuser from the home, and for yet others that means deescalating behaviors so that they can seek professional psychiatric supports. For families this means reviving a brother, daughter, or child after a possible fatal overdose, for friends this means finding justice for the person whom broke into their roommate's bedroom window, for strangers it means knowing someone will respond within moments to help the child they see without a parent. Whatever the situation, the public has and continues to call on police for these and other types of calls for service. During the last few weeks, police have had thousands of people say horrible comments, attempt to victimize their loved ones, refused them service, rejected them from public areas, and made it overall very uncomfortable to be a cop. And yet, those same people who reportedly dislike police, have continued to call police for help during a crisis - whether that be a Restraining Order, an intoxicated party whom has become aggressive, or investigation into a break-in. Police continue to show up and do their job.

The current proposed bill outlines multiple elements. I'd like to address just a few:

* Calls to limit qualified immunity - this is something that as a police social worker I've been able to understand how this is very much a knee-jerk reaction and not going to serve practical purposes in the long-run. Qualified immunity ONLY protects those officers whom have followed standard protocol and policy as outlined by their town/city and/or state. If a cop is to go outside of this protocol and policy, they would not be eligible for qualified immunity. Similarly to Judge's having qualified immunity so that they don't feel swayed or pressured to make one decision over the other in court without the threat of being sued for a disliked but fair outcome, it has similar importance and need amongst first responders. LEOs, similar to Judges, have challenging jobs and need to feel supported and backed by their decisions so that they are not in situations of not being able to do their job for fear of what will come if they do complete their job as expected. Please, do not remove qualified immunity for LEOs; furthermore, why is this only directed for police and not for all individuals/professions protected under immunity? This is not fair and just if taking away from just one protected group.

* Set clear limits on the use of force - Massachusetts is far superior to other states in the country, we have use of force expectations and levels of behavior/violence which correspond with tools an officer would be qualified to use under those circumstances. I do not believe, and I believe that a good cop with agree with me on this, that the goal is to use lethal force if not absolutely necessary. I agree that there should be a continuum of use of force and this should be outlined in trainings, policies, and practice; this policy is also likely only as good as black and white words can document on a piece of paper and therefore society needs to be trained and educated around use of force practices and tactics used by police as well. The use of force continuum is currently taught in the police academy throughout the state of MA, but this seems to not be shared in liberal based debates because it does not feed into their agendas. It cannot be expected to have police engage in countless hours of trainings and recertifications if the public is not going to do their

share of engagement in understanding of how and why police work as they do as well. This, in my opinion, is why we are at where we are today - most of society does not get the unique seat that I get in understanding firsthand how and why certain things are done. Citizen police academies are a great start to society better understanding, however, unlike requirements which police must face, there is not a requirement mandating a citizen of a city/town to attend this insightful trainings put on by police.

* Tear gas and bean bag rounds - the original name of this bill was "Saving Black Lives", does this title not lead to an assumption that there is a desire for less people to be killed? How are police expected to do this if their less lethal tools are removed from their use of force continuum? There have been decades of advocacy for levels of force to reduce fatal encounters, it is counterproductive to remove those tools in a bill that has a goal to save lives. A bad bruise or a few moments of discomfort is a better alternative than death.

* Creating community policing and behavioral health advisory council - ultimately, there will always be a need for police, as much as social workers may think they can do, I did not go to college to be a cop, I went to college to be a social worker. I did not become a cop because I do not want to have arrest individuals, I do not want to have to break up fights, etc., I want to be able to work WITH police once safety has been secured so that we, together, can best serve our residents. Social workers don't have blue lights on their cars, and therefore, I can't get to a call as quickly as police can. Society is claiming that they don't want police to respond and don't want police involvement, but yet continue to call police for help, for assistance with their protests, and when their loved one is in crisis. I'd like those in favor of this bill to explain that rational to me, because as my co-workers get criticized and, for lack of a better word, hated on, on a daily basis, they continue to do their job and help all those people who the day prior was aggressively protesting a "pro police" yard sign. Furthermore, there is no other profession (to my knowledge) that has a standards or advisory board that is made up of "outside" professions - a medical review board does not have non-MD's, a plumbers review board does not have anyone besides plumbers; 1 or 2 civilians are possibly fine, but to have a disproportionate number of civilians to cops (more civilians), this is not an appropriate advisory board. Additionally, the board should be comprised of more than just 3 departments representation and should include union personal, all levels of rank (patrol officer up to chief), and if a civilian is required this person should be someone whom has experience firsthand with law enforcement practices, procedures, and policy.

* Create a process for certifying and de-certifying police - If there is a desire for further education and training requirements for LEOs - fund that! If there is a desire for increased tactical skills and/or field training, increase those mandated hours per year. If there is a push for better training on ranges, allow departments to utilize their private ranges at any time and require monthly range hours and provide department-funded ammunition so it is not at cost to the officer. Most officers have a bachelor's degree and many also have a master's degree. Although not all degrees are in criminal justice, I don't believe a good department has 100% criminal justice degrees; this does not give variety, various specialties (ie - an administrative lieutenant might serve best with a business or administrative degree, a court prosecutor might serve best

with a law degree, an SRO might serve best with an early childhood development degree). Instead of creating certifying processes, let's encourage ongoing training, diversity in training, and adequate and practical training. Let's update training so it is not just a "snooze day" but actually interactive and helpful. But if your bill wants to require further training - you must be ready to provide that funding as well.

* Choke holds - This is not even taught in the academy as is, please, know your department's and state practices before trying to put together a bill which is not even applicable.

* Amendment 128 - prioritize non-police community based interventions and services - this is already being done across the state of MA to some capacity or another, depending on the town/city. We should not be breaking down things which are already working and clinical supports which are already supporting and working along side police. In my role I respond with and follow up to many types of interventions and provide crisis support and long-term support to residents. I agree that this is not a police role, however, the initial contact a lot of the time is a police call. My role was created to partner with public safety, most frequently police, in order to provide some of the acute and crisis-related supports and services to community members. In my position, I co-respond with police, follow-up on calls for service, work on inter-disciplinary teams, and most importantly meet individuals where they are at in order to assist them in meeting their basic needs, working on ensuring everyone's safety, and providing brief treatment until long-term treatment can be established. A beautiful piece of my job is the ability to have strong relationships with my co-workers (police officers) in order to best serve our community members when they call in crisis; together we work with individuals and families to meet their needs.

Police officers are tasked on a daily basis with one of the most challenging jobs - to keep the peace while society is allowed to yell, scream, hurt, and mock cops in the process. Name another profession which has this same tolerance. I agree that there are racial justice inequalities and things which need to change, however, as a state we need to look at the bigger issues rather than one small portion - we need to look at the in proportionate death rate amongst black women post child delivery, the exceptionally high rate of "medical error" on the OR table, the rate of sexual exploitation during the Super Bowl, the number of children abused by their "all-star coach" of a father, the number of teachers who ignore the "challenged" child, and so many more. I agree that more training is needed amongst police and that reform can happen, but I don't believe that limiting qualified immunity and inserting social workers as a response instead of police will solve anything. These are extremely out of place responses to a crisis. Individuals need to step back emotionally and think rationally, dig into research that is factual rather than the research which supports their argument, sit down with first responders to better understand before speaking, and let LEOs speak about what they need in order to meet the "demands" which are being put on them instead of having a group of people speak about a profession that they have no experience in.

Someone on Facebook posted the following and I couldn't help but agree, so I wanted to share. He posted something to the extent of the following: "this (Senate) passing has led to this: a vote yes to end professional police officers; a vote yes to end proactive policing; a vote yes to increased crime rates, a vote yes to emboldened criminals, a vote yes to frivolous law suits against individual officers and municipalities; a vote yes to increased taxes and property insurance due to increased crime rate and theft/malicious destruction of property; a vote yes to flood police retirements and those who are vested leaving to find careers in the private sector, and therefore rise of poor replacements". When the Senate passed this bill, it was not done according to the democratic system of government which the U.S. prides itself on, voices were not allowed to be heard and the bill was rushed through all other processes. Changes need to happen, yes, but changes created this quickly will only come back and make things worse. Before voting on your bill, please make sure it meets the needs of everyone - not just the liberal and vocal population.

I ask you with a heavy heart that you do not support this bill. I ask you that you support reform that will be effective, practical, and useful - rather than harmful and in a long term projection not effective. We have a state full of primarily wonderful and dedicated cops, ones who protect and serve; if MA takes this bill forward, I am extremely fearful how many of those actually good cops will remain on this job. We will then see an increase in less qualified and possibly more of the "bad cop" type increasing in numbers on departments. Empower and support the wonderful and progressive work which this state has already accomplished - the fact that many departments have embedded clinicians, the there are recovery coaches and other addiction support staff within departments, that departments attend Critical Incident Training, that Chiefs support their officers in attending training to better be able to use their firearms and are on specialized teams to be able to better serve yet. Instead of beating down this profession, let's re-frame it and look at all the good they have done and continue to do.

Let's look at how social workers and police can continue to partner instead of replace, and let's remember that we are all human and most American's have no idea what it is like to stand in a cops shoe's - let alone be willing to even try to understand or ask to better understand. If you are someone who supports this bill, but cannot speak to efforts, initiatives, policies, and procedures which are already in place in your town's police department or Massachusetts in general, please learn firsthand before speaking further. Please become informed rather than just listening to the news or reading the thousands of comments of people claiming to "know the truth" or going with the vote which will get you re-elected. Reform can and will occur, but please, let's make sure it doesn't interrupt the reform that started years ago and is finally starting to take off and be trusted in.

Massachusetts is already a leading voice in positive response to mental health and substance use, to name a few, please acknowledge this and continue this leading status as you create a bill that will actually support police while supporting the need for reform as well, while also highlighting the years of work and dedication which has already been poured into this tag-team type response to modern day policing.

Please reach out if you'd like to have further dialogue around the interesting and important intersect which I sit in in my role as a police based social worker.

Thank you,

Samantha Reif

570-939-0333

From: Yury Rapoport <y_rapoport@hotmail.com>
Sent: Thursday, July 16, 2020 10:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: Against restricting police qualified immunity.

Dear representative Aaron Michlewitz and representative Clair D. Cronin,
We raise our voice in strong objection to the provisions in the Police Reform Act that will restrict qualified immunity for police in Massachusetts. The negative effects of such provisions are obvious - frivolous lawsuits against the policemen who attempt to use legitimate force against the people who violate the laws This, inevitably, will make police less willing to enforce the laws (the major function) and to impede their recruitment efforts. This is a disaster in the making, in our opinion.

Please consider changing the incoming legislation in the way that does not have these extremely negative consequences.

Respectfully

Yury & Rita Rapoport, Newton Center, MA

From: Jennifer Reynolds <jennreynolds24@yahoo.com>
Sent: Thursday, July 16, 2020 10:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

Dear House and Ways and Means Committee,

I am writing to you today to please reconsider the bill s2820. For all public servants to do their job efficiently they should not be in fear that someone is going to judge them on the decisions that they need to make. I am asking you to help change these amendments.

1. Qualified Immunity
2. Due Process/Collective Bargaining.
3. Make up the POSAC board.

I work in the school department. I have been in cases where the child was going to harm herself. I needed to intervene to keep the child safe. Then the parent then pressed charges. If I had not intervened and the child fell off the top of the swing set and broke a bone I would have been neglectful at keeping the child safe. How does a public employee do what they have been trained for with their first thought could I be sued for doing this. We are now putting the public in danger because we will not act as quickly as we have been trained .

My husband is a police officer. Everyday he is put into dangerous situations. His job to keep him and everyone else safe. If police are to do their job the way they are trained. Their first instinct should not be could I be sued because I offended someone's feelings first. They are professionals and they are trained to handle stressful and dangerous situations. If they are second guessing their training because they are afraid they could lose their job or be sued. They are now putting their life in danger along with the law abiding public.

As a public employee Due process/collective Bargaining is extremely important. Public employees are most vulnerable to elections, political winds, and changing current events. The fact that a bill wiping out their rights is even under consideration a good example of why this protection is of the utmost importance

As for the POSAC board. I am extremely concerned that a group of people who have never been under the stress and demand of a Police Officer are allowed to determine if there was excess force. Even as a wife of a police officer I could not judge if there was excess force. I have seen my husband come home hurt, defeated and frustrated at what he has witnessed and dealt with. Being a family member of a policeman, I understand that not all situations are as easy as people like to believe they are. How can

you make a board and not have someone who has lived in their shoes determine if they could have used other means to de-escalate a situation. Please reconsider the makeup of the board and to make it fair for all involved. If your goal is to make fair for all why is the board made up of non police members?

Thank you

Jennifer Reynolds

24 Dolge CT

Charlton MA

774 253 6431

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=5zHVxsS96hwubW9QUzo30HsOJm4_9UKnkDC_yrQuU2A&s=9L_N0DyN A11LD1NkSRXAlLACBn6ITIkWUV_TDLZPX50&e=>> for Windows 10

From: Jean Rosenberg <jl.rosenberg@comcast.net>
Sent: Thursday, July 16, 2020 10:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony re: S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select

a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Jean Rosenberg
617-710-2568
Arlington, MA

From: Anthony Gabriele <tonygabe90@gmail.com>
Sent: Thursday, July 16, 2020 10:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill S.2820

To Whom It May Concern:

My name is Anthony Gabriele, a police officer from Shrewsbury, for the past three and a half years. I've wanted this job ever since I was a young child; when I watched my uncle graduate from the Worcester Police Academy when I was 7 years old. Growing up, it was a dream of mine to protect and serve, and am lucky enough to do so in the town I grew up in. I am writing today to express my concerns for bill S.2800 (now, bill S.2820).

Proposed bill S.2820, has many sections that make me question my future in this profession. This Anti-Labor bill diminishes collective bargaining for police, it reduces qualified immunity, and does not offer any law enforcement on the POSAC committee, unlike every other profession (i.e.: lawyer's board has lawyers, doctor's board has doctors, etc.). I have a long way to go in my career and I believe I perform my duties the way they were meant to be performed. However, the career of policing consists of many potentially life changing decisions, made only in a split second. This bill will jeopardize the safety of citizens, my colleagues, and myself.

The way this bill was proposed, many of my colleagues and myself would reluctantly leave the job. I believe there would be a mass exodus of police throughout the state, ultimately creating a large spike in crime and an underwhelming interest for the career in new recruits. The career I dreamt of doing my entire life would get cut short, due to the fear of risking my family's well being and assets. Please consider the effects that this bill would have on the thousands of police officers and their families lives across the state.

Thank you for your time,

Anthony Gabriele

Shrewsbury, MA.

Cell: 774-275-1303

From: aceadair@aol.com
Sent: Thursday, July 16, 2020 10:19 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now. I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important

liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Andrew Adair - Plymouth, MA

From: Barb <Ttheo1237@aol.com>

Sent: Thursday, July 16, 2020 10:19 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

I am a lifelong resident of Csnton Ma and I urge you to not pass this bill as written. My son is a police officer, you don't want people judging black people because of a few yet you are punishing police in this state because of the actions of a man in MN . You can't pass a bill in a year bit this bill is flying right through. Who protects you? Please step back and get input from all involved parties. This is the fair way to do this, pandering to this movement will not help anyone in the long term. I urge you to stop this and maybe try to focus your evergies on one of the many bills that are sitting in the pile that haven't been passed.

Barbara theodore

18 Charles Drive

Canton ma

A concerned citizen and a proud mom of a police officer .

Sent from my iPhone

From: Aaron Pelletier <jaguarzfan13@icloud.com>

Sent: Thursday, July 16, 2020 10:18 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Aaron Pelletier

239 Oakwood Ave, Revere, MA 02151

From: Cynthia Outhouse <cindyo610mb@gmail.com>
Sent: Thursday, July 16, 2020 10:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Regarding Bill s2800

Dear committee members,

I appreciate the opportunity to voice my thoughts as you prepare to debate Bill s2820.

Qualified immunity should stand and be removed from this bill.

I support further, not less, investment in law enforcement; more focus on exposing and prosecuting "bad" police and most of all standing behind and standing up for the great majority of police who serve us all, at their own risk and sacrifice, to keep us safe.

Black lives is language used in the summary of the original bill. No need to single blacks out. Communities of color says it all. Racism has no place in our wanting our police to be the best they can be.

I have family and friends who are devoted police officers, everyday heroes who deserve our respect and support.

A longtime resident,
Cynthia Outhouse
55C Minot Ave
Wareham, MA 02571
508-789-8899

Sent from my iPhone

From: L. Thomas <lindasth@hotmail.com>
Sent: Thursday, July 16, 2020 10:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Feedback on S.2820

Hello,

I am writing as a concerned resident of Tewksbury, MA to urge you to:

Please preserve the vital reforms in the Senate bill, such as the following:

- * Creating an independent and civilian-majority police certification/decertification body
- * Limiting qualified immunity so that victims of police brutality can sue for civil damages

- * Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- * Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- * Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

Please go further than the Senate bill by

- * Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
- * Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- * Lifting the unnecessary cap on the Justice Reinvestment Fund

Thank you.

Sincerely,

Linda Thomas

290 Pleasant St.

Tewksbury, MA 01876

From: Meghan Fanning <mfanning323@gmail.com>
Sent: Thursday, July 16, 2020 10:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Bill S.2820

To Whom This May Concern,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage.

Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, firefighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Meghan Fanning

10 Thurston Street, East Boston, MA

(617)-529-3486

From: Scott Spanner <span23@comcast.net>
Sent: Thursday, July 16, 2020 10:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Scott Spaner and I live at 46 Roy ave Attleboro, Mass 02703. I work at MCI-Norfolk and am a Correction Officer 1. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting

better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Scott Spaner

From: Julie Hartshorn <dannyandalexa@yahoo.com>

Sent: Thursday, July 16, 2020 10:17 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police bill

I agree with many parts of the new police reform bill, however, I do not agree with the part about qualified immunity. Police officers have the difficult task of making quick decisions under stress— just as doctors, nurses, and other front line workers. If we take that away we will be left with police officers unwilling to help or take risks. We will end up conveying a message to these brave men and women that the fact that they risk their lives, day in and day out, doesn't matter.

Please do not pass this bill as it is. It needs to be modified.

Thank you for your time,

Julie Hartshorn

North Andover, MA

From: Katelynn Fanning <katelynnfanning@gmail.com>

Sent: Thursday, July 16, 2020 10:16 PM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to Bill S.2820

To Whom This May Concern,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and

women in law enforcement who serve our communities every day with honor and courage.

Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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(3)POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Katelynn Fanning

10 Thurston Street, East Boston, MA

(617)-529-8839

From: Debbie Freitas, Esq. <dfreitas@freitas-law.com>
Sent: Thursday, July 16, 2020 10:14 PM
To: Testimony HWM Judiciary (HOU)
Cc: cfreitas
Subject: Public Testimony on S.2820 - Expungement Expansion

Dear Speaker DeLeo, Chair Michlewicz, Chair Cronin, Vice Chair Day and
Committee Members:

Please accept this testimony for S.2820 in SUPPORT of expanding the current youth expungement law. As practitioners in the juvenile court for a decade, we have seen first hand how youth are harmed by the current limitations on expungement. While youth (as part of adolescent development) naturally grow and leave their juvenile behaviors behind them to become incredible adults and leaders in their communities, they currently cannot leave their youthful criminal cases behind them. This is incredibly important as criminal records are often no longer representative of the young adult but continue to be a large barrier to finding self-sustaining work and community roles. It is a stigma that young people should not have to worry about while they are young--in case after case, young people do not come to understand the impact of a criminal record until long after they are adults. This is not fair. By allowing young people whose cases have been dismissed to expunge their criminal records, including those youth who have more than one case, we are supporting their future. Part of tackling systemic racism requires us acknowledging who the brunt of insufficient expungement, even for dismissed cases, falls on: youth of color. As attorneys who stand for racial justice as part of the legal system's promise of justice for all, expansion of the current expungement law is critical. We are proud to be signatories to the Expungement Movement that has been organized by the state's amazing young leaders; we write separately to emphasize just how important this change is.

Thank you for your consideration,
Debbie Freitas, Esq., Partner
Cristina Freitas, Esq., Partner
Freitas & Freitas, LLP

--

Debbie F. Freitas, Esq.
Partner

<https://docs.google.com/uc?export=download&id=19UyjeMGEjE_0wyxAZxTlold8Af869ZbJ&revid=0Bz2D6IEbRa-1SE9tUDBBOW5lbEhydUtjOTNoQVBySVlPcnlzPQ>

Freitas & Freitas, LLP
Attorneys at Law

21 George Street, Suite 302A

Lowell, MA 01852

P: (978) 397-6542

F: (978) 422-1617

W: www.freitas-law.com <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.freitas-2Dlaw.com_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=5Xzy4oXR1x4CbYB1DQv30idSEtnk6r51P-kU45PpX5Q&s=bXQ2X0gCnyuAG1KWdjPuW3R9VuJiZpyuubDZUWGB68k&e=>>

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From: Louis Williams <louiewilliams1012@gmail.com>

Sent: Thursday, July 16, 2020 10:14 PM

To: Lovely, Joan B. (SEN); Tucker, Paul - Rep. (HOU); Testimony HWM Judiciary (HOU)

Subject: S.2820

All concerned,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Louis Williams

1 Hersey Street, Salem, MA, 01970

From: Stacyslattery <stacyslattery@comcast.net>
Sent: Thursday, July 16, 2020 10:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Stacy Slattery
16 Gilfeather Lane
Kingston, MA 02364
508-397-5428
Stacyslattery@comcast.net

Sent from my iPhone

From: nicole ventolieri <nicoleventolieri90@gmail.com>
Sent: Thursday, July 16, 2020 10:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Oppose s2800

----- Forwarded message -----

From: nicole ventolieri <nicoleventolieri90@gmail.com>
Date: Wed, Jul 15, 2020 at 9:07 PM
Subject: Oppose s2800

To: testimony.hwmjudiciary@mahouse.gov
<testimony.hwmjudiciary@mahouse.gov>

To whom this may concern,

My name is Nicole MacLean and I live at 244 River Street, Waltham, MA. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. My brother in-law, Jospeh Garcia, has been a law enforcement officer in Boston, MA for 25 years and has dedicated his life to the safety of others.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Nicole MacLean

6178200745

From: Casandra Welch <chandorff@gmail.com>

Sent: Thursday, July 16, 2020 10:13 PM

To: Testimony HWM Judiciary (HOU)

Subject: Please read

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Cassandra Welch

65 Tower St. Boston, MA 02130

Chandorff@gmail.com

From: Rebecca Allis <allis.becky@gmail.com>
Sent: Thursday, July 16, 2020 10:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

To whom it may concern,

As your constituent, I'm writing to ask you include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights. Banning violent police tactics is meaningless if there is no way for people to hold the police accountable when they break the rules. Victims of police brutality deserve justice.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process.

Sincerely,

Rebecca Allis
217 Thorndike St
Cambridge, MA 02141
From: MANDI SAFFORD <manwil98@yahoo.com>
Sent: Thursday, July 16, 2020 10:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: MY FAMILY

Dear Representative / Senator /Governor/

My name is Mandi Safford Williams and I live in East Longmeadow MA. I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now. I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous. Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration.
Mandi-Safford Williams

9 Callender Ave
East Longmeadow, Ma 01028
4133482025

Sent from Yahoo Mail for iPhone

<[From: Alexis Morrell <morrell195@yahoo.com>
Sent: Thursday, July 16, 2020 10:11 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: S.2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=QHMPtn_xxR0REE6mceTpFTPaQNALFyKF11AZliqoYks&s=UsdGldrxCI8DGC9Hi54x_OBgPfsojPA_mEiNEqfhVjU&e=>></p></div><div data-bbox=)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Alexis Morrell/184 Nahant st Wakefield MA 01880 /morrell195@yahoo.com

Sent from Yahoo Mail for iPhone

<[From: Neil Connaughton <connaughtonneil@yahoo.com>](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Vjcx7tsN1F2XWnMYOE1sU6koi9UjmRSdcLSpvW_WciE&s=E5D7bvWQm7k78bo4BOivT--wxQPH1nzC6XzZg4KOWxY&e=></p></div><div data-bbox=)

Sent: Thursday, July 16, 2020 10:11 PM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin

My name is Neil Connaughton and I live in Dorchester. I work for the Suffolk County Sheriffs Department as a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the commonwealth safe. In 2019 the criminal justice system went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed. This bill turns its back on the very men and women who serve the public. I am asking for your support in ensuring this bill does not pass.

Thank you

Sincerely,

Neil Connaughton

From: Alex <atiberii@gmail.com>

Sent: Thursday, July 16, 2020 10:11 PM

To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Alexander Tiberii and I live at 89 highland st, Middleboro ma 02346. I work at Old Colony Correctional Center and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Alexander Tiberii

Sent from my iPhoneFrom: Jessica O'Connor <jaoconnorphd@gmail.com>
Sent: Thursday, July 16, 2020 10:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

To whom it may concern,

As a registered voter in Agawam, Massachusetts, I am writing to express my support for S.2820. It is crucial for the safety of all residents of the state, especially black residents, that we put policies in place to hold problem officers to account by ending qualified immunity and decertifying officers who abuse their power. The use of tear gas, rubber bullets, chokeholds and no-knock raids must also be prohibited as they have been shown to lead to serious injury and/or death as well as further escalating already tense situations.

Sincerely,

Dr. Jessica O'Connor

<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avast.com_sig-2Demail-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Dwebmail-26utm-5Fterm-3Dicon&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=LTJvB_H8AFdRynKlnHw-6yDfzuGTEBcjPHSHITFJ7cg&s=aKbXqQhSvRABuAN1a99AY8-phhaURvdxwOAIswVcoTs&e=>Virus-free. www.avast.com
<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avast.com_sig-2Demail-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Dwebmail-26utm-5Fterm-3Dlink&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=LTJvB_H8AFdRynKlnHw-6yDfzuGTEBcjPHSHITFJ7cg&s=f_-R8lRRAY7XMzoLwcl-R-XLtlLaOC3l2FJGyR_6MO1c&e=>
From: timothy reynolds <tcr316@live.com>
Sent: Thursday, July 16, 2020 10:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820 (S2800)

Dear House and Ways and Means Committees,

My name is Timothy Reynolds and I am a Police Officer for the City of Worcester. I am writing to you about the bill you received from the Senate. This bill is very ANTI LABOR and with the political landscape on the left side who are supporting to eliminate Collective Bargaining & the Right to Due Process is a Major flaw and goes against the platform of being Labor/Union supporters. I am asking that you please make amendment to the bill for the following areas;

- 1- Qualified Immunity
- 2 - Due Process / Collective Bargaining
- 3 - The Makeup of the POSAC board

I have been a police officer for 23 years and during that time I have been hurt several times which has led up to having one of my knees replaced. Another time I was put on meds as a precaution, because I had cuts on my arms covered with blood of a person that was HIV positive and this was when my wife was expecting our first child. Once after getting hit by a car and not being home around my normal time I had to call and wake my wife up and let her know I was ok and what had happened to me and the other officers. After that happened once I returned to work on the overnight shift, if I was going to be late I had to call home otherwise my kids were calling me thinking I was hurt and that is if they were not disturbed by nightmares that daddy was not coming home. This is an experience a lot of Police Officers have had and until it happens to you

or a loved one it's hard to really understand. Just imagine when going on these medical call or even a Breaking and entering call if Police don't have Qualified Immunity and they attempt CPR on someone's loved one and they break a rib which usually will happen and the family wants to sue them now, or the family member doesn't make it and wants to sue them. How about an Officer goes to a breaking and entering call see a person leaving the house or business and chases them. The suspect falls and gets hurt or struggles and fights with the police. Yup you guessed it they are going to sue. The officer may win the lawsuit but not before his family is dragged through the mud, or loses the case and has to pay thousands of dollars. Even though they were acting in good faith the way the bill is written the Police officers and the Cities and Towns are going to be facing way too many frivolous lawsuits that should have never happened. Before you think well the officer will be covered by the City or Town. You should know they do a cost analysis on each case and as you very well know most are settled out of court to limit the possible expense. So when Qualified Immunity is gone they will have to spend that much more. That money is going to have to come from somewhere whether the Police budget, the Fire Department, Schools, or DPW.

We know some people think the Police don't need to go to overdoses, medical calls like heart attacks, babies not breathing, car accidents and so on. But the reality is the Police are 9 times out of 10 right around the corner and are able to administer Narcan, start CPR, much faster than if people had to wait for an ambulance or a social worker. I have had to perform CPR on a newborn that was not breathing and still attached to an umbilical cord.. I'm sure that mother doesn't want to think of what the outcome would have been had she had to wait longer for the ambulance to arrive, considering the baby was breathing before they arrived. Don't misunderstand me. I do believe there are times that a social worker, drug addiction partner, or other individuals could answer some of the calls we get dispatched to. The Worcester Police Dept has officers that are trained and work with outside agencies to help the drug addiction problem, the homeless individuals in the city as well as those suffering from mental health issues.

Do Police Officers know there is room for Reform inside the Criminal Justice system, absolutely. Most Officers are not afraid of Body Cameras because they do their jobs correctly. They just want to know that when accused of wrongdoing and the camera footage shows they did nothing wrong then the person that lied should be held accountable.

DO YOUR OWN RESEARCH BEFORE YOU VOTE! You have been presented with a 71-page Bill that:

* changes dozens of laws, creates and funds many new agencies and Commissions

- * eliminates collective bargaining rights of police officers
- * removes authority from Cities and Towns to control their own employees
- * removes the rights of police to monitor gang activity in schools
- * removes the due process rights of public safety officers
- * exposes police officers and their families to personal liability even when acting in good faith
- * will open the floodgates for frivolous lawsuits against Municipalities and increase the cost to taxpayers to defend those cases
- * puts the lives of police officers in danger unnecessarily
- * creates a police licensing board that is staffed by organizations who sue our communities and advocate for the elimination of police services

I thank all of you for the opportunity to be heard, and hope you will consider what I have said and asked of you.

Thank you,

Timothy Reynolds

24 Dolge Ct

Charlton, Ma 01507

(774)253-6432

Worcester Police Dept.

Please read the letter attached to this link from an Attorney and the Law Firms opinion.

https://mcusercontent.com/fdb5064f10a7ad27e13aff127/files/dd411756-b62e-4388-8ecc-027d11e9bd90/Opinion_from_Municipal_Counsel_on_Qualified_Immunity_Consequences.pdf <https://urldefense.proofpoint.com/v2/url?u=https-3A__mcusercontent.com_fdb5064f10a7ad27e13aff127_files_dd411756-2Db62e-2D4388-2D8ecc-2D027d11e9bd90_Opinion-5Ffrom-5FMunicipal-5FCounsel-5Fon-5FQualified-5FImmunity-5FConsequences.pdf&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gg1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=7jy1XLCGIiDfYNJ4NnMkeU3j9RdgsGFpUdUsjVNkRao&s=1PFG95kHKIOSdAIcx9yfBex1VEKn7mEgTmzls-3Io5c&e=>>

From: The Office of Representative Sabadosa <info@lindsaysabadosa.com>
Sent: Thursday, July 16, 2020 10:09 PM
To: Jeff Lebeau; Testimony HWM Judiciary (HOU)
Subject: Re: [External]: Police Reform

Dear Committee,

I am submitting a statement from Mr. Lebeau on S2820, found below, which he would like the committee to consider.

Thank you for your time and dedication to allowing the public to fully weigh in on this legislation.

Kindly,

Lindsay N. Sabadosa

Lindsay Sabadosa, State Representative, 1st Hampshire
76 Gothic Street
Northampton, MA 01060

www.lindsaysabadosa.com <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.lindsaysabadosa.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=W4rX1oB-lisuCk8C3nJLuY35a17kA1DU2pex335IBKk&s=bN-7ZqIIFHUDW90GsiJ1AoGMkth3CYJyNWIElpQBmHQ&e=>>

Facebook: @LSabadosaMA

Twitter & Instagram: @SabadosaMA

Pronouns: She/her/hers

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On Thu, Jul 16, 2020 at 9:00 PM Jeff Lebeau <jlebeau104@aol.com> wrote:

Thank you for responding. I'm glad there are no plans to end it. Much like health care professionals and teachers the law enforcement community has a job to do, it's not an easy one, but some days are good. There are always good patients, good kids, and good people we interact with. But it's not always that way, there might be that one person who we can't reason with or calm down. We may have to use reasonable force on them to protect someone else or to prevent them from hurting themselves. The majority of people in law enforcement take this responsibility seriously, at least every single one I know in Massachusetts. Other than excessive force or criminal acts we shouldn't have to worry about being sued because someone didn't want to get arrested.

Please forward this comment to the Chairperson

Respectfully
Jeff

Sent from my iPhone

On Jul 15, 2020, at 12:00 AM, The Office of Representative Sabadosa <info@lindsaysabadosa.com> wrote:

?

Thank you for writing Jeff. The Senate bill did not end qualified immunity and while we do not have a House bill yet, I do not think that there will be plans to do so either. That said, there will be a hearing at some point soon and I'm happy to forward your comments to the Chair if you would like. Just let me know.

Thank you again and I hope you are well.

Kindly,
Lindsay

—

Lindsay Sabadosa, State Representative, 1st Hampshire
76 Gothic Street
Northampton, MA 01060

www.lindsaysabadosa.com

<[Facebook: @LSabadosaMA](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.lindsaysabadosa.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=W4rX1oB-lisuCk8C3nJLuY35a17kA1DU2pex335IBKk&s=bN-7ZqIIFHUDW90GsiJ1AoGMkth3CYJyNWIElpQBmHQ&e=>></p></div><div data-bbox=)

Twitter & Instagram: @SabadosaMA

Pronouns: She/her/hers

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On Tue, Jul 14, 2020 at 11:27 PM Jeff Lebeau
<jlebeau104@aol.com> wrote:

As a resident of Northampton for 37 years I'm asking you to vote against any bill that ends "Qualified immunity". I get that people

are using this term because they think it's bad, but it's not. Please vote this down, thank you.

Sent from my iPhone

From: Sarah DeArville <sdearville@gmail.com>
Sent: Thursday, July 16, 2020 9:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: A Concerned Citizen

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Sarah DeArville

88 Park Ave, Natick, MA

sdearville@gmail.com

From: Eric Tomasia <erictomasia@yahoo.com>

Sent: Thursday, July 16, 2020 9:04 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill 2800.

Testimony.HWMJudiciary@mahouse.gov

Dear Chair Michlewitz and Chair Cronin,

My name is Eric Tomasia and I live at 253 reed st New Bedford Massachusetts 02740 . I work at Ash street Jail which is a facility of the Bristol County Sherriffs Office and I have been a Corrections Officer for 10 1/2 years. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????????????? ?????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????????????? ?????: While we are held to a higher standard than others in the community, to have an oversight committee made

of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Eric Tomasia

From: Chris Almeida <calmeida4982@gmail.com>

Sent: Thursday, July 16, 2020 9:03 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Christopher Almeida and I live at 9 Bayview Ave. Berkley MA 02779. I work at Old Colony Correctional Center and am a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely

unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

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Sincerely
Christopher Almeida

From: Guinivere <guinivere@comcast.net>
Sent: Thursday, July 16, 2020 9:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Guinivere Terhune

Sent from my Verizon 4G LTE smartphone
From: Adam Ripka <adrluvskjpr@gmail.com>
Sent: Thursday, July 16, 2020 9:03 PM
To: cis@sec.state.ma.us; Testimony HWM Judiciary (HOU)
Subject: REJECT SB 2820

To Governor Baker and the MA Legislature,

I am writing on behalf of myself and my wife to strongly urge you to reject the recently passed SB 2820. This bill is a danger to public safety as it would essentially "handcuff" police officers. Even in normal circumstances police officers must make split-second decisions in order to protect their lives and the lives of others. With the current state of our country regarding COVID-19 and the racial issues we are facing, the circumstances are no longer normal. The volatility of the situations police face has increased exponentially. They are already hesitant to act due to the hostility they are facing from many in our culture, including elected officials. Removing qualified immunity and limiting legitimate use of force will put their lives in danger as well as the law abiding citizens who rely on them.

Also, the committee that would be created as a result of this bill would be significantly lopsided. Wouldn't it be wise to include members of the law enforcement community on this committee so there would be a balanced conversation including people who actually have experience dealing with the issues on the street?

Another disturbing aspect of the passage of this bill in the Senate, is the fact that it was passed without any public hearing. It's also interesting that it was passed overnight and completed at 4:30am on a Tuesday in the Summer. It's obvious that the Senate wanted as little attention as possible when it came to the vote/passage.

Lastly, it's also obvious that this is an attempt to appease the radical leftist activists that have been calling for defunding the police. I'm glad MA is not taking such extreme measures as other states but it's still concerning that this was handled the way it was.

I'll end with this question. Who would rather see police defunded or limited in their ability to use necessary means to fight crime, law abiding citizens or criminals?

Sincerely,
Adam & Katrina Ripka

From: Jared Needel <needel.jared@gmail.com>
Sent: Thursday, July 16, 2020 9:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform testimony

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Jared Needel and I live at 31B Alewife Road, Plymouth, Ma 02360 .I work at Old Colony Correctional Center and am a correctional officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Jared Needel

From: apdunne04 <apdunne04@aim.com>
Sent: Thursday, July 16, 2020 9:02 PM
To: Testimony HWM Judiciary (HOU)

Please take your time to have your family, friends and all others who support police and correction officers, to copy this post and send it to: Testimony.HWMJudiciary@mahouse.gov

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Adam Dunne and I live in Southhampton, Ma. I work at a municipal as a Lineman. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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Sincerely,

Adam Dunne

From: Matt Tibbetts <tibbettsmatt22@gmail.com>

Sent: Thursday, July 16, 2020 9:02 PM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Matthew Tibbetts and I live at 13 Fairway Lane Medway , MA. I work at MCI-Norfolk and am a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to aquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also as that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Matthew Tibbetts

From: Donna Belcher <belcherdonna@ymail.com>

Sent: Thursday, July 16, 2020 9:02 PM

To: Testimony HWM Judiciary (HOU)

Subject: House Bill S.2820

Dear House of Representatives,

My name is Donna M. Belcher and I live at 50 Jasper Street, Saugus MA 01906. As your constituent, I write to you today to express my opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my family and neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

[Donna M. Belcher]

From: Francesca McDevitt <fmcdevitt24@icloud.com>
Sent: Thursday, July 16, 2020 9:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Bill

Hello

I am a citizen of Massachusetts and my voice should be heard as much as those that everyone seems to quickly give in to.

I find it completely disrespectful to push this bill through without the proper procedure.

I also believe that being reactive verse truly making an educated positive change is an insult to the Massachusetts people. The bill overall has many issues but the biggest issue would be the qualified immunity bill. Taking away that protection from police is absolutely unacceptable. To allow anyone to sue them personally for anything they choose is plain ignorant.

This bill should not be put through without everyone taking a deep breath and thinking about what the real goal is. We want change not a quick fix. Please stop this bill!

Francesca McDevitt
Weymouth
7817061107

Sent from my iPhoneFrom: Cornelius Prioleau <ccpcorn@gmail.com>
Sent: Thursday, July 16, 2020 9:00 PM
To: Testimony HWM Judiciary (HOU)
Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Rivas, Gloribel (HOU)

Dear Chairs,

I am writing to voice my wholehearted support for the Reform-Shift-Build Act. As a resident of East Boston, I get to see and celebrate diversity every day. We are a community made up of many cultures, representing the full spectrum of race that this globe offers. My family and I have fed from that spectrum and we have given back as well. Right now, we are not safe. We have been unsafe for quite some time. We will remain unsafe as long as the current state of policing is maintained. We here in East Boston are not the only ones.

Our State and Nation face a long postponed reckoning with race., We must keep a stern dialogue with how we police one another as part of that reckoning. The Reform-Shift-Build Act opens that dialogue in unprecedented ways. Stringent certifications, inroads towards banning excessive force,

review boards staffed by community, and a stronger stance against surveillance technology are just some of the impressive pieces we will be bringing to the state with this Act. Perhaps the most impressive piece to this is a focused reform to the doctrine known as "qualified immunity."

Passing this act while keeping the reform of qualified immunity attached to it would be historical. It would send the appropriate message to the Nation. If we as a people are to be policed, it must be under an entirely reimagined officer. There are glimpses of good in all of us. There are glimpses of good in our law enforcement. But there is also an unspeakable bad in all of us. As it permeates all of us by degrees, so too does it fester in our law enforcement.

I have witnessed firsthand what can occur when unchecked racist thought and sentiment spills into human behavior. There is no thermometer check for hatred, dislike, annoyance, ambivalence. And that temperature rises and subsides throughout a life. Thoughts are truly free, and should not be governed. Action is governed. But actions are rooted in those thoughts. The action to take another's life, to choke another out, to abuse another, to dominate another, to correct another, without impunity is what I believe qualified immunity too often permits.

Reform, and regulation are necessities for police in Massachusetts and everywhere. But the protective mask of qualified immunity must fall. We face consequences as citizens. Those consequences do not police our thoughts, but they force us to think twice, or even just once before acting. For too long has our police force acted without impartial thought when it comes to another's life and rights.

I am asking you to support the Reform-Shift-Build Act for my family, for East Boston, for Boston, for Massachusetts, and for the entire United States of America. I am asking you to share my voice with your fellow legislators, and amplify it yourself in your championing of this Act.

Thank you for your time.

Respectfully,

From: Anna Longo <annajlongo@gmail.com>
Sent: Thursday, July 16, 2020 9:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: IN FAVOR of S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Sincerely,

Anna Longo, BSN RN
Boston MA

From: Emily <emibaker@hotmail.com>
Sent: Thursday, July 16, 2020 9:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: Amend S.2820

Dear Senator,

My name is Emily Murray and I live at 552 West Gate Rd, Brewster MA. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Emily Murray

From: Kelsey Belgrade <kelsey.belgrade@gmail.com>
Sent: Thursday, July 16, 2020 9:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: Re: Testimony from a MH professional

Apologies, I neglected to include my name:
Kelsey Belgrade
203-339-2259

Sent from my iPhone

On Jul 16, 2020, at 8:58 PM, Kelsey Belgrade
<kelsey.belgrade@gmail.com> wrote:

?

Unfortunately, this begins with centering my white body and experience. However, I felt it was important as a MH professional who trains on deescalation techniques to directly address what I strongly feel is egregious: the police system (including training and actions) which directly results in the ongoing traumatization and death of black people and black communities.

I have worked on inpatient psych units and in residential care for over a decade of my life. For over half that time, I have been responsible for teaching various deescalation and safety training classes. This

includes physical restraint. During this time: I have been spit at. I have been kicked, punched, pushed, bitten, called names. I have had my hair pulled out. I have had my glasses broken. I have gone to work with a cracked rib. I have been on worker's comp twice with back issues. This list is not exhaustive nor is it written to make you feel sorry for me. I fucking love my job, I love these kids and families, I love what I do. It is not a job to me- I couldn't imagine doing anything else.

I'm here to say this: NONE OF THESE THINGS ever necessitates putting your knee on someone else's neck- never. Not for a moment. The staff we teach literally learn that day one. Restraints (which are still used- and I could go on a whole other tangent about that, but that's for another time) are ONLY for use as a last resort, after everything else has been tried- and ONLY when there is imminent risk to that person's safety or the safety of someone else. They learn that prone holds significantly increase the risk of positionally-related asphyxia. This is also why we instruct that they are not allowed to place their hands anywhere across their back, neck, or head. They are told to release and assess immediately if at any point there are signs or statements the person cannot breathe.

NONE of these things was even CLOSE to happening when Derek Chauvin put his knee on George Floyd's neck for OVER EIGHT MINUTES WITH THE INTENT TO KILL while he was CALM AND NOT RESISTING. Two other officers held him down while a third stood guard, all saying nothing. ONLY ONE OF THESE MEN HAS BEEN ARRESTED and it took FOUR DAYS. Four days of protests and George Floyd's murder being graphically circulated around the internet, further traumatizing the black community. Derek Chauvin's initial charge- third degree murder and second degree manslaughter- is an absolute joke. The fact that Chauvin was still an active duty officer despite EIGHTEEN previous complaints is negligent. The fact that the initial autopsy attempted to blame "underlying health conditions" is a cover-up for both.

When the people of Boston came out on Sunday to demand justice in an organized fashion, the police waited until after dark- then blocked exits and began tear gassing people who were attempting to peacefully leave toward the T. They chose to use fear and military style tactics which escalated the situation immensely. Oh pardon- my mistake, tear gas is actually a chemical weapon deemed illegal for use in warfare by several international treaties. Minor detail. Anyway- the police barely interacted with protesters until this decision. No verbal deescalation or statements, just yelling, straight tear gas, and preventing people from leaving via the T. They kept the T shut down for hours, and people were wandering around confused and begging for rides while violence escalated.

Is this protecting and serving? Targeting peaceful protesters rather than holding colleagues in your own chosen profession accountable for their egregious actions? This is the amount of planning, thought, and effort that was put into their response to a protest they knew was coming? Additional incidents of disproportionate use of force and police brutality have happened in other cities, but I can speak directly to these- as I was there for the 3+ hours of a peaceful protest, making it out just before one of my best friends was trapped inside while trying to leave.

I am so sick of hearing white people, cops, and politicians try and justify these actions and inexcusable levels of force... and I am white and not LIVING THIS experience on a day to day basis. Nothing close to this was seen when white men decided to military LARP with AR-15s inside "government property" because they were asked to wear a mask and stay home during a global pandemic. They were allowed to posture with semi-automatic weapons while unarmed protesters are being kicked and tear gassed for standing in the street vs the sidewalk, or at some points when kneeling. I don't want to hear any of these weak excuses or cover-ups, dismissal and distraction tactics, or cute stories about "good cops" until ALL cops are loudly and vocally holding each other accountable. I will not.

This type of policing is literally killing and disproportionately traumatizing black communities. It is one major reason WHY we are seeing children so dysregulated and traumatized that they assault the very adults who are trying to help them. I hold my staff- some of whom are literal 21year old new college grads making shit pay (also a conversation for another time)- to a FAR higher standard.

WE SHOULD ALL DEMAND THE POLICE DO BETTER. This is ESPECIALLY true if you work in human services. We cannot afford to post and move along.

"Trauma-informed therapy is important, but social justice-informed therapy is even more important. One cannot truly do fully trauma-informed therapy without understanding the trauma of social INjustice."

-Dr. Maria Paredes

Sent from my iPhone

From: Jeffrey Lindquist <jefflindquist@verizon.net>
Sent: Thursday, July 16, 2020 8:59 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Jeffrey Lindquist

Plymouth, MA

From: tony tran <tran.tony85@gmail.com>
Sent: Thursday, July 16, 2020 8:59 PM

To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Tony Tran and I live at 72 Whitten Street, Dorchester, Ma 02122. I work at MCI-Norfolk and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019, the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Tony Tran

From: Alex Bob <alex.g.bob@gmail.com>

Sent: Thursday, July 16, 2020 8:59 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support S.2820 - End qualified Immunity!

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Alex Bob, Cambridge, MA

--

Alex Bob

Pronouns: he, him, his
alex.g.bob@gmail.com
From: Paul Daley <paul.daley@gmail.com>
Sent: Thursday, July 16, 2020 8:59 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified immunity

Please consider leaving qualified immunity for police, fire, EMS, nurses and whoever else may be hurt due to the new bill, in place.

Thank you,

Paul Daley

Quincy Fire dept

paul.daley@gmail.com

6173598374From: Mary Donovan <mar20run@aol.com>

Sent: Thursday, July 16, 2020 8:58 PM

To: Testimony HWM Judiciary (HOU); Cutler, Josh - Rep. (HOU)

Subject: Opposition to Parts of Bill S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now. I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Mary Donovan

286 Keene St, Duxbury, MA 02332

781-727-6273

From: Kelsey Belgrade <kelsey.belgrade@gmail.com>
Sent: Thursday, July 16, 2020 8:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony from a MH professional

Unfortunately, this begins with centering my white body and experience. However, I felt it was important as a MH professional who trains on deescalation techniques to directly address what I strongly feel is egregious: the police system (including training and actions) which directly results in the ongoing traumatization and death of black people and black communities.

I have worked on inpatient psych units and in residential care for over a decade of my life. For over half that time, I have been responsible for teaching various deescalation and safety training classes. This includes physical restraint. During this time: I have been spit at. I have been kicked, punched, pushed, bitten, called names. I have had my hair pulled out. I have had my glasses broken. I have gone to work with a cracked rib. I have been on worker's comp twice with back issues. This list is not exhaustive nor is it written to make you feel sorry for me. I fucking love my job, I love these kids and families, I love what I do. It is not a job to me- I couldn't imagine doing anything else.

I'm here to say this: NONE OF THESE THINGS ever necessitates putting your knee on someone else's neck- never. Not for a moment. The staff we teach literally learn that day one. Restraints (which are still used- and I could go on a whole other tangent about that, but that's for another time) are ONLY for use as a last resort, after everything else has been tried- and ONLY when there is imminent risk to that person's safety or the safety of someone else. They learn that prone holds significantly increase the risk of positionally-related asphyxia. This is also why we instruct that they are not allowed to place their hands anywhere across their back, neck, or head. They are told to release and assess immediately if at any point there are signs or statements the person cannot breathe.

NONE of these things was even CLOSE to happening when Derek Chauvin put his knee on George Floyd's neck for OVER EIGHT MINUTES WITH THE INTENT TO KILL while he was CALM AND NOT RESISTING. Two other officers held him down while a third stood guard, all saying nothing. ONLY ONE OF THESE MEN HAS BEEN ARRESTED and it took FOUR DAYS. Four days of protests and George Floyd's murder being graphically circulated around the internet, further traumatizing the black community. Derek Chauvin's initial charge- third degree murder and second degree manslaughter- is an absolute joke. The fact that Chauvin was still an active duty officer despite EIGHTEEN previous complaints is negligent. The fact that the initial autopsy attempted to blame "underlying health conditions" is a cover-up for both.

When the people of Boston came out on Sunday to demand justice in an organized fashion, the police waited until after dark- then blocked exits and began tear gassing people who were attempting to peacefully leave toward the T. They chose to use fear and military style tactics which escalated the situation immensely. Oh pardon- my mistake, tear gas is actually a chemical weapon deemed illegal for use in warfare by several international treaties. Minor detail. Anyway- the police barely interacted with protesters until this decision. No verbal deescalation or statements, just yelling, straight tear gas, and preventing people from leaving via the T. They kept the T shut down for hours, and people were wandering around confused and begging for rides while violence escalated.

Is this protecting and serving? Targeting peaceful protesters rather than holding colleagues in your own chosen profession accountable for their egregious actions? This is the amount of planning, thought, and effort that was put into their response to a protest they knew was coming? Additional incidents of disproportionate use of force and police brutality have happened in other cities, but I can speak directly to these- as I was there for the 3+ hours of a peaceful protest, making it out just before one of my best friends was trapped inside while trying to leave.

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WE SHOULD ALL DEMAND THE POLICE DO BETTER. This is ESPECIALLY true if you work in human services. We cannot afford to post and move along.

"Trauma-informed therapy is important, but social justice-informed therapy is even more important. One cannot truly do fully trauma-informed therapy without understanding the trauma of social INjustice."

-Dr. Maria Paredes

Sent from my iPhone

From: JAMES A KARVELIS <JKARVELIS@quincyma.gov>
Sent: Thursday, July 16, 2020 8:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Sir/Madam,

I am writing as a proud member of the Quincy Police Department to address the ongoing legislative proposals currently circulating at the Massachusetts State House. We are aware that several different bills aimed at police reform are in the works and most likely will be expedited for a vote in the very near future. We are also very cognizant of the current political climate and we recognize the anger that the vast majority of people feel over the terrible and tragic death of Mr. Floyd. Nobody truly hates bad cops more than good cops. That being said, we are incredibly proud of our profession and of the dedicated men and women in Massachusetts Law Enforcement, particularly of the members of the Quincy Police Department.

As a professional organization we are always looking for ways to improve and continue to earn the public's trust and confidence. We just ask that you allow us to be part of the conversation. We have read several versions of bills that are being pushed forward. Some of the ideas we welcome, POST standards state wide, databases of police officers unfit for the profession and increased reporting of statistics. However, some of the other ideas seem overly complex and constrictive.

1. Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

2. POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

3. Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. We deserve to maintain the right to appeal given to all of our public servants.

4. Some of the ideas include language for steps that shall be taken before using any type of force. Requiring de-escalation techniques and mental health evaluations on every call is not possible. This would be setting officers up for failure and opening them up to having their licensed revoked and ending their careers.

We would welcome the opportunity to sit down with you and answer any questions you have about the tools, tactics, policies and technology that the Quincy Police currently use and how we employ them to keep the citizens of Quincy, our officers, and the suspects we encounter as safe as possible.

Thank you for your time and for your service to the citizens of the Commonwealth. We hope to hear from you soon.

Respectfully,

Patrolman James Karvelis

The content of this email is confidential and intended for the designated recipient specified above. If you are not the intended recipient, then you received this message by mistake. Please notify the sender of the mistake by replying to this message and then immediately delete it from your

computer. It is strictly forbidden to share any part of this message with any third party, without written consent of the sender.

From: MPD Mail <scott.phillips@mpdmail.com>

Sent: Thursday, July 16, 2020 8:58 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

Dear Judiciary Committee,

My name is Scott Phillips. I am a police officer with the Middleboro Police Department. I am emailing in regards to the police reform bill. Most notably qualified immunity. There's been a lot of speculation as to what the change to qualified immunity will be. My understanding is that people will now be able to civilly sue police officers for violations of civil rights/violation constitutional rights. This essentially gets rid of good faith exception that police officers have. For example, I arrest someone on a warrant and for whatever reason it's an error. I technically violated their civil and constitutional rights. So now that person can sue me? The same goes for motor vehicle stops. If at night I read a license plate wrong and stop a car based on information I receive and it's wrong I can be sued. I arrest someone for domestic assault and at court the victim says it never happened. Now I face a lawsuit? These are all real life scenarios that police officers face. We make split second decisions and now we are going to be hesitant to make those decisions for risk of frivolous lawsuits. Now I understand in most of these cases the lawsuit will most likely not go anywhere, but it still hangs over that officers head until it's settled. Imagine doing everything perfectly right and facing a lawsuit that may last 1, 2, 3 years.

I understand you want to be proactive with legislation, but this bill is completely reactive. MA is not other places in the country. We have high standards for our police officers which is why our academy is accepted almost everywhere in the country.

If this bill passes there will be bolt for the door. I work in a relatively small department and my guess is we lose close to 10% of our officers almost immediately either by retiring early or just walking out the door. I consider myself a pretty darn good cop. I have a spotless record and have never had as much as a complaint filed against me in over 8 years. I am the last person a legislative bill should worry and this bill worries me. My wife is telling me to get a new job. I'd be lying if I said I'm not considering it.

Ofc Scott Phillips

Middleboro Police Department

508-813-0866

From: James Hannon <jhannon2898@gmail.com>

Sent: Thursday, July 16, 2020 8:56 PM

To: Testimony HWM Judiciary (HOU)

Cc: Keenan, John (SEN)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me

in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

James Hannon

29 Plymouth St. Whitman, Ma 02382

(774)240-4290

From: Kyle Moriarty <kyleemoriarty@icloud.com>
Sent: Thursday, July 16, 2020 8:56 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please read

Dear Chair Michlewitz and Chair Cronin,

My name is Kyle Moriarty and I live at 3 Mark Twain Drive in Lakeville MA. I work at MCI-Norfolk and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one

hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Kyle Moriarty

Sent from my iPhone From: Paddy Bryan <quincybaseball@gmail.com>
Sent: Thursday, July 16, 2020 8:56 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please Read

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Patrick A. Bryan

Resident

35 Ridgeway Drive
Quincy, MA 02169

617 <tel:617%20699-2914> 719-9515

Sent from my iPhone
From: Alice Charland <charland_alice@yahoo.com>
Sent: Thursday, July 16, 2020 8:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from Mail <https://urldefense.proofpoint.com/v2/url?u=https-3A_go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=4SLFTkqjb86bepEKHvSdBS8mJMRmwluL6zr4adXnh8&s=PP3F9v5YQnTonm_fc8SI82rJoTbjU29swz5rBbBmctg&e=> for Windows 10

From: Patricia Schultz <patriciadschultz@yahoo.com>
Sent: Thursday, July 16, 2020 8:55 PM
To: DeLeo, Robert - Rep. (HOU); Testimony HWM Judiciary (HOU)
Subject: Bill S.2800

* As your constituent, Pat Schultz from Norwood, I write to you today to express my strong opposition to S.2800 which was passed by the Senate. I ask that you oppose this bill as constituted when it is debated in the House of Representatives.

We also ask that it be debated in the light day and not voted on in the dark of night.

The bill is ill conceived and politically driven. We agree that police reform is important and needs to be addressed but passing a poor bill for the sake of passing a bill based is not in the best interest of the Commonwealth.

This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. It will cause many good officers to leave due to the new burdens and make it harder to recruit individuals into law enforcement.

S 2800 establishes a review committee with overly broad powers, including the power of subpoena, in active investigations. The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment rights against self-incrimination (see Carney vs Springfield) and constitutional protections against "double-jeopardy."

Qualified immunity protections are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections essential for the police officers we send out on patrol in our communities and who often deal with some of the most dangerous of circumstances with little or no back-up. Removing qualified immunity protections in this way will open officers up to personal liabilities so they cannot purchase a home, a car, obtain a credit card, or other things for the benefit of them and their families. Good luck with police recruitment.

In addition S 2800 failed to follow the normal and appropriate legislative process of holding public hearings to accept testimony from citizens and experts. I ask that you vote NO when S.2800 comes to the House of Representatives for the reasons stated above, and others.

"We cannot support a measure which takes handcuffs off drug dealers and gang bangers and puts them on police, allows criminal records to disappear while tearing open police personnel files and allows criminals to appeal for monetary damages while denying police due process

to appeal for their job," said James Machado, executive director of the Massachusetts Police Association.

Please vote NO on Bill S 2800.

Thank you,

Sincerely, Pat Schultz 781-769-2819

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* Reply

* ,
* Reply All
* or
* Forward

Send

16

<

From: Kelly Wenz <kellyswenz@gmail.com>

Sent: Thursday, July 16, 2020 8:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

Representatives Michlewitz and Cronin
Massachusetts House of Representatives
24 Beacon Street
Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Kelly Wenz and I live at 36 Hathaway Circle in Arlington, Massachusetts. I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or

statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Kelly WenzFrom: Michael Best <mabest13@yahoo.com>
Sent: Thursday, July 16, 2020 8:54 PM
To: Testimony HWM Judiciary (HOU)
Cc: Moran, Susan (SEN); LaNatra, Kathleen - Rep. (HOU)
Subject: Written Testimony-S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity

and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Michael Best

31 Holmes Terrace

Plymouth, MA 02360

From: Alice Charland <charland_alice@yahoo.com>

Sent: Thursday, July 16, 2020 8:53 PM

To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

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JF3wlW6VpoGcv1Pqj-LZCFVg_lgd0ZICcAc&e=> for Windows 10

From: Chris Hayes <hayze31@comcast.net>
Sent: Thursday, July 16, 2020 8:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: Plz Help

Dear Chair Michlewitz and Chair Cronin,

My name is Christopher Hayes and I live at 50 Middle Street Weymouth MA. I work at the Suffolk County Sheriffs Department and am a corrections officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve

the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Christopher Hayes

Sent from my iPhone
From: Nicole Sylvia <nsylvia25@aol.com>
Sent: Thursday, July 16, 2020 8:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800 Bill letter

To Whom It May concern:

My name is John Sylvia and I reside at 51 Ada Street Fall River. I know you have been a staunch supporter of law enforcement and the city of Fall River in the past, which is why you have always had my vote, as well as the votes of my family and friends. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law

enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, and law enforcement should oversee law enforcement.

I would like to add that the Fall River Police Department is one of the very few police departments out of 351 cities and towns within MA that have both state and federal accreditation. If you remove qualified immunity from police officers, you will have a mass exodus from law enforcement due to fictitious lawsuits as a way to make money, and it would place all police departments within the state at even a more record shortage / dangerous crisis levels. No one wants to be sued personally for every single time a police officer takes action whether on or off duty.

The process to hire a new officer is usually a 1.5 year commitment on average, assuming they even willingly accept the job now days. As you know, it takes approximately six months or longer, to properly screen a perspective candidates for criminal and psychological background checks, baseline physical fitness requirements, additional prerequisites, etc. The police academies are roughly 6 months, and field training is three months.

Furthermore, you could cut down on both police officer liability, as well as potential injury to a police officer and suspect, by simply making the resisting arrest law a more serious crime and a felony. Right now it is only a misdemeanor in MA, just like assault and battery on a police officer. If you spray-paint someone's property it's "tagging" as well as felony vandalism. If you hurt any type of animal in anyway, it's cruelty to animals, which is also a serious felony. Meanwhile attacking a police officer and resisting arrest are minor misdemeanor crimes.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,
John Sylvia

Sent from my iPhone
From: meghan noe <meghannoe@yahoo.com>
Sent: Thursday, July 16, 2020 8:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: S. 2800

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and

accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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Thank you,

Meghan Noe

9 Alyssa Drive

Wakefield, MA

781-858-3708

Sent from Yahoo Mail for iPhone

<[From: JOHN BRINGARDNER <jrb3rd@comcast.net>
Sent: Thursday, July 16, 2020 8:50 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: S.2800](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=-e1AAmJoHF9QRX9fwZvSj9A-ddd7uloB-bIUVOwrMiM&s=_nHaxkizOChTkt8vqZK9hqFEUKhyk5400CngLtA6Y14&e=></p></div><div data-bbox=)

Dear Members of the House of Representatives,

I have been a police officer in the Town of Randolph for the past 24 years. As I'm sure you all will agree the job has become tougher and tougher each year. The passing of Bill S2800 will make the job of a police officer even more difficult especially the Qualified Immunity portion of the bill.

I ask each of you the following question. A police officer in Minneapolis, Minnesota was charged with murder so the Commonwealth of Massachusetts needs police reform?

A part of this bill will ban choke holds. Do you folks understand that police officers in Massachusetts are not trained to use choke holds so there is no reason to ban a tactic that is not used.

Senator Ryan Fattman of Sutton said it perfectly when he was referring to law enforcement officers in Massachusetts. He so eloquently said "the egregious sins of other law enforcement in other parts of the country should not be their burden to bear.

The legislation in Massachusetts is trying to fix a problem when there is no problem. I respectfully request that all members vote against this bill.

Sincerely,
John Bringardner
Randolph Police Dept
781-389-2713

From: Andrew Fox <afox3781@gmail.com>
Sent: Thursday, July 16, 2020 8:49 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Opposition

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and

accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Andrew Fox

390 Westfield Road

Russell MA 01071

Afox3781@gmail.com

From: Derek Dalton <derekdalton1017@yahoo.com>
Sent: Thursday, July 16, 2020 8:49 PM
To: Testimony HWM Judiciary (HOU)
Subject: reform bill

Dear Chair Michlewitz and Chair Cronin,

My name is Derek Dalton and I live at 33 Crystal Way Bellingham MA. I work at MCI-Norfolk and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Derek Dalton

From: Jenny Regan <jennyregan8@gmail.com>
Sent: Thursday, July 16, 2020 8:49 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2800

Good evening,

I hope this email finds you well. I am writing to you to express my numerous concerns with Bill S.2800 that focuses on police reform and shifting their available resources toward other means.

First, I have several family members and friends who are in law enforcement. They made a choice to go into this profession to serve, protect and to try and make this world a better place. Police officers all over the country are being treated with the utmost disrespect due to recent events. The officers who were not even involved in the cases such as George Floyd, Breonna Taylor, Ellijah McClain, are having bricks thrown, trash thrown, their cruisers defaced etc. The fact that police officers who dedicate their time, and sometimes even their lives to this country, are going to be put in a position where they may have to hesitate for fear of being sued, or other repercussions is completely ludicrous to me. Yes, there are bad officers out there who abuse their power. However, why should the majority of "the good ones" have to suffer for the actions of the bad?

I am sure you are aware of the story of Weymouth Police Sergeant, Michael Chesna. He was my cousin's brother-in-law. Mr. Chesna was in a situation where he hesitated in fear of the consequences and repercussions of what might happen if he were to act against the individual, who was supposedly "unarmed" and had "just a rock." Due to his hesitation, Michael Chesna proceeded to have the rock thrown at him, then had his gun taken, and was killed with his OWN gun by this other individual.

I am extremely fearful that many other police officers will be faced with this same exact fate if this bill were to pass. Absolutely there is police brutality in our society. However, I truly believe that this bill is not the answer to helping alleviate and eradicate this problem.

My brother, who was a police officer in Manchester, NH for 6 years was involved in many situations that put his life in danger. I recall one instance that he was so shaken by and felt the need to express to his family. He was called to a domestic dispute one night, multiple times. Upon arriving at the residence, he was told by a man that everything was fine at the door, but he knew there was something wrong. He acted on his instincts in the situation, and saved a woman's life from being a victim of domestic violence. However, in this situation, if this Bill was in effect, and my brother had to hesitate, that woman's outcome could have looked very different, and she might not be alive today.

I am extremely concerned about the psychological effect this Bill could have on not only our police officers but also citizens as well. Also, it could have lasting physical effects on innocent people. If a police officer is called to a situation or an altercation, it is for a reason. I know that I would not want a police officer hesitating to act because of a Bill that could put their livelihood at risk.

In closing, I am a fourth grade teacher in the city of Lawrence. If this Bill passes, I am concerned about the effects it could have on teachers. Who's to say that then teachers wouldn't be placed in the same situations of having to hesitate when teaching. Hesitation can have extreme consequences in an elementary age classroom. For instance, if one of my students is choking, am I not supposed to help them for fear of being sued for "putting hands" on a child or other actions that the family might take? If a student receives a grade of a C because that is the grade he or she earned, am I supposed to rescind and change that grade if I get pressure from the family because they feel that grade was not justified?

Were any former police officers, current police officers, or other civil service employees on the board that came up with this bill? Was their feedback and views taken into account?

Thank you so much for your time, and please consider all of these situations and points that I have given.

Very best,

Jennifer Regan
From: Brian Powers <bpowers623@gmail.com>
Sent: Thursday, July 16, 2020 8:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

Representatives,

I write to you today as a lifelong resident of Massachusetts, a Police Officer, and a concerned citizen. To give you a bit of background I am 34 years old and have been a Police Officer for 3 years. I grew up admiring and respecting the profession and was honored to accept the responsibility it comes with. Until recent I would have argued with anyone this is in fact the best job in the world.

Unfortunate recent events have changed my perception. I grew up on Grafton Hill in Worcester My entire life. I played sports, participated in all extracurricular activities available, and always had a diverse group of friends. I fortunately never directly experienced racism or witnessed it with my friends from other ethnic backgrounds. Myself and my immediate friends always respected Police and the few interactions I had with them as a teen we're positive.

The events that took place in Minneapolis are disgusting and do not represent this profession as a whole. The majority of Police are being attacked and vilified for the minority. In all professions we have good

and bad people I'm sure we can both agree. Unfortunately in this Profession you sign up for abuse and you learn to take it in stride. The recent abuse we have been receiving feels different though. The profession itself is under attack and as I said my opinion of this job has changed. If you were to ask me today if I feel this is the best job in the world I would advise you to stay clear.

My mindset since day one has been that of self sacrifice. When I leave my house everyday I am mentally sound knowing I may never come home and I am ok with that. I know that what I do is dangerous, and I know I am the line of defense for the population that cannot defend themselves and I take pride in that. I also do not expect appreciation even though generally appreciation is shown. I also have come to realize that the world is in a very dangerous place at this point in time. I feel quality good Police is now more important than ever even though we are being portrayed as the villains. I feel the people that want to defund and abolish the Police realize that's not logically possible. I believe they decided if they can't get rid of the Police, they will make an effort to make the job undesirable.

A few key aspects of the Bill you are reviewing that I feel will help corrode the profession and insure you no longer find quality candidates as well as force good cops to seek employment elsewhere would be the following;

1. Qualified immunity-

This safety measure insures I can do my job without hesitation. To give a real life example I responded to a call a year or so ago that involved an assault actively taking place and an attempt to kill an animal in the home. When I arrived the suspect party was extremely agitated and yelling at volume 10 in his home. It came to a point after investigation that this man had to be arrested. When the male realized that was our intent he became violent and assaultive. He climbed on the kitchen table yelling screaming and swinging in a dark room filled with knives and pans. In that split second I made a decision to grab the male and pull him down from the table before he hurt himself or the other parties in the room and he immediately punched me in the face. A fight ensued and the male was placed under arrest with only minor injuries to all involved.

If this situation were to happen in a scenario where qualified immunity didn't exist would I question my actions? Would I fear losing my home and all my belongings? Would the expense of just the lawsuit alone for lawyers fees bankrupt me? I don't want to have to worry about things like that I want to be able to focus on keeping the peace and keeping people safe. I fear living in a world where the law offers me more protection to stand and wait than it does to protect and act.

2. Collective Bargaining-

If we lose our ability to bargain we again will put ourselves in a position to be taken advantage of. This will leave to further lack of desire for this profession as we will lose our ability to fight for fair and equal terms for employment. The public wants better quality Policing and we will not obtain that by not providing competitive options to the men and women interested in this job.

3. Due process and right to appeal-

If a Doctor commits malpractice they have a right to due process and are held accountable by a jury of their peers. If a civilian breaks the law it's incredibly important they have a right to fair trial also with a jury of their peers not a jury of Police Officers. Why would Police not be afforded the same opportunity? Again this change will impact recruiting quality Police. If the profession is no longer fair to their employees who would want to sign up?

This bill is incredibly dangerous to the public's safety and is an anti labor bill. Having only three years on the job I don't foresee me lasting 29 more if this passes. Fortunately I have other skills I can fall back on but I never expected to consider that as I committed my life to this job when I applied.

In closing I would like to thank you for taking the time to read this and hear my concerns. I appreciate the difficult situation you are in but would hope you would make any decision thinking about the long term not just today's forecast. I ask that you please protect me, so I can continue to protect you.

Brian Powers
65 Pilgrim Ave
Worcester MA
508-579-4882

From: michaeldeming1@aol.com
Sent: Thursday, July 16, 2020 8:48 PM
To: Testimony HWM Judiciary (HOU)

From: Samuel Watson <watson.samuel.a@gmail.com>
Sent: Thursday, July 16, 2020 8:47 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S 2800 and Qualified Immunity

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens

and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Sam Watson

194 Cohasset Street, Apt 7

Worcester, MA, 01604

(860)271-6773 / watson.samuel.a@gmail.com

From: MICHAEL MACDONALD <mmac5o2@yahoo.com>

Sent: Thursday, July 16, 2020 8:47 PM

To: Eldridge, James (SEN); Hogan, Kate - Rep. (HOU); Testimony HWM Judiciary (HOU)

Subject: Good Evening

Good Evening,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity

and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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3. POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Michael MacDonald, Freeman Circle Hudson. MMac5o2@yahoo.com

Sent from my iPhone

From: Bill Bonczar <bbonczar@hotmail.com>

Sent: Thursday, July 16, 2020 8:47 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony

Good evening,

My name is Bill Bonczar. My wife and I are both employed as Police Officer's for the State of Massachusetts. I got into this profession to give something back to my community and make a difference. I am very blessed to have this career.

What happened in Minnesota cannot be put into words, it was absolutely wrong and appalling. That being said, Massachusetts is not Minnesota. We should not be held accountable for something that occurred 1500 miles away. Its not justified.

Now, I am open to change and other opinions on various matters pertaining to Policing. Licensing of all Officers and educating on racism is an excellent idea. Licensing would keep track of an Officers complaints and any uses of force etc. I think that is fair.

I do not agree with the majority of the bill. Majority of it from an Officers stand point is bogus and undermines the profession. Tear gas is a crowd control technique used to control a rowdy and dangerous crowd. It is used in extreme situations. Situations like those 'peaceful' protests in Boston last month that turned into riots. The same 'peaceful' protesters that were throwing bricks at Officers.

I read the bill and saw that schools can't tell Police Officers if a student has gang ties? This is ludacris. My wife is a student resource officer (SRO). She absolutely needs this critical information to do her job and create a safe environment for the hundreds of children she is protecting. Not having it puts everyone at risk.

I attended a full-time police academy in Massachusetts. Personally, I was not trained on choke holds. That being said, due to the extreme and unpredictable nature of this job, things and situations change in an instant. If an officers life is on the line and the only way he/she can survive to go home to his/her family is to perform a 'choke hold', I am ok with it. Basically what im saying is that should not be taken off the table, in extreme dire circumstances. The Officer should not be held accountable.

Now, the biggest topic for me and the reason why I am writing this is the handling of qualified immunity. People do not understand that this isn't a free pass to do whatever they want. Its a layer of protection giving to civil servant's to do their jobs.

Officers are afraid of getting sued for the most basic interaction with the public. How is this fair to us as a profession? It is not. Qualified immunity has not been abused in this state, it merely protects us from frivolous lawsuits. Taking qualifed immunity away will lead to excellent Police Officers finding other careers, its that simple. In doing so less qualified candidates will take the job as a Police Officer. Crime and poor decisions will go up and the moral fabric of this society will drop. It seems extreme, but it is not far fetched.

Police Officers in this state feel very unwanted and in the dark right now. It absolutely is not right. We are the same people that handled the Boston Marathon bombing. We are the same people that the public calls on in dire situations.

In closing, I hope this email gets to the right audience. We are a very proud and humble profession, please do not diminish it.

Thank you,

Officer Bonczar

Get Outlook for Android <[scsd109@gmail.com](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=T6LJAKFyipAEA5rbY6JeWJrasVmUfoq2mKxCNrqzd0U&s=b_6Zq7upCa26JzJ-mrUd3tAtQDsQAzaCCKupIdt_250&e=>
From: Ben P <
Sent: Thursday, July 16, 2020 8:47 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Ben Petropoulos, and I live at 20 Tanglewood Ave, Tewksbury, MA, I work at The South Bay House Of Correction, and am a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ???????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ???????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ???????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven

community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Ben Petropoulos

Sent from my iPhoneFrom: obrien3442@gmail.com
Sent: Thursday, July 16, 2020 8:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Testimony

Dear House of Representatives,

My name is Mark O'Brien and I live at 53 Brookfield Road, Andover, MA 01810 <x-apple-data-detectors://0> . As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best

in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Mark O'Brien

From: Brad Smith <smithbradley01960@yahoo.com>
Sent: Thursday, July 16, 2020 8:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Pauline Crispell <pollyann02481@yahoo.com>
Sent: Thursday, July 16, 2020 8:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Pauline S. Crispell

Sent from my iPad
From: Chuck Geier <chcukucg@icloud.com>
Sent: Thursday, July 16, 2020 8:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police

Sent Dear House of Representatives,

My name is Charles Geier. I live at 41 Forrester Rd, Wakefield MA 01880, USA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Charles Geier my iPhone
 From: Nancy Moz <nmoz54@gmail.com>
 Sent: Thursday, July 16, 2020 8:45 PM
 To: Testimony HWM Judiciary (HOU)
 Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Nancy Moz and I live at 6 Forest St Wilmington, Ma 01887. I work at Millipore Sigma as an Associate Scientist. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While they are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Nancy Moz

From: hugh <moonislandbfd@yahoo.com>
Sent: Thursday, July 16, 2020 8:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from Mail <

From: obrien3442@gmail.com
Sent: Thursday, July 16, 2020 8:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

Dear House of Representatives,

My name is Mark O'Brien and I live at 53 Brookfield Road, Andover, MA 01810. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Mark O'Brien
From: Zachary Surette <zmsurette1924@gmail.com>
Sent: Thursday, July 16, 2020 8:44 PM

To: Testimony HWM Judiciary (HOU)

Dear House of Representatives,

My name is Zachary Surette and I live at 22 Laurel St Wakefield Ma 01880. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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Sincerely,

Zachary Surette

From: bigandy1975 <bigandy1975@charter.net>

Sent: Thursday, July 16, 2020 8:44 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Andrew Lukomski

Sent from my T-Mobile 4G LTE Device

From: Carey Manning <carey.manning@gmail.com>
Sent: Thursday, July 16, 2020 8:44 PM
To: Testimony HWM Judiciary (HOU)
Subject: Pass S.2820

Carey Manning
90 Turner St.
Brighton, MA

Dear Chair Michlewitz, Chair Cronin and members of the House Ways & Means and Judiciary Committee,

I am writing in favor of S.2820 to bring about needed reform of our criminal justice system in MA. I urge you to act quickly to pass this bill into law and strengthen it. The follow items should be contained in

the final bill to start the transformation we need to address systemic racism in our state:

1. Qualified Immunity needs to end as it is shielding officers from being held accountable for misconduct and perpetuating systemic racism.
2. We also need to establish a statewide certification authority for police and a process for decertifying problem officers - this is already in place in 46 other states!
3. Ban use of choke holds and no knock raids which have resulted in the murders of far too many people, disproportionately Black and Brown, at the hands of police. These tactics should not be allowed in the state of MA.

Please pass this bill into law to ensure a safe and equitable justice system for all citizens of our state.

Sincerely,
Carey Manning

From: Kerna Pettorelli <kernapop@comcast.net>
Sent: Thursday, July 16, 2020 8:44 PM
To: Testimony HWM Judiciary (HOU)
Subject: Objections to S.2800

Dear Chair Michlewitz and Chair Cronin,

My name is Kerna Pettorelli and I live at 5 Skyview Terrace in North Andover, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will

be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Kerna and James Pettorelli

Sent from my iPhone
From: Nick DiCicco <njdicicco368@gmail.com>
Sent: Thursday, July 16, 2020 8:43 PM
To: Testimony HWM Judiciary (HOU)
Subject: Back the blue

The war on police, by BLM and now the politicians, is not going to make this country better. Getting rid of Qualified Immunity, amongst other proposals, is only going to backfire.

Cops will stop being proactive (take a look at what happened after NYPD disbanded their Olin clothes units). Cops will retire/quit in droves. You will get minimal candidates, and the ones you get will be subpar.

I implore you to think of the overall consequences this decision will make if this Bill passes.

Nick DiCicco's iPhoneFrom: Regina Young <ReginaJYoung@hotmail.com>
Sent: Thursday, July 16, 2020 8:43 PM
To: Testimony HWM Judiciary (HOU)
Cc: Tarr, Bruce E. (SEN)
Subject: Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Representatives Michlewitz and Cronin,

My name is Regina Young and I live at 415 Boxford Street in North Andover, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged

illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits.

The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

As a police wife of 15 years, the only thing my husband should have to worry about when on the job is coming home safe to our three children and myself. The atrocities that police officers see and face every single day cannot even be imagined by the general public. The very people who are pushing for this bill, could never last a minute in their shoes, let alone 15 years.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Regina J. Young

From: Danielle Fahey <daniellefahey1002@gmail.com>
Sent: Thursday, July 16, 2020 8:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

To Whom It May Concern,

I am a registered voter in the state of Massachusetts and want you to know how disappointing I found that the senate's bill was rushed quietly through at 4 in the morning without any discussion from their constituents. I hope you don't do the same.

The Senate bill is an anti-labor bill who are supporting to eliminate Collective Bargaining and the right to due process. It is against their platform as being labor/union supporters.

They blanketed all law enforcement with a broad brush. That is unfair to them and the community. They risk their lives everyday for people like me to stay safe, go to work and live in peace. They should have the same opportunities as other professions do. Nurses and teachers have collective bargaining, are protected from being sued and have a board made up of their peers. How is law enforcement any different?

I support Qualified Immunity, Due Process/Collective Bargaining and a POSAC Board made up of their peers and other law enforcement professionals.

Thank you for listening to me and know I and many others will be watching this closely to how this is handled and addressed since it's an election year.

Thank you,

Danielle Fahey

From: Karen Klaczak <kklaczak@yahoo.com>
Sent: Thursday, July 16, 2020 8:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Eileen Marum <u_emarum@umassd.edu>
Sent: Thursday, July 16, 2020 8:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Eileen Marum
41 Mill St Apt 207
Marion, MA 02738
u_emarum@umassd.edu

From: Vanity Hair Salon <vanityhairsalon1@gmail.com>
Sent: Thursday, July 16, 2020 8:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified immunity

To Whom it May Concern,

I am strongly opposed to many of the components of this bill. Qualified Immunity exists so that Officers who are acting in accordance with their agency's policies and procedures and using the appropriate actions/force based on the situation they are presented with are protected from civil liability. Qualified Immunity doesn't exist to protect officers violating their agency's P&P or using excessive force.

Should Qualified Immunity disappear officers will no longer be proactive or try to apprehend a suspect or violent person for they very real risk of being sued personally. I honestly believe criminals will be emboldened with the knowledge an officer won't try to apprehend them or put their hands on them. Crime will rise and the innocent public will suffer. Results are already evident in many major cities where officers are taking a hands off approach like the public had called for. Now in those communities leaders are coming forward asking for anti-crime units to be put back in place and more law enforcement.

In law enforcement, unlike many other professions, people can often be left unhappy when an officer is doing "good work". Good work means writing tickets to speeders hoping they slow down in the future and prevent major crashes resulting in injuries or death. Good work is arresting the spouse who just beat their significant other- even though neither want the police to make an arrest. But an Officer does it knowing the next beating could be their last one if they are killed. Good work might mean using lethal force to save someone else's life or your own. Does any officer want to be put in these situations? The answer is no. Sadly until every citizen abides by the law police officers need to respond accordingly.

By taking away Qualified Immunity speeders won't be stopped for fear of accusations of bias or profiling. Batters won't be arrested for fear the couple will accuse the police of using excessive force, even if the appropriate amount was used. A lawsuit could be filed against the officer even if it was found the police acted accordingly. Officers and innocent citizens will die at higher rates when an officer hesitates to use the appropriate amount of force in a lethal situation (or perceived lethal situation- the police are not psychics) for fear of their family losing their home and savings... or even just being portrayed in the media as a murder. I believe Sgt. Michael Chesna lost his life and an innocent woman because of the fear of using excessive force as the male was "only" armed with a rock.

Good officers doing good work and being proactive will generate complaints. I have been a police officer for 11 years in the community I grew up in. Everyday I try to serve and protect those in my community to the best of my abilities. I truly care about people and often I am kept up at night wondering if the victims I work with will be okay upon my next shift in. In my career I have generated complaints because people were not happy they were pulled over, placed into protective custody for their own safety when they were highly impaired, and felt discriminated against due to their mental health when I assisted and elderly couple get restraining orders against their abusive adult child struggling with their mental health. Having a database available to the public will place a target on officers more than there already is. It is very easy to find addresses available to the public and showing and Officer has a certain amount of complaints will give the false perception the officer is a bad one.

In closing, I respectfully request you do not remove Qualified Immunity and do not have a public database regarding officer complaints this jeopardizing Officers and their family's safety. Thank you for taking the time to read my testimony.

Catherine Keene
North Reading

Sent from my iPhone

--

Catie Keene
Owner & Stylist
Vanity Hair Salon
979 Main St, Wakefield, MA 01880
781.245.5040
van <mailto:vanityhairsalon1@gmail.com> ityhairsalon1@gmail.com
<mailto:vanityhairsalon1@gmail.com>

Please be aware that due to the nature of our business being mostly with clients behind the chair, we do not check e-mails as often as we'd like. For this reason we ask that you call the salon for quicker assistance and appointment booking. Thank you!

From: Amy Toothaker <toothy410@icloud.com>
Sent: Thursday, July 16, 2020 8:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony Regarding Bill 2820

Dear House of Representatives,

My name is Ray Toothaker and I live at 48 North Emerson Street in Wakefield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Ray Toothaker

From: Officer Matthew Chambers <mchambers@wakefieldpd.org>
Sent: Thursday, July 16, 2020 8:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear House of Representatives,

My name is Matthew Chambers and I live at 54 Plymouth Rd Wakefield MA 01880. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Matthew Chambers

From: lk02189 <lk02189@gmail.com>
Sent: Thursday, July 16, 2020 8:40 PM
To: Testimony HWM Judiciary (HOU)
Cc: Leah Karvelis
Subject: S.2820

My name is Leah Karvelis and I live at 52 Read Drive, Hanover, MA. I am writing to you today to express my strong opposition to many pieces of S.2820. This bill, as currently written, includes some very concerning pieces. I appreciate the willingness of the House to listen to the people you represent. Thank you.

Here are a few pieces that concern me the most:

- 1) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits.
- 2) Due Process for all police officers: Fair and equitable process under the law. Police Officers deserve the right to appeal given to all public servants.
- 3) POSA Committee: The composition of the POSA Committee must include members of law enforcement. In the same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

Taking away Qualified Immunity and Due Process for Police Officers is unfair and dangerous to not only the police officers it protects, but to the communities they serve. Good police officers will be subject to frivolous civil lawsuits. Police Officers put their lives on the line everyday, should they also be forced to put their homes and life savings on the line? Police Officers need to make split second, life or death decisions, and do so to the best of their ability. I fear that losing Qualified Immunity and Due Process will cause them to pause before taking action, putting their lives in further danger. Don't they give enough by putting their lives on the line each and every day? Should they now be afraid of losing all they've worked for? For their families to lose their homes and life savings? A majority of Police Officers are GOOD police officers. They became Police Officers because they want to help people, not because they want to hurt people. They put their lives on the line everyday to serve and protect their communities. Are we to punish those

good and decent police officers because of the deplorable actions of a few? Are we to judge all police officers based on the actions of a few? Are we to make their jobs even more dangerous? Who would want such a job? I fear our communities will lose qualified police officers, that qualified future candidates would not want to become police officers. I fear for our current and future communities. As a Hanover resident, I want the most qualified officers protecting my family. I don't want them to pause when responding to my or my family's urgent need for assistance. I want to call 911 and know that I am protected by the best. I want to feel safe in my home and community. As a citizen I deserve no less.

My husband is a Quincy Police Officer. Each time he leaves for work, we are well aware of the risks, the fact that he might not come home. We hug him and tell him to be careful and we pray for his safe return. We await his arrival back at home so we know that he is safe. In today's world, the job of the men and women in law enforcement is more dangerous than it has ever been. My children ask why everyone hates their dad. What kind of world do we live in where our police officers are the enemy? They fear he will be killed simply for being a police officer. What kind of world do we live in when police officers are targets because of the work that they do? Law Enforcement Officers know the risks when taking the oath to protect and serve their communities, but to be targeted and hated, is wrong. And now to have their rights taken away, is simply unacceptable. This bill, as currently written, will make it nearly impossible for these officers to do their jobs safely and effectively.

The men and women who protect and serve in our Massachusetts communities are some of the most professional and educated in the nation. As a citizen, a community member, a voter, the wife of a police officer and, most importantly, as the mother of children whose father is a police officer, I implore you to spend more time evaluating this bill and making the necessary amendments to afford the men and women in law enforcement the rights and protections needed to do their jobs safely and effectively. Their lives literally depend on it.

Respectfully,
Leah Karvelis
52 Read Drive
Hanover, MA 02339
lk02189@gmail.com
From: Elizabeth Curtis <ermcurtis@gmail.com>
Sent: Thursday, July 16, 2020 8:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Personal Testimony on Policing Omnibus Bill S.2820

Dear members of House leadership,
My name is Elizabeth Curtis, I have been a resident of the Fenway/Longwood area of Boston for 6 years. I am writing to you today to express my testimony regarding Policing Omnibus Bill S.2820. This bill does almost nothing to prevent state violence against Black people or stop the flow of Black people into jails and prisons. I have also been horrified at the strong-arm bullying I have seen the MA police unions (specifically the Boston Police Patrolmen's Association) use

in attempts to sway our elected officials. The police must be held accountable for violating our rights: we cannot let them intimidate elected officials and stand in the way of justice.

I believe S.2820 will cause more harm than good by increasing spending on law enforcement through training and training commissions, expanding the power of law enforcement officials to oversee law enforcement agencies, and making no fundamental changes to the function and operation of policing in the Commonwealth. Real change requires that we shrink the power and responsibilities of law enforcement and shift resources from policing into most-impacted communities. The definition of law enforcement must include corrections officers who also enact racist violence on our community members.

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a BAN without exceptions on pretextual traffic stops and street stops and frisks. The legislature should DECRIMINALIZE driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people. Rather than limiting legislation to moderate reforms and data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. I also support student-led efforts to remove police from schools.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there. Representatives- you can do better.

Thank you. I look forward to watching your discussion and holding you personally responsible.

Best,

Elizabeth Curtis

Research Assistant, Harvard Medical School

978-394-85274

ermcurtis@gmail.com

From: steve douce <sdouce28@yahoo.com>

Sent: Thursday, July 16, 2020 8:40 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Good Evening,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity

and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Steven J Doucette

184 Nahant St. Wakefield, MA 01880

SDouce28@yahoo.com

From: Rodrigo Araujo <rodtjf@live.com>
Sent: Thursday, July 16, 2020 8:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Hello

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Rodrigo Araujo and I live at 6 Ernest ave, Worcester MA, I work at Mci Shirley and I am a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely

Rodrigo AraujoFrom:

Meaghan Leary <meagleary@aol.com>
Sent: Thursday, July 16, 2020 8:39 PM

To: Testimony HWM Judiciary (HOU)
Subject: S2820

Dear House of Representatives,

My name is Meaghan Roberto and I live in Topsfield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Meaghan Roberto

Sent from my iPhone
From: paulshibley <paulshibley@comcast.net>
Sent: Thursday, July 16, 2020 8:38 PM

To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Paul Shibley
Clinton, Ma

Sent from my Verizon, Samsung Galaxy smartphone

From: Karen Klaczak <kklaczak@yahoo.com>
Sent: Thursday, July 16, 2020 8:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a

member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: ASHLEY ENNIS <aennis91@aol.com>
Sent: Thursday, July 16, 2020 8:38 PM
To: Testimony HWM Judiciary (HOU)

Dear House of Representatives,

My name is Ashley and I live at 63 Secor Way, Tewksbury, MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015

President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Ashley Ennis

From: Julie Bernstein <julie.bernstein.borhani@gmail.com>

Sent: Thursday, July 16, 2020 8:37 PM

To: Testimony HWM Judiciary (HOU)

Subject: Comments on Police Reform

Dear Representatives Cronin and Michlewitz,

I have learned from Rep. Garlick about your willingness to hear testimony on police reform legislation. I am not a professional nor a directly impacted person, but I volunteered with The Justice Collaborative for most of the year and have been educating myself on criminal justice reform. I would like to share some of what I have learned with you.

I have learned that community involvement is key in any efforts at reform, transparency is critical, data collection must be accurate, and the Attorney General should be empowered to investigate police and sheriff departments that violate someone's constitutional rights. One place where many of these reforms have been adopted is the Sacramento Police Department. After the murder of Stephon Clark in 2018, the department was investigated by California Attorney General Xavier Becerra; this investigation led to a number of reforms, later enacted in law, to clearly define excessive use of force, compel officers to intercede in and promptly report on excessive use of force they observe to their superiors, who must in turn report it to the DOJ, and to obligate officers to immediately procure medical care for someone injured by use of force (AB 392 and SB 230). Much of the content of these laws drew upon recommendations from the Police Executive Research Forum:

<https://www.policeforum.org/assets/30%20guiding%20principles.pdf>

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Sacramento Police Chief David Hahn, the first African American to lead this department, has incorporated community exposure into police training because, as an African American in policing for 30 years, he recognizes that no amount of training is a substitute for the experiential learning that comes from imbedding oneself in a community. His department has instituted a requirement that police in basic training volunteer in the community. He also includes presentations by people directly affected by the justice system in the continuing education program. See:
<https://www.wbur.org/onpoint/2020/07/16/sociologist-michael-sierra-arevalo-on-how-police-expectation-of-danger-drives-brutality>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.wbur.org_onpoint_2020_07_16_sociologist-2Dmichael-2Dsierra-2Darevalo-2Don-2Dhow-2Dpolice-2Dexpectation-2Dof-2Ddanger-2Ddrives-2Dbrutality&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=ebyW9MNV44sNr-Ohxr4VRzbU0Cnix2NWh58C2AD9G-E&e=> . Attorney General Becerra goes even further, stating that he believes police officers should be required to live in the neighborhood that they police. He promotes the adoption of "Eight Can't Wait," immediate reforms to all police departments recommended by Campaign Zero. These reforms include: ban chokeholds and strangleholds, require deescalation, require warning before shooting, require exhausting all alternatives before shooting, duty to intervene, ban shooting at moving vehicles, require use of force continuum, and require comprehensive reporting. <https://8cantwait.org>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__8cantwait.org&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=4P8uNcnyDTi2imMbijsTAT3jIM13Lxbi9D3xucvWC4g&e=>

It has been demonstrated through data collected by Microsoft's Campaign Zero that police union policy is the biggest impediment to compliance with regulations imposed at the state level, so police union contracts must be renegotiated to reflect desired outcomes. Here is a list they compiled of the barriers to effective misconduct investigations and civilian oversight present in police union contracts:
<https://www.joincampaignzero.org/contracts>
<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.joincampaignzero.org_contracts&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=tALLXMAWNAEQtdDsJfQHuXNxs_SnYBQ0EJRrXCzTYM&e=>

Phillip Atiba Goff, CEO of the Center for Policing Equity, believes that everyone has bias based on race, gender, religion etc., but that under stress decisions will most reflect these biases, so it is imperative to mitigate the stress. He did research in Las Vegas, where police

established a foot pursuit policy wherein the officer who was giving chase would not be the first person to put their hands on the suspect; coordinated backup arriving on the scene would instead take on that role. The idea is that foot pursuits frequently led to excessive use of force simply because in high-adrenaline chases the officer and the suspect can get really angry, really fast. The policy change seemed successful, having resulted in a 23% reduction in total use of force, and an 11% reduction in officer injury over several years and a decrease in racial disparities. See: <https://www.vox.com/2020/6/1/21277013/police-reform-policies-systemic-racism-george-floyd>

<https://urldefense.proofpoint.com/v2/url?u=https-3A__www.vox.com_2020_6_1_21277013_police-2Dreform-2Dpolicies-2Dsystemic-2Dracism-2Dgeorge-2Dfloyd&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=PW_BAWrYbAXNjaxaxwwGQ08tIx6fcnSUp05SIhTODRc&e=> . Oakland, CA has just approved a new foot pursuit policy requiring that if an officer loses sight of a suspect, they cannot continue to follow them, they have to step back and set up a perimeter. Again the idea is to remove the immediacy to decrease the impact of bias. See: <https://www.wbur.org/hereandnow/2020/07/14/understanding-implicit-racial-bias> <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.wbur.org_hereandnow_2020_07_14_understanding-2Dimplicit-2Dracial-2Dbias&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=PrIplsYOx05QfIlIkLZrJDyyvTcCt_7bq5k-LpLqfo8&e=> .

As you have heard, there are many who advocate decreasing the portfolio of police to eliminate things like interactions with the homeless, the mentally ill, and drug users. The basis for this proposal is data such as a NY Times analysis demonstrating that only 1% of calls to 911 are for violent crimes, only 4% of police time is spent on crime, and 20% of calls are mental health calls. See:

<https://www.nytimes.com/2020/06/19/upshot/unrest-police-time-violent-crime.html> <https://urldefense.proofpoint.com/v2/url?u=https-3A__www.nytimes.com_2020_06_19_upshot_unrest-2Dpolice-2Dtime-2Dviolent-2Dcrime.html&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=SlHBCivuS-LYn2McHnXltNGLz79nTCb8vH5uDSZLtwY&e=> . Data from Los Angeles show that one third of use of force cases involve homeless people. See: https://laist.com/2019/03/12/lapd_homeless_report_force_citation.php <https://urldefense.proofpoint.com/v2/url?u=https-3A__laist.com_2019_03_12_lapd-5Fhomeless-5Freport-5Fforce-5Fcitation.php&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFfyerloymh-AY9tyq50&s=vwvXG5kcfVTsUwxcqppVg2C990QcavZnagxXOKpXu5U&e=> .

It is crucial that community organizations that address homelessness, mental health, and drug addiction be installed before we engage in major changes in the police portfolio. Changes must be adopted incrementally so

that data can be collected on the success of each intervention. Interventions must be built from the bottom up, as in the example of the community safety interventions implemented by the Colorado Justice Reform Coalition, where attention to detail was paramount and was accomplished at the local level. <https://www.ccjrc.org>
<[I have just touched the surface here, but I hope that I am conveying how complicated it is to correct injustices that result from current policing methods, and the importance of data-driven approaches, focused research on each aspect, and input from local communities, and a realization that we may not find one size fits all solutions.](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.ccjrc.org_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=SUWHUulUvQJmOmr7skziunGZFFyerloymh-AY9tyq50&s=owwBEjBYEHJdYqg4n96hRGWv2k8AIRD7wtgfrnLRZLM&e=></p></div><div data-bbox=)

Thanks for your consideration of this important issue,

Julie Bernstein

--

Julie Bernstein
Please reply to: julie.bernstein@alum.mit.edu
From: Lori Masi <[hopelma@comcast.net](mailto:hoppelma@comcast.net)>
Sent: Thursday, July 16, 2020 8:37 PM
To: Testimony HWM Judiciary (HOU)
Cc: Tarr, Bruce E. (SEN)
Subject: Public In put on S2800

Senate Bill S2800 was reviewed in the dead of night and passed in the early morning hours by the Massachusetts' State Senate without a required Public Hearing. I was informed at 2:00 pm today by Sen. Bruce Tarr that I would have until 11:00 am tomorrow, July 17, 2020, to respond to it in writing.

These are my Concerns:

1. Since S2800 circumvented the normal requirement of a Public Hearing for such a far-reaching bill, I believe it may have been an "emotional reaction" to the horrific events that have been happening in cities throughout the United States. It grieves me that there has been organized efforts to fan the flames of conflict between races and both financially and verbally support of racial division. Some of those who are "fanning the flames" may have the political objective of overthrowing our Constitutional Republic and replacing it with a Socialist government. I think that only a well thought out, unhurried and rational approach to review the need for Police Oversight should be taken.

2. Such terms as "systemic racism" and "racial justice" seem to apply to one race rather than to all races. We have had "Affirmative Action" for many years. I am concerned about "reverse racism". One cannot cure racism by instituting another form of racism.

3. The bill did not enlist input from any Black or Latino Police Officers who may have given another or additional perspectives.
4. A Citizen's Committee that may not have diverse opinions and do not have representatives from the Police department should not have so much power over our Police and other municipal servants. There could be an Advisory Committee to the Governor which should be composed of individuals who have opposing insights and opinions.
5. The bill limits "qualified immunity" for good police officers and limits their ability to control violence on our streets by:- Banning use of facial recognition and limited chokeholds, -Limiting use of tear gas and - Making school resource officers optional.

As a senior citizen, I am concerned that our Police Officers feel that they have strong support from leaders in our Commonwealth in doing their many times very dangerous job. We do not want Mob Rule nor Vigilantism that may fill the vacuum left when there is no power to enforce law and order. I only ask for open minds to my opinions during such tumultuous times.

Best regards, Lorraine D. Masi, Beverly

From: Sandra Harrington <sandyrn73@yahoo.com>
Sent: Thursday, July 16, 2020 8:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: To Defund the Police would bring down America

Sent from my iPhone
Concern

To Whom It May

Our Country is out of control!!!
Defunding the Police would cause lawlessness! We need PEACE!
The well trained police deal with many types of situations and help so many people, risking their lives every time they go to work. God help all Americans if this issue continues! Please do the right thing and reconsider this sad bill!

Sincerely,
Sandra Harrington
Paxton, MA 01612

From: Michael Lis <michael.lis@gmail.com>
Sent: Thursday, July 16, 2020 8:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please support the reasonableness standard in the police reform bill

Honorable Members of the House Judiciary and Ways and Means Committees,

I write in support of the Police Reform Bill S2820 in front of you, in particular the section pertaining to Qualified Immunity and the creation of a Reasonableness Standard.

Right now, citizens have nearly no recourse in the event that their personal or property rights are violated by the police. Even the most egregious violations, confirmed by video or admission, do not meet the standard for civil or criminal action.

This law would create a standard whereby if an officer can be shown to have known they were violating someone's rights, they (or their employer if so indemnified) can be held liable.

This is still a very high standard, as it requires knowledge of the officer's state of mind, and would require a blatant violation of civil rights.

We ask a lot of officers we hire to protect us, but we also give them a monopoly on the use of force. We must treat that monopoly as a responsibility, and expect officers to use it well.

Thank you for your time,

Michael Lis
(781) 534-2719
michael.lis@gmail.com
30 Leanne Dr
North Andover, MA 01845

From: Lyle Cooper <lcooper370@comcast.net>
Sent: Thursday, July 16, 2020 8:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Lyle F. Cooper

From: Athena Jacobowitz Teatum <athena.j.teatum@gmail.com>
Sent: Thursday, July 16, 2020 8:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

July 16, 2020

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, Vice Chair Garlick, and Members of the House Ways and Means and Judiciary Committees:

I am writing to express my support of strong police reform and accountability legislation as the House considers S.2800, the Reform, Shift, and Build Act, which recently passed the Senate. I also urge the Committees to consider the disparities facing LGBTQ youth with respect to policing, the school-to-prison pipeline, and involvement in the juvenile justice system, which have led to LGBTQ youth—particularly LGBTQ youth of color—to be starkly overrepresented in the juvenile and adult justice systems.

As the recent murder of black transgender man Tony McDade at the hands of police sadly exemplifies, LGBTQ americans are all too often subjected to violent persecution at the hands of the police. Massachusetts, vaunted blue state though it may be, still struggles with this fact. Last August, at Boston's infamous "Straight Pride Parade", an overwhelming and over-militarized police presence was turned against the LGBTQ community, beating and pepper-spraying dozens of peaceful counter-protesters without provocation, escalating a peaceful situation into a violent one. All too often, in this and similar situations, the police are the aggressors, taking advantage of their overwhelming superior force and functional freedom from consequence to take out their frustrations on our LGBTQ bodies violently, knowing that they can act with impunity. As a transgender woman and as a member of the Massachusetts State Commission on LGBTQ Youth, I am urging you to protect our community from the ever-present threat of police violence.

LGBTQ youth are twice as likely to enter the juvenile justice system as their non-LGBTQ peers, while LGBTQ youth of color are 4 times more likely to be incarcerated as white youth. An estimated 85% of LGBTQ youth in the justice system are youth of color. Various forces contribute to the overrepresentation of LGBTQ youth in the juvenile justice system, including discrimination and stigma that increase the number of incidents of harassment and violence against LGBTQ youth. Discrimination and stigma may also result in policies and policing strategies that disproportionately target LGBTQ youth, especially youth of color.

I urge you to pass significant limits on the use of force by police officers, as laid out in Rep. Miranda's bill (HD.5128), and to include additional protections for children during interactions with law enforcement officials. This legislation should include a prohibition on restraining minor children in a prone or hog-tie position, mandate that de-escalation techniques that are developmentally appropriate be utilized, and that law enforcement be trained in these techniques. Finally, I urge you to include school resources officers, constables, and special service officers in the definition of law enforcement officers subject to use of force provisions.

It is absolutely imperative that Massachusetts abolish the dangerous doctrine of qualified immunity. because it shields police from being held accountable to their victims. Limiting the ability of the police to use force is meaningless if those limits cannot be enforced, and police who abuse their power must be held accountable to their victims. The alternative is, frankly, terrifying, for what does it matter who watches the watchmen if nothing can be done about it? That is the situation we have today, where even the most blatant and violent civil rights violations cannot be punished due to qualified immunity. It denies victims of police violence their day in court. If police are able to act with impunity, we arrive at a situation where police officers are able to appoint themselves judge, jury, and executioner, and that is not what the american justice system is meant to be. Ending or reforming qualified immunity is the most important police accountability measure in S2820. We urge you to end immunity in order to end impunity.

I also urge you to pass significant limits on the use of force by police officers, as laid out in Rep. Miranda's bill (HD.5128). Chemical weapons such as tear gas are banned by the Geneva convention- why do we allow the police to subject our own citizens to weapons so harsh that their use would lead to a trial in the Hague in any other circumstance? Even so-called "less lethal" armaments like rubber bullets can still permanently destroy eyes and fracture skulls, making them completely unacceptable to be used on civilian populations. I also urge you to include additional protections for children during interactions with law enforcement officials. This legislation should include a prohibition on restraining minor children in a prone or hog-tie position, mandate that de-escalation techniques that are developmentally appropriate be utilized, and that law

enforcement be trained in these techniques. Finally, I urge you to include school resources officers, constables, and special service officers in the definition of law enforcement officers subject to use of force provisions.

Thank you for your consideration,

Athena Jacobowitz Teatum

Member of the Massachusetts State Commission on LGBTQ Youth

1-978-223-0283

Athena.j.teatum@gmail.com

From: Nicole Walker <ncomora@yahoo.com>
Sent: Thursday, July 16, 2020 8:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Nicole Walker and I live at 47 Mildred St Dracut MA 01826. I work for the Massachusetts Army National Guard and I am a Decon Operations Non-Commissioned Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the

appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Nicole E Walker

From: James Webster <websta1224@gmail.com>
Sent: Thursday, July 16, 2020 8:35 PM
To: Testimony HWM Judiciary (HOU)
Subject: Patricia Haddad

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified

immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

You stood with me at my graduation. Please stand again with myself and all of my brothers and sisters of all backgrounds, races, colors and creeds against this bill. We want to move forward and upward. This bill is not the answer.

Thank you,

TROOPER JAMES WEBSTER

413 Steven's Road

Swansea, MA 02777

From: Jamie Labonosky <jamielabonosky@gmail.com>
Sent: Thursday, July 16, 2020 8:35 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony in support of House Bill S.2820

Testimony in support of: House Bill S.2820: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Submitted by: Jamie Labonosky of Milton, MA.

My name is Jamie Labonosky, I am a white-privileged, female resident of Milton MA.

I, and my family, have the deeply painful lived experience of having lost a loved one to police-involved violence while they were in the midst of a mental-health crisis. Hence, I strongly support any and all efforts to decrease the use of force by police and in turn any efforts to increase the use of nonviolent de-escalation tactics.

I am also a clinical social worker and within my experiences serving local communities as a mental-health provider I have become well aware that people of color are often deeply fearful of using any sort of emergency-response, especially police, to seek support or security for mental health concerns or crises for valid concern of the disproportionate likelihood that the emergency-response would endanger, rather than secure or support, the person in crisis. All of our commonwealth's residents should feel safe seeking support in times of crisis and not live in fear of inappropriate use of force or violence by police.

Hence, I urge you to support House Bill S.2820 for a more equitable, fair and just commonwealth that truly values and ensures the safety of Black lives and communities of color.

Thank you.

From: Kristin Cronin <kcronin20@gmail.com>
Sent: Thursday, July 16, 2020 8:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Opposition

Hello,

As your constituent, I write to you today as a wife of a law enforcement officer, to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Kristin Cronin

Billerica, MA 01821 <x-apple-data-detectors://1/1>

kcronin20@gmail.com

From: Judith Reilly <judith.reilly.77@gmail.com>

Sent: Thursday, July 16, 2020 8:33 PM

To: Testimony HWM Judiciary (HOU)

Cc: Lovely, Joan B. (SEN)
Subject: SUPPORT for S.2800 & and an end to qualified immunity for police

Honored Members of the House Ways & Means Committee:

As an American, and a resident of Massachusetts, advancing racial justice is one of my top priorities. Racial justice is a justice issue. It is a public health issue. It is a national security issue, because our failings can be used by our adversaries to further divide us and to undermine the U.S.A. as a beacon of democracy.

I urge the Massachusetts legislature to include in the final Reform, Shift and Build Act the strongest provisions of:

1. HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, which bans choke-holds, no-knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate; and requires maintaining public records of officer misconduct.

2. HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

Ending qualified immunity will simply put police officers on the same footing as doctors. Local governments will be able to get insurance for their police if the departments don't have bad records and bad practices.

In the United States of America, there needs to be equal justice before the law. Armed agents of the state who are granted vast powers over the public should not have "qualified immunity," which is an invention of the courts, not a bedrock American principal, like equal justice.

Thank you for your consideration of my testimony.

Judith Reilly (Ms.)
20 West Ave, Unit 3
Salem, MA 01970
From: Clow Clan <clowclan@comcast.net>
Sent: Thursday, July 16, 2020 8:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: I oppose S.2800

As your constituent, Harry Clow from Walpole, I am writing to you today to express my strong opposition to S.2800 which was passed by the Senate. I ask that you oppose this bill as constituted when it is debated in the House of Representatives. This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities. It will cause many good officers to leave due to the new burdens it imposes and will likely only encourage poor candidates for the job.

S2800 establishes a review committee board with overly broad powers, including the power of subpoena, in active investigations. Review boards typically review a process or an event after it has occurred for the purpose of implementing a change. Reviews should not be conducted during the course of an investigation as that would in all likelihood jeopardize the investigation. Why is this language part of the bill?

The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment right (see *Carney v. Springfield*) and constitutional protections against double jeopardy. Qualified immunity protections (which are really the hallmark of sound and reasonable protections against frivolous lawsuits) are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections for the police officers we send out to protect our communities and who often deal with the most dangerous of circumstances with little or no backup. Removing qualified immunity protections in this way will open up officers to personal liabilities the likes of which they cannot withstand. That is a standard that makes no sense and are unnecessary as current laws today adequately address any overreach by law enforcement officers.

I am also demanding that this bill be debated in the light of day and not in the cover of darkness. If you have to resort to sneaking a debate and vote in the middle of the night, then I assert it is "prima facie" a bad bill and "prima facie" bad faith on your part as my Representative.

In summary, this bill is ill conceived, and quite frankly, it is a cornucopia of drivel. If you could set aside for one moment your partisan loyalties, perhaps you will admit to yourself that it is a bad bill and bad policy. Further, how can you or any other Representative reform something of which you know little. Until and unless you have taken substantive police training, I would again ask that you oppose this bill. While I agree that some policing reform should be addressed (good policing should always be evolving as new things are learned) but passing a poor bill for the sake of passing a bill is not in the best interest of the good people of Massachusetts.

I would also encourage you and all your colleagues in the House to perhaps live in a poor urban community with a high crime rate for one month before you decide to change something about which I am going to assume you have little to no knowledge or experience.

For all the reasons stated above, I ask that you oppose this bill.

Sincerely,

Harry Clow

From: Elizabeth Buckley <elizabeth.l.buckley@gmail.com>

Sent: Thursday, July 16, 2020 8:34 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

I am writing in support of bill S2820. I am a clinical social worker who has worked with people in eastern Massachusetts for the past 26 years. I have seen the impacts of unjust policing and police brutality over this time. I urge Massachusetts to pass this legislation as a step towards equity and justice.

Thank you,

Elizabeth Buckley, LICSW
9 Sutherland Street
Andover, MA

Sent from my iPhone From: Shane Pelletier <shane.pelletier@ymail.com>
Sent: Thursday, July 16, 2020 8:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800/S.2820

Dear House of Representatives,

My name is Shane Pelletier and I live at 81 Aldrich road Wakefield . As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,
Shane Pelletier

From: Christina Yau <chiu431g@yahoo.com>
Sent: Thursday, July 16, 2020 8:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Dawn <windwych@yahoo.com>
Sent: Thursday, July 16, 2020 8:33 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Mackenzie Ryan

Sent from my iPhone
From: Maura Clow <clowclan@me.com>
Sent: Thursday, July 16, 2020 8:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to House Bill s2800

As your constituent, Maura Clow from Walpole, I am writing to you today to express my strong opposition to S.2800 which was passed by the Senate. I ask that you oppose this bill as constituted when it is debated in the House of Representatives. This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities. It will cause many good officers to leave due to the new burdens it imposes and will likely only encourage poor candidates for the job.

S2800 establishes a review committee board with overly broad powers, including the power of subpoena, in active investigations. Review boards typically review a process or an event after it has occurred for the purpose of implementing a change. Reviews should not be conducted during the course of an investigation as that would in all likelihood jeopardize the investigation. Why is this language part of the bill?

The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment right (see Carney v. Springfield) and constitutional protections against double jeopardy. Qualified immunity protections (which are really the hallmark of sound and reasonable

protections against frivolous lawsuits) are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections for the police officers we send out to protect our communities and who often deal with the most dangerous of circumstances with little or no backup. Removing qualified immunity protections in this way will open up officers to personal liabilities the likes of which they cannot withstand. That is a standard that that makes no sense and are unnecessary as current laws today adequately address any overreach by law enforcement officers.

I am also demanding that this bill be debated in the light of day and not in the cover of darkness. If you have to resort to sneaking a debate and vote in the middle of the night, then I assert it is "prima facie" a bad bill and "prima facie" bad faith on your part as my Representative.

In summary, this bill is ill conceived, and quite frankly, it is a cornucopia of drivel. If you could set aside for one moment your partisan loyalties, perhaps you will admit to yourself that it is a bad bill and bad policy. Further, how can you or any other Representative reform something of which you know little. Until and unless you have taken substantive police training, I would again ask that you oppose this bill. While I agree that some policing reform should be addressed (good policing should always be evolving as new things are learned) but passing a poor bill for the sake of passing a bill is not in the best interest of the good people of Massachusetts.

I would also encourage you and all your colleagues in the House to perhaps live in a poor urban community with a high crime rate for one month before you decide to change something about which I am going to assume you have little to no knowledge or experience.

For all the reasons stated above, I ask that you oppose this bill.

Sincerely,

Maura Clow

From: Jean Madden <jeanmadden@aol.com>

Sent: Thursday, July 16, 2020 8:32 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.9

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPad
From: mark dubree <markdubree73@gmail.com>
Sent: Thursday, July 16, 2020 8:32 PM
To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Mark DuBree and I live at 325A Washington St. Wellesley, MA. I work at Suffolk County Sheriff's Department and am a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave

no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

???????????????????? ?????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Mark DuBree
From: Alix Sirois <alixsiroisffpt@gmail.com>
Sent: Thursday, July 16, 2020 8:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: I REJECT S2820

To whom it may concern,

I am a Alexandria Sirois, a student attending a university in Boston.

I am contacting anybody that may be able to share my strong feeling to REJECT S2820.

This bill does not allow safety to the hard working men, women, persons of color, or anybody who are in a police uniform. As a matter of fact, this bill not only put police officers in danger, but any criminal of the many who still live outside of prison walls will now find this as an opportunity to act on their bad intentions.

Just the other day, the daughter of a police officer, and strong advocate for BLM stated, "the killing of police officers is the price of ending racism."

I strongly advocate for eliminating racism in this world, BUT I do not stand for the inhuman acts that have resulted from people who oppose police officers, and I do not stand for reducing any security the police force may have. This is not the answer!

This bill will cause much more murder, especially of the police officers who already risk their lives daily. It will invite those who have been hiding in the shadows to come out and wreak havoc because they would be given much more opportunity to do so.

I am free to discuss this matter further with anybody who is willing to listen. I STRONGLY ADVOCATE FOR REJECTING THIS BILL!

Thank you for reading this,
Alexandria Sirois
From: Julie Fariel <juliefariel@comcast.net>
Sent: Thursday, July 16, 2020 8:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Due Process and Qualified Immunity

To Whom It May Concern,

My name is Julie Fariel and I live in Rockport MA. I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31 st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration

Julie Fariel
8 Norwood Ave. Rockport 01866
juliefariel@comcast.net

From: Emily Belastock <emily.belastock@gmail.com>
Sent: Thursday, July 16, 2020 8:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony Pro-Police

Please take your time to have your family, friends and all others who support police and correction officers, to copy this post and send it to: Testimony.HWMJudiciary@mahouse.gov

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Emily Belastock and I live at 43 Southpark lane, Mansfield Ma, 02048. I work at Baystate Physical Therapy and am a physical therapy aide. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon

is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Emily Belastock

From: Alexander M Samarov <samarov@mit.edu>

Sent: Thursday, July 16, 2020 8:28 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill No. S2820

Dear Representative Aaron Michlewitz, Chair of the House Committee on Ways and Means, and Representative Claire Cronin, Chair of the Joint Committee on the Judiciary,

My name is Alexander Samarov, I am a resident of Brookline, MA for the last 42 years.

To my utter surprise and outrage, I just learned about the passage of the bill in the Massachusetts senate to end qualified immunity for police officers.

The very idea that such a thing as removing qualified immunity from police can be seriously proposed, let alone voted for 30 to 7, seemed totally absurd just a few months ago. Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function - anybody, from public school teachers to senators, could find themselves frivolously sued for any action that made somebody unhappy. And

policemen, due to the very nature of their work, are the most vulnerable group.

This shameful legislation is unfair, immoral, and harmful to the extreme, especially to the people of color, whom it's supposedly designed to help - this group needs strong law enforcement and police protection more than anybody. By taking away qualified immunity from police the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen will retire, which is already happening. And nobody will be interested in joining the police force - the group that not only is unjustly vilified, but now even deprived of any legislative protection.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

And I vote.

Alexander Samarov
Brookline, MA

From: Greg H <hayes.gregj@gmail.com>
Sent: Thursday, July 16, 2020 8:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820.

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability

protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Gregory Hayes

93 Newcomb St Norton, MA

Sent from my iPhone
From: Phyllis Troia <pjtroia@verizon.net>
Sent: Thursday, July 16, 2020 8:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I DEMAND that you reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-

member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

You are all a disgrace. Craven, self interested, self righteous, breathtakingly stupid morons!! You endanger and deprive every citizen of our Commonwealth! Who the hell do you think you are!! YOU SERVE WE THE PEOPLE!! NOT FOREIGN INTERESTS. NOT ILLEGAL ALIENS. This is my home, my money, my life. I owe nothing to you or any felon or any foreign national regardless of legal status.

Phyllis J Troia, MD

627 Long Pond RD
Plymouth MA 02360

From: Clyde Waite <waitensea@comcast.net>
Sent: Thursday, July 16, 2020 8:28 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone

From: Kevin Thomson <kpthomson@verizon.net>
Sent: Thursday, July 16, 2020 8:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

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Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Patricia Thomson

Sent from my iPhone

From: Matthew Robidoux <logan7916@gmail.com>
Sent: Thursday, July 16, 2020 8:27 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Matthew Robidoux

From: Mark Hannon <kylesam53@gmail.com>

Sent: Thursday, July 16, 2020 8:27 PM

To: Testimony HWM Judiciary (HOU)

Cc: Feeney, Paul (SEN); Barrows, F. Jay - Rep. (HOU)

Subject: Police Reform Bill S.2800

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and

using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

??: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Vaughn Gibson

Sent from my iPhone
From: Michael DeCaro <mda184@icloud.com>
Sent: Thursday, July 16, 2020 8:26 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This

bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,
Michael DeCaro
23 Karen Dr. Agawam, Ma. 01001
Mda184@icloud.com

From: aaron rego <arod2414@yahoo.com>
Sent: Thursday, July 16, 2020 8:25 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Aaron Rego and I live at 16 Bluejay lane, East Taunton MA. I work at MCI-Norfolk and am a Corrections Officer I. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am

dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Aaron Rego

Sent from Yahoo Mail on Android
<[From: Betsy McKenna <betsymckenna@gmail.com>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=X9jSdA82zLWbxeyejpYef_ZxrOVvWHDPzM8vOmkSE14E&s=2u00jPQo umh04-kNXud1TN3kL2O8faPQY6JcAVzEX8c&e=>></p></div><div data-bbox=)

Sent: Thursday, July 16, 2020 8:25 PM

To: Pacheco, Marc (SEN); Testimony HWM Judiciary (HOU)

Subject: **Opposition to S.2820**

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Betsy McKenna

25 Upland Drive

Bridgewater, MA 02324

508-455-7205From:Benji Grubel <bgrubel9@aol.com>

Sent: Thursday, July 16, 2020 8:25 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Benji Grubel
27 Cotton St.
Leominster, MA 01453
From: John Kennedy <john.kennedy7@comcast.net>
Sent: Thursday, July 16, 2020 8:25 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
John Kennedy
125 Legge St.
Bridgewater
(508) 279-1699

Sent from my iPhone
From: Brenda Egan <brn7377@yahoo.com>
Sent: Thursday, July 16, 2020 8:25 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: John Moran <msp2235@yahoo.com>
Sent: Thursday, July 16, 2020 8:24 PM
To: Testimony HWM Judiciary (HOU)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Jack Moran

3 Lewis Ct

Nantucket, MA 02554

tpr2235@gmail.com

Sent from my iPhone
From: Kevin Taylor <ktaylor782@gmail.com>
Sent: Thursday, July 16, 2020 8:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Kevin Taylor and I live at 240 South ST. West Bridgewater MA.. I work at South Bay House of Corrections and am a corrections officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

???????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

???????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better

it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Kevin Taylor
From: Patrick Lavey <patlavey11@aol.com>
Sent: Thursday, July 16, 2020 8:24 PM
To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is PatrickLaveyand I live at 620 East Seventh Street,Boston Ma.I work at The Suffolk County Sheriffs Department and am a Sergeant.As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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Sincerely,
Patrick Lavey

Sent from my iPhone
From: Robert Svizzero <robsvizzero@msn.com>
Sent: Thursday, July 16, 2020 8:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony S.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Robert Svizzero and I live at 11 Village Way Natick, MA 01760. I work at Suffolk County Sheriff's Department and am a Lieutenant . As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ???????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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????????????????????? ???????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained

to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Robert Svizzero

Sent from my iPhone From: Brenda Egan <brn7377@yahoo.com>
Sent: Thursday, July 16, 2020 8:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Tracy Ascolillo <tascolillo@gmail.com>
Sent: Thursday, July 16, 2020 8:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 Opposed to ending Qualified immunity

Dear Senator,

My name is Tracy Ascolillo and I live in Beverly MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement

efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Tracy Ascolillo

From: Lisa <lisa.lynn@charter.net>
Sent: Thursday, July 16, 2020 8:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Lisa Searles

Sent from my iPad
From: Rob Gonsalves <rgonsalves05@yahoo.com>
Sent: Thursday, July 16, 2020 8:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should

specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

You're making it very difficult to continue supporting the Democrat Party, or to live in this State for that matter.

Sincerely,
Robert Gonsalves
2 Hyde Ave
Woburn, MA.

From: John Quinn <quinnbol15@yahoo.com>
Sent: Thursday, July 16, 2020 8:22 PM
To: Testimony HWM Judiciary (HOU)
Subject: I support the police/testimony

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is John Quinn and I live at 17 D Street, Dracut, MA. I work for the Town of Dracut and I am a police officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

??: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

??: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

??: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
John Quinn

From: Paul Wright <pewright89@gmail.com>
Sent: Thursday, July 16, 2020 8:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support for SD.2968 and HD.5128

I'm writing to support these two pieces of legislation. Massachusetts police are not exempt from the abuses of police power towards African Americans and other minorities. It's said that all police should not be judged by the actions of a few bad apples, but the saying should be completed that a few bad apples spoils the bunch. Please pass this legislation so that it is easier to hold the bad apples accountable and to prevent further harm.

Paul Wright
Salem, MA

From: Jen Puntonio <mjcbwpuntonio@comcast.net>
Sent: Thursday, July 16, 2020 8:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified immunity

To whom it may concern

I am writing to you regarding the potential impact of qualified immunity. My husband has been a police officer for 26 years. He chose the profession because he truly wants to help people. That is just his nature. On and off the job.

The fact that this bill may pass is a scary thought for all police families. Officers are out there doing a job that no one else wants to do, risking their lives everyday and will potentially be offered NO protection against frivolous lawsuits.... all because they are acting in good faith by doing their job.

It could have devastating consequences for a lot of people. We have 3 children and have worked hard for everything we have and it doesn't seem right that it could all be taken away from us by someone who called police for help and then decide to turn the tables and sue the officer personally simply for being there to help and doing their job. Most likely the lawsuit will be because they weren't happy with the outcome.

Officers put themselves out there everyday and there is no protection for them. Citizens can do and say what they want, file false reports against

an officer and there is no consequences even when the report is found to be false.

Citizens say they want justice.... where is the justice for the officers out there helping ?

What's going to happen is that no one is going to want to become an officer and the officers close to retirement will simply retire early. As a police wife, I already worry everyday whether or not my husband will come home from work each day. I kiss him goodbye hoping it's not the last time.

We don't need more to worry about.

Something to think about. Put yourself in an officers shoes or even think about your own job. How would it affect you and your family if you could be sued personally simply for doing your job?

Better yet, contact your local police department and ask to do a ride along with an officer for a day or night. See what they really deal with day to day or if you think you can do a better job than them, the police academy is always taking applicants. YOU go try to do the job they do and have to make split second decisions and just hope you don't get put in a position where a criminal could take everything you and your family have worked so hard for.

Please for the safety and protection of all officers out there, do not allow this bill to pass.

Thank you for your time.

Sincerely

Jennifer Puntonio

Sent from my iPhone

From: ANTHONY DICARLO <adicarlo0812@comcast.net>

Sent: Thursday, July 16, 2020 8:20 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as

an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Anthony R. DiCarlo

125 Nathan Lane

Plymouth, MA 02360

adicarlo0812@comcast.net

From: Springer <chrspr@gmail.com>
Sent: Thursday, July 16, 2020 8:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: 2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,

Chris Springer

7 Glenellen Rd

West Roxbury, MA

ChrSpr@gmail.com

From: Ross Pelletier <rpelletier21@gmail.com>
Sent: Thursday, July 16, 2020 8:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,

Ross Pelletier

127 Town Farm Rd

Monson, MA 01057

Sent from my iPhone

From: sboyce1121 <sboyce1121@gmail.com>

Sent: Thursday, July 16, 2020 8:20 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony S.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Steven Boyce and I live at 20 South Dr. Bridgewater. I work at Suffolk County Sheriff's Dept. and am a Correction Officer/ Deputy Sheriff. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Steven Boyce

Sent from my Sprint Samsung Galaxy S9.

From: jsdig@comcast.net
Sent: Thursday, July 16, 2020 8:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony S.2820

Dear Chair Michlewitz and Chair Cronin,

My name is Jeff DiGaetano and I live at 24 Sylvan Circle, Lynnfield, MA. I work at Suffolk County House of Corrections and am a Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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Sincerely,
Jeff DiGaetano

From: brian pacheco <brion24@hotmail.com>
Sent: Thursday, July 16, 2020 8:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Brian Pacheco

521 Estherbrook Ave

Dighton, Ma 02715

Sent from my T-Mobile 4G LTE Device

From: Rudy Tryon <rtryon14@yahoo.com>
Sent: Thursday, July 16, 2020 8:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: New stupid ignorant legislation

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,

Rudy Tryon

196 pond st, Weymouth, ma

6176949457

From: queenb864@comcast.net
Sent: Thursday, July 16, 2020 8:19 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,

Patricia A Kelley

67 Elm Street, Byfield

queenb864@comcast.net

Sent from my iPhone

Sent from my iPhone

From: dcsbelle@gmail.com

Sent: Thursday, July 16, 2020 8:19 PM

To: Testimony HWM Judiciary (HOU)

Subject: Senate police reform bill, S.2800

To Massachusetts Lawmakers,

I endorse wholeheartedly the remarks below as issued by the LWVMA.

"The League of Women Voters advocates against systemic racism in the justice system and supports preventing excessive force and brutality by law enforcement.

We urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda bans choke-holds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights."

Sincerely,

Deborah Schneider

Salem MA From: Jason Bernardo <jasonmichaelbernardo@gmail.com>

Sent: Thursday, July 16, 2020 8:18 PM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Jason Bernardo and I live at 93 Captain Bacon, Road, South Yarmouth, MA. I work at Barnstable County Sheriff's Office am a K9 Handler. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019

the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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The fact that the proposed legislation petitions to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

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Sincerely,

Jason Bernardo

From: Tim OConnor <77okie@gmail.com>

Sent: Thursday, July 16, 2020 8:18 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,

Tim O'Connor

10 Strathmore Rd

East Bridgewater, MA

Sent from my iPhone
From: Jeff Young <jeff1734@hotmail.com>
Sent: Thursday, July 16, 2020 8:17 PM
To: Testimony HWM Judiciary (HOU)

Subject: Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chairs Michlewitz and Cronin,

My name is Jeffrey P. Young and I live at 415 Boxford Street in North Andover, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard in the Massachusetts House of Representatives tomorrow for consideration.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Very truly yours,

Jeffrey P. Young

415 Boxford Street

North Andover, MA 01845

From: Jim Crawford <crawfordrj@comcast.net>
Sent: Thursday, July 16, 2020 8:16 PM
To: Testimony HWM Judiciary (HOU)
Cc: Soter, Michael - Rep. (HOU); Fattman, Ryan (SEN)
Subject: Police Reform bill (S.2800)

Sirs;

With all due respect, S2800 is a terrible bill from the get go. Perhaps well intentioned, but will do nothing but handcuff our first responders.

The best thing that could happen is for it to die in committee.

How could anyone in their right mind consider a bill that includes provisions that

- prohibit schools from cooperating with law enforcement agencies
- allow individuals to expunge more than 1 charge before their 21st birthday
- prohibit the use of biometric surveillance
- remove the requirement for a school resource officer
- authorize the AG to bring civil lawsuits against officers
- allow a person to bring civil lawsuits against officers
- remove monetary claims from qualified immunity

I would expect much better from our elected representatives.

Robert J Crawford
87 Jeannine Rd
Bellingham MA 02019

From: Ricky Kielczweski <ricky_kielczweski@msn.com>
Sent: Thursday, July 16, 2020 8:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Ricky Kielczweski Jr and I live at 243 Maquan St Hanson, MA 02341. I work at Suffolk County Sheriff Department and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several

years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Ricky Kielczweski Jr

Sent from my Verizon, Samsung Galaxy smartphone

From: Chyrel Pacheco <cupid1960@gmail.com>
Sent: Thursday, July 16, 2020 8:16 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill

To whom it may concern

I am asking as a mom of a soon to be police officers do not let this bill pass. My son is scheduled to graduate on July 31 from the police academy. This is not what our new cadets should be brought into. Please take into consideration all the other issues in this crazy world we are living in. We need to protect the officers that put their life on the line every day protecting us. Again please do not pass this bil

Chyrel Pacheco

Police Mom

From: Cheryl Laurenza <calaurenza@comcast.net>

Sent: Thursday, July 16, 2020 8:15 PM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill S200

To Whom it may concern

I'm very concerned that along with some needed reforms , other things tacked on without notice are very dangerous, ie no use of tear gas even for dangerous crowd control or other serious issues that affect safety, as well as Police Officers and other First Responders not being able to do their job without fear of being sued?!

Please do not bow to pressure and rush this dangerous bill through in its current form.

Regards,

Cheryl Laurenza MA, LCMHC

From: Erin Sullivan <emo_sullivan@hotmail.com>

Sent: Thursday, July 16, 2020 8:15 PM

To: Testimony HWM Judiciary (HOU)

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Erin Sullivan

319 Washington Street

Canton, MA 02021

Sent from Mail <[From: Patricia Menton <pamenton16@gmail.com>
Sent: Thursday, July 16, 2020 8:10 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: Bill S.2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=yoK4joQ4IWx12f9JDv8dVJOrAg7YRx8i-ganOqvgyf&k&s=oyE9_DT9LilIiTaG6m4MO_LhVZ_ksCm1A3kBT7b6MU&e=> for Windows 10</p></div><div data-bbox=)

Dear Chairman,

I want to thank you for reading my plea. My name is Patricia Ann Menton, residence at 43 Sparkill Street, Watertown, MA (617)816-8815.

I am writing to you as a mother of a police officer, a fire fighter and a nurse in our community. I am opposed to any change in Qualified Immunity for Police, Firefighters, and Nurses. These essential employees have the toughest jobs. When others could remain safely at home during the harshest part of the Covid-19 pandemic, these three professions, had to continue working with the public, putting themselves and their family members at great risk.

To undercut or cause them to second guess their immediate actions due to ill- considered litigation while working is dangerous for all involved. Police Officers, Firefighters and Nurses shouldn't have to second guess their participation in their actions.

I implore you to consider exactly what this bill will do in the long and short term. This is not good for our people in Massachusetts. Think outside the box. Do you really want to live in a community where Police, Firefighters and Nurses are afraid to act?

Respectfully,

Patricia Ann Menton
From: mannyopr3 <mannyopr3@aol.com>
Sent: Thursday, July 16, 2020 8:15 PM
To: Testimony HWM Judiciary (HOU)

Subject: Public testimony for S.2820

Elected Officials,

Massachusetts police officers are among the most highly trained in the country. On average officers in the commonwealth are trained for over 800 hrs during the full time police academy. The MPTC ensures that the standards are consistent and cover subjects that include constitutional law, criminal law, use of force, defensive tactics, juvenile law, ethics, sex crimes, community policing, firearms, emergency vehicle operations, and many other important course. In addition to academy training the majority of officers also have college degrees in criminal justice. Many of which are advanced degrees.

Officers in the majority of the communities in the commonwealth already attend 40 hrs of mandatory in service refresher training annually. It is important to recognize that this annual training is supplied by the MPTC and generally includes legal updates to law, changes in policy, and any additional guidance that may be deemed necessary to keep officers safe and educated in how to perform their duties appropriately.

Under our current system qualified immunity is used to protect those officers who while performing their duties in good faith become defendants to frivolous law suits. It is important to understand that an officer who violates policy, procedure, laws, or a citizens rights is not protected under qualified immunity.

With regards to training I would offer that you will find that officers in the commonwealth welcome more training. They look for opportunities to engage their minds and learn ways to improve the quality of life in our communities while keeping the criminal elements at bay. The issue is frequently a budget problem. Many cities and towns are unwilling to approve overtime or change an officers schedule to allow for optional training that would enhance public safety. In the current climate we have even seen many supporters walk away from law enforcement agencies out of fear. Police leaders and officerz do not have the ability to allocate funds not already in the budget for additional training. They look for grant opportunities and partnerships with public and private entities to enhance learning. I would suggest that a fund be set up to allow officers who wish to seek additional training an opportunity to apply for it.

The topic of licensing is also not an issue for many of the larger departments. Where I there may be some challenge would be smaller departments that may need additional officers and training staff to comply with 120 hours of training in a 3 year period. I am aware however that officers from Massachusetts are often considered desired candidates in many other POST states but we lack the certification and are therefore subject to lengthy reviews when applying for emplyment in other states. By adopting POST system I would warn that there may be a mass exodus of officers who seek more favorable working conditions.

The process for reviews of officers licensing is important and should also not be decided hastily. There should be great consideration to the make up of such a board. The officers and the citizens deserve to know that they

are getting the very best results and that the process is fair and accurate. Any board should include both police officers and supervisors, legal experts, retired justices, and members of the community to ensure that a fair and equitable process is established before deciding an officers future. We cannot allow the possibility that any officer is not allowed the same due process we would expect anywhere else such as a civil or criminal hearing. It is also important to include any accused officer in the hearing process and to allow the presentation of evidence as well as the ability to face an accuser.

I hope that this helps in the development of a fair and reasonable solution for all and that both the profession of law enforcement and the community can move forward together.

Respectfully,

A good cop

From: Dennis Diver <dmdiver81@gmail.com>

Sent: Thursday, July 16, 2020 8:14 PM

To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is Dennis M. Diver, and I live at 42 Oscar Ave. Brockton, MA. I work at MCI-Norfolk and am a Correction Officer I. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for

responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Dennis M. Diver

From: mike slade <msslade19@gmail.com>

Sent: Thursday, July 16, 2020 8:14 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony

Mike Slade

6179131563

Quincy Fire

I would like to give testimony about one call we were on. It was for a person with a head injury. When we got there, the gentleman got up and became very combative with the three firefighters and the police officer. We quickly did our best to assist the officer to gain control of him which needed him to be brought to the ground. I am concerned that this bill could effect us being liable for injuries to him if he was to file suit and this is of great concern to me as well as my co workers.

Thank you

From: Rose McKew <rose.m.ayres@gmail.com>

Sent: Thursday, July 16, 2020 8:14 PM

To: Testimony HWM Judiciary (HOU)

Subject: Leave Qualified Immunity Alone

I would like to voice my concern over the Senate's bill to do away with qualified immunity for police officers. Qualified immunity is given to ALL members of state, municipal and federal employees in the course of the performance of their job for a reason. It is a protection for the employee and their families to not have to worry about losing their home or life savings because someone didn't like the way they did their job. Qualified immunity as written does not protect individuals that violate the constitutional rights of others. But it does protect them and their families from frivolous lawsuits.

I am the wife of a police officer and I don't want to have to worry about our house, life savings or children's college savings plans.

If you take it away from only one group - then that is discriminatory. And where does it end - EMT's, fire personal, DCF workers, city councilors, state reps?

If qualified immunity is no longer given to police officers, I believe the Commonwealth will lose a lot of qualified law enforcement officers.

While I understand the need for reform, please do not go overboard by punishing all police officers. They are not the enemy.

Thank you.

Rose McKew
25 Cottage St
Hudson, MA 01749
From: Joshua Spaulding <jls1134@gmail.com>
Sent: Thursday, July 16, 2020 8:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: I Do Not Support S2820

I DO NOT SUPPORT HOUSE BILL S2820. Hopefully Baker vetos it if it passes.

Thank you.

Joshua Spaulding
737 Lagrange St, West Roxbury, MA 02132

From: patrick <phaynes23@hotmail.com>
Sent: Thursday, July 16, 2020 8:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of

their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Patrick Haynes

Newbury, MA

Sent from my iPhone

From: JT Hinchon <jhinchon@gmail.com>

Sent: Thursday, July 16, 2020 8:13 PM

To: Testimony HWM Judiciary (HOU)

Cc: Provost, Denise - Rep. (HOU); Jehlen, Patricia (SEN)

Subject: S.2800 Testimony

Hello,

I am a constituent of Rep. Provost in Somerville, and I am writing in support of S.2800. Police in Massachusetts must be held accountable for their actions. The many of the abuses performed daily by uniformed officers all over this country, including in Massachusetts, are protected by the law. If we wish for there to be trust in the law and its enforcers then there must be ways to hold those who abuse their power accountable. This starts with restricting the use of force, including the option to use chokeholds or chemical weapons like tear gas, ending qualified immunity, and removing officers with a history of unwarranted violence. All of these steps will make the state safer and more humane, for people of color, working people, and everyone else.

Sincerely,
JT Hinchey
81 Pearson Ave

From: David G Neill <davidgneill@comcast.net>
Sent: Thursday, July 16, 2020 8:13 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,From: Gordon Snow <gordon_snw@yahoo.com>
Sent: Thursday, July 16, 2020 8:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Gordon Snow

Sent from Yahoo Mail on Android

<[Dear Chair Michlewitz and Chair Cronin,](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCAQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=_DyjqbBAuBvm4ndLTZc6BzECXEmh03rZAIA57JlG7l0&s=EgCRHBrdOdIIkRASj5lB4TY0_VHdgjTPav6EwqLHQ90&e=>
From: s tunes <antunes.sean@gmail.com>
Sent: Thursday, July 16, 2020 8:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820</p></div><div data-bbox=)

My name is Sean Antunes and I live at 99 Pierce St., New Bedford MA 02740. I work at Old Colony Correction Center and am a Correction Officer I. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work

every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Sean Antunes

From: Nicholas LoPriore <nlopriore1@comcast.net>
Sent: Thursday, July 16, 2020 8:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Chair Michlewitz and Chair Cronin,

My name is Nicholas LoPriore and I live at 6 Gallant Road Peabody Mass. I work at South Bay for the Suffolk County Sheriff and am a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Nicholas LoPriore

Sent from my iPhone
From: Megan Strong <megstrong622@gmail.com>
Sent: Thursday, July 16, 2020 8:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform S.2820 Testimony

?Good Evening,

My name is Megan Strong and I live at 275 Carver Road in Plymouth. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Officer. Growing up with Police Officers in my family, I don't really remember being worried about them going off to work. It was a different world then. Police Officers were respected and appreciated for the job they did. As the wife of a Police Officer in today's world things are different. Like all police wives, I watch my husband leave and hope and pray that he comes home safely every day. My last words to him every time he leaves are "be safe". In our world this is "normal" but not everyone lives in the same world we do, not all wives need to say "be safe" and not all kids have to say "be safe" when their loved one leaves for work.

I also write to you as a member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered. I will never forget where I was when I got the initial call from my husband, that he had "been involved in a situation, but couldn't tell me much more right now". Immediately after his call, my phone began ringing off the hook with friends and family members, asking me if my husband was okay, and that the news and social media reported that an Officer was shot in Weymouth. After trying to call my husband back to find out if it was him and receiving no answer, I threw myself in the car and drove to Weymouth to a family members house to be closer in the event I was needed. Shortly after arriving, I was notified that the Officer was killed and that my husband was okay, but that he was one of the two responding Officers first on scene. Once I was finally able to see my husband, I learned that the suspect responsible for killing Mike Chesna, also shot 4 rounds at my husband and another Officer's cruiser during this confrontation. By the Grace of God, they were both physically unharmed.

In the coming days after July 15, 2018, my Blue Family in Weymouth came together, and truly never left each other. I will never forget attending Mike's wake and funeral with my husband, my Blue Family and the Chesna Family. Sitting on busses in what felt like hours of a procession, as community members lined the streets of Weymouth, Hanover, and Braintree out of support for Mike Chesna, his family, and the Weymouth Police Department. I remember sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives... something none of us will ever forget. A police wake and funeral are things NONE of us ever want to attend again.

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform.

Like many, I support enhanced training and appropriate certification standards that apply to individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. Qualified Immunity, as I understand it, does not excuse criminal conduct. It is, instead, a legal protection offered to all public employees and serves as a protection against losing one's home or life savings in a civil suit. As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform. If they don't make those decisions quickly enough they face the very real chance of death or injury. Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried about liability. They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in. They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones. Is there a chance that Sergeant Michael Chesna chose not to use his weapon on the morning of July 15, 2018 because he was worried that such use would have been viewed as use of excessive force? Was he worried that if he used his weapon he could potentially lose his family's home? The answers to those questions we will never know. It does seem reasonable to assume, however, that had Sergeant Michael Chesna chosen to use his weapon to shoot Emanuel Lopes he would still be here today. He would still be here with his family who miss him every single day. Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them. Police Officers who are forced to stop, pause and think about potential liability before they act are Police officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement

reform. The bill as it currently stands before you is NOT acceptable as a total package. If Legislation such as that tied to S.2820 is to be effective, appropriate and just for all citizens of our Commonwealth it takes time along with careful thought and consideration. Reactive and rash decision making do not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill and to not study pieces like Qualified Immunity further have been extremely disheartening. I appreciated those Senators who called for more time and for a closer look at the bill in order to produce a product that was fair and just for all citizens of our Commonwealth. I also appreciate the willingness of the House to hear from the citizens of the Commonwealth. Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way. I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Megan Strong

275 Carver Road Plymouth

781-534-0476

From: Anita Hanna <anita6705@comcast.net>
Sent: Thursday, July 16, 2020 8:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPad

From: Thomas Gaughan <thomas.gaughan3rd@gmail.com>

Sent: Thursday, July 16, 2020 8:10 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2800 Testimony

My name is Thomas Gaughan III, I am a campus police officer for Boston Medical Center Dept. Of Public Safety, member of the International Brotherhood of Police Officers Local 905 and the Massachusetts Police Association. I am not officially representing my organizations for this testimony. I am representing myself. I live at 1073 Tucker Road in Dartmouth. My telephone number is 617-828-5066.

I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

As a constituent and as a police officer, I am writing you to express my concern and disgust that the House and Senate would even consider an unconstitutional bill that would affect any public servant and deny us our constitutional rights to due process. More discussion on what qualified immunity is and how it applies to all public servants is needed.

Voting Yes on a bill that puts a person in a position of authority based solely on race is offensive, racist, unconstitutional, unconscionable, and immoral. As police officers, we are sworn to uphold and defend the constitution of the United States and Commonwealth of Massachusetts, as well as enforce the laws of the Commonwealth.

Like most of my neighbors and fellow police officers, I am dismayed at the scarcity of respect and protections extended to police officers in the proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns,

three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants. This is especially true for officers who are falsely accused of wrongdoing.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement. We also have world class training curriculums for both full time and reserve intermittent academies through the Municipal Police Training Committee (MPTC). I urge you to look at our current training curriculums, they develop and mold excellent police officers.

It is my firm belief that police officers, our unions, and fraternal organizations must have a seat at the table to discuss these issues along with the general public.

In Massachusetts, we have always been the example of police training with the MPTC and police accountability. I ask you to look at the recent Mass State Police scandal and how that was handled. Those troopers who violated the law were held accountable.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing, and we do not have the same issues as other states. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Thomas Gaughan III

Very Respectfully,
Thomas M. Gaughan III
Sent from my iPhone

From: Margaret Drew <margaret.drew0@gmail.com>
Sent: Thursday, July 16, 2020 8:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: Pass a Strong Police Accountability Bill with Key Provisions
from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Margaret Drew
14 Lakeland Ave
South Yarmouth, MA 02664
margaret.drew0@gmail.com

From: amy rager <mablemay10@gmail.com>
Sent: Thursday, July 16, 2020 8:09 PM
To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Amy Rager and I live at 4 Coppersmith Way Townsend, MA. I work at NCCI Gardner and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep

the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

CO Amy Rager

From: Patricia Brouillard <patsymay521@gmail.com>
Sent: Thursday, July 16, 2020 8:26 PM
To: Testimony HWM Judiciary (HOU)
Subject: Fwd: Police reform bill S2820

I am sorry I forgot to send my phone number. It is 978-475-7047.

Patricia M. Brouillard

----- Forwarded message -----
From: Patricia Brouillard <patsymay521@gmail.com>
Date: Thu, Jul 16, 2020 at 3:46 PM
Subject: Police reform bill S2820
To: <Testimony.HWMJudiciary@mahouse.gov>

Dear Representatives,

I am writing to you as a registered voter regarding the current Police reform bill (Senate bill S2800, House bill S2820) passed by the Senate and under review by the House.

I am opposed to 3 aspects of the bill, and they are: Changes to Qualified immunity for state and city/town Police, Firefighters, EMT's, Paramedics; The complete ban on chokeholds; The restriction on the use of tear gas. I urge you to not support this bill because of these above-mentioned issues.

Sincerely,

Patricia M Brouillard

19 Hall Ave

Andover, Ma 01810

From: Janice Jones <beaglejones@gmail.com>

Sent: Thursday, July 16, 2020 8:08 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform

Dear Representatives,

We all certainly agree that the murder of George Floyd was horrific. We all can agree that there are instances of police abuse of power. I'm also certain that we can agree that there are GOOD police officers.

It is egregious that the overwhelming majority of dedicated and good police officers in this Commonwealth have been lumped together with the bad in S2800.

What is reprehensible was the HASTE with which the Senate passed this bill.

I respectfully request that the House of Representatives take the time necessary to carefully gather information, consider and debate the important issues at hand.

I request that the Members of the House seek input from police at all levels of

law enforcement. After all they are the subject of this legislation.

I most importantly ask that all of you work together in a spirit of cooperation

with the men and women who have sworn to SERVE and PROTECT.

This process need not be - nor appear to be adversarial!!!

This process should rather bring all parties together to draft a police reform bill which enhances the abilities of law enforcement to do their job in addition to addressing the failures of those officers who have abused their powers.

My hope is that the House of Representatives will do what the Senate failed to do.

I hope that through open and transparent dialogue the citizens, the police and the lawmakers can come together and to draft the BEST BILL.. Many

Senators, in their debate, claimed to support the police, however the tone of their comments spoke volumes to the contrary. It is no wonder that the members of law enforcement felt attacked and greatly disheartened!

I hope that as the bill goes forward, the Representatives in the House can undo some of the harm caused. An overwhelming percentage of our law enforcement professionals are deeply caring, dedicated, educated and committed to serving their communities. We need these brave men and women. We do not want to see them leave the profession they love and take their talents elsewhere. None of us want to be unappreciated in our jobs - imagine how they feel being villainized.

In closing, I ask you to remember that our Law Enforcement Officers go to work each day not knowing what dangers lie ahead. Their families share these same fears. Must a Police Reform Bill also erode the protection of Qualified Immunity to compound their fears?

Please bring all your Colleagues together to pass a bill which strikes a fair balance protecting and supporting our Good officers while addressing the failures of others.

Respectfully,
Janice M. Jones
25 Pheasant Hill Lane
Methuen, MA

From: Marci Ferry <marci.ferry@yahoo.com>
Sent: Thursday, July 16, 2020 8:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Marci Ferry and I live at 36 Williams St, Beverly Massachusetts. I work at the Suffolk County Sheriff's Department House of Correction, as a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

??: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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??: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Marci Ferry

Sergeant

Suffolk County Sheriff's Department

House of Correction

From: Dan Rogers <rdanrogers1@gmail.com>
Sent: Thursday, July 16, 2020 7:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Email Testimony S2820

Hello Chairs Michlewitz and Cronin,

I am a MA citizen writing to you today to voice my support for the Reform Shift Build Act. I support an act to reform police standards and shift resources to build a more equitable, fair, and just commonwealth that values black lives and communities of color.

Regards,

Dan Rogers

From: Greg Hudon <GCHudon@comcast.net>
Sent: Thursday, July 16, 2020 8:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800 Police Reform Bill

Dear Representative's Aaron Michlewitz and Claire Cronin,

I am writing to you regarding the recently passed S.2800 legislation which is now before the House of Representatives. As a local Police Officer for 23 years, I urge you to vote no on this legislation and any legislation which removes Qualified Immunity and Due Process for police officers. I implore the House of Representatives to do what the Senate failed to do, and hold public hearings so that common sense and fairness can be restored to this process. I am certain there is common ground where significant police reform can be realized, including standardized training through a POST program.

Qualified Immunity and Due Process for Police Officers who make split second life and death decisions are an absolute necessity to do this job. I am deeply concerned and frustrated with the current legislation.

Specifically, what concerns me, my family and my fellow police officers is the current Senate bill:

- Eliminates collective bargaining rights of police officers.
 - Removes due process rights of police officers.
 - Exposes police officers and their families to personal liability even when acting in GOOD FAITH (qualified immunity).
 - Municipalities and individual officers will face frivolous lawsuits.
 - Unnecessarily puts the lives of police officers in danger!
- Creates a police licensing board that is staffed by organizations who sue our communities and advocate for the elimination of police services.

I encourage you to listen to the voices of the law enforcement community and make decisions based on facts, and on actual Massachusetts data. This bill does not reflect Massachusetts Law Enforcement performance history. Massachusetts has one of the lowest annual rates for deadly force incidents in the nation at 1.2 incidents per one million people. Massachusetts police officers have successfully handled millions of calls for help, often involving volatile and violent individuals without incident.

This proposed bill will destroy the morale of police officers and guarantee a mass exodus from this profession. Those with enough time to retire, will. Those with very little time on, will quit. Those of us in the middle will reluctantly stay, practicing risk avoidance to mitigate the inevitable slew of frivolous lawsuits. Qualified Immunity and Due process do not absolve a police officer from improper conduct, but rather is a common sense and reasonable protection which the courts have upheld for decades.

Respectfully,

Greg Hudon

From: Michelle Dhanda <michelle.dhanda@gmail.com>
Sent: Thursday, July 16, 2020 8:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please preserve and build upon the accomplishments of the Senate police reform bill.

Dear House Judiciary Committee,

Please support the vital reforms in the Senate police reform bill, such as the following:

- * Creating an independent and civilian-majority police certification/decertification body
- * Limiting qualified immunity so that victims of police brutality can sue for civil damages
- * Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- * Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- * Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

Please go further than the Senate bill by:

- * Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
- * Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- * Lifting the unnecessary cap on the Justice Reinvestment Fund

Sincerely,
Michelle Dhanda
69 Richmond St
Dorchester MA 02124

From: William Ferioli <billnmela@verizon.net>
Sent: Thursday, July 16, 2020 6:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should

specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

William P. Ferioli
24 Colonial Post Dr.
Bridgewater, MA 02324

From: Kellie Defelice <kelliedefelice@icloud.com>
Sent: Thursday, July 16, 2020 6:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

To Whom it May Concern,
My name is Kellie Defelice.

I am a MA resident. I am a Military wife. I am a Law Enforcement wife. I am a teacher. I am the cousin of a firefighter. I am the daughter of a nurse. I am the friend of many first responders. I have lost family members to drug addiction. I have had family members saved by law enforcement with Narcan. I am a mother who wants my child kept safe.

Last week my husband, a MA Transit Police Officer was on his way home from his shift. He came across a Northeastern University police officer who seemed distressed. He pulled over to see if he needed assistance. The Officer was waiting for help to arrive but there was a man laying on the road with no pulse and a needle in his arm. The Officer there didn't have Narcan because they don't carry it. My husband grabbed his and administered it. He saved that man's life but now he could be sued for that kind of response. Will he stop next time? Risking his family? What if that's your son, daughter, niece, nephew, etc. next time?

My cousin was 27 and overdosed on a train in Norwood. Police responded and saved his life. He was suicidal so they brought to the hospital to be saved. They saved his life. The hospital discharged him within an hour. He stepped in front of a train 5 minutes after his discharge. 5 minutes later. You want others to take over for the police. Those police officers saved my cousin. The others let him go and are the reason he is dead. Officers in Boston de-escalated the situation when his brother who is also an addict had scissors and was a threat as he was high on meth and paranoid. His mom who already lost a son watched as police saved his life and she didn't lose another son.

There are over 800,000 police officers in this country. There are millions of interactions with police in this country. Yet only 1,004 people were killed in this country last year by police and only 41 of them were unarmed. The majority of police Officers never shoot their service weapon at anyone in their career. Then the small amount who do? The majority are justified and in self defense. Do we have an issue in this country? Yes. Was George Floyd murdered? Yes. Is it a reflection on all police officers? No. The facts don't lie. The majority of police officers don't kill anyone.

Do we need more training for police officers? Sure. Do we need to defund them? Absolutely not. Do we need to take away qualified immunity which protects them from frivolous lawsuits? Absolutely not. Do we need a bill

rushed through because of incidences in other states? NO. How many MA police officers killed unarmed people this year? Last year? The year before? We have the best police departments in this country and yet you are all throwing them under a bus and acting like they are murderers. This is a disgrace. I am 100% against racism. I am 100% against police officers that murder someone like George Floyd. However, you are holding police officers in our state responsible and that's reprehensible. That is not okay. That is unacceptable. Should we hold you responsible for all the actions of politicians? You should hope not. Will you give up your qualified immunity? Will judges?

If this bill passes, you will see us lose so many good police officers in a state that may need work but overall does a fantastic job with policing. You will see our crime go up. You will see more addicts die. More cops will die. You have wording in this bill that encourages anyone, civilians with no training to do harm to police they "think are doing wrong". If you think that doesn't open up major floodgates to police being killed and assaulted you are not awake.

I urge you to do the right thing and not pass this bill. I urge to educate and train our police officers while supporting them and not making rash and ridiculous bills. More training? Great idea. No chokeholds? Already not allowed and great to put it in writing. The rest? Dangerous, not thought out and a gut reaction to things happening in other states.

Sincerely,
Kellie Defelice
732 Pembroke Woods drive
Pembroke, MA 02359

Sent from my iPhoneFrom: Stephen Saia <sls2727@hotmail.com>
Sent: Thursday, July 16, 2020 6:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity

Mr. Stanley....I do not usually send correspondence to you...but had to as this is just another horrible bill that the Liberal politicians are trying to sneak in under the radar. The police, firefighters, school nurses and teachers have difficult jobs as it ...now, they would have the added stress of worrying about lawsuits and being sued. Such a disgrace!!

Please!!! ...do not vote in favor of this disgusting bill.

Thank you...
Stephen Saia
Lincoln Heights - Waltham

Sent via the Samsung Galaxy S10+, an AT&T 5G Evolution capable smartphone
Get Outlook for Android <https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-

fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk
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5zw_MPqYyS5cxnUb0hJXLJfHT17sxHHf0nU&e=>

From: Sarah Koolsbergen <sarahkoolsbergen@yahoo.com>

Sent: Thursday, July 16, 2020 6:04 PM

To: Testimony HWM Judiciary (HOU)

Cc: Rogers, Dave - Rep. (HOU)

Subject: House Police Reform Bill Under Consideration

Dear House Committee on Ways and Means:

Please preserve the vital reforms in the Senate's police reform bill, S.2820 that includes:

- * Creating an independent majority-civilian Police Officer Standards and Accreditation Commission charged with certifying and decertifying law enforcement officers;
- * Reducing the school-to-prison pipeline;
- * Removing barriers to expungement on juvenile records;
- * Establishing a Justice Reinvestment Fund to move money away from policing and prisons and into workforce development and education opportunities;
- * Establishing stronger oversight and limitations on the procurement of military equipment by law enforcement;
- * Banning racial profiling by law enforcement;
- * Creating an African-American Commission and a Latinx Commission;
- * Requiring racial data collection and reporting on people stopped by the police;
- * Prohibiting police officers from having sex with individuals in custody, which can obviously never be consensual and is strikingly not yet illegal.

Please go further than S.2820 by:

- * Strengthening the use of force standards, e.g., by banning outright chokeholds, tear gas, and no-knock raids;
- * Ensuring stricter limits on qualified immunity so that police officers are held accountable when they violate someone's rights, and victims of police brutality can sue for civil damages;
- * Prohibiting completely facial surveillance technology (rather than imposing just a one-year moratorium); and
- * Lifting the unnecessary cap on the Justice Reinvestment Fund.

Thank you,
Sarah Koolsbergen
Massachusetts resident

<[From: Nancy Gray <nanhaydon@gmail.com>
Sent: Thursday, July 16, 2020 6:04 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: S2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avast.com_sig-2Demail-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Dwebmail-26utm-5Fterm-3Dicon&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=1e_oHgarFnl3ywPg7Ci2ow1U4n2Ro1IeZEgO-ettSA&s=yOoNwK6TW4ZsM6gc6m7s8dC_24jRilWxY-muWJphWzU&e=> Virus-free.
www.avast.com <<a href=)

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Nancy Gray
781 646 4590
Member, League of Women Voters of Arlington
Mothers Out Front[
Arlington
From: jcarroll <jlcfuzz@yahoo.com>
Sent: Thursday, July 16, 2020 6:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: Written Testimony on Senate bill S2800

Dear Representative Coppinger,

My name is Jeanne Carroll and I live in West Roxbury. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to QI will have a serious impact on critical public safety issues.

Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Jeanne L. Carroll

From: Jessica Rush <rushjessical16@gmail.com>
Sent: Thursday, July 16, 2020 6:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Accountability Bill

To Whom It May Concern,

I was hoping to address a couple concerns with the S. 2800 that I am hoping to see addressed in the House version of this bill.

1.) The Senate bill lists "tampering with a record for use in an official proceeding, as defined in section 13E of said chapter 268" as a decertifying offence. I understand that this bill does create a commission for body cam usage, but I hope to see disabling or intentionally obstructing a body cam explicitly included as a form of tampering with a record. I was informed by Senator Brownsberger that, as the bill is written, inappropriately disabling a body cam would not necessarily constitute tampering with a record for official use.

2.) I don't know if this has been explored, but has any consideration gone into uses of AI and facial recognition other than for law enforcement purposes? For example, many remote proctoring services use AI and facial recognition to flag suspected cheating, the footage of which is then reviewed by a human. As schools, including public colleges and universities, are largely going to be remote in the fall due to COVID, they will presumably increasingly rely on remote proctoring services, however as the Senate bill is written it seems that this would be prohibited. I completely support a moratorium, if not a complete ban, on facial recognition for law enforcement purposes, however I am concerned about how this may impact other sectors.

3.) I completely, unequivocally support this bill's limits on qualified immunity, and I hope to see this included in the House bill as well.

4.) I understand that the Governor's version of the bill included monetary bonuses for law enforcement officers completing additional training, and that this was not included in the Senate version. I hope that these bonuses are not included in the House version either.

Thank you,
Jess Rush

From: TODD <TOFFICER477@comcast.net>
Sent: Thursday, July 16, 2020 6:03 PM

To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Todd Barreira and I live at 152 Hudson St. Fall River ma. I work at Bristol County Sheriff's Office and am a correction officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Todd Barreira
Sent from Xfinity Connect ApplicationFrom: Cindy Dow
<cmdow131@outlook.com>
Sent: Thursday, July 16, 2020 6:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: FW: Bill S.2800

I am writing to you in opposition of Bill S.2800 as it currently stands.

While I do agree with the certification program as other professional groups require and are held accountable to; I am deeply concerned of the thought of limiting a police officer's qualified immunity, removing school resource officers and potentially taking away the tool of pepper spray.

I do understand and completely agree that it is time to reform however I feel this bill is being rushed through without enough thought and input. I implore you to give more consideration to this bill - start slowly by getting the certification process developed and rolled out and then add addendums where needed.

As the mother of a police officer who is thoughtful, kind and a great community leader, as well as being a Massachusetts voter my entire life I beg you to reconsider pushing through a bill with all of these contents for fear of jeopardizing our honorable civic servants. Please, I truly believe there will be serious unintended consequences to the police force as a whole as well as society.

I thank you for your time and welcome your feedback,

Cindy Dow

Quincy, MA 02171

From: CAROL DZENGELEWSKI <carol2of2@comcast.net>
Sent: Thursday, July 16, 2020 6:03 PM
To: Testimony HWM Judiciary (HOU)

Subject: Do Not Strip Law Enforcement of Qualified Immunity

I am 100% against stripping Law Enforcement of qualified immunity. This action would take away their protection and due process. The good men and women who serve the people of this Commonwealth and it's cities and towns put their lives on the line every day and have continued to do so even though they have been unjustly vilified in the news media. Prejudice, judging a group of people by the actions of a few, based on race, religion, the language that someone speaks or even the uniform they wear is wrong, And there seems to be a lot of that happening here. If you take away qualified immunity, you need to ask yourself how many good law enforcement personnel will continue on the job and who, if anyone, will take their place.

The men and women in Law Enforcement deserve our respect and our support and the public deserves well-trained dedicated Law Enforcement personnel. Do not strip them of qualified immunity.

Carol Dzengelewski
39 Concannon Circle
Weymouth MA 02188

From: Jeanne McKnight <jeannemcknight@comcast.net>
Sent: Thursday, July 16, 2020 6:02 PM
To: Testimony HWM Judiciary (HOU)
Cc: Garlick, Denise - Rep. (HOU)
Subject: Police Reform Bill S-2800

Judiciary Committee:

I hope the House Judiciary Committee will support the Senate bill that passed this week S-2800. I know there are changes the House could make, AND THAT I SUPPORT, to make the Reform Bill stronger, but the important thing is that the Senate and House approve a bill during this soon-to-end legislative session. HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda <

to intervene and to de-escalate and would require maintaining public records of officer misconduct. HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day would end the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

Whether these more progressive changes are made or not, though I hope you will vote for S-2800.

Jeanne McKnight,

100 Rosemary Way, #336

Needham, MA 02494

781-449-5371

From: Sarah Koolsbergen <sarahkoolsbergen@yahoo.com>
Sent: Thursday, July 16, 2020 5:54 PM
To: Testimony HWM Judiciary (HOU)
Cc: Rogers, Dave - Rep. (HOU)
Subject: House Police Reform Bill Under Consideration

Dear House Committee on Ways and Means:

Please preserve the vital reforms in the Senate's police reform bill, S.2820 that includes:

- * Creating an independent majority-civilian Police Officer Standards and Accreditation Commission charged with certifying and decertifying law enforcement officers;
- * Reducing the school-to-prison pipeline;
- * Removing barriers to expungement on juvenile records;
- * Establishing a Justice Reinvestment Fund to move money away from policing and prisons and into workforce development and education opportunities;
- * Establishing stronger oversight and limitations on the procurement of military equipment by law enforcement;
- * Banning racial profiling by law enforcement;
- * Creating an African-American Commission and a Latinx Commission;
- * Requiring racial data collection and reporting on people stopped by the police;
- * Prohibiting police officers from having sex with individuals in custody, which can obviously never be consensual and is strikingly not yet illegal.

Please go further than S.2820 by:

- * Strengthening the use of force standards, e.g., by banning outright chokeholds, tear gas, and no-knock raids;
- * Ensuring stricter limits on qualified immunity so that police officers are held accountable when they violate someone's rights, and victims of police brutality can sue for civil damages;
- * Prohibiting completely facial surveillance technology (rather than imposing just a one-year moratorium); and
- * Lifting the unnecessary cap on the Justice Reinvestment Fund.

Thank you,
Sarah Koolsbergen
Massachusetts resident

<From: George Demeris <george.demeris@gmail.com>
Sent: Thursday, July 16, 2020 6:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Testimony

To The Honorable Representative Whelan,

I appreciate you taking the time to reach out to members of the commonwealth for our input in regards to bill S.2820. I know you requested name, organization, and telephone number. I can provide those, but I need to stress that I am a MEMBER of my employing agency, and I do not speak on BEHALF of my employing agency. I do however, speak for the Sharon Police Association, as I am the Sharon Police Association President.

Name: George K. Demeris Jr.
Organization: Sharon Police Department/Sharon Police Association
Telephone: 508-654-2557

I understand that you must be receiving a large volume of emails and calls to your office, and once again I thank you for taking the time to read and listen to as many as you can. Simply offering the opportunity to be heard is more than the Senate allowed.

-Section 221 addresses who will be on the independent police officer standards and accreditation committee. In it, it states that a person who has "been personally involved in or impacted by the criminal justice system". What type of impact? Is this person to be a convicted criminal? Somebody who has had their civil rights violated? Somebody who has successfully sued a police officer, or unsuccessfully done so? Any of these or similar types of people I believe provide a biased point of view, and should be no part of an accreditation committee. Police Officers are often compared to Doctors in regards to liability. When a doctor contends with a malpractice committee, is a patient who has had a botched surgery a member of that committee which passes judgment? I ask you to reconsider this language in the bill.

-Ch. 147A, Section 2., (d) "A law enforcement officer shall not use a chokehold..."

This chapter states that this method is completely unusable, even if the officer is in imminent danger of being killed. I believe the bill language should reflect that in the case where deadly force is being used against an officer, he or she should be allowed to employ a chokehold if it has the opportunity to end the conflict.

Ch. 147A, Section 2., (f): Namely, the section about K9's ("dogs", as they are referred to in the bill). The language seems to only change the use of force in regards to K9's in a crowd setting, stating that the K9's may only be utilized on a person if it is proportionate to the imminent harm displayed towards officers or others. I believe this needs clarification, as K9 use in crowd control events is very different from tactical events where in patro dogs are tracking armed and dangerous suspects. Whereas a K9 may not simply be sent to apprehend a protestor unless they are actively displaying assaultive characteristics, if a suspect has a knife or blunt weapon and is hiding in a wooded or urban area, a K9 apprehension of the suspect (or even simply a display of the K9 by barking) can non-lethally end a scenario, whereas if the K9 is only able to track a suspect, but then another officer has to go hands on with him, it may result in the serious injury or death of the suspect and or officer involved. Responsibly deployed K9's save lives when they apprehend armed and dangerous suspects. They allow for the officers to go home safe, the suspect his day in court, and the victims a modicum of justice. These are life SAVING tools, and must be allowed to be used.

Thank you for taking the time to read my suggestions. I can only hope that these ideas permeate the minds of the Honorable House of Representatives, and allow for a reform bill that serves ALL members of the Commonwealth, as we are members as well, and should also be privy to fair and equitable treatment, as well as due process.

If you have any questions or wish to converse about any of this, I can be reached at this email, or by cell phone at (508) 654-2557. Thank you for your consideration.

Very Respectfully,
George K. Demeris Jr.
K-9 Unit, Sharon Police Department
President, Sharon Police Association
From: CHARLES RAMSBOTTOM <camgr@verizon.net>
Sent: Thursday, July 16, 2020 5:59 PM
To: Testimony HWM Judiciary (HOU)
Cc: Charles Ramsbottom
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely, From: Mike B <miccaell@yahoo.com>
Sent: Thursday, July 16, 2020 5:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 qualified immunity

Dear Representatives,
I am deeply concerned with the provision of the bill that significantly reduces qualified immunity for members of the Commonwealth Police Force. This will make already difficult and dangerous police work to be even more

difficult by adding a fear to be sued for any decision that often needs to be taken in a split second time and in the life threatening circumstances. Not only it will make the police to be less efficient, and its work even more dangerous, but it will also make joining the police a lot less attractive for next generation of officers. We desperately want the best young people of all communities to become good police officers dedicated to serving their communities and the whole Commonwealth. The society owes its emergency workers and especially those who risk their life to protect other people. They should not feel vulnerable to the frivolous law suits, when their life and often the live of the others is dependent on their ability to act quickly and decisively.

Sincerely,

Michael Brodsky,
Resident of the Town of Brookline
Brodware Design LLC
617-645-0380

From: Trina Novak <kermittf@rcn.com>
Sent: Thursday, July 16, 2020 5:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform and Racial Equity legislation

To the HWH Judiciary,

Following years of issues, which have finally come into prominence over the last several months, I think we should concentrate on these legislative actions:

1. Creating a Peace Officers Standards and Training (POST) system to certify police officers and enable de-certification for misconduct and abuse;
2. Establishing civil service exam review and oversight to review examinations for appointment and promotion of peace officers;
3. Creating a commission on structural racism to study how the systemic presence of institutional racism has created a culture of structural racial inequality; and
4. Adopting clear statutory limits on police use of force and requiring an independent investigation of officer-related deaths.

Let's make Massachusetts a leader in the United States as we face the inequities caused by Racial Injustice. Let's emphasize the Peace in Peace Officers.

Thank you for taking my comments.

Trina

Trina Novak
33 Gilbert Rd.
Needham, MA 02492
kermittf@rcn.com

617-549-2023 (cell)

From: jakexl <jakexl@aol.com>
Sent: Thursday, July 16, 2020 5:57 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill I am writing this email to inform the committee that a yes vote on the police reform bill will not only hurt your constituents but will impact your electability. Removing funding and adding oversight committees will only make an offi...

From: Josh <anubisjj20@aol.com>
Sent: Thursday, July 16, 2020 5:56 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Josh Johnson and I live at 6 Thunder Bridge Ln. Middleton. I work at MCI-Concord and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Jennifer Quinn
From: bredsoxfan9 <bredsoxfan9@gmail.com>
Sent: Thursday, July 16, 2020 5:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: Respectful Matter

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Jared Almeida and I live at 750 Davol st Fall River, Ma. I work at Bristol County Sheriff's Office and I am a CorrectionalOfficer for the past 9 years. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or

using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Jared Almeida

Sent from my T-Mobile 4G LTE Device

From: Rich W <richwu508@gmail.com>
Sent: Thursday, July 16, 2020 5:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

Dear Senator,

My name is Richard Wu and I live at 350 Foundry St Easton MA. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in

place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Richard Wu
From: RALPH GARON JR <ragaron22@yahoo.com>
Sent: Thursday, July 16, 2020 5:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: July 16, 2020

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Ralph A Garon Jr., and I live at 29 Fidler Terrace, Lowell MA 01850. I work at MCI Concord, and I am a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.
Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Ralph A Garon Jr.

Ralph A Garon Jr.

From: PETER PIZZI <bernbudd08@comcast.net>
Sent: Thursday, July 16, 2020 5:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about

their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: kenall13@aol.com

Sent: Thursday, July 16, 2020 5:51 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

THIS IS PURE STUPIDITY, ARE U COMPLETE TOTAL IDIOTS OR JUST ANTI USA THUGS.

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

From: Maria White <maria.white@comcast.net>

Sent: Thursday, July 16, 2020 5:51 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Maria White

Sent from my iPhone
From: Michaela Dauplaise <msking0408@yahoo.com>
Sent: Thursday, July 16, 2020 5:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

To whom it may concern:

My name is Michaela Dauplaise and I live in Westfield . I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of

fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration.
Michaela Dauplaise
162 Honey Pot Road Westfield
4135197369

Sent from my iPhone
From: jtank1977 <jtank1977@gmail.com>
Sent: Thursday, July 16, 2020 5:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is John Tainsh. I work at MCI-Norfolk and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
John Tainsh

Sent via the Samsung Galaxy S9, an AT&T 5G Evolution capable smartphone

From: Sonja Darai <darai@fastmail.com>
Sent: Thursday, July 16, 2020 5:50 PM
To: Testimony HWM Judiciary (HOU)
Cc: Provost, Denise - Rep. (HOU)
Subject: S. 2830 & Critical Policing Reform

Hello Honorable Chairs Michlewitz and Cronin + the respected members of the House Ways & Means and Judiciary Committee. I am writing in support of S.2820 which will bring critical reform to the criminal justice system in the Massachusetts Commonwealth. I urge your honors to expedite this bill to pass it in to law and take every opportunity to strengthen it.

We must fully eliminate the loopholes that prevents police accountability and ban qualified immunity. We need to also create strong decertifying problem officer standards. We must completely ban tear gas, chokeholds, and no knock raids like the terrible case resulting in Breonna Taylor's death.

I write as a survivor of violence, a trained human rights investigator, a graduate of public health, an experienced policy & programming director of antiviolence initiatives at local & state level, and a colleague to municipal police officers. I am committed to this growing movement, will be following these issues closely, and providing you and my elected officials my expertise and personal experience.

Respectfully,

Sonja Darai, MPH, MA

Somerville, MA

CC: Honorable State Rep. Denise Provost
From: Josh Wunschel <wrenchel2@yahoo.com>
Sent: Thursday, July 16, 2020 5:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: My Testimony

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Joshua Wunschel and I live at 253 Chestnut Street, New Bedford Ma 02740. I work at Bristol County Sheriff's Office and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

??: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Joshua Wunschel
From: Michaela Dauplaise <msking0408@yahoo.com>
Sent: Thursday, July 16, 2020 5:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

To whom it may concern ,

My name is Michaela Dauplaise and I live at 162 Honey Pot Rod Westfield MA , As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their

respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Michaela Dauplaise

Westfield MA

4135197369

Sent from my iPhone

From: Eileen McLaughlin <emarymac334@gmail.com>

Sent: Thursday, July 16, 2020 5:46 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

Dear House Ways & Means Judiciary Committee , as a registered nurse who also has family members in both law enforcement and Correctional Services I find this bill disturbing that any of us can be Civilly sued for doing our jobs.

We all work with vulnerable populations of people because we want to support and help ALL people.

This bill will bankrupt working families not just police and fire but also nurses who have been on the front lines caring for families during covid 19.

Please veto Bill S2820 , S2800

Respectfully yours,

Eileen McLaughlin RN

8 Gail Ave, Middleborough, MA 02346

From: Beverley Baughan <blbaughan@yahoo.com>

Sent: Thursday, July 16, 2020 5:47 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a

commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone
From: James Clark <jimc3rd@icloud.com>
Sent: Thursday, July 16, 2020 5:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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Sincerely,

Sent from my iPhone From: James Clark <jimc3rd@icloud.com>
Sent: Thursday, July 16, 2020 5:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhoneFrom: Mary Zocchi <mbzocchi@verizon.net>
Sent: Thursday, July 16, 2020 5:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill s2800

I do not support this bill which was not properly vetted. It was not evaluated properly and then it was just pushed through. Qualified immunity is necessary for first responders and the police. Without qualified immunity, citizens will be endangered and the number of law suits will proliferate.
Please Do Not Approve this bill!

Mary Zocchi
508 435-5775

Sent from my iPhone
From: Derek Heaslip <derek_heaslip@yahoo.com>
Sent: Thursday, July 16, 2020 5:44 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill (S.2820)

We are writing to express that we are AGAINST the passing of Bill (S.2820). There are many well thought out ways to enact positive and meaningful reform but the passing of this bill will have very destructive, unintended consequences. This bill is nothing but a knee-jerk reaction to satisfy the mob mentality that is so prevalent in this country today and does not represent the will and desire of the majority of people in this state.

Sincerely,

Derek and Stacey Heaslip
From: Joe's MacBook Pro <JoeMeehan44@comcast.net>
Sent: Thursday, July 16, 2020 5:42 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

All the Best!

Joe Meehan

40 Quinaquisset Ave

Mashpee MA 02649

(508) 364-3770

JoeMeehan44@comcast.net

From: Christine <christinelemay@yahoo.com>
Sent: Thursday, July 16, 2020 5:42 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Christine Kusser
Quincy MA

From: Barbara Johnson <wnjbaj101@comcast.net>
Sent: Thursday, July 16, 2020 5:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

Barbara A. Johnson
From: MARY O CONNOR <maryoconnor1@verizon.net>

Sent: Thursday, July 16, 2020 5:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

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Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone
From: Jordan Paurowski <jordanp@bu.edu>
Sent: Thursday, July 16, 2020 5:34 PM
To: Testimony HWM Judiciary (HOU)
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends

qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Jordan Paurowski
1564 Commonwealth Ave Apt 15
Brighton, MA 02135
jordanp@bu.edu

From: Steve Taylor <stevenwtaylor@gmail.com>
Sent: Thursday, July 16, 2020 5:39 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Kathy Doherty <kdots6665@gmail.com>
Sent: Thursday, July 16, 2020 5:39 PM
To: Testimony HWM Judiciary (HOU)
Subject: Opposition to Senate Bill 2820

>
> ?
>

> July 16, 2020

>
> Dear Chair Michlewitz and Chair Cronin,

>
> My name is Kathy Doherty and I live at 13 Cook Street, Charlestown MA 02129

>
> As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

> ?????????????????????? ??????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

> ?????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

> ?????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

> I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Please do the right thing for all.

>
> Thank you for your time.

>
> Sincerely,
>
> Kathy Doherty
>
>
> Kathy Doherty
From: DONALD Donahue <donahue38@msn.com>
Sent: Thursday, July 16, 2020 5:38 PM
To: Testimony HWM Judiciary (HOU)
Cc: Ayers, Bruce - Rep. (HOU)
Subject: Police Reform Bill

Consequently, the provision to scale back or eliminate "Qualified Immunity" will alter the principles of local police work. Police action of running/chasing and capturing a perpetrator of an immediate crime will change. Who in their right mind "would take down" a perpetrator who committed that immediate crime? Obviously, ethics and the professional obligation of that potentially responding officer would be ripe with confusion to "subdue".

If Qualified Immunity is part of this bill watch crime soar. Never mind inside my beloved city of Boston, but watch it happen in other cities to include my adopted city of Quincy. The elimination or modification of Qualified Immunity should not be part of the Police Reform Bill.

Donald Donahue
38 Wallace Road
Quincy, MA
From: Cindy <cindylou790@yahoo.com>
Sent: Thursday, July 16, 2020 5:38 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to

ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone

From: Renee <rayderrico@yahoo.com>

Sent: Thursday, July 16, 2020 5:37 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

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SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPad
From: Tracey Seier <traceyseier@gmail.com>
Sent: Thursday, July 16, 2020 5:37 PM
To: Testimony HWM Judiciary (HOU)
Cc: Lawn, John - Rep. (HOU)
Subject: Please pass a strong police reform bill

Dear House of Representatives and Representative John Lawn:

My name is Tracey Seier, and I live in Waltham Massachusetts.

For far too long, Boston has had a reputation for being one of the most racist cities in the country, and our policing in Boston contributes to that reputation. We have long accepted a separate and unequal life for minorities in our city and in the Boston Metro area. And over policing is a part of that.

Everywhere in the Commonwealth, Black and Brown people are stopped more in traffic stops, are more likely to be abused by police officers, are more likely to be jailed for minor things. Our poorest teens have police officers in their schools, ready to charge them with crimes if they make any error. While their rich White peers have rock climbing gyms and theatres in their schools.

We need to fundamentally change our ways.

Massachusetts led the country in Marriage Equality. Massachusetts can once again lead the country in police reform. We can reduce violence in our communities, end over-policing of minor things like drug possession, forbid violent police officers from ever serving in the commonwealth again, end the careers of police officers who lie under oath or plant evidence on citizens. We can make sure that rapes are solved. We can have a police force that matches the complexion and culture of their community, with training in social work, mental health crisis intervention.

Please quickly pass the Bill to Reform Police Standards and Shift Resources to Build a More Equitable, Fair and Just Commonwealth That Values Black Lives And Communities of Color.

Tracey Seier
From: Luis DeJesus <luisd85@aol.com>
Sent: Thursday, July 16, 2020 5:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Luis DeJesus and I live at 203 Gardner Ave Somerset MA 02726. I work at Old Colony Correctional Center and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the

Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Officer Luis DeJesus

From: Bill Harris <signerwill@yahoo.com>
Sent: Thursday, July 16, 2020 5:37 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a

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From: Maryanne Galante <mgalante02368@yahoo.com>
Sent: Thursday, July 16, 2020 5:36 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Maryanne C Galante
Randolph Mass
02368

Sent from my iPhone

From: Brian Devlin <devlinbrian@rocketmail.com>

Sent: Thursday, July 16, 2020 5:35 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S2800

I am a resident of Douglas Massachusetts and I am writing to you in regards to Police Reform Bill S2800. First and foremost I am completely against this bill. I grew up in a law enforcement family with my father being a 30 year veteran of the Massachusetts State Police. He sadly passed away in 2000 and would be appalled at what is taking place right now. I, myself am a 15 year veteran of the Massachusetts Department of Correction at MCI-Cedar Junction with the rank of Sergeant. If you would like to discuss anything feel free to contact me.

Thank you,

Brian Devlin, Sgt. Ma Dept. of Correction

From: Anna Roberts <anna.roberts1994@gmail.com>

Sent: Thursday, July 16, 2020 5:35 PM

To: Testimony HWM Judiciary (HOU)

Subject: Pass Bill S.2800

Hello,

I'm reaching out in full support of Bill S. 2800 to call on the Massachusetts House of Representatives to pass this bill.

My name is Anna Roberts and I currently work with ICF, based in London, UK. My phone number is +44 7340489901. I am a voter in Middlesex County, from Hamilton, MA, 01982.

For too long police and police unions have faced limited to no consequences in their use of force and in their treatment of minority populations. It is high time that the Massachusetts State government passed policies reflective of the public at large, not serving the interest of police unions. The DOJ--under Trump--who has expressed clear support of police officers, recognized the abuse within Springfield, MA and produced a scathing report. <https://www.justice.gov/opa/pr/justice-department-announces-findings-investigation-narcotics-bureau-springfield> <https://urldefense.proofpoint.com/v2/url?u=https-3A_www.justice.gov_opa_pr_justice-2Ddepartment-2Dannounces-2Dfindings-2Dinvestigation-2Dnarcotics-2Dbureau-2Dspringfield&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=8Oo1fBqlpiDaamtQ3rIfPXE7tMzQ86Qrny84xDLWmKA&s=c5h25_ac0LwrBo8SZtFvfZQsG_wCIz-ENY7Ez1k8nA&e=>

Massachusetts is not exempt from the criticism raging across the nation right now. Our state--and the police in it--are actively complicit. Police

are meant to serve and protect the people. A vast majority are actively failing in this and must be held accountable. The systems and the processes governing law enforcement MUST change. Please please please pass Bill S. 2800.

Best,

Anna

From: Leonard Rizy <ljrizy64@verizon.net>

Sent: Thursday, July 16, 2020 5:35 PM

To: Testimony HWM Judiciary (HOU); Honan, Kevin - Rep. (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Leonard Rizy

333 Market St.

Brighton MA 02135

From: Carmine Luongo <cluongo@verizon.net>

Sent: Thursday, July 16, 2020 5:33 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by

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From: Jen Hodgkins <jenhodgkins@verizon.net>
Sent: Thursday, July 16, 2020 5:32 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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Sincerely,

Sent from my iPhone
From: Paul Briggs <pbriggs7@yahoo.com>
Sent: Thursday, July 16, 2020 5:31 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S.2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Paul Briggs I live at 755 Whittenton St. Taunton, Ma. 02780. I work at MCI-Cedar Junction and am a Lieutenant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Paul Briggs

Sent from my iPhone
From: Mary Anne Murray <maryannemurray@verizon.net>
Sent: Thursday, July 16, 2020 5:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Frank Teague <fteague@verizon.net>
Sent: Thursday, July 16, 2020 5:30 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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From: Donald Desrochers <dedesrochers@icloud.com>
Sent: Thursday, July 16, 2020 5:30 PM
To: Testimony HWM Judiciary (HOU)
Cc: Lidia Desrochers
Subject: Testimony on the S.2820

Request that the House preserve the reforms in the Senate bill, such as the following:

- * Creating an independent and civilian-majority police certification/decertification body
- * Limiting qualified immunity so that victims of police brutality can sue for civil damages
- * Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- * Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- * Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

Request that the House expand the Senate bill by

- * Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
- * Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- * Lifting the unnecessary cap on the Justice Reinvestment Fund

From: Danielle Loynd <daniloynd@yahoo.com>
 Sent: Thursday, July 16, 2020 5:29 PM
 To: Testimony HWM Judiciary (HOU)
 Subject: Proposed Police Reform

To Whom it May Concern,

Growing up in a small community, I have always known many of the first responders, both employed by the state and those who work on a volunteer basis. These men and women are some of the most selfless individuals, and often stop to assist whether they are on the clock, or off of it. I do strongly believe that police reform is necessary, and that community based policing/engagement should be more prominent throughout the commonwealth, however by removing qualified immunity I believe there will be more harm than good. Many of these men and women will walk away from professions that were once seen as honorable, because the risk against their own wellbeing will be very high. I fear that in the end we will be left with individuals who are in their profession for a paycheck, rather than the good of their community.

The calls that police officers, EMS personnel, and firefighters run to are often the situations that others run away from. If they are willing to take a risk to protect us, as citizens of Massachusetts, I strongly believe that the bill should be reconsidered, so we can continue to protect them as well.

Thank you for your time and consideration,
 Danielle Loynd

From: Patrick Ryan <patrickry8@gmail.com>
 Sent: Thursday, July 16, 2020 5:27 PM
 To: Testimony HWM Judiciary (HOU)
 Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Patrick Ryan. I am a Correctional Officer for the Worcester County Sheriffs Department. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Patrick Ryan
From: Lindsay Foley <lindz05@gmail.com>

Sent: Thursday, July 16, 2020 5:26 PM
To: Testimony HWM Judiciary (HOU)
Subject: Regarding s2820

I am a resident of Massachusetts and a registered nurse. I do not support this legislation and the implications it will have on public service professionals. I urge you to stop this legislation known as S2820 in its tracks. I do not support its passing.

Lindsay Wright
83 Harvard Street
Whitman, MA 02382
508-930-9741

Sent from my iPhoneFrom: Carolyn Lynes <carolynlynes@gmail.com>
Sent: Thursday, July 16, 2020 5:25 PM
To: Testimony HWM Judiciary (HOU)
Subject: Keep Senate Police Reform Bill S/2820

Members of the House,
I urge you to preserve and build on the vital reforms in the Senate bill S/2820 such as:

- * Creating an independent and civilian-majority police certification/decertification body
- * Limiting qualified immunity so that victims of police brutality can sue for civil damages
- * Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- * Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- * Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal!

In addition I want you to go further than the Senate bill by

- * Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
- * Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- * Lifting the unnecessary cap on the Justice Reinvestment Fund

Sincerely yours,

Carolyn Lynes,
586 Central Ave
Needham Hgts,
MA 02494
781-559-3667

From: Douglas Turcotte <dougdoall@yahoo.com>
Sent: Thursday, July 16, 2020 5:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

Mr. and Mrs. Douglas L. Turcotte
From: Christopher Peckham <christopherapeckham@gmail.com>
Sent: Thursday, July 16, 2020 5:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill 2820

Dear Chair Michlewitz and Chair Cronin,
My name is Christopher Peckham and I live at 196 McCloskey St, Fall River, Ma. I work at the Bristol County Sheriff's Office and am a correctional officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Christopher Peckham

From: Mike Bettencourt <mikebett_508@yahoo.com>
Sent: Thursday, July 16, 2020 5:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: BILL 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Michael V Bettencourt and I live at 52 Gellette Rd, Fairhaven Ma. I work at the BristolCountySheriffs Department and am a K9 Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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Sincerely,
MICHAEL V BETTENCOURT

Sent from Yahoo Mail on Android
<

Re: Testimony re S.2820, the Senate's Police Reform Bill

Dear Rep. Cronin and Rep. Michlewitz,

I am shocked beyond words at what happened to George Floyd earlier this year. Therefore, I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Elaine LaMacchia
617-817-7635
Revere, MA 02151

From: WAYNE HOFFMAN <wayho67@yahoo.com>
Sent: Thursday, July 16, 2020 5:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: Read

Dear Chair Michlewitz and Chair Cronin,

My name is Wayne Hoffman and I live at 76 Elvira St. Bellingham Ma. I work at MCI-Norfolk and am a Corrections Officer 1. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Wayne Hoffman

Sent from Yahoo Mail for iPhone
<https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk>

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Az78yvuy7BwdnJmTpKzXwtzL_uHo9PE8Ewc&e=>

From: Robert <chopperbob51@aol.com>
Sent: Thursday, July 16, 2020 5:24 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely, Robert P. Pepin SR.
From: Brandon Vtec <brandoncmoniz@gmail.com>
Sent: Thursday, July 16, 2020 5:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Brandon Moniz and I live at 5455 north main st. I am an employee of the Bristol county sheriffs office. I am a correctional officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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Sincerely,
Brandon Moniz

Sent from my iPhoneFrom: 2012aliciar <2012aliciar@gmail.com>
Sent: Thursday, July 16, 2020 5:23 PM
To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is Alicia Renaghan and I live at 5 Cole Ave, Sutton, MA 01590. I work at MCI-Norfolk and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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Sincerely,
Alicia Renaghan

Sent from my Sprint Samsung Galaxy Note8.

From: Kevin Cooper <kcoop21@yahoo.com>

Sent: Thursday, July 16, 2020 5:23 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Kevin Cooper and I live at 16 Outlook Rd in Marshfield, Ma . I work for the Massachusetts Department of Correction at Old Colony Correctional Center in Bridgewater and currently hold the title of Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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Sincerely,
Sgt. Kevin Cooper

Sent from my iPhone
From: Philip Hamilton <pkhamilton45@gmail.com>
Sent: Thursday, July 16, 2020 5:23 PM

To: Testimony HWM Judiciary (HOU)
Subject: Testimony re S.2820

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Philip K. Hamilton
Lexington, MA
781-861-3939
From: Marlene Pollock <marlenepollock929@gmail.com>
Sent: Thursday, July 16, 2020 5:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: Coalition for Social Justice in support of Police Accountability

July 17, 2020

The Honorable Rep. Aaron Michlewitz
Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin
Chair, Joint Committee on the Judiciary

Re: Testimony in Support of Police Accountability -- Use of Force Standards and Qualified Immunity Reform

Dear Chairs Michlewitz and Cronin,

On behalf of The Coalition for Social Justice, I write in strong support of the many provisions in S.2820 designed to increase police accountability. In particular, our organization urges you to:

1. Adopt strict limits on police use of force,
2. End qualified immunity. Police accountability is a must. Victims of police violence must have their day in court, and police must be held to a high standard.

Our organization has been active in southeastern Massachusetts for the past 25 years. We have active chapters in Brockton, New Bedford, Fall River, and Falmouth. We have been active in criminal legal reform for the past decade, and played a leading role in the 2018 Reform Bill. We also are currently playing a leading role in the movement to hold Sheriff Hodgson accountable for his questionable practices in the Bristol County House of Correction and the Correia Detention Center.

We have seen our share of police overreach: in the death of 15 year old Malcolm Gracia at the hands of the New Bedford police; with excessive racial profiling through "stop and frisk" policies; warnings given to young Black men to stay inside during the summer months, amounting to the police acting like an occupying force; instances of racial attacks against innocent people at the hands of the Dartmouth Police, for which the town had to pay handsomely. We know that any city or town in Massachusetts is open to this kind of abuse because structurally there is no way to hold police who commit acts of malfeasance accountable. This has to stop. The police cannot feel they are above the law. That kind of attitude leads to murders like George Floyd's, which can no longer be tolerated.

Massachusetts must eliminate the shield of qualified immunity in order to enforce limits on the use of police force. Too many people have been seriously injured or killed as some police have violated people's civil rights without consequences. Ending or reforming qualified immunity is the most important police accountability measure in S2820.

We also urge you to establish strong standards limiting excessive force by police. When police interact with civilians, they should only use force when it is absolutely necessary, after attempting to de-escalate, when all other options have been exhausted. Police must use force that is proportional to the situation, and the minimum amount required to accomplish a lawful purpose. And several tactics commonly associated with death or serious injury, including the use of chokeholds, tear gas, rubber bullets, and no-knock warrants should be outlawed entirely.

It seems to us that a great deal of funding is given to repression rather than going with effective tried and true programs that can prevent unlawful behavior and reduce unnecessary injuries and deaths. If we can redirect monies to successful programs and interventions, we could greatly reduce crime. For example, strong jobs programs for young men ages 16-25 have been effective in keeping people on the law-abiding path. Well-funded drug treatment and mental health programs are essential and badly needed.

There is another way, and we need to change our priorities so that our citizens can be helped rather than lost in this needless cycle of state sanctioned violence.

Sincerely,

Debra Fastino

Executive Director, Coalition for Social Justice

56 North Main St.

Fall River, Ma. 02720

508-982-3108

--

Marlene Pollock
Organizer
Coalition for Social Justice
New Bedford & Cape Cod
508-982-8751

Learn more about CSJ's work:

https://youtu.be/scwkT1Ic6ZY?list=PLkDkZsSMuETz_2Whez0pX8R-Q0tz102x7
<https://urldefense.proofpoint.com/v2/url?u=https-3A_youtu.be_scwkT1Ic6ZY-3Flist-3DPLkDkZsSMuETz-5F2Whez0pX8R-2DQ0tz102x7&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=yc94U3-obLa4xdPuxNlWPetiram-GIyGyRl_OzWhVd0&s=970y7t8tJEhOD2pGkfdscjp7mK9H8kGVbJI_1r_tme0&e=>>

From: J Butler <j.lbutler@yahoo.com>
Sent: Thursday, July 16, 2020 5:21 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Regards, Lisa

From: Michael D Irish <misha4him@juno.com>
Sent: Thursday, July 16, 2020 5:20 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Michael David Irish
Centerville

Sent by the electronic secretary for Peace of Mind Property Maintenance.
Have a blessed day!

From: Stephen Panzini <spanzini@comcast.net>
Sent: Thursday, July 16, 2020 5:20 PM
To: Testimony HWM Judiciary (HOU); McGonagle, Joseph - Rep. (HOU)
Subject: Police reform bill

Dear Chairperson,

My union has been advised that the house is drafting their version of a police reform bill.

Although the incident that was the catalyst for all this reform happened a thousand miles from here I can see we are being governed by mob rule and do not want to hear facts about incidents that happen here in Massachusetts. I know it doesn't fit the agenda right now. Police are not shooting unarmed people on a regular basis like they are claiming in the media. I have been a police officer in the city of Everett for 23 years. Just a few months back with covid we were heroes going in to unknown sicknesses without the proper equipment for ourselves to save lives. We not only exposed ourselves but our spouses and children. Massachusetts has the best trained officers in the nation and that's why we don't have the issues other parts of our country are experiencing . I ask the speaker and the house to show a little political courage and common sense.

Some of the concerns I have with this haphazardly written bill on the senate side.

- This is union busting at its finest
- Circumventing our CBA's. It's unions that built this country and protect its work force right down to the 40 hour work week.
- Stripping due process. There already is a system that does work to get rid of problem officers. I have seen it first hand. My department has fired numerous officers over my 23 years. I have also seen bosses reduced in rank when they did not handle situations properly. The media is putting out a false narrative that problem officers can never be fired. That's just a lie.
- Qualified immunity. Everyone knows this will lead to frivolous lawsuits, taking officers off the street During these invests and cities losing tons of money. Police are routinely in hazardous situations and have seconds to make a decision. Only to have everyone else especially the media on Monday say they did this or that wrong. I would be perfectly fine with going 32 years and retire without shooting at any one. Unfortunately when we fight for people who can't fight for themselves we are put in those situations.
- Citizens Interviening In an arrest because in their untrained opinion believe something being done is excessive. Meanwhile not knowing what the defendant was being arrested for or understand the training you have. This will definitely cause citizens to get hurt. Further escalating violence!
- These boards the state wants to create with naacp/aclu and political appointee members on them. These organizations routinely sue cities and police departments for various issues. They not only would be biased for their organizations client they have zero law enforcement experience. There is a clear conflict of interest. The majority of the board should be compromised from experienced expert law enforcement from various ranks in the state of Massachusetts. Retired judges not activists ones who understand the law.

I ask that you consider all these points while drafting the responsible house version of this bill and realize how important these are to have a safe civil society

Respectfully, I will be holding the line. Will you?

Sgt. Stephen Panzini

Sent from my iPhone

From: Todd Neale <toddneale@yahoo.com>

Sent: Thursday, July 16, 2020 5:20 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

I am sending you the attached as a concerned citizen of the commonwealth. This bill is moving to fast and not all concerned parties are being heard. I did not create the following but do agree with the points of issue.

Thank you in advance for considering the following

Todd Neale

Citizen of Royalston

Massachusetts

Written testimony is due almost

1. Qualified Immunity - do not accept the talking point that there is not much of a change here. Not only did they make it more difficult to get Qualified Immunity (essentially turning it into a fact issue to be decided at trial, as opposed to a legal issue a judge could weed out early) - but - the real sneaky part is that they removed an element from the State Civil Rights Act, and also provided a provision for attorneys fees to be awarded to plaintiffs. These two changes are huge - will create tons of new state law claims against public employees to be brought in the state courts - as opposed to Federal Courts - where they will cost employees and Cities and Towns so much.

<https://nolanperroni.us3.list-manage.com/track/click?u=fdb5064f10a7ad27e13aff127&id=5fc55f0fa5&e=db4alab9f1>

The Boston Police Patrolmen's Union worked with Atty Kesten to get out this important opinion.

2. Indemnification - Some legislators are pointing to the lack of changes in the State Indemnification Law (GL c. 258) as a reason that officers should just not worry - suggesting they will still be defended against all of this expected onslaught. DO NOT ACCEPT THAT. First - GL c. 258

discriminates against municipal officers. Indemnification for municipal employees (police, fire, local officials, etc.) is discretionary. They do not have to do it. On the other hand, people like legislators, and the State Executive branch enjoy mandatory defense and indemnification for up to \$1,000,000.00 if they violate the civil rights laws

Also - don't forget - the Massachusetts State Police have a special statute of their own - GL c. 258, Sec. 9A - that provides mandatory defense and indemnification for up to \$1,000,000.00 for civil rights violations as long as they are not willful or malicious. MUNICIPAL OFFICERS ARE THE ONLY ONES WORKING WITHOUT A NET.

3. Due Process Rights - Obviously there is so much wrong with this bill - but the idea that your careers may be put into the hands of a inherently political board, mostly non-law enforcement, many with anti-police agendas, and of the law enforcement is mostly management, is alone disheartening enough. Here are some thoughts:

First - That board should be made up of a majority of law enforcement professionals, with representatives of management and labor, with appropriate and limited non-law enforcement representation. JUST LIKE EVERY OTHER PROFESSIONAL BOARD IN THE COMMONWEALTH.

Second - the way the bill defines a "sustained complaint" is that it views it as final once the CITY makes its decision. It does not allow for an unbiased review by an arbitrator or civil service - both rights which most have relied upon forever. This is shocking. In fact, both bargaining law and civil service law acknowledge that the city level process is biased - and more, even says that employees have no right to a disinterested or unbiased or even full hearing at the city level. THE REASON FOR THIS IS THAT THE LAW PROVIDES THESE APPEALS TO ARBITRATION AND CIVIL SERVICE. So - with this bill, officers will be stuck with only the permissibly biased, final decisions of local officials. This cannot stand. Just cause protects good officers - not bad officers. Every good public manager and Chief knows that if they follow correct process, they are able to remove unfit officers.

Third - the Governor's bill did not allow the Board to do its own investigations into complaints, and to be a place where people could complaint directly. The Senate changed this and now allows this political board to ignore local IA findings clearing officers, to ignore arbitrators and civil service officers, to ignore DA findings of justified force, etc - and simply do their own thing. This is wrong. This review board should be required to use the facts and findings of unbiased officials, should not be independently creating their own fact findings (which are insulated from appeal other than a legal "abuse of discretion" type appeal). This independent function should be removed and it should be consistent with the Governor's bill in that the board has a review function only.

The entire reason that public employees need just cause protections and appeals are to protect against political influence - just like what is going on now. Will your Rep be taking this protection away from other municipal workers? from teachers? from themselves?

Sent from Yahoo Mail on Android

<[From: Susan B. Leeming <\[sbleem@verizon.net\]\(mailto:sbleem@verizon.net\)>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=wQAfnVlSVt5a0dcLPGFGM3dBQBmyt5QXO7TccykBgHU&s=N8OR4OW_ALWKuvwZFxsZBrs4JEgbXNyZ9HC2LrBKZ6E&e=>></p></div><div data-bbox=)

Sent: Thursday, July 16, 2020 5:19 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Susan B. Leeming

From: Lisa Mackin <lisamackin@comcast.net>

Sent: Thursday, July 16, 2020 5:19 PM

To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

I would like voice heard regarding the Police Reform Bill.

I'm most definitely against the violation of civil rights and to the use of unnecessary force by any police department. The situation with George Floyd was tragic and should never have happened. Training and evaluations wouldn't be the worst idea, as this is accepted protocol in many industries. Massachusetts has an exceptional track record. Our officers are educated and well led for the most part.

I am against limiting qualified immunity.

Who are any of us to determine as bystanders what the appropriate action is to take as these police officers are under incredibly stressful and dangerous situations. Look at Michael Chesna, a Weymouth police officer killed with his own gun two years ago this week, as he simply answered a call about an erratic driver. A police officer has to react swiftly using a gut reaction. We have to trust our officers to make the correct decision for that moment in time. We can't be back seat drivers and question every move made after the fact.

If qualified immunity is limited, you'll see the police force dwindle as retirees give up on their roles and young people find other professions where they are respected for a job well done not beaten down and spit at by the very people they serve. This latest witch hunt that is trending in America, where the masses have determined that the police force is at fault or that by pulling down statues we can realign history, is a farce. Until people in general start to respect each other and stop fighting vehemently like spoiled children until their opinion is accepted as the norm - we're in deep trouble as a country. Why can't people accept the fact that there is always going to be opposing perspectives? That's what our country was built on.

Limiting Qualified Immunity is not the answer.

Sincerely,

Lisa Mackin

From: Keith Crowley <keithncrowley@gmail.com>

Sent: Thursday, July 16, 2020 5:19 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

Representatives,

Please take careful consideration in reviewing the content of this email as it immensely impacts the importance of Police Officers performing their job, and keeping the community safe. Safe you may ask?

Safe by removing guns, drugs, and violent criminals from the streets in which members of the commute walk. They may walk alone or with their spouse, children, significant partners. Maybe even just their pet. They have a right to feel SAFE! The data does not lie. Crime has increasingly gone up over recent years. More crime = a greater push for safety amongst members of the community. Please do not let the decision be based solely on political motivation.

My name is Keith Crowley and I live in Methuen. I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration.

Keith Crowley

18 Landmark Dr
Methuen, MA 01844

From: Gerry Murphy <gerrymurphy368@gmail.com>
Sent: Thursday, July 16, 2020 5:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: SB 2820 Public testimony

Gerry Murphy, Quincy Fire Department, IAFF local 792. 617-767-5640

Please preserve full qualified immunity for public safety personnel. I have often been called upon to restrain violent, combative patients to keep them safe from themselves or from causing harm to others. These patients have been under the influence of drugs and/or alcohol, suffering from head injury, shock, hypoglycemia, dementia or a experiencing a behavioral emergency such as a suicide attempt.

I worked in concert with fellow firefighters, ems providers, and most often, a lone police officer to restrain the patient so they could be transported to the hospital and receive treatment. The motivation of all personnel engaged in restraint was ensuring the safety and care of the patient. Frequently, it requires the sustained effort of 5 or 6 people to control a strong violent patient.

In the deliberation over review and reform of policing in general, I feel more consideration is needed for the split second nature of violent behavior and how little reaction time is available when faced with a sudden threat. Sometimes mistakes are made in an instinctive attempt to defend oneself and others which might be avoided with the luxury of time and distance.

Opening the door to personal liability will prove harmful to public safety personnel and the public in general. In conclusion, over 17 years and thousands of calls, I have never witnessed a police officer, firefighter or EMT act with malice towards any patient.

Respectfully, Gerry Murphy

From: Barbara McGuirk <bjmcguirk2027@gmail.com>
Sent: Thursday, July 16, 2020 5:19 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

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Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Barbara J. McGuirk

Sent from my iPhoneFrom: Carrie Dern <carriedern@yahoo.com>
Sent: Thursday, July 16, 2020 5:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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Carrie Dern

From: Mark Penney <mepper75@aol.com>
Sent: Thursday, July 16, 2020 5:18 PM
To: Testimony HWM Judiciary (HOU)
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Sincerely,

Mark Penney

North Reading, MA

Sent from my iPhone

From: Sam Carver <scarver85@gmail.com>
Sent: Thursday, July 16, 2020 5:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Samuel Carver and I live at 24 Dean St. Mansfield, MA 02048. I work at MCI-Norfolk and am a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed, but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Samuel Carver

From: Rich Wetherell <wetherell111@gmail.com>
Sent: Thursday, July 16, 2020 5:18 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Richard A Wetherell Jr and I live at 14 LedgeWood Dr Boylston MA. I work at MCI Concord and am a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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Sincerely,

Richard A Wetherell Jr

Sent from my iPhone From: Michael Harrington <mikeh72799@gmail.com>
Sent: Thursday, July 16, 2020 5:17 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

Hi, i live in quincy. I am a supporter of all of our first responders, including but not limited to, Police, Fire, Ems and so on and so forth. The bill that is being pushed (S.2800) is ridiculous and embarrassing, especially that fact that it was approved over night at 4a.m with no real discussion or public input. That bill is putting my family at risk personally as i have family who are in law enforcement, and it's also putting the public in complete danger. People are going to take advantage of this for their own monetary purposes and ruin lives just because they want to. You really need to rethink this.

We will remember this come November.

Sent from my iPhone
From: David Fadul <davidfadul27@gmail.com>
Sent: Thursday, July 16, 2020 5:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: In Support of S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no-knock raids like the one that killed Breonna Taylor.

Thank you,

David Fadul
Boston, MA
From: Keith lake <krlake01@hotmail.com>
Sent: Thursday, July 16, 2020 5:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2800

Massachusetts should not be one of the first in the nation to roll out these new "police reforms", Massachusetts should be the example that other

states are basing their reforms off of. Massachusetts has some of the lowest numbers for officer involved shootings, excessive use of force complaints, and race based complaints. The commonwealth is already above and beyond many other states in progressive policing. Politicians are forcing this knee jerk reaction bill to pander to the extremists. You cannot allow qualified immunity to be taken away from the officers that should be the example for the rest of the country. This will lead to hesitation and officers lives being taken. It will destroy families and livelihoods. Policing in Massachusetts is not the national problem and should be held up as a guiding light for other states to follow. Do not allow this bill to pass and instead highlight the positive progressive work done by all Massachusetts Law Enforcement officials.

Thank you

Sent from my Verizon, Samsung Galaxy smartphone

From: Max Monn <michael_monn@alumni.brown.edu>
Sent: Thursday, July 16, 2020 5:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820 support

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I am writing you in support of bill S2820. This action to protect black lives and dismantle the systemic racism that causes direct harm to communities of color is long overdue. We have seen the horrific effects of unchecked power and racist policing for many years but now is the time for change.

Best regards,
Michael Monn

From: Pat Moore <patch450@aol.com>
Sent: Thursday, July 16, 2020 5:15 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Patrick MooreFrom: Tim B <tjbl23@gmail.com>
Sent: Thursday, July 16, 2020 5:14 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified immunity

Dear Chair Michlewitz and Chair Cronin,

My name is Timothy Bariamis and I live at 230 Granite St. in Leominster, MA. I work at NCCI Gardner and am a Captain. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

??: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

?????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

??: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board

hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Timothy Bariamis

From: John D. Maak <maaker55@yahoo.com>

Sent: Thursday, July 16, 2020 5:14 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Tim Warren <twarren22@gmail.com>

Sent: Thursday, July 16, 2020 5:14 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

This bill is a slap in my he face of every hardworking public employee!! To not even have a discussion on this topic is a joke!! Police are taking way too much of the blame because of an incident that happened in another part of the country. Our representatives are a joke and for them to turn their backs on police when not too long ago during the marathon bombings

everyone hid under the protection that police provided. If this passes good luck finding qualified candidates for the job in the future.

Sent from my iPhoneFrom: Rosemary Morel <mormmmr@verizon.net>
Sent: Thursday, July 16, 2020 5:12 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

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SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Rosemary Morel
Methuen MA

From: Mike Dalton <mdalton84@gmail.com>
Sent: Thursday, July 16, 2020 5:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Michael Dalton and I live at 4 kayak trl, Norton MA. I work at MCI-Norfolk and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Michael Dalton

From: John Callahan <mcall0728@comcast.net>

Sent: Thursday, July 16, 2020 5:11 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

John Callahan
80 Spring Meadow Lane
Hanover, Ma
Sent from my iPhone
From: lmquealy@yahoo.com
Sent: Thursday, July 16, 2020 5:10 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S2820

To whom it may concern,

I would like to formally express my concern with the recent act that has been passed on police reform and was expanded to include nurses and fire fighters. I think that this act, as written, will present significant long term negative impacts to the existing first-responder teams and negatively impact the future of these departments due to fear of repercussions beyond what is reasonable. These first-responders risk their lives daily for us and deserve nothing but the utmost respect. I would like to respectfully request that we conduct a serious evaluation, including broader public input before approving this act

Thank you for your time

From: Ana Cruz <acruz@gbls.org>
Sent: Thursday, July 16, 2020 5:03 PM
To: Testimony HWM Judiciary (HOU)
Subject: We Need Police Accountability with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I strongly urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Ana Cruz
1569 Beacon St
Brookline, MA 02446
acruz@gbls.org

From: ttbeale@yahoo.com
Sent: Thursday, July 16, 2020 5:10 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Thomas Beale and I live in Plympton, MA and work at MCI Norfolk and as a Correction Officer. As a constituent, I'm writing to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work everyday to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. This reform took several years to develop. I'm dismayed in the haste this bill was passed however I welcome the opportunity to tell you

how this bill turns its back on the very men and women who serve the public.

Qualified immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process each frivolous lawsuit.

Less than Lethal Tools The fact you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop" to hand on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community to have an oversight committee made of people who have never worn the uniform, including an ex-convicted felon is completely unnecessary and irresponsible. When the oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are items never heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I'm asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth.

I'm asking you think about the police officer you need to keep your streets safe from, violence and not to dismantle proven community policing practices. I'd also like you to Officer alone in the cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring whatever reform is passed you do it responsibly..

Thank you for your time.

Sincerely,

Thomas P Beale

From: BARBARA CAUFIELD <barbara.caufield@verizon.net>
Sent: Thursday, July 16, 2020 5:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public

safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,
From: Kathleen McKeown <kmckeown21@gmail.com>
Sent: Thursday, July 16, 2020 5:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

To whom it may concern:

Taking away Qualified Immunity presents many problems that just don't make sense. Please reconsider this part of the reform bill. Having public employees take on this personal risk is unfair. In this very litigious society, we will see an increase in frivolous lawsuits and public employees will stand by and do nothing for fear to lose their home and savings. How is that good? Perhaps an unintended consequence of this bill.

Insurance companies are probably meeting now to devise some type of insurance policy they can sell to cover public employees. It will be very expensive as insurance companies never want to pay out. They know the odds of potential claims. And the odds of many claims being filed is very good.

Please reconsider this part of the bill. And you cannot do that, then add yourselves to the bill and remove your qualified immunity.

Take a stand. Don't fall into the mob mentality. Do what is right.

Davin Hearn
18 Sunset Hill Road <x-apple-data-detectors://0/1>
West Roxbury MA. 02132 <x-apple-data-detectors://0/1>
617-828-2285

From: Kimberly MARRONI <marroni@comcast.net>
Sent: Thursday, July 16, 2020 5:09 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2820

Hello Chair Michlewitz and Chair Cronin:

I am writing in support of S2820 currently being considered by the Massachusetts House of Representatives. This bill is a crucial part of reforming our police departments and addressing systemic racism within our society. In particular I support the restrictions on obtaining military grade property, the banning of choke holds, and the restrictions on the use of chemical weapons, rubber bullets and dogs. The emphasis on training and de-escalation tactics is an absolutely necessary part of law enforcement reform.

In addition, I support the change in the requirement for school resource officers only at the request of school superintendents. There have been too many stories from students, particularly students of color, of the racism they have encountered or observed from SROs. Studies are clear that the criminalization of matters that should be handled by schools are hugely detrimental to students both during their time in school and afterward.

I know there has been a tremendous amount of resistance from the law enforcement community regarding this bill, particularly with respect to the modification of qualified immunity. In my opinion the changes made by the bill are reasonable and will help to hold police officers accountable for their actions.

Thank you for your time and attention.

Kimberly Marroni
80 Holly Ridge Road
North Andover, MA 01845
978-681-0997
From: Ocola, Paloma <pocola@g.harvard.edu>
Sent: Thursday, July 16, 2020 5:08 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820 Testimony

Dear members of the House,

The proposed bill S.2820 does not do enough to prevent police violence against Black people or deal with the problem of the over-criminalization and mass incarceration of Black communities. I am hoping that it can be strengthened in the House.

To be clear, if there is a single drop more of spending needed to implement these changes, in either training and training commissions, I do not support it. We already see in other communities around the country where a lot of this same legislation exists that Black people are still being targeted, hurt, and killed by police. You might see this as a first step but if this bill goes through as is, it is not enough. I do not want any one of you to think that this is enough.

It is important that we chip away at qualified immunity, which continues to save violent officers from losing their jobs. All of these bans on specific policing practices mean nothing if qualified immunity isn't abolished, and I hope that this bill becomes stronger in weakening it. If a police officer commits a fireable or chargeable offense they should not be able to continue being a police officer in any community. Choke holds were banned in New York City the day Eric Garner died by one, and his murderer remained a police officer for five more years after killing him.

The way forward is to find a way to fire an officer permanently, but also shrink the role and powers of police. The millions of dollars used to increase the scope of policing should be used to fund Black and Brown communities. I want to see a decrease in police officer's responsibilities. I want to see legislation that decriminalizes minor offences, that stops pretextual traffic stops and street stops and frisks. Policing should not be waiting around for someone to make a minor infraction, or waiting to target a random passerby hoping to uncover an infraction, to give them a ticket and rope them into our debilitating legal cycle. This cycle is entirely fueled by preying on Black and Brown communities, the poor and the working class, and will always disproportionately harm these communities no matter how much training is implemented. S.2820 does not get us to the place where we need to be, and I am afraid that all of you will stop there.

The legislative session is scheduled to end July 31. I expect to see better by then or by the return in the fall.

Thank you,
Paloma Ocola
Cambridge, Massachusetts

From: Dante Monaco <dante.monaco@yahoo.com>
Sent: Thursday, July 16, 2020 5:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: DO NOT SUPPORT bill S2820.

I DO NOT SUPPORT bill S2820.
Dante Monaco
Jamaica Plain, MA.
Thank you!

Get Outlook for iOS <[From: Alyssa Krinsky <alyssahkrinsky@gmail.com>
Sent: Thursday, July 16, 2020 5:07 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: S.2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_o0ukef&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=nZyrC9JLud0-ZmJny2e83DIZR2DUEsGjyIZUF6ahejU&s=IeetUlFU3bj2_tuAvn_LH2a5Z4Y4dKIrfSAOxsT0UAI&e=>></p></div><div data-bbox=)

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Alyssa Krinsky, Brookline Mass
From: Stanley Watson <stanwatson4@gmail.com>
Sent: Thursday, July 16, 2020 5:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

The recently passed Senate Bill needs serious modification in the House. There are lots of details to plow through but in short, this is an expensive bill assembled in a haphazard manner with an apparent emotional urge for the State Legislators to be in the forefront of progressive action resulting from events that occurred elsewhere. The absence of public notice and hearings is testament to the knee-jerk nature of the legislation.

There are at least ten new Commissions established by this Bill of a dozen or more people with executive directors, administrative staff, lawyers, researchers, consultants and contractors for each Commission. There are travel and entertainment expenses, expenses for Boston office suites, and millions in new social welfare spending that I fear will be 75% consumed by the administrative bureaucracy. As a taxpayer, I don't want to buy this! I see this bill costing \$100million per year so that you legislators can hide behind a facade of altruism.

I see independent fundraising and government appropriations that become administrative slush funds supporting legalized graft and corruption by the Commissions.

I don't see reform coming from this Bill. I see an uncoordinated mess of bureaucracy that does not help the Black and Latino communities. I see a misguided assault on the police forces of the towns, counties and State. The bill strips the policeman of their authority, their dignity and their personal safety.

I see an imbalanced approach to community development where these Commissions are heavily populated by minority participants in order to fix the vote for any and all decisions or recommendations from those committees.

I see policemen victimized by the process with no recourse through established union contracts or the Civil Service Commission.

I see age and disability discrimination as it appears all new State Police must be cadets under 26 years of age and with no disabilities. I see no ability for a municipal police officer to transfer into the State Police thereby blocking qualified, experienced candidates from the force, as the Bill prohibits crossover and advancement. Crazy.

So many more sloppy details. An officer can get sued for civil liability for up to 4 years after an incident yet the Bill allows for the destruction of body cam video after 180 days. Why wouldn't this be kept for at least 4 years as a means of defense for an officer accused? Haphazard.

You expect the police to be race neutral while requiring them to specify perceived race for any traffic stop. Haphazard and incongruent.

Why is the Latino Commission smaller than the African American Commission by 2 people? Haphazard. Why are there dates for nominations and appointments set for the Latino Commission and not for the others. Haphazard.

I could go on.... You get the picture. You Liberals want the Police to serve and protect your political agenda, not the people, so you mask your agenda as "law." This is not lawful. Please read our Constitution again. This is a free society where people are free to succeed and free to fail. If people fail, the rest of us are not obligated to carry them on our backs.

This isn't Seattle. This isn't Minneapolis. Let's not be the next lawless metropolis.

Thank you.

Stanley Watson

MA Citizen

978-257-1444

From: STEPHEN LUPIEN <lupien.stephen@gmail.com>

Sent: Thursday, July 16, 2020 5:07 PM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Stephen T Lupien and I live at 20 Woodland Road, West Bridgewater MA. I work at MCI-Norfolk and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,
Stephen T Lupien

Sent from my iPhone From: Brian Hearn <brianhearn13@gmail.com>
Sent: Thursday, July 16, 2020 5:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony

To whom it may concern:

Taking away Qualified Immunity presents many problems that just don't make sense. Please reconsider this part of the reform bill. Having public employees take on this personal risk is unfair. In this very litigious society, we will see an increase in frivolous lawsuits and public employees will stand by and do nothing for fear to lose their home and savings. How is that good? Perhaps an unintended consequence of this bill.

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odds of potential claims. And the odds of many claims being filed is very good.

Please reconsider this part of the bill. And you cannot do that, then add yourselves to the bill and remove your qualified immunity.

Take a stand. Don't fall into the mob mentality. Do what is right.

Brian Hearn

18 Sunset Hill Road <x-apple-data-detectors://0/1>
West Roxbury MA. 02132 <x-apple-data-detectors://0/1>
617- <tel:617-697-9640> 828-4679

Sent from my iPhone
From: melbos@email.com
Sent: Thursday, July 16, 2020 5:07 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

From: Craig Swindell <windellsay@yahoo.com>
Sent: Thursday, July 16, 2020 5:06 PM
To: Testimony HWM Judiciary (HOU); Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Craig Swindell

From: Elizabeth Heffler <heffler@natickpolice.com>
Sent: Thursday, July 16, 2020 5:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: S2800

To whom it may concern,

I have been a Natick police Officer for 24 years. During this time I have been awarded (locally) Officer of the year and (Nationally) NSRO District 6, Distinct Service award recipient. I hold a BA in psychology and criminal justice. I also hold an MS in Mental Health Counseling. I am a NSRO Practitioner, which is the highest level of training nationally, a School Resource Officer can have. Lastly, I am a member of the Massachusetts Juvenile Police Association, conference board.

I tell you all this not to boast about my accomplishments but to demonstrate my commitment to the people of my town, Natick Massachusetts. I am in fear of the removal of Qualified Immunity. I am a good Officer and by "good Officer" I mean I care for the people I service. Early in my career I had to arrest one of my Sargents. That was not easy but it was right. While my son battled cancer, I still answered calls from parents/students/teachers/administrators that were in need. I made sure I was on duty as long as my son was not admitted to the hospital. To say I am committed to my town is an understatement, but I am not an unusual Officer. There are thousands of Massachusetts Officers that are the same, if not better.

The issue of Qualified Immunity, for me is, just because I am a good Officer, doesn't mean I will not be civilly sued for the interactions I have with the public. There are no protections for frivolous lawsuits. I cannot afford an attorney to go to court every time someone does not appreciate what occurred at a scene. I read the social media responses to varied events. Untrained individuals become experts and take issue with things they don't understand or they don't see the full picture. I fear people will now take those opinions and start filing frivolous lawsuits against good officers like me. I do not want to ever go to a scene and have to choose between helping a person in need or the financial stability of my family. Is it not bad enough, I carry a final good bye letter in my vest, incase an incident takes me? Now, daily I will need to be concerned about civil lawsuits.

Massachusetts has been a leader around the country with our training and policies, for law enforcement. Having said that, nothing is perfect and can always be better. There are many good parts to the bill S2800. As you can see, I enjoy training and welcome it. I staunchly disagree though with the removal of Qualified Immunity.

Thank you for taking the time and reading my thoughts. I usually only practice my civic duty at the ballot box, so this testimony is new to me. I truly appreciate the time an effort you all put into governing of state. Thank you again

Officer Elizabeth Heffler, MSC

Sent from my iPhone
From: lee marques <marques630@yahoo.com>
Sent: Thursday, July 16, 2020 5:06 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Lee Marques and I live at 990 Dighton Woods Circle, Dighton, MA. I work at Bristol County Sheriff's Department and am a Correctional Officer of 6 plus years and counting. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell

you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

LESS Than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Correctional Officer Lee Marques
From: Stanley Watson <stanwatson4@gmail.com>
Sent: Thursday, July 16, 2020 5:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

The recently passed Senate Bill needs serious modification in the House. There are lots of details to plow through but in short, this is an expensive bill assembled in a haphazard manner with an apparent emotional urge for the State Legislators to be in the forefront of progressive action resulting from events that occurred elsewhere. The absence of public notice and hearings is testament to the knee-jerk nature of the legislation.

There are at least ten new Commissions established by this Bill of a dozen or more people with executive directors, administrative staff, lawyers, researchers, consultants and contractors for each Commission. There are travel and entertainment expenses, expenses for Boston office suites, and millions in new social welfare spending that I fear will be 75% consumed by the administrative bureaucracy. As a taxpayer, I don't want to buy this! I see this bill costing \$100million per year so that you legislators can hide behind a facade of altruism.

I see independent fundraising and government appropriations that become administrative slush funds supporting legalized graft and corruption by the Commissions.

I don't see reform coming from this Bill. I see an uncoordinated mess of bureaucracy that does not help the Black and Latino communities. I see a misguided assault on the police forces of the towns, counties and State. The bill strips the policeman of their authority, their dignity and their personal safety.

I see an imbalanced approach to community development where these Commissions are heavily populated by minority participants in order to fix the vote for any and all decisions or recommendations from those committees.

I see policemen victimized by the process with no recourse through established union contracts or the Civil Service Commission.

I see age and disability discrimination as it appears all new State Police must be cadets under 26 years of age and with no disabilities. I see no ability for a municipal police officer to transfer into the State Police thereby blocking qualified, experienced candidates from the force, as the Bill prohibits crossover and advancement. Crazy.

So many more sloppy details. An officer can get sued for civil liability for up to 4 years after an incident yet the Bill allows for the destruction of body cam video after 180 days. Why wouldn't this be kept for at least 4 years as a means of defense for an officer accused? Haphazard.

You expect the police to be race neutral while requiring them to specify perceived race for any traffic stop. Haphazard and incongruent.

Why is the Latino Commission smaller than the African American Commission by 2 people? Haphazard. Why are there dates for nominations and appointments set for the Latino Commission and not for the others. Haphazard.

I could go on.... You get the picture. You Liberals want the Police to serve and protect your political agenda, not the people, so you mask your agenda as "law." This is not lawful. Please read our Constitution again. This is a free society where people are free to succeed and free to fail. If people fail, the rest of us are not obligated to carry them on our backs.

This isn't Seattle. This isn't Minneapolis. Let's not be the next lawless metropolis.

Thank you.

From: Ruth Kohls <rjkohls@gmail.com>
Sent: Thursday, July 16, 2020 5:04 PM
To: Testimony HWM Judiciary (HOU)
Cc: Sena, Danillo - Rep. (HOU); Eldridge, James (SEN)
Subject: I support the Senate police reform bill, S.2800.

Members,

The League of Women Voters advocates against systemic racism in the justice system and supports preventing excessive force and brutality by law enforcement.

As a concerned, voting citizen and member of the League of Women Voters I urge you to support the inclusion of the following measures in the Senate police reform bill, S.2800:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda
<[HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day, which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_voteliz_-3F-5F-5Ftn-5F-5F-3DK-2DR-26eid-3DARAoqrvxbqxcHkbaGFFDal2duSLy5lzQwskyvWjSckN0ysQRjD-5FhYuVo9hUS8qQ7GsXpQxRtDfuqyFxu-26fref-3Dmentions-26-5F-5Fxts-5F-5F-255B0-255D-3D68.ARCpDWxSSsBCAr4mlQWUG89eamUATJiOejOVVzTb-5Fh5TYPOtPwTxxZ2JtqfZomTFI-2D1fSGgJE-5FAdM69hnlW0GxpWGCmB-2DDeQIkK4gMQFDv9KdbZTqybbTQab81GKdWQqCJ16NpVz0rWrm5Tat7OE-2Dj1U99acZzdP8YctIDWcI-2DQfxYjvYfn5aO-5F-2DtZqgE1N7OCvfaYTnFPi6&d=DwMFAQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=qx7nUHb1DuIQY1CGz-iHQcOcmCYBE8SK3kPaHU24EPo&s=mx2wCnFsNlLXcfi-6MYaMAnk7hKnOKXfSJD6Ffp2N0&e=> , bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.</p></div><div data-bbox=)

Thank you,
Ruth E.J. Kohls
rjkohls@gmail.com
14 Prescott Road
Acton, MA 01720

From: David Wenstrom <wenstromstudio@aol.com>
Sent: Thursday, July 16, 2020 5:05 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

David Wenstrom

Newtonville MA 02460

From: L F <fowlkeslorraine@gmail.com>
Sent: Thursday, July 16, 2020 5:04 PM
To: Testimony HWM Judiciary (HOU)
Subject: test

From: john macdougall <john05141988@yahoo.com>
Sent: Thursday, July 16, 2020 5:02 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This

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From: lc42561 <lc42561@aol.com>
Sent: Thursday, July 16, 2020 5:11 PM
To: Testimony HWM Judiciary (HOU)
Subject: Qualified Immunity

Louis Cavagnaro
154 Salem St.
Boston, Ma. 02113
617 974 8010

I am against taking qualified Immunity from law enforcement officers.

Sent via the Samsung Galaxy S8 Active, an AT&T 5G Evolution capable smartphone

From: Susan Furtado <sfurtado1026@yahoo.com>
Sent: Thursday, July 16, 2020 5:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill S2800

To Whom It May Concern:

I am writing this email to you to express my grave concern over the Senate Bill S2800. I am extremely disappointed at what the Massachusetts State Senate did with the passage of Senate Bill S2800. Not only did the Senate basically label all the honest men and women of law enforcement, to include officers of color, as racist but they also attacked every public sector employee and union with this poorly crafted bill. I am still not sure why this was rushed through so abruptly in the middle of the night. There were no public hearings as well. That just screams back door shadiness!

The loss of Qualified Immunity is a principle that is fully supported by the United States Supreme Court in case law and protects public sector employees from good faith errors while in the performance of their duties. Qualified Immunity does not protect unlawful conduct by public sector employees, it never has and does not shield officers from unlawful conduct. The Senate Bill not only affects law enforcement but fire, medical and educational employees, as well as municipal and elected officials. The potential financial cost to the Commonwealth and individual public sector employees will be massive. In addition to this, the effect on law enforcement will be profound with every officer in the Commonwealth

second guessing everything they do and choosing inaction over action out of fear of civil litigation for just performing their duties. This will transcend into every public sector job and field, how is this good for the state and its citizens? The Senate Bill will create a potential atmosphere that emboldens criminals and clogs up the court system with frivolous law suits. I personally do not want police officers not responding to calls based on the fact they might be sued if they look at someone the wrong way.

Another important issue in the Bill is the loss of collective bargaining rights and due process. The Massachusetts House has a long and proud history of supporting labor unions in this state. Why has the Senate decided to strip bargaining rights away from workers in this state? On top of that, take away a persons due process rights to appeal and protection from over reach or retribution by employers for any reason that they deem fit. This is wrong on so many levels and violates basic citizen's rights.

I am in full support of accreditation and certification of law enforcement. I believe a code of standards is absolutely necessary. However, I do not support the loss of Qualified Immunity or Collective Bargaining. The Commonwealth is heading down a slippery slope right now. Look at the rest of the country. This isn't an over reaction or a doom and gloom scenario. When you take away law enforcement's ability to enforce the law, you will have crime and utter chaos. I do not want to live in a society like that, nor do I want my children growing up with this.

I hope that the House of Representatives will be what you were elected to be, representatives of the people. The Senate seems to be pandering to a very dangerous progressive agenda that puts public safety and the financial well being of the Commonwealth at risk. The process needs to slow down. ALL sides must be heard from. Public hearings need to take place and language needs to be thought out to be fair on all sides. The majority of citizens in the Commonwealth do not have issue with the police. This is coming from a liberal agenda that is nothing but terrifying to the average tax paying citizen. Let's not forget, two months ago everyone wanted the police departments to help with their birthday and graduation parades. What changed? Why are they all of sudden the enemy? They are hired to do a job. That job is protect and serve. Unfortunately, with this Bill they won't be able to do either.

I thank you for your time and consideration with this matter. I hope that you will think carefully, reasonably and with some foresight. Thinking long term how Senate Bill S2800 will affect the whole Commonwealth and its citizens.

Regards,

Susan Furtado
71 Emerald Dr

Lynn, MA 01904
781-593-6932
From: DALE HARRISON <elad0226@comcast.net>
Sent: Thursday, July 16, 2020 5:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2800

Good afternoon,

I am writing to express my complete opposition to the misguided bill regarding police reform just passed on Beacon Hill. Especially concerning are the following 2 items:

- setting up a committee of non professional civilians to set police standards??? This is absolutely inappropriate. For other professions, for example the medical profession, a board of certified peers in that profession is used to set standards and evaluate performance.
- Secondly, removing police immunity is a huge step backward. These officers are making split second life or death decisions in certain cases, and their intent has to be considered and they must be protected from frivolous and ruinous lawsuits.

Boston has a remarkable police force, one that has been held up as a national model. Commissioner Gross is outstanding, and tells things as they are. He has worked very hard to ensure policing is fair and just.

This bill is pandering to the interests of a very vocal minority, many of whom looted and burned during the protests, while the police were told to stand down. Our MA police officers put on their uniform every day, and vow to protect and serve. They should not all be lumped into the same category of the few officers that disgrace the uniform. This bill will remove their needed immunity while performing their duties. ALL lives matter, including those of our brave police officers. I implore you to not pass this bill as written.

Regards,
Dale Harrison

From: David Boucher <horzradish@gmail.com>
Sent: Thursday, July 16, 2020 5:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
David Boucher

Sent from my iPhoneFrom: Melanie Reissfelder <melanie_914@yahoo.com>
Sent: Thursday, July 16, 2020 5:01 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

From: Eve Fairbanks <Efairbanks7@gmail.com>
Sent: Thursday, July 16, 2020 4:52 PM
To: Testimony HWM Judiciary (HOU)
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Eve Fairbanks
247 Lincoln St
Hingham, MA 02043
Efairbanks7@gmail.com

From: JHunter <jhunter3223@yahoo.com>
Sent: Thursday, July 16, 2020 5:00 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform bill

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Jon Hunter and I live at 28 Nickerson St, Plymouth MA . I recently worked at the Bristol County Sheriff's Office as a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Jon Hunter

From: Margi <margim@comcast.net>
Sent: Thursday, July 16, 2020 4:59 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Margaret Mannke

From: Emily Campbell <elckd@yahoo.com>
Sent: Thursday, July 16, 2020 4:57 PM
To: Testimony HWM Judiciary (HOU)
Subject: Bill S.2820

Dear Committee Members,

I struggle to understand how anyone could think passing this bill could be a good idea.

I am horrified to see you buying into the opinion that our police are systematically racist. I absolutely cannot deduce that, despite what happened to George Floyd (and others) and the resulting protests. We know about 1000 people are killed annually by police nationwide (and by and large the cases are justified), but while lots of comparisons and analysis goes into how many are black vs. white, and the percentage of the population they make up. I think a much clearer illustration of the job the police are doing would be comparing how many times they interact with the (often hostile) public. How many officers X how many 911 calls, traffic stops, undercover investigations? How many people were charged with resisting arrest last year? How many times were the police forced to chase suspects, were they spit on, head-butted, cussed at, drawn on - SHOT

AT? I am genuinely impressed with the level of professional restraint they demonstrate.

You don't need to create another committee to oversee them, report on them, retrain them, reform them, or shift their resources (defund them). YOU NEED TO DEFEND THEM. They DEFEND US from the most dangerous & despicable. They willingly put on the uniform everyday and risk their lives for us. Don't you dare kowtow to political pressure for imagined inequities. Don't you dare put the vast majority of law-abiding citizens who respect and NEED the Police in jeopardy because you are afraid for your own career. We need leadership that can stand up to this political correctness gone haywire.

Sincerely,
Emily Campbell

From: Rodney Petersen <petersenrodneyl@gmail.com>
Sent: Thursday, July 16, 2020 4:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: Policing Reform Bill

Cooperative Metropolitan Ministries is supportive of the Policing Reform Bill. We have much to learn from the restorative justice movement and police can be at the heart of a humane reform committed to community safety.

Rodney Petersen

--

Executive Director, Cooperative Metropolitan Ministries;
Executive Director, The Lord's Day Alliance of the U.S.;
Visiting Researcher, Center for Global Christianity and Mission, Boston
University School of Theology
Boston, Massachusetts
Rodney L. Petersen, PhD

617-331-1747
petersenrodneyl@gmail.com
www.ldausa.org <https://urldefense.proofpoint.com/v2/url?u=http-3A__www.ldausa.org&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=6g9yKpduUdnLa8WnyNGbt992ZCvw-yjsP2sYhghqQKI&s=TeBtlg7_sTQzx53kFakiG9S5iAQxlmXj3s8FTHBzBrs&e=>>

From: Marie Opera <mopera@verizon.net>
Sent: Thursday, July 16, 2020 4:58 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Marie C. Opera
173 Village Street
Medway, MA 02053

From: Mimi Hollister <mimi.hollister@aol.com>

Sent: Thursday, July 16, 2020 4:57 PM

To: Testimony HWM Judiciary (HOU)

Cc: 'Kathy Leonardson'

Subject: Regarding systemic racism in the police force

To Whom It May Concern:

I am the Rev. Marybelle Hollister, 7 Glover Square, Marblehead, MA 01945. I am writing as a minister, a citizen of the Commonwealth, a member of the League of Women Voters, and a very concerned citizen about systemic racism here and all over our country.

My plea is to support the Senate police reform bill, S.2800. I also urge you to support including the following measures:

HB.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

I should think many in the police ranks would support these bills also because they ensure that only responsible individuals are hired and trained as police officers, of which there are very many, and I would guess they cringe at the activities of a vicious few, such as the man who killed George Floyd. Union bargaining rights should not be affected by these measures at all. They are bills that strengthen the culture and guidelines of policing to make it more just and compatible with the safety of the community role that police are supposed to help us maintain.

Racism is too much a part of our history and even our current culture. It is time we became active anti-racists with more than just platitudes and marches. These bills would be a wonderful testimony to the good will of our Commonwealth and its recognition of at least this one very important place where things need to change.

Thank you for looking at reality in a clear-eyed way and doing what is right by all of our citizens.

Sincerely,

Marybelle Holllister

From: hotsauce40523 <hotsauce40523@yahoo.com>
Sent: Thursday, July 16, 2020 4:57 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a

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Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my Samsung Galaxy smartphone.

From: Will <clfmustang@aol.com>
Sent: Thursday, July 16, 2020 4:56 PM
To: Testimony HWM Judiciary (HOU)
Cc: algledhill1@yahoo.com; jlasker@comcast.net; nfergus@yahoo.com; office@paysonpark.org; rainclf@aol.com; seaglass718@gmail.com; esedp@comcast.net; simonlake1977@yahoo.com; srdsmark@aol.com; laurencassidy2016@gmail.com; jclifford3636@gmail.com; jeffcronin@hotmail.com; jenniferdawn9812@gmail.com; economa@aol.com; clifsilver@icloud.com; messina.diane@gmail.com; bkkh@aol.com; herb@philpott.org
Subject: Reject Senate Policing bill SB 2820

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Wilfred J. Clifford
93 Riverside St
Watertown, MA 02472
617 924 8618

From: Anne Turtle <anne.turtle@verizon.net>
Sent: Thursday, July 16, 2020 4:56 PM
To: Testimony HWM Judiciary (HOU)
Subject: Support for bills related to racial justice

Now is the time to act on the issue of racial justice.

I urge you to support the inclusion of the following measures:

An Act Relative to Saving Black Lives and Transforming Public Safety,
State Representative Liz Miranda
<[HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be](https://urldefense.proofpoint.com/v2/url?u=https-3A_www.facebook.com_voteliz_-3F-5F-5Ftn-5F-5F-3DK-2DR-26eid-3DARAoqrvxbqxcHkbaGFFDal2duSLy5lzQwskyvWjSckN0ysQRjD-5FhYuVo9hUS8qQ7GsXpQxRtDfuqyFxu-26fref-3Dmentions-26-5F-5Fxts-5F-5F-255B0-255D-3D68.ARCpDWxSSsBCAr4mlQWUG89eamUATJiOejOVVzTb-5Fh5TYPotPwTxxZ2JtqfZoMTFI-2D1fSGgJE-5FAdM69hnlW0GxpWGCmB-2DDeQIkK4gMQFDv9KdbZTqybbTQab8lGkdWQqCJ16NpVz0rWrm5Tat7OE-2Dj1U99acZZdP8YctIDWcI-2DQfxYjvYfn5aO-5F-2DtZqgE1N7OCvfaYTnFPi6&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIinjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=dc0VnmqdZid5jTUQgThedMoH-K-MC009Gbo7RNoayRo&s=NHKMVwSo2CtACDENEK7hzpNbKmJW6_UcjkjvdDub_0s&e=> bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.</p></div><div data-bbox=)

personally liable if they are found to have violated a person's civil rights.

Thank you for reading my message.

Best regards,

Anne Rippy Turtle

From: John Fabello <fabellojp@aol.com>
Sent: Thursday, July 16, 2020 4:55 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone
From: Phillip Medeiros <PMedeiros1979@comcast.net>
Sent: Thursday, July 16, 2020 4:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,
My name is Phillip Medeiros and I live at 5 Blossom Ct. Dartmouth, MA 02747 I work at Massachusetts Treatment Center in Bridgewater, MA and am a Correctional officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Phillip Medeiros

From: Minelli, Edward <EMinelli@hullpolice.org>
Sent: Thursday, July 16, 2020 4:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: No Changes to Qualified Immunity

To Whom It May Concern:

This letter is a request on behalf of the thousands of good police officers in the Commonwealth of Massachusetts. We urge you to think about the ramifications of hasty and uninformed decisions, and their effect on the constituents you serve.

While policing as a whole will always evolve, and always seek to improve - as it has demonstrably done since its inception - decisions predicated on politics will ultimately serve only the politicians.

For years now, police have fostered an interest in cooperation, we have embodied community, we have welcomed transparency and, we have served this Commonwealth honorably.

Admittedly, there have been instances of unscrupulous actions by a few, but to our credit we have made sure that, with due process, they no longer serve the Commonwealth.

We have grave concerns, however, with some of the amendments of S.2800.

Certainly, the rapidity of the development of this resolution epitomizes its' emotional underpinnings; however, we strongly believe that we should never make permanent legislative decisions based on temporary feelings. Some of the decisions in this bill will forever change policing in the Commonwealth, and not for the better.

Due process is a building block of our legal system, and our inalienable rights as citizens of this country. All public servants in this state have a right to appeal, a right that does not alter ones' guilt or innocence, simply a right that balances the power of the state. It is one of the inherent checks and balances built into our Constitution by our

forefathers. To remove such a right, is to remove Constitutional protections from the power of the state, and serves no purpose but to satisfy a political agenda. These protections that have been afforded to all of us are essential if the scales of justice are to remain balanced. Where does this infringement on civil liberties end if due process is lost to an impetuous decision? Can we also eliminate it in civil and criminal cases across the Commonwealth?

Qualified immunity does not protect bad police officers. In *Harlow vs. Fitzgerald* (1982) the United States Supreme Court had the foresight to rule that qualified immunity must exist due to "the need to protect officials who are required to exercise discretion and the related public interest in encouraging the vigorous exercise of official authority" as long as their actions were within the scope of their job. Bad officers operate outside that scope and are punished accordingly. Removing this protection will essentially eliminate discretion in policing. As the courts have demonstrated, it is not feasible to have one without the other. In fact, in the same ruling mentioned above, the Supreme Court also established absolute immunity for judges, government officials and prosecutors. Should we now make judges culpable for their rulings? Should prosecutors and government officials be held civilly and criminally liable for their decisions? The plethora of frivolous suits filed against officers, their towns, counties, cities, and the Commonwealth, would place a massive burden on Massachusetts.

As officers we do not pretend to know how attorneys or judges do their job, but we can plainly observe them in court. Yet, to have officers sit and render judgement of their actions is clearly unreasonable and unequivocally ineffective. However, this legislation wants to establish a POSA to evaluate how officers do what they do, after the fact, with no experience or training as an officer? Again, the Supreme Court demonstrated its unbiased wisdom when it ruled,

" The Fourth Amendment 'reasonableness' inquiry is whether the officers' actions are 'objectively reasonable' in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation." (*Graham v Connor*, 1989)

Unless as politicians and activists we can honestly say that our wisdom supersedes the US Supreme Court, then it becomes essential that the POSA

is comprised of police officers who can objectively evaluate the tenets that the courts have put forth as a metric for evaluation.

In closing, we will continue to pledge to work with you, but mutual respect and cooperation must exist if we are to make constructive and sustainable changes as policing continues to evolve within a changing society. Our voices are critical to building the best possible future of the citizens of the Commonwealth. All we ask is the opportunity to be listened to.

Respectfully,

Sgt. Edward Minelli (on behalf of the Town of Hull FOP union lodge 66)

eminelli@hullpolice.org

781-925-1214

From: KATHY <onerose@comcast.net>
Sent: Thursday, July 16, 2020 4:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: Senate Bill 2800

The issue of qualified immunity for police and whether the Legislature should make it easier to sue public officials in civil court generated a lot of heated debate in the Senate.

This is a disgrace! I'm a police survivor and currently have a son on the MSP.
Police should not be sued for doing the job they are very well trained to perform.
Please do the right thing .
Kathryn Shea
MSP Survivor
617-839-9803

Sent from my iPhone
From: Joanne Phelan <phelanjm@mac.com>
Sent: Thursday, July 16, 2020 4:54 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Joanne Phelan

From: Janice Johnson <omi3boys123@comcast.net>
Sent: Thursday, July 16, 2020 4:53 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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Sincerely,

We are counting on you to do what is right for the American people we are tired of this going on.!!!

Sent from my iPad

From: Susan Cleveland <susan.cleveland2@aol.com>

Sent: Thursday, July 16, 2020 4:53 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform

Hi

I am a resident of Framingham, MA. I am very impressed with the details of the police reform bill. I urge you NOT to dilute it. There must be full accountability for police actions and full consequences. I am particularly concerned that nationwide we track those police who are abusive and accumulate many complaints. Letting them find positions easily in other states is tantamount to complicity. Please have courage that these measures will improve our attitudes towards the police and towards our beloved country.

Adding additional training in the history of slavery, post-slavery, Jim Crow laws and the KKK would make it clear that we are not on an even playing field when it comes to race.

Yours Truly,

Susan ClevelandFrom: Flo <florencecape@comcast.net>

Sent: Thursday, July 16, 2020 4:51 PM

To: Testimony HWM Judiciary (HOU)

Subject: Take Action

To; Members of the Judiciary Committee

Both as a citizen of the Commonwealth and a member of the League of Women Voters Mass I strongly urge you to support HD.5128 and HB.3277. The time to take action is now! Qualified immunity has for too long been a curtain

behind which too many abusive officers have been shielded. We have talked for years about reforming the criminal justice system and these two pieces of legislation are important pieces of that effort.

The League of Women Voters advocates against systemic racism in the justice system and supports preventing excessive force and brutality by law enforcement.

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda
<[HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_voteliz_-3F-5F-5Ftn-5F-5F-3DK-2DR-26eid-3DARAOqrvxbqxcHkbaGFFDal2duSLy5lzQwskyvWjSckN0ysQRjD-5FhYuVo9hUS8qQ7GsXpQxRtDfuqyFxu-26fref-3Dmentions-26-5F-5Fxts-5F-5F-255B0-255D-3D68.ARCpDwXSSsBCAr4mlQWUG89eamUATJiOejOVVzTb-5Fh5TYPOtPwTxxZ2JtqfZoMTFI-2D1fSGgJE-5FAdM69hnlW0GxpWGCmB-2DDeQIkK4gMQFDv9KdbZTqybbTQab8lGKdWQqCJ16NpVz0rWrm5Tat7OE-2Dj1U99acZZdP8YctIDWcI-2DQfxYjvYfn5aO-5F-2DtZqgE1N7OCvfaYtnFPi6&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=OhFC8hQ8qzEvscaKAjFxxgFSjzVq-0zL2108CUamz3gus9sZ-j6_sFkLtXEgdiJOi&m=WgxXP6M97IcSdXvRqmLoyAQJ2dZGLpZLFqWgAQ26UG4&s=V8CWVYNUMNLwxZ2YmLgS-hH1jf9CFXGE234hFJIs-qs&e=> bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.</p></div><div data-bbox=)

Sincerely,
Florence Seldin
321 Deer Meadow Lane
Chatham, MA
From: Morgan Fink <morganmfink@gmail.com>
Sent: Thursday, July 16, 2020 4:51 PM
To: Testimony HWM Judiciary (HOU)
Subject: Testimony for S2820

Dear Chairpersons,
I am writing on behalf of Andover Area Solidarity Group to say that I support S2820. I believe the police should not be solely in charge of policing their own misconduct. A year ago, I witnessed a local officer misusing his authority at traffic stops, and I have never made any complaint because I did not want to complain to the police for fear of retaliation.

Thank you for reading my testimony in support of S2820.

All the best,
Morgan Moller
Andover Area Solidarity Group
713-775-7938

Sent from my iPhone
From: Mark Richi <rickm37@yahoo.com>
Sent: Thursday, July 16, 2020 4:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Mark R Richi

Sent from my iPhone
From: Mary Hansen <mhefsp@yahoo.com>
Sent: Thursday, July 16, 2020 4:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

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Sincerely,
Mary Hansen

Sent from my iPhone
From: Larry Mayes <larry_mayes@ccab.org>
Sent: Thursday, July 16, 2020 4:50 PM
To: Testimony HWM Judiciary (HOU)
Cc: Geoff Foster
Subject: Expungement

To: Members of the Senate and House - Public Testimony on S.2800

Our great state of Massachusetts and its constitution presented in 1780 a model for the US Constitution's Bill Of Rights, approved in 1789. No doubt, this state can also with clear eyes and right thinking support "expungement" under Bill 5.2800.

Within the justice system, provisions should be made to provide some relief in regard to dismissals versus convictions. The courts should have the flexibility to work with persons on a "case by case basis" not with the view that "all is well here" but with a view that expungement of

dismissals can lay the foundation for a person to move forward productively in this commonwealth and beyond.

Expungement can be a pathway for more education and skills, or a pathway to a better job. Frankly, if this pandemic has taught us anything - all or needed to produce, so that we all can do more than survive, but live well!

Our state, needs to do more than provide people a revolving door from the justice system back to justice system, but encourage entrance for them to the marketplace and thus provide the financial means to buy food, shelter for children and families, themselves, and the means to support our aging citizens.

I know that this legislative body can balance the legal creed to "command what is right" by providing a pathway of restoration in the ways mentioned above, while also "prohibiting what is wrong."

Massachusetts has always led, so let's lead on expungement!

Thanks for your consideration,

Larry Mayes, VP of Programs

Catholic Charities

617-464-8596

From: Lindsay Aldworth <lindaldworth1@gmail.com>

Sent: Thursday, July 16, 2020 4:48 PM

To: Testimony HWM Judiciary (HOU)

Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Lindsay Aldworth
609 Marys Pond Rd
Rochester, MA 02770
lindaldworth1@gmail.com

From: Eloise Lawrence <eloise.lawrence@gmail.com>
Sent: Thursday, July 16, 2020 4:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Eloise Lawrence
282 Newton St Apt A
Brookline, MA 02445
eloise.lawrence@gmail.com

From: Stephanie Goldenhersh <segoldenhersh@gmail.com>
Sent: Thursday, July 16, 2020 4:41 PM
To: Testimony HWM Judiciary (HOU)

Subject: Pass a Strong Police Accountability Bill with Key Provisions
from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police. As an attorney who has spent the majority of my career working on behalf of survivors of intimate partner violence in their domestic relations cases, I believe that such reforms are necessary to protect all members of communities of color.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Stephanie Goldenhersh
39 James St
West Newton, MA 02465
segoldenhersh@gmail.com

From: John Mcteague <john.mcteague@verizon.net>
Sent: Thursday, July 16, 2020 4:50 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous.

Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

John F. McTeague, Jr.
North Reading, MA 01864

From: Noah Kassis <noah.kassis@gmail.com>

Sent: Thursday, July 16, 2020 4:49 PM

To: Testimony HWM Judiciary (HOU)

Cc: Sabadosa, Lindsay - Rep. (HOU); Comerford, Joanne (SEN)

Subject: Please strengthen and pass S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways and Means and Judiciary Committees,

I'm writing in favor of S.2820 to bring badly needed reform to our broken criminal justice system. Please work as swiftly as possible to bring this bill to the floor of the House and to the Governor's desk. Please strengthen it to fully abolish the qualified immunity doctrine, fully ban no-knock warrants, and completely ban choke holds, tear gas, and rubber bullets. The entire state is watching. This is the legislature's chance to prove that it is working for the people and not for the special interests.

Do the right thing. Please.

Sincerely,

Noah

--

Noah Kassis, he/him/his

23 Prospect Ave, Northampton, MA 01060

Chair | Northampton Youth Commission

Core Team Member | Sunrise Movement Western Mass

Founding Board Member | Jewish Youth Climate Movement

Rising Senior | Northampton High School

From: Jean Hammond <j9hmmnd@gmail.com>
Sent: Thursday, July 16, 2020 4:49 PM
To: Testimony HWM Judiciary (HOU)
Subject: HD.5128 and HB.3277

As a member of the League of Women Voters and a registered voter in Bedford, I wish to add my testimony against systemic racism in the justice system and support of preventing excessive force and brutality by law enforcement.

I urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda
<[Jean Hammond
Bedford MA
From: Anisha N <anisha.nakagawa@gmail.com>
Sent: Thursday, July 16, 2020 4:48 PM
To: Testimony HWM Judiciary \(HOU\)
Subject: Testimony in favor of S.2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_voteliz_-3F-5F-5Ftn-5F-5F-3DK-2DR-26eid-3DARAOqrvxbqxcHkbaGFFDal2duSLy5lzQwskyvWjSckN0ysQRjD-5FhYuVo9hUS8qQ7GsXpQxRtDfuqyFxu-26fref-3Dmentions-26-5F-5Fxts-5F-5F-255B0-255D-3D68.ARCpDwXSSsBCAr4mlQWUG89eamUATJiOejOVVzTb-5Fh5TYPOtPwTkxZ2JtqfZoMTFI-2D1fSGgJE-5FAdM69hnlW0GxpWGCmB-2DDeQIkK4gMQFDv9KdbZTqybbTQab81GkdWQqCJ16NpVz0rWrm5Tat7OE-2Dj1U99acZzdP8YctIDWcI-2DQfxYjvYfn5aO-5F-2DtZqgE1N7OCvfaYtnFPi6&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=VdVmXja_2e1MQz0iX5vQYmaQId-do4-xlyodPJHb00U&s=7iDG48UlIF5qlzfznTLWQ3rFgK_M_2Jk_eN-44iiq-o&e=> bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.
HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.</p></div><div data-bbox=)

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

We need to make our communities feel safe, not afraid, of the people who are supposed to protect us. As a person of color, when I see a police officer I first feel fear and worry, even though I have never done anything against the law. I NEVER feel safer with them around. This has to change.

This bill will make some of the first steps towards this, it is necessary to end qualified immunity, ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor. We definitely need to enact these measures, and then continue to do more to invest in our communities. These steps are a MINIMUM requirement, and so I call on you to not accept any measures that weaken this bill. Please stand up for me and my community.

Anisha Nakagawa
Cambridge, MA
From: Andrew Crosby <andrewrcrosby@me.com>
Sent: Thursday, July 16, 2020 4:48 PM
To: Testimony HWM Judiciary (HOU)
Subject: Please listen

Dear Representatives,

My name is Andrew Crosby. I reside in Marblehead Ma. I am also a Boston Police Officer. I have been with the Boston Police Department for 15 years now.

Bill S2800 is going to hurt the communities and make Police Officers afraid of doing their jobs, in fear of being sued for doing what they believe to be right. After 15 years serving the City of Boston, I am seriously debating giving up my career and finding a new avenue to support my family of four because of the current climate, and the war on police; because that is what it feels like.

We are being punished for something that did not occur in Massachusetts. Massachusetts Police Officers are some of the best trained Police Officers in the country. There is a false rhetoric that cops are going around beating people and constantly using excessive force; which simply is not the case.

If you need the facts you should look into reviewing body worn camera footage of arrests being made and the abuse officers take for upholding the laws that legislators enact. If you really want reform you should start from the top down. If you want to revoke Qualified Immunity, that only provides partial immunity, then also revoke Prosecutorial, Judicial and Legislative Immunity which is Absolute.

This bill is extremely disheartening especially for someone who has dedicated 15 years to helping people.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,
Deputy Gary Enos

Sent from my iPhoneFrom: Paul Kotkowski <specialpk00@aol.com>
Sent: Thursday, July 16, 2020 4:48 PM
To: Testimony HWM Judiciary (HOU)

To whom it may concern,

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more.

Please DO NOT pass this bill.

Sincerely,
A concerned citizen of Massachusetts

Sent from my iPhone
From: Colleen Bradley-MacArthur <bradleymacarthur.colleen@gmail.com>
Sent: Thursday, July 16, 2020 4:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: I support police reform in MA

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I've been following the late night sessions on police reform in MA. I have marched with the youth of MA. We need reform NOW!

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Colleen Bradley-MacArthur, Waltham, MA resident

From: Amanda Ferry <amanda.ferry@gmail.com>
Sent: Thursday, July 16, 2020 4:45 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police reform is not just good but necessary

As a citizen of Massachusetts, I strongly support police reform and I'm writing to ask you to please pass S.2820 now. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I would like it if there was a more robust rollback of qualified immunity were stronger, but I understand that getting something good through now is better than quibbling forever over perfect. There is no perfect, only striving towards better.

Jennifer Amanda Nielsen
617-591-8660
Somerville

From: Patrice <ptrcl23@verizon.net>
Sent: Thursday, July 16, 2020 4:46 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Patrice Hall
Leominster Voter

From: Brian Franklin <bosbf@yahoo.com>
Sent: Thursday, July 16, 2020 4:42 PM
To: Testimony HWM Judiciary (HOU)
Subject: Full Qualified Immunity

To Whom It May Concern:

My Name is Brian Franklin, I am a Fire Fighter in The City of Quincy. I am writing in regards to the Qualified Immunity. I feel as a Fire Fighter/ EMT that we should be fully covered by the Qualified Immunity. We should not have to fear a law suit for trying to help save members in our community.

Thank you
Brian Franklin
Quincy Fire Department
email: bosbf@yahoo.com

Sent from Yahoo Mail for iPhone
<[From: David Russell <drussell11971@yahoo.com>](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMcaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=v1GN3jCGSL4-dgT8wSUvMXO33D1BFKfrrOz-xxybuuw&s=FKeidVbokW_DZnglA5jT77eAVUG6mk6eEbLVTfYeS_I&e=>></p></div><div data-bbox=)

Sent: Thursday, July 16, 2020 4:44 PM
To: Testimony HWM Judiciary (HOU)
Subject: Mass enforcement

I'm in favor of the mass enforcement stance issues

Sent from my iPhone
From: l <hberg40@verizon.net>
Sent: Thursday, July 16, 2020 4:43 PM
To: Testimony HWM Judiciary (HOU)
Subject: Systematic Racism

The League of Women Voters advocates against systemic racism in the justice system and supports preventing excessive force and brutality by law enforcement.

We urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

Marcia Hirshberg
40 putting dr
Westwood

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com

From: JANE SCHIPPER <janelesliel@comcast.net>
Sent: Thursday, July 16, 2020 4:43 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by

dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: malli gero <malligero@gmail.com>

Sent: Thursday, July 16, 2020 4:43 PM

To: Testimony HWM Judiciary (HOU)

Subject: Raise the Age of the Juvenile Justice System

As a former director and past chair of More Than Words I am writing to lend my voice to the many who want to see vast changes to our criminal justice system. It's time we moved young offenders, ages 18-20, out of the adult justice system and into the more developmentally appropriate juvenile system. This change will align with brain science research, extend effective diversion strategies and services, increase public safety and advance equity

Thank you,

Malli Gero

My country. Very Unrecognizable.

From: Francisco "Tito" SantosSilva, M.A. <fsantossilva@utecinc.org>

Sent: Thursday, July 16, 2020 4:42 PM

To: Testimony HWM Judiciary (HOU)

Subject: Expungement Testimony

Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this

expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

Our criminal justice system is not immune to structural racism and we join you and all members in the great work needed to set things right. The unfortunate reality is that people of color are far more likely to be subjected to stop and frisk and more likely to get arrested for the same crimes committed by whites. Black youth are three times more likely to get arrested than their white peers and Black residents are six times more likely to go to jail in Massachusetts. Other systems where people of color experience racism are exacerbated, and in many ways legitimized, by the presence of a criminal record. Criminal records are meant to be a tool for public safety but they're more often used as a tool to hold communities of color back from their full economic potential. Expungement can be an important tool to rectify the documented systemic racism at every point of a young person's journey through and past our justice system.

We also know that young adults have the highest recidivism rate of any age group, but that drops as they grow older and mature. The law, however, does not allow for anyone who recidivates but eventually desists from reoffending to benefit. Young people's circumstances and cases are unique and the law aptly gives the court the discretion to approve expungement petitions on a case by case basis, yet the law also categorically disqualifies over 150 charges. We also know that anyone who is innocent of a crime should not have a record, but the current law doesn't distinguish between a dismissal and a conviction. It's for these three main reasons we write to you to champion these clarifications and now is the time to do it.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due to a variety of circumstances and since the overwhelming number of those young people grow up and move on with their lives, we are hoping to make clarifying changes to the law. We respectfully ask the law be clarified to:

* Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.

* Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

* Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case

basis especially if the case is dismissed of the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Francisco "Tito" SantosSilva, M.A. | Director of Transitional Coaching
UTEC | 978-856-3902 Ext: 719 | fsantossilva@utecinc.org

Programs: 35 Warren St. | Café UTEC: 41 Warren St.
Mailing: 15 Warren St., No. 3, Lowell, MA 01852

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Give today to break barriers in 2020! www.UTECinc.org/donate
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WZaS2LM5UgD3GisaZJuvzWit4UjJnyXfrno&e=>

From: Martha Collins <martha.collins@oberlin.edu>
Sent: Thursday, July 16, 2020 4:41 PM
To: Testimony HWM Judiciary (HOU)
Subject: Police Reform Bill

Dear Representative Cronin and Representative Michlewitz,

I am writing to express my support for S2820, the Senate's police reform bill, and to urge the House to pass similar legislation.

Thank you very much.

Martha Collins
From: Adam Frechette <adamfrichet@yahoo.com>
Sent: Thursday, July 16, 2020 4:39 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Adam Frechette
Feeding Hills MA

Sent from Yahoo Mail on Android

<[Dear Members of the Massachusetts House of Representatives:](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAFCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=f_T5STxzaYGym02FVBLHcjJ4dUAaBUZY3Tw-4elssEU&s=CwFAvFyXDoPgnNQM1n0JZTqJpZXlKZK4DekbVUyUGrU&e=>
From: Tim Gordon <tgordo49@gmail.com>
Sent: Thursday, July 16, 2020 4:40 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820</p></div><div data-bbox=)

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,
Tim Gordon, Carlisle, MA 01741

From: Christopher Botsolis <chrisbotsolis@verizon.net>
Sent: Thursday, July 16, 2020 4:39 PM
To: Testimony HWM Judiciary (HOU)
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

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Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Christopher Botsolis

12 Academy St.

Braintree, MA 02184

From: Gemini <nkacel18@gmail.com>
Sent: Thursday, July 16, 2020 4:39 PM
To: Testimony HWM Judiciary (HOU)
Subject: S.2820

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Kristine

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<[Ecosia is a carbon neutral search engine that plants trees.](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.ecosia.org_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=z_XF_RZ7tRTNHd06msYW-PvSXHwf3j4eA9x1N8-4oTE&s=TGyzua4dy_5FHjm5Vqg_4KRQRT-niBS__ka59czo9LY&e=> for all your internet searches.</p></div><div data-bbox=)

From: Barry Ferreira <[barry5o4@yahoo.com](mailto:barry5o4@yahoo.com)>

Sent: Thursday, July 16, 2020 4:39 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2800



July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Barry Ferreira and I live at 115 High Hill Rd Swansea MA 02777. I work at Bristol County Sheriff's Office and am a Lieutenant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Barry Ferreira

From: Harrington, Judi <JHarrington@ALLEGROMICRO.com>

Sent: Thursday, July 16, 2020 4:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Letter of Testimony

My name is Matthew Harrington and I live at 1 Debbie Drive, Spencer MA 01562. I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers, of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all public servants including myself working for the Department of Public Works in the City of Worcester.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees from frivolously unrealistic lawsuits. I deserve to have this continue for me in my job as a Pump Station Operator at the Reservoir Division of the City of Worcester.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and

correct S.2820 so as to treat the men and women in law enforcement with the respect and the dignity they deserve.

Respectfully,

Matthew T. Harrington

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From: Marcela Plosker <marcelaplosker@gmail.com>

Sent: Thursday, July 16, 2020 4:37 PM

To: Testimony HWM Judiciary (HOU)

Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Rivas, Gloribel (HOU)

Subject: Reform-Shift-Build Act

Dear Aaron Michlewitz & Chair Claire Cronin,

I am writing to voice my wholehearted support for the Reform-Shift-Build Act. As a resident of East Boston, I get to see and celebrate diversity every day. We are a community made up of many cultures, representing the full spectrum of race that this globe offers. My family and I have fed from that spectrum and we have given back as well. Right now, we are not safe. We have been unsafe for quite some time. We will remain unsafe as long as the current state of policing is maintained. We here in East Boston are not the only ones.

Our State and Nation face a long postponed reckoning with race., We must keep a stern dialogue with how we police one another as part of that reckoning. The Reform-Shift-Build Act opens that dialogue in unprecedented ways. Stringent certifications, inroads towards banning excessive force, review boards staffed by community, and a stronger stance against surveillance technology are just some of the impressive pieces we will be bringing to the state with this Act. Perhaps the most impressive piece to this is a focused reform to the doctrine known as "qualified immunity."

Passing this act while keeping the reform of qualified immunity attached to it would be historical. It would send the appropriate message to the Nation. If we as a people are to be policed, it must be under an entirely reimagined officer. There are glimpses of good in all of us. There are

glimpses of good in our law enforcement. But there is also an unspeakable bad in all of us. As it permeates all of us by degrees, so too does it fester in our law enforcement.

I have witnessed firsthand what can occur when unchecked racist thought and sentiment spills into human behavior. There is no thermometer check for hatred, dislike, annoyance, ambivalence. And that temperature rises and subsides throughout a life. Thoughts are truly free, and should not be governed. Action is governed. But actions are rooted in those thoughts. The action to take another's life, to choke another out, to abuse another, to dominate another, to correct another, without impunity is what I believe qualified immunity too often permits.

Reform, and regulation are necessities for police in Massachusetts and everywhere. But the protective mask of qualified immunity must fall. We face consequences as citizens. Those consequences do not police our thoughts, but they force us to think twice, or even just once before acting. For too long has our police force acted without impartial thought when it comes to another's life and rights.

I am asking you to support the Reform-Shift-Build Act for my family, for East Boston, for Boston, for Massachusetts, and for the entire United States of America. I am asking you to share my voice with your fellow legislators, and amplify it yourself in your championing of this Act.

Thank you for your time.

Respectfully,  
Marcela Plosker

From: Turcotte Family <turc4fam@gmail.com>  
Sent: Thursday, July 16, 2020 4:35 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

I am in favor of Mass law enforcement officers stance on the following issues qualified immunity for officers, due process/arbitration and having members with law enforcement experience on the POSAC board.

From: Jackie Gabriele <jgabel1966@gmail.com>  
Sent: Thursday, July 16, 2020 4:35 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800 Bill

To Whom it May Concern:

As a resident of Shrewsbury and a parent of a police officer, I would like to start by saying how disgusted I am that the Senate passed the S2800 bill and the fact that they did it without a public hearing. I find it ignorant to support this bill because of political pressures from news and social media. I believe this bill will dismantle the police and result in a spike in crimes.

I am writing to ask you to vote NO when this bill is debated in the House. This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and woman in law enforcement who go out every day and risk their lives to protect others.

The language in Section 55, which authorizes any person to intervene if they believe an officer's use of force is excessive, will result in more police being hurt and killed.

In Section 10, qualified immunity protections are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections essential for police officers we send out to patrol in our communities and who often deal with some of the most dangerous circumstances with little or no back-up. Removing qualified immunity in this way will open officers up to personal liabilities so they cannot provide and benefit their families. GOOD LUCK WITH POLICE RECRUITMENT.

As your constituent, I ask that you vote NO on bill S2800 or any police reform bill.

Thank you,

Jackie Gabriele

Shrewsbury, MA

From: Lee-Ann Cornelio <lee-ann.charron@outlook.com>  
Sent: Thursday, July 16, 2020 4:34 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Lee-Ann Cornelio and I live at 121 Rumford Ave. Mansfield, MA 02048. I work at Pondville Correctional Center and am a Correction Program Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed

but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

(Lee-Ann Cornelio)

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From: Ally Penny <apenny126@gmail.com>  
Sent: Thursday, July 16, 2020 4:33 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2800

To whom this concerns,

As a resident of Shrewsbury , I am writing to you today to share my disgust regarding the defunding police bill S. 2800. This bill will make my community less safe and take away our peace of mind living in the suburbs. I believe in law and order and disapprove with the proposed bill, believing it will dismantle the police and result in a spike in crimes and making it more difficult for our officers to protect themselves along with everyone else. I do not want the safety of my neighborhood and town to change. I find it ignorant to support this bill because of political pressures from news and social media. Law enforcement officers already have an incredibly difficult job and taking away resources will make it harder. I think this bill will not only affect police officers but will affect everyone and their safety. As a female, I would feel completely unsafe in a world where police officers feels so scared to do their job correctly. I would be nervous for what the future would look like in a society with less police officers due to them leaving.

As your constituent, I ask you to please vote NO on S. 2800 for the reasons I stated above to keep the communities safe.

Thank you,

Alexandra Penny

Sent from my iPhone  
From: Julie Pozzi <jpozzi@wilmingtonpoliceunion.com>  
Sent: Thursday, July 16, 2020 4:32 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800

To Whom it may concern:

I am writing you today to voice my concern about the Police Reform Bill recently passed by the Senate. As a 25 year veteran of the Wilmington Police Department and Vice President of NEPBA Local 1, I am deeply concerned about how measures within this bill will affect how my fellow

officers and I will continue to do our jobs. The proposal of eliminating qualified immunity for good hard working law enforcement officers is irresponsible. We work everyday with uncertainty, knowing that you could be acting reasonably and in good faith and still be the subject of a lawsuit is one more stress we do not need. Only those who do this job can fully understand the daily obstacles we face.

This rush to reform policing in an area of the country known for its training and education without input from those who do the job is at the very least insulting and negligent. Every profession can improve and evolve, we are all for those aspects of the bill that can improve policing. The last thing an officer on the street needs is one more reason to hesitate or second guess their actions. In other professions hesitation may lead to a missed deadline, in law enforcement it could lead to death. I took this job knowing the personal risk, but I always felt protected by the safeguards that were in place to protect not only me, but also my family from loosing all that we work so hard for. Knowing I could be disciplined or sued without just cause protection is career changing. We have bargained and negotiated in good faith for years for the basic union protections of due process, a fair objective investigation and the right to appeal decisions that may have been unjust. Now we face the possibility of having these rights arbitrarily and unilaterally removed. How does supporting the rights of some equate with diminishing the rights of hardworking well intentioned officers?

I fear if this bill passes, many great cops and all the experience they possess will walk out the door of police stations throughout the Commonwealth. Those debating retirement will no longer struggle with "should I put in my papers"? We have always been held to the reasonable officer standard, because only those who have put on a badge knowingly and willingly faced danger understand why and how we do things. There are things I have seen that I would never want anyone to see, I have felt fear and I have felt protected. Not so long ago during the height of the Covid-19 crisis I felt appreciated, so many expressed thanks for us still going to work and being there for the community. Now 6 weeks later I feel judged, despised, and even worse abandoned. We put our lives on the line for people we don't even know, we are teachers, counselors, parents, and mentors. Most of all the overwhelming majority of us are hardworking cops always striving to be better, to do the right thing, and most importantly make it home at the end of every shift.

The people this bill affects most deserve a say! We are not the disgraced cops from Minneapolis, so why are we being painted with the same brush?

Respectfully,

Officer Julie Pozzi #167  
Wilmington Police Department  
(978) 658-5071  
From: arleen thompson <ajttwins@yahoo.com>  
Sent: Thursday, July 16, 2020 4:32 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820



Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from Yahoo Mail on Android

<[sjusell@yahoo.com](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=huMwOo4EDPFvuM_gnLGTlk8q1VBiGhBmCvIcN6sxxkKg&s=H6fuh0YHg6ElklughOTjwrthRKEGP4ILWCqeuDo4LVA&e=></a>><br/>From: Susan Jusell <<a href=)>  
Sent: Thursday, July 16, 2020 4:32 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: In support of our officers

Dear Senator Susan Moran,

My name is Susan Jusell and I live at 17 Stafford Cir Dennis Port. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of

the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Susan Jusell

Sent from Yahoo Mail for iPhone

<[From: TONI RANDO <toni\\_rando@comcast.net>  
Sent: Thursday, July 16, 2020 4:32 PM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: Bill S2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=b5mswvEBPA1hn2mpWgJdDkuGSYUZSfdJ-a-UYel_m94&s=R9yiYjwoXPY56sbCkQMwEPWi3XnSn8D6sXBBkxqAK4g&e=></a></p></div><div data-bbox=)

Good Afternoon,

I have never written about a Bill in my life, but I am so strongly against Bill S 2820 that I had to try and make a difference.

The police officers are out there everyday trying to keep our communities safe! I understand there is some reform needed, but don't punish all the good police officers because of a few bad ones. We will lose so many outstanding officers, whether they retire or walk away, there will be no more recruits. Officers will no longer be proactive or risk a lawsuit trying to apprehend violent criminals to keep the public safe. Why would anyone want to do this job with no protection but a vest?

Everyday a police officer walks out the door to go to work, in the back of their minds they know they may never see their families again. They have to make life or death decisions in a split second. It's not bad enough that they are in danger everyday, now it's worse, they have to worry about being ambushed and assassinated! I wish the people pushing this Bill would walk a day in the boots of a police officer to see what it's like!

Getting rid of qualified immunity is disgraceful! With all they have to worry about just trying to do their jobs, now you want to take away their protection?? You might as well sign their death certificates!

Sincerely,

Toni Rando

From: Gary Kelly <gkellysr@gmail.com>

Sent: Thursday, July 16, 2020 4:31 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Gary Kelly

90 Wall Street

Fitchburg, MA 01420

978-503-1121

From: Lynne Roberts <lroberts@mysite.com>  
Sent: Thursday, July 16, 2020 4:29 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

This sounds like an overly broad proposition to establish policies based on race. 89 pages!! Aren't we all Americans?? Why allow more and more discontent by establishing policies to benefit a certain group when those benefits already exist for ALL Americans!!!

Too much power for a commission that will be treated like State Employees?? More and more and bigger and bigger government to accomplish what? More duplication of civil protections? Are my fellow Americans (who are being put into a racial group) really having difficulty because of a skin color?

Studies have shown that the police do not arrest/harm/kill more people with dark skin than white skin.

And just what will this Police Officer Standards and Accreditation Committee accomplish that the Police Organizations can't or haven't? I don't buy that. We have heard for years about how much training police are getting in all kinds of areas in best practices in dealing with our varied challenges and varied American population.

Perhaps I think this will do more to polarize than to unite. Do not exacerbate problems by hyphenating Americans...we are all one!!

Lynne Roberts

Norwood, MA 02062

From: Maureen Murphy-Bott <maureenmurphybott@yahoo.com>  
Sent: Thursday, July 16, 2020 4:30 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Immunity for police/firemen/women

I do not want to see qualified immunity taken from the people who put their life's on the line for our protection. Firemen, police, ambulance all health care workers need to not have fears when they are making decisions most of us would not have to encounter in our jobs.

Sent from my iPhone

From: jack.grill <jack.grill@aol.com>

Sent: Thursday, July 16, 2020 4:28 PM

To: Testimony HWM Judiciary (HOU)

Subject: Support the police

To whom it may concern:

As a citizen of Massachusetts for over 50 years I want to state on record that I fully SUPPORT THE POLICE, both at the State and local levels. I am totally against "defunding" the police departments in any amount and do not want to see individual officers incur any more personal liability than is the current level.

In fact, where possible, please increase funding for the police departments to better enable them to protect our communities and every citizen.....of all shades and colors.

Thank you sincerely,

Jack L. Grill

28 Plantation Rd., Oxford, Ma. 01540

Sent from my Samsung Galaxy smartphone.

From: JAMES-CAHILL JAMES-CAHILL <jimcl3@comcast.net>

Sent: Thursday, July 16, 2020 4:30 PM

To: Testimony HWM Judiciary (HOU)

Subject: Fwd: Senate Bill S2820

----- Original Message -----

From: JAMES-CAHILL JAMES-CAHILL <jimcl3@comcast.net>

To: "HWMJudiciary@mahouse.gov" <HWMJudiciary@mahouse.gov>

Cc: "Alan.Silvia@mahouse.gov" <Alan.Silvia@mahouse.gov>,

"Schmid@mahouse.gov" <Schmid@mahouse.gov>, "Carole.Fiola@mahouse.gov"

<Carole.Fiola@mahouse.gov>

Date: 07/16/2020 3:23 PM

Subject: Senate Bill S2820

I write in opposition to Senate Bill 2820, the Police Reform Bill. Some of the provisions of this bill are not reforms, rather a slow and deliberate dismantling of police departments statewide. These provisions, endorsed by the radical left faction, without any input,

public hearing, and passed in the middle of the night, if passed as is, will result in police officers being killed, seriously injured for fear of acting and being personally sued. This only pacifies the radical left movement, who would like to see a police-less state so they can steal, injure or even kill at will without fear of being caught. it will allow groups like ANTIFA and BLM to continue their violent tirades unabated.

Other provisions, such as all persons have the right to resist against the use of force. If an officer is struggling to arrest or stop an individual from doing harm to another, they have the right to hurt the officer. Likewise, it allows ANY person who observes a Police Officer using physical force in an attempt to restrain or arrest someone, to intervene in behalf of the suspect, and allow the perpetrator to get away.

When faced with a mob like situation, it prohibits the use of Tear Gas, Rubber bullets, pepper spray, etc. but it is ok for mobsters to throw bricks, rocks, fireworks and tear gas against the police and the officers cannot retaliate.

On the banning of No Knock Warrants. The United States Supreme Court has allowed No Knock Warrants for the safety of officers serving warrants. It seems the Mass. Senate seeks to overrule the US Supreme Court. How many people have been killed in Massachusetts in the serving of these type of warrants.

Officers will not be able to use a K-9 against a person. Will a K-9 handler be hesitant to use their dog if someone is lost or to pick up a scent at a crime scene? What if a suspect is located and abuses the dog and the dog bites them? Is it better to let a suspect go after committing a crime.

Now, if the bill is passed it prohibits police from having contact with a suspect for 24 hours. If someone robs a store, gets released, and the next night robs another store and kills someone, are the police prohibited from doing anything until after the 24 hour period?

It is ashamed that 1 officer in another state has disparaged the other 99.9% of Officers who continue to serve with honor and distinction. How many of these instances have occurred in Mass.? 33 Years ago, I attended and graduated from Barnstable County Police Academy. We were NEVER taught the use of a choke hold, nor in my 23 years in Public Safety have I EVER seen anyone use such a hold.

The loss of Qualified Immunity, allowing an officer to be sued personally, is a slap in the face to those who put their lives on the line every day. I would hope that this provision be removed from the bill.

This ill conceived bill should be titled An Act to Abolish Police Departments Statewide.

I would respectfully request that this matter be referred to the Committee on Public Safety for further hearings and input so that everyone can have their opinion heard in the light of day so that a reasonable bill passed that does not cripple or endanger Police Officers.

Respectfully Submitted,

James J. Cahill (ret. Sgt. Fall River Police Dept.)

479 Norman St.

Fall River, Ma 02721

JimC13@comcast.net

From: Deanna Castro <deannacastro@comcast.net>

Sent: Thursday, July 16, 2020 4:29 PM

To: Testimony HWM Judiciary (HOU)  
Subject: S2820 An Act to Reform Police Standards and Shift Resources

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

First, I hope you and your families are well during this pandemic. These are challenging times for our individual and collective health. Not made any easier by the unrest in society that has come to the forefront in recent months. I respect and appreciate the role you play in these very complex, often divisive, far reaching, critical issues. Especially when they have the safety of citizens AND law enforcement officers on the line. I implore you on S2820, formerly S2800, to STOP. LOOK. And LISTEN. This is what my parents taught me at a young age before crossing the street, knowing these simple steps could keep me safe, from getting injured, or worse from death. I taught my children the same rules.

STOP. RUSHING. I understand there's a July 31 deadline. But the impact of making sweeping, broad changes and reform in short order have long standing, far reaching, life altering, and potentially life threatening implications for law enforcement and their families. I read S2820 for hours. And I had already read S2800 last week so I was already familiar. I took notes. I was exhausted, overwhelmed, confused, and VERY, VERY CONCERNED. This is an EMERGENCY LAW necessary for the immediate preservation of the public safety. It took centuries to build structural, systemic racism. We should all be held accountable for that. All. And yet this 89 page document with 80 sections focuses on Law Enforcement as if they are the ones solely responsible for it. Or at least when I read this in totality, Law Enforcement stands to be the most severely impacted by the repercussions of rushing this through especially with such controversial and far reaching impacts that Qualified Immunity changes would mean. Do we know all that needs to be known about Qualified Immunity? Do we know who and what professions will also be impacted? Who doesn't get impacted? Is it distinguishable? What does any change to Qualified Immunity actually solve? What is the downside? What are the consequences? Who will take up this profession with not only this change but all the other proposed changes if enacted? It is not lost on me that it took until Section 78 out of 80 to have anything written and proposed about the Executive Office of Public Safety and Security requiring programs for critical incident stress, peer support programs, address police officer mental wellness and suicide prevention. What do you think this document and all the negative focus on law enforcement has done or will do to their well-being, morale, quality of life, not to mention their safety? I find it shameful and regrettable that an 89 page document with 80 different sections that will forever change, alter, and impact law enforcement officers took the final pages to address HOW it impacts them. And yet they are to withstand all the sweeping reform that will come with the enactment of too much change all at once.

LOOK. At what has been proposed. 89 pages of recommendations for Committees needing 14 members, Councils needing 31 members, countless agencies that impact and support Law Enforcement, etc. Suggestions to gather data, make reports, etc. And what has been done to all the work that Police Chiefs and so many critical stakeholders proposed a couple of years ago after Sgt. Sean Gannon was executed? After Sgt. Michael Chesna was murdered? After the wave of patriotism and support of law enforcement took hold following those horrific acts? Where is all the progress on Criminal Justice reform that stemmed from all that heartache, focus, testimony, collaboration, and cooperation? Where is all the training that was requested? That was pleaded for by leaders in Law Enforcement for training and training facilities? How did we fund all those necessary and critical requests that perhaps would have staved off some of the issues being brought up now years later? We had stakeholders in agreement about what needed to get done. We finally decided to add a fee to car rentals to pay for necessary and much requested additional training for public safety officers. That doesn't show strong support for the need for additional training but now we need it. And how will all the additional credentialing and collaboration and training be funded? I didn't read that part. How much is still undone from all the previously requested suggestions? How much is still unfunded mandates? We are still studying years later Nero's Bill that hasn't been enacted and that is simply providing emergency care for police K9s. We create commissions and committees to study far less important and non-life threatening issues. Anything relating to public safety and public servants should have all that benefit and complete and comprehensive professional, collaborative, focus.

LISTEN. Who was consulted in this sweeping legislative reform? Who did we miss? Why? Areas so critical to public safety and public servants should dot every I and cross every T. All stakeholders should have been informed, consulted, involved, able to provide testimony, be heard, etc. Why would there have been no public testimony in the Senate version? If all law enforcement agencies will be held accountable, were they considered for their part of being the solution to these problems? This legislation clearly lays out multiple law enforcement agencies. Were they consulted over the years about reforms and changes they were eager and willing to make? Were they supported in those endeavors? Why were their calls for changes to training, funding, and reform not supported but they will be forced on them now? Was the Black and Latino Caucus involved and have their concerns been addressed with this legislation? Has the Minority Police Union Chief been consulted? I pray all key stakeholders both inside and outside law enforcement are heard and fully understood before sweeping reform and legislation takes place. Seems to me that 80 articles that take 89 pages to complete is too broad. Can there not be strong and needed compromise so that many pivotal elements can move forward while allowing the very committees and councils being recommended here be formed, given time to collect and review data, and make recommendations with all the proposed timelines established here to allow time to study, collaborate, educate, inform and offer proposals based on sound data and feedback?



I implore you to STOP rushing through this broad legislation. Please find mutually agreed upon items that stakeholders agree can move forward. Accomplish those needed and critical things. BUT please don't rush through all these articles, especially those that involve Qualified Immunity and elements of policing that make policing more dangerous for law enforcement. Let's study the impact of those. Let's take the time to understand their far reaching impact on careers, livelihoods, and lives.

LOOK at all the formerly proposed and current proposed reforms that make policing more professional, safe, and standardized. And look at the training elements and facilities that are being utilized to provide this training. Be prepared to fund these mandates. And not with a car rental fee given a pandemic or any other unforeseen crisis would result in limited or narrow funding. Funding needs to be sustainable and predictable. Where is that funding going to come from now if car rental fees don't generate the proposed or hopeful revenue?

LISTEN. To all the stakeholders who have willingly stepped up with valuable input to share. Police Chiefs, Police Commissioners, Black and Latino Caucus, Minority Police Chiefs, professionals inside and outside law enforcement. Police Officers have much to lose with too much to accomplish in an EMERGENCY LAW enactment. Institutional and systemic racism took years to build and is not entirely the fault of law enforcement. Let's not impose broad changes that would severely punish a profession and put all this responsibility on their backs. We all have a role to play. I'm willing to accept my responsibility for change. Please include others who are also willing to be part of the solution.

Thank you for listening. Respectfully submitted,

Deanna Castro

9 Bridle Way

North Reading, MA 01864

978-821-5660

From: George Saber <saber\_tv@msn.com>

Sent: Thursday, July 16, 2020 4:29 PM

To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity

Hello,

Police Officers have a tough enough job in Massachusetts

Qualified Immunity should not be tampered with.

Thank you,

George Saber

Saber TV

804 Pleasant ST

Fall River, Ma., 02723

508-496-0239

From: Sheila Harrington <sch.sheilaharringtonlaw@gmail.com>  
Sent: Thursday, July 16, 2020 4:28 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Harrington, Sheila - Rep. (HOU); Mark Haddad  
Subject: Fwd: [External]: Police Reform Legislation

Please see testimony from Mark Haddad, the Town Administrator for the Town of Groton.

----- Forwarded message -----

From: Rooney, Lauren (HOU) <Lauren.Rooney@mahouse.gov>  
Date: Wed, Jul 15, 2020 at 12:35 PM  
Subject: Fwd: [External]: Police Reform Legislation  
To: Sheila Harrington <sch.sheilaharringtonlaw@gmail.com>

Sent from my iPhone

Begin forwarded message:

From: Mark Haddad <mhaddad@townofgroton.org>  
Date: July 15, 2020 at 8:59:37 AM EDT  
To: "Harrington, Sheila - Rep. (HOU)"  
<Sheila.Harrington@mahouse.gov>  
Cc: "Rooney, Lauren (HOU)" <Lauren.Rooney@mahouse.gov>, Dawn Dunbar  
<ddunbar@townofgroton.org>, Tom Orcutt <torcutt@townofgroton.org>, Michael  
Luth <mluth@townofgroton.org>, Steele McCurdy <smccurdy@townofgroton.org>

Subject: [External]: Police Reform Legislation

?

Good Morning Representative Harrington:

I am writing to you this morning to urge you to do everything in your power to correct the grave and idiotic mistake made by the Massachusetts Senate by removing qualified immunity of all municipal employees in the overreacting and far overreaching police reform legislation.

I am at a loss as to why our elected representatives would pass such a ridiculous piece of legislation that is absolutely not needed in Massachusetts. Municipal employees in Massachusetts are going to pay the price because a bad and racist police officer in Minnesota committed a crime that has not happened in Massachusetts. This bill is going to set back both law enforcement and normal municipal operations to the stone age. Why would anyone want to serve in public service with this bullseye on our backs. Our hardworking and dedicated police officers and other municipal employees are being hung out to dry by the Massachusetts Senate. The Senate should be ashamed of themselves. I am personally disappointed in Senator Kennedy for supporting this carnage at 4:00 a.m. with no public input.

I am putting my trust in the Massachusetts House of Representatives to do the right thing and not blindly approve legislation that was drafted by people taking advantage of national politics to push an agenda that has no business in Massachusetts.

Please protect your municipal employees and end the madness. Thank you

Regards,

Mark W. Haddad

Town Manager

Town of Groton

Mark W. Haddad

Town Manager

Town of Groton

173 Main Street

Groton, MA 01450

(978) 448-1111

FAX: (978) 448-1115

[mhaddad@townofgroton.org](mailto:mhaddad@townofgroton.org) <<mailto:mhaddad@townofgroton.org>>

--

111 Main Street Pepperell, MA | P 978-448-9601 | F 978-448-8292

From: bobfr1 <[bobfr1@aol.com](mailto:bobfr1@aol.com)>

Sent: Thursday, July 16, 2020 4:28 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to

ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my Verizon, Samsung Galaxy smartphone

From: Rebecca Siegel <rebecca.s.siegel@gmail.com>  
Sent: Thursday, July 16, 2020 4:29 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on the Policing Omnibus Bill S.2820

Dear members of House leadership;

S.2820 does almost nothing to prevent state violence against Black people or stop the flow of Black people into jails and prisons.

I believe S.2820 will cause more harm than good by increasing spending on law enforcement through training and training commissions, expanding the power of law enforcement officials to oversee law enforcement agencies, and making no fundamental changes to the function and operation of policing in the Commonwealth. Real change requires that we shrink the power and responsibilities of law enforcement and shift resources from policing into most-impacted communities.

Instead of funding for police training and commissions, communities need investments in alternatives to force. We need funding for mental health professionals to respond to mental health crises, not law officers. We need to adequately fund our schools, instead of funding police officers in our schools. We need to fund housing and supports for the homeless, instead of paying police officers to punish them for doing what they need to do to survive.

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people. Rather than limiting legislation to moderate reforms and

data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. I also support student-led efforts to remove police from schools.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there.

Thank you,

Rebecca Siegel, Belmont

From: Tracy O'Connor <TLelenoa@hotmail.com>  
Sent: Thursday, July 16, 2020 4:28 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill No. S2820

Dear Sir and Madame:

I am writing today regarding House Bill No. S2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

What about our Blue Lives? The men and women who put on their uniform every day to risk their lives for every one!

This bill is going to generate hate for all our men and women in uniform. Look what is happening in New York, Seattle and Portland right now! Have you seen what is going on around the world? Officers getting killed every day for no other reason than wearing the uniform.

Officer Natalie Corona, only 22 years old, 5 months on the job. She was speaking to people involved in a car crash and a man walked up to her and opened fire without warning, striking her several times.

Officer Jonathan Shoop was on the job in Bothell, WA for just one year when he was shot to death while on duty.

Sergeant Michael Chesna, Weymouth, MA was hit in the head with a large rock, disarmed and fatally shot by the suspect who also fatally shot Vera Adams in her home.

As I am typing this letter, I am so angry that if this bill is passed it will be putting my Niece Office Jillian Donnelly of the Everett Police Department, life in jeopardy because she wears the uniform.

Yes, there are bad police officers and they will be punished for the crimes they commit. If this bill is passed, we will be losing all the good officers who serve their uniform proudly.

I was at a rally yesterday at Medford City Hall in support for Blue Lives Matter. There were young people with signs "Defund the Police", "Black Lives Matter" and a young black woman standing on a platform yelling "Black Lives Matter". Of course everyone was yelling back that "All Lives Matter". She was in a heated debate with a white gentleman, going back and forth yelling about which lives matter more and she wasn't getting her way and said "OFFICER I WOULD LIKE TO PRESS CHARGES AGAINST THIS MAN". My question is .... If she and her other protesters want to defund the police why did she want help from them?

Please do not let this bill pass as it stands now.

Thank you for your consideration.

Tracy

Sincerely,

Tracy A. O'Connor

132 High Street

Everett, MA 02149

617-794-4582

From: Kathy Lynch <kathy.lynch@me.com>  
Sent: Thursday, July 16, 2020 4:27 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down qualified immunity in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to

ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum it should specifically eliminate any provisions similar to sections 10, 49, and 52, as well as amend Section 63 to have more police representation.

Sincerely,

Kathleen Lynch  
Westford, MA

From: tanya s <tls130@hotmail.com>  
Sent: Thursday, July 16, 2020 4:27 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please consider voting yes on following..

Amendment #114 - Representation on POSAC

Amendment #134 - Opportunity for Appeal

Amendment #137 - Special Commission to Study

Qualified Immunity

Sent from my iPhoneFrom: Leo & Laurie Kiley <lmlckiley@gmail.com>  
Sent: Thursday, July 16, 2020 4:26 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: qualified immunity

Please count myself and my family against the removal of qualified immunity. Without this protection teachers will not teach worried about losing their houses to a destructive student. If an armed home invasion occurs police will not arrest because of the same concerns. Firefighters will not try to put out a fire worried about damaging a home with an axe. Legislators will be sued for passing bad laws. Will judges still enjoy absolute immunity?

Leo Kiley  
Waltham

From: Michael MacDonald <mac7375@yahoo.com>  
Sent: Thursday, July 16, 2020 4:26 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school



officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

Michael D. MacDonald  
50 Boatwright's Loop  
Plymouth, MA. 02360

From: tanya s <tls130@hotmail.com>  
Sent: Thursday, July 16, 2020 4:26 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill

> ?Hello,  
>

> I am just a Peabody resident and have been aware of the bill that was passed for the police this morning at 4am, I beg you to rethink this decision, this is punishing the good officers and will tie their hands behind their backs. I have two sons age 8 and 2, everything that is happening right now is scary for their future, I don't know if you have children or grandkids but please think about their future and how this will affect them. We need to have our communities safe and have our officers able to do so without fearing for their livelihood. Not all police need to be punished, there are other ways to go about this! Please rethink this bill. Remember, it's about the children and their future.  
>

> Thank you for taking your time and reading this. ????

Sent from my iPhoneFrom: Meredith Brewer <gram2330@icloud.com>  
Sent: Thursday, July 16, 2020 4:26 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Meredith Brewer

Sent from my iPhone From: david weimer <david.weimer@gmail.com>

Sent: Thursday, July 16, 2020 4:25 PM

To: Testimony HWM Judiciary (HOU)

Subject: Judiciary Testimony

Dear members of House leadership,

S.2820 does almost nothing to prevent state violence against Black people or stop the flow of Black people into jails and prisons. I believe S.2820 will cause more harm than good by increasing spending on law enforcement through training and training commissions, expanding the power of law enforcement officials to oversee law enforcement agencies, and making no fundamental changes to the function and operation of policing in the Commonwealth.

Real change requires that we shrink the power and responsibilities of law enforcement and shift resources from policing into most-impacted communities.

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people.

Rather than limiting legislation to moderate reforms and data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. I also support student-led efforts to remove police from schools.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there.

Thank you,

David Weimer  
Lower Allston  
413-884-2702

From: streetrods71@verizon.net  
Sent: Thursday, July 16, 2020 4:25 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

To Whom it may concern:

This bill is not for the good of ALL people. Please do not take away rights from our Police Departments in the Commonwealth.

Sincerely,

Ronald A. Sellon Sr

Susan G. Sellon

368 Franklin St.

Mansfield, MA 02048  
From: Jo-Ann Goodwin <goodwinjoann@yahoo.com>  
Sent: Thursday, July 16, 2020 4:24 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a

member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,  
From: marcia Yousik <myousik48@gmail.com>  
Sent: Thursday, July 16, 2020 4:23 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Dear Representative Hecht

I am writing in support of this bill. Although I realize it is not perfect I would be so proud to have this effort at reform begin in Massachusetts. The problem of racism and violence is acute and I will be voting to support the effort to begin the reform.

Thank You

Marcia Yousik

90 Dudley St  
Cambridge, 02140  
617-417-6427

From: Sarah Scalia <sjscalialia@gmail.com>  
Sent: Thursday, July 16, 2020 4:23 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Regarding Reform, Shift + Build Act (S.2800)

Chair Aaron Michlewitz & Chair Claire Cronin:

I write to express my strong support for S.2800. In particular, i would like to highlight the following considerations that are very important to me:

1. Prohibiting all police chokeholds -- there is no need for this sort of violent restraint, and we've seen how tragic it's misuse can be.
2. Banning the use of tear gas and other chemical weapons -- these are internationally banned as weapons of war and have no place in our communities as "crowd control"
3. Banning no-knock warrants -- the risk of no-knock warrants FAR outweighs any potential benefits
4. Restricting qualified immunity -- qualified immunity destroys any chance of accountability in our police force

I'm heartened to see a bill like this in the statehouse, but disheartened by the organized opposition of the police unions to these common sense measures to keep our communities safe. I urge you to pass this bill so that Governor Baker can sign it into law and MA can lead the country in promoting safe, just policing.

Regards,  
Sarah Scalia

--

Sarah Jean Scalia  
sscalia@mba2019.hbs.edu | 832.729.9954

From: janice <redpeterbilt7@yahoo.com>  
Sent: Thursday, July 16, 2020 4:23 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Norman Johnston <bignormj1@verizon.net>  
Sent: Thursday, July 16, 2020 4:22 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely, Norman Johnston Lynn,, Ma. 01905

<[<\[From: drwdevine@yahoo.com\]\(https://urldefense.proofpoint.com/v2/url?u=http-3A\_\_www.avg.com\_email-2Dsignature-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Demailclient&d=DwMFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=dGGZ9gNQbmBwvBwnr1QG6aHdUs2d2P5O2Cvi5SoN7ro&s=QvoCNuWc-ODQNTerxyJLnQIahLwUEZEWumUUL\_9dke8&e=></a></p></div><div data-bbox=\)](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.avg.com_email-2Dsignature-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Demailclient&d=DwMFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=dGGZ9gNQbmBwvBwnr1QG6aHdUs2d2P5O2Cvi5SoN7ro&s=QvoCNuWc-ODQNTerxyJLnQIahLwUEZEWumUUL_9dke8&e=> Virus-free. www.avg.com</p></div><div data-bbox=)

Sent: Thursday, July 16, 2020 4:21 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Donna Devine

Sent from my iPhone  
From: Sharon <cod172@aol.com>  
Sent: Thursday, July 16, 2020 4:21 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: 2800

I am writing voice my opposition to this bill. It is unfair to all members of law enforcement across the Commonwealth. Please consider voting no when it comes in front of you.

Thank you,  
Sharon Butler-O'Dwyer  
Suffolk County

Sent from my iPhone  
From: Pat Pasternak <patpole@aol.com>  
Sent: Thursday, July 16, 2020 4:20 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives,

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

Section 10 endangers our police by dramatically watering down "qualified immunity". This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Patricia Pasternak

Somerset  
From: Robin Spinella <robinspinella@gmail.com>  
Sent: Thursday, July 16, 2020 4:18 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Re: Police Reform Bill

Robinspinella@gmail.com  
781 413 5159

On Thu, Jul 16, 2020, 4:09 PM Robin Spinella <robinspinella@gmail.com> wrote:

My name is Robin Spinella, 33 Century Rd, South Weymouth, MA 02190. I feel strongly that more forethought and collaboration from different groups should be done before passing a reckless bill due to public outcry. Certain things in this bill must be re-visited. Please consider the danger you are putting public servants in. This is not just effecting public servants, but me and my family. As a taxpayer, I rely on these people to help in a time of urgent need. To have them hesitate, due to some of these measures put in this bill, could put me, my family or my fellow citizen at risk.

Massachusetts, please be a leader in reform and due your due diligence. I respect your consideration in this matter and thank you for your time reading my concerns. Please be safe and do what is right for everyone.

Sincerely,  
Robin Spinella



From: Eric Anthony <anthonyduo@earthlink.net>  
Sent: Thursday, July 16, 2020 4:18 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Eric and Patricia Anthony (Brighton MA)

From: Mike Burgwinkel <mike\_burgwinkel@yahoo.com>  
Sent: Thursday, July 16, 2020 4:18 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,  
My name is Mike Burgwinkel and I live at 122 Beacon St, Clinton Massachusetts 01510. I work at North Central Correctional Institution (Gardner, MA) and am a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the

Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Michael Burgwinkel

From: george rushton <georitarush@yahoo.com>  
Sent: Thursday, July 16, 2020 4:18 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities

would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,  
From: JONI ROSS BURKE <jmrburke@aol.com>  
Sent: Thursday, July 16, 2020 4:17 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

I urge you not to support any change to Qualified Immunity. Our Nationally recognized Police Dept in Boston and around the Commonwealth Deserve And have EARNED our support, respect and protection. They also deserve and have earned a place at the table at any hearing, committee, etc that directly effects them. It's about time someone stood up FOR THEM as they do for us each and every day placing themselves in harms way with NO HESITATION!!! My name is Joan Ross-Burke And I've been a Boston Resident for 68 years, my entire life. Thank you.  
From: Lindsey Tayne <tayne.l@northeastern.edu>  
Sent: Thursday, July 16, 2020 4:17 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass the Reform, Shift + Build Act

To whom it may concern,

My name is Lindsey and I am a resident of Boston, MA. I am emailing to say that I unequivocally support the Reform, Shift + Build Act.

It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. I hope to see this legislation pass so I can continue to be a proud resident of Massachusetts.

Thank you.

Lindsey Tayne  
Northeastern University Class of 2021  
Candidate for Bachelor of Science in Civil Engineering  
tayne.l@northeastern.edu  
From: karen kenary <karenkenary@aol.com>  
Sent: Thursday, July 16, 2020 4:09 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: melanie Hensel <mh42568@yahoo.com>  
Sent: Thursday, July 16, 2020 4:15 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP (really, not going to inform about Gang members, to me that seems that you do not care anyone in school, shame on you!). To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous.

Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers (really, there should be at least 10 that are associated with policing). I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Melanie Hensel

332 Monson Turnpike Rd

Ware, MA 01082

From: Melinda Adams <adamsmaurofamilyalternate@gmail.com>

Sent: Thursday, July 16, 2020 4:15 PM

To: Testimony HWM Judiciary (HOU)

Cc: Muratore, Mathew - Rep. (HOU); Moran, Susan (SEN)

Subject: Re: Acceptance of Written Testimony Only

Dear Senator Moran and Rep. Muratore,

My name is Melinda Adams and I live at 125 Alewife Road in Plymouth, MA. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Melinda Adams

From: joe west <jowest9992000@yahoo.com>  
Sent: Thursday, July 16, 2020 4:15 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: testimony

I think this is a great bill. Everyone should be held accountable when they have negligence. Much like Doctors need to carry malpractice insurance, maybe if police can not follow guidelines and stop themselves from violation the public's human rights, then they should carry malpractice insurance too.

Joe W

From: paultraite@aliusdoc.com  
Sent: Thursday, July 16, 2020 4:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: House bill (S.2820) - support for Senate limits on immunity

I urge the House to support the Senate's limitations on qualified immunity. For too long, the very few extremely bad officers in MA have faced too lax consequences for their actions. Similar to physicians, lawyers, and other professionals who can be sued personally for gross misconduct, its time for the very few truly incompetent or down-right bad police to be removable from their positions with this additional mechanism.

Thank you,

Paul Traite, CTO, ICP

AliusDoc LLC

www.AliusDoc.com <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.aliusdoc.com\\_&d=DwMFAG&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=riOC1wOC1Jxscoc4TGulsmXjTlBI2J3TGWtx7VR1OxQ&s=30FBft8EUTrbwOhnOz4oVedCjFTUPSV8nlvBmr83HoQ&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.aliusdoc.com_&d=DwMFAG&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=riOC1wOC1Jxscoc4TGulsmXjTlBI2J3TGWtx7VR1OxQ&s=30FBft8EUTrbwOhnOz4oVedCjFTUPSV8nlvBmr83HoQ&e=>)>

PaulTraite@AliusDoc.com <<mailto:PaulTraite@AliusDoc.com>>

781 267-5264

From: Thomas Higginbotham <[higgybear53@aol.com](mailto:higgybear53@aol.com)>  
Sent: Thursday, July 16, 2020 4:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony House Judiciary Committee

Dear Chair Michlewitz and Chair Cronin,  
My name is Thomas Higginbotham and I live at 10 Orchard Street, Berkley, MA 02779. I work at Old Colony Correctional Center and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less than Lethal Tools:** The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Thomas Higginbotham

Sent from my iPhone  
From: Allison McIntyre <14amcintyre@gmail.com>  
Sent: Thursday, July 16, 2020 4:20 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: In favor of S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees:

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Allison McIntyre, Somerville  
From: Bill <billharkins@charter.net>  
Sent: Thursday, July 16, 2020 4:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.



Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from Mail <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_go.microsoft.com\\_fwlink\\_-3FLinkId-3D550986&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=scsuJ\\_UKENKpuX\\_hd6NZ8OnCil8U41ko1LLRdcn2UEo&s=CLwEYgJN Jq8jjVORTIu\\_GxSYk\\_Og1TNqCP1UxOLvvnQ&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=scsuJ_UKENKpuX_hd6NZ8OnCil8U41ko1LLRdcn2UEo&s=CLwEYgJN Jq8jjVORTIu_GxSYk_Og1TNqCP1UxOLvvnQ&e=>) for Windows 10

From: rsox00@comcast.net  
Sent: Thursday, July 16, 2020 4:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820 Its completely insane. And your insane if you vote for this garbage. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely, barry franciosi 11 kingsley rd norton ma 02766

From: Michael Parkin <mjpnbaol.com>  
Sent: Thursday, July 16, 2020 4:14 PM  
To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

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Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Michael Parkin

New Bedford, MA

From: jillian donnelly <xojillie09ox@gmail.com>

Sent: Thursday, July 16, 2020 4:14 PM

To: Testimony HWM Judiciary (HOU)

Subject: Fwd: Police reform bill

Sent from my iPhone

Begin forwarded message:

From: jillian donnelly <xojillie09ox@gmail.com>

Date: July 16, 2020 at 1:10:33 PM EDT

To: Testimony.HWMJudiciary@mahouse.gov  
Subject: Police reform bill

?Good afternoon;

My name is Jillian Donnelly. I am a police officer with the Everett Police Department. I currently work as the School Resource Officer for the Middle and Elementary Schools within my community. I have been an officer for the past four years. I have a Bachelor's and Master's Degree in Administration of Justice from Salve Regina University.

Prior to becoming a police officer I worked many years in human services such as the Department of Child and Family in Middleton Rhode Island, Riverside Community Care specializing in the treatment and rehabilitation of children suffering from mental and behavioral health issues as well as those who have been physically and sexually abused. I also worked at Riverside Community Care in Everett specializing in substance abuse and mental health. I then worked as a Public Safety Officer at Boston Medical Center before entering into the police academy.

The reform bill that has been proposed and passed by the Senate calling for "justice and reform" takes away justice from those of us who have dedicated our lives to protecting and serving our communities. This bill in and of itself is unconstitutional because it strips away our rights to Due Process which every American citizen has a right to.

This bill is a slap in the face to anyone who wears the badge. This bill single handedly strips away our ability to serve and protect because we are not protected! Our job requires us to go hands on in many different situations whether it is a use of force situation or saving a life. Without Qualified Immunity I cannot render aid or protect myself without facing civil litigation which I have to pay for. This bill has handcuffed me and placed me under arrest without even reading me my Miranda Rights.

This job in and of itself already puts a target on my back and because of the disgraceful display of media propaganda and now this "reform" bill I also have a monetary bounty on my back as well. I will be forced with the constant question any time I go into work, "if a kid has a cardiac arrest in front of me, if I render aid I could be sued and potentially fired if I break a rib and am found to use "excessive force" but if I don't do anything and let the kid die in front of me, I have to live with that as well as face the ramifications of being sued, being fired and potentially face federal prison time for failing to act.

It as a lose lose situation every single time and it truly disgusts me. I work in a school system where we have gang members who recruit within the schools. This bill will prevent me from getting information of these kids from school officials as well as not allow me to go hands on without facing serious consequences. When rival gang members start shooting and stabbing each other we will have another Sandyhook scene.

Society is in extremely grave danger because of this bill. The members of the Senate who voted to pass this bill will be responsible for the increase in crime, murders, deaths, lootings, rapes, robberies etc that have been going on in Seattle, New York and across the country with this bill. That will happen here!

Everyone will suffer. This is not why I became a police officer. I hold the line with members who have sacrificed their lives in Afghanistan to come home to be treated like this! This bill allows criminals to increase crime and prevents police from doing anything about it.

This bill allows a civilian counsel who knows absolutely nothing about the job I do to be the judge, jury and verdict about my life. The members proposed in this civilian counsel represent the defendants that will be against me therefore creating a bias and verdict of guilty before I can even argue my case.

Any person with even a shred of intelligence would run for the hills from this job. The good cops like myself who actually do this job with pure motives will be forced to leave this profession because legislators have turned their backs on us who they expect to "hold the line." No one will want this job and without law there is no order. There will be civil unrest across the Commonwealth and once you open up Pandora's box it cannot be closed.

I truly and whole heartedly hope this email does not fall on deaf ears. Peoples lives are at risk. I would plead with you to vote no on this bill and to let this bill be tabled completely until law enforcement officials as well as legislators can communicate and come up with common ground reform.

I thank you for taking the time to read this letter. I hope and pray you take into serious consideration. My name again is Jillian Donnelly, I reside at 18 Maplewood Avenue Everett Ma 02149 and can be reached via email here as well as phone 617-823-7575. Again, thank you!

Sent from my iPhone

From: Tom Greene <tom.e.greene@gmail.com>  
Sent: Thursday, July 16, 2020 4:12 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,  
I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.  
I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Tom Greene from Boston

From: donny <dffleming71@gmail.com>  
Sent: Thursday, July 16, 2020 4:11 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill

My name is Donald Fleming and I'm a resident of Waltham. I'm against removing qualified immunity for public safety and other government employees. I can't believe this bill passed the senate with this language in the bill. If everyone in this state wants to rally against the police who protect us there won't be an officer left when this bill passes. The damage of removing qualified immunity won't be able to be undone for decades if not longer. To say this bill won't affect good cops is laughable. According to all the protesters out there, there are no good cops. This is why this reform bill was created. This state is going down the wrong path and I hope someone with commonsense steps up to halt this insanity.

From: Camille <cmgbridge@aol.com>  
Sent: Thursday, July 16, 2020 4:10 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Camille Gravallese

Sent from my iPhone  
From: Jennifer Fresen <jennfresen@gmail.com>  
Sent: Thursday, July 16, 2020 4:10 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for S. 2820

Dear Chair Michlewitz and Chair Cronin,

I'm a Massachusetts citizen writing in support of S. 2800.

I'm an organizer with an activist group called Andover Area Solidarity. We organize around issues of justice in our area of the Merrimack Valley, and we often host family-friendly local protests or attend larger ones in the city. Having seen and heard of many instances of Massachusetts law enforcement physically striking peaceful citizens holding signs on public sidewalks at protests in Boston, I now refrain from bringing my young daughter with me to peaceful demonstrations. I'm thrilled to see the increased accountability via independent oversight in this bill around police militarization, and the use of tear gas and rubber bullets against crowds, among other things.

I've read the bill from top to bottom and every section contains a reasonable solution to a widespread issue that deeply impacts the safety of my Black and brown neighbors. They deserve to see these changes, and have their taxes fund agencies that actually serve them. I stand with them in demanding action.

I hope that you will vote this legislation favorably out of committee. Thank you for your consideration.

Sincerely,

Jennifer Fresen

Organizer, Andover Area Solidarity

35 Hawthorne Place

North Andover, MA 01845

857-928-6797

From: Ruthie Liberman <rliberman@empathways.org>

Sent: Thursday, July 16, 2020 4:10 PM

To: Testimony HWM Judiciary (HOU)

Subject: Support S2800

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due to a variety of circumstances and since the overwhelming number of those young people grow up and move on with their lives, we are hoping to make clarifying changes to the law. We respectfully ask the law be clarified to:

- Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.

- Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

- Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case basis especially if the case is dismissed of the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Most Sincerely,

Ruthie Liberman / Vice President of Public Policy

[rlliberman@empathways.org](mailto:rlliberman@empathways.org) <[EMPath - Economic Mobility Pathways](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.empathways.org_&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=KpqhxbahpGtrGHxM7XUN-F2s2EBDSnDucn7tGoH_BN0&s=xju5_ohuDePvNCFqBoGOY1wOknY4okfZuHWglEPXvMg&e=>/617.259.2933</a>></p></div><div data-bbox=)

One Washington Mall, 3rd floor, Boston. MA 02108

[www.empathways.org](http://www.empathways.org) <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.empathways.org\\_&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=KpqhxbahpGtrGHxM7XUN-F2s2EBDSnDucn7tGoH\\_BN0&s=xju5\\_ohuDePvNCFqBoGOY1wOknY4okfZuHWglEPXvMg&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.empathways.org_&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=KpqhxbahpGtrGHxM7XUN-F2s2EBDSnDucn7tGoH_BN0&s=xju5_ohuDePvNCFqBoGOY1wOknY4okfZuHWglEPXvMg&e=>)>

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From: Rita Costa <ritajohn12@yahoo.com>  
Sent: Thursday, July 16, 2020 4:10 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: MA Bill S.2800

> We need your help  
> I am writing to you regarding Massachusetts Bill S.2800. I am very  
upset about how this bill is being quickly pushed through, while it will  
have tremendous repercussions on our police departments, tying their  
hands, and preventing them from doing their jobs. While there are portions  
of the bill that may bring about higher standards for our officers,  
removing qualified immunity as one of their rights is simply unacceptable.  
As a registered and active voter, I am disheartened by the actions of  
politicians that I have voted for, who are responding with a knee jerk  
reaction to the loud actions of the few, while ignoring the majority of  
the population. I look forward to your reply, and I respectfully ask that  
you consider not supporting the removal of qualified immunity for our  
police officers.  
>  
> Regards,  
> Rita Costa

From: Robin Spinella <robinspinella@gmail.com>  
Sent: Thursday, July 16, 2020 4:09 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

My name is Robin Spinella, 33 Century Rd, South Weymouth, MA 02190. I  
feel strongly that more forethought and collaboration from different  
groups should be done before passing a reckless bill due to public outcry.  
Certain things in this bill must be re-visited. Please consider the  
danger you are putting public servants in. This is not just effecting  
public servants, but me and my family. As a taxpayer, I rely on these

people to help in a time of urgent need. To have them hesitate, due to some of these measures put in this bill, could put me, my family or my fellow citizen at risk.

Massachusetts, please be a leader in reform and due your due diligence. I respect your consideration in this matter and thank you for your time reading my concerns. Please be safe and do what is right for everyone.

Sincerely,

Robin Spinella

From: Raynold Jackson <rayjtrails@gmail.com>

Sent: Thursday, July 16, 2020 4:09 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,  
Raynold Jackson  
Townsend, Ma

From: Tina Collins <teemarie\_collins@yahoo.com>

Sent: Thursday, July 16, 2020 4:09 PM

To: Testimony HWM Judiciary (HOU)

Subject: Fw: Police Reform Bill 2820

Dear Members of the House Committee on Ways & Means,

I am writing to you today out of concern and extreme frustration over Bill S.2800 that was passed by the State Senate today, currently changed to Bill S.2820 in the House. This bill has been hastily thrown together and is a knee-jerk reaction to what is currently happening now in this war on police. As you know, Massachusetts has a fantastic police force at the municipal and state levels and yet there is an agenda some have to destroy the great policing that is done here. This Bill, as written, robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. The fact that it

has been so hastily pushed through the Senate without any transparency only leads credibility to my comment about a hidden agenda.

There are MANY aspects of this Bill S.2800 that I, and many of your other constituents, find troubling but I will just list a few here that are definitely of the greatest consequence if passed as written:

1. Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

2. Qualified Immunity: Qualified Immunity does NOT protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities from frivolously unrealistic lawsuits.

3. POSA Committee: The composition of the POSA committee MUST include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

4. Removal of requirement for State Police Colonel to be appointed from within the department: This should NOT be removed as it should be extremely important for the Colonel of the State Police to have first hand working knowledge of how a department works and the appointment should definitely come from within the MA State Police department. If for some reason this requirement is removed there should be a requirement that the person have at least 20 years experience in law enforcement and at least 10 years in a high profile leadership role within law enforcement.

I hope you will be sure to stand against those that would do harm to our state by unfairly persecuting and removing rights from those people that put on a uniform to keep us all safe every day. It has never been more important that our elected officials fight for our brave men and women in blue. It is already a thankless job and it will be near impossible to get anyone to want to do the job if this horrendous reform bill is passed without some major overhaul.

Thank you for your time and serious consideration of the points I have made here today.

Regards,

Tina Collins

19 Bonney St  
Westwood, MA 02090

508-326-1411

Sent from Yahoo Mail on Android  
<[From: Bob Villeneuve <bobvill12@gmail.com>  
Sent: Thursday, July 16, 2020 4:09 PM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: Reject Senate Policing bill SB 2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=41DufqoMPwGIDRHTBRKitiM2XL6hbhFs_eZPndH17us&s=cqwn_aLXNe7wKfu-Zz6DVJRmTFJlZv5lOfExzi8KUC4&e=></a>></p></div><div data-bbox=)

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Sincerely,  
Robert Villeneuve  
53 Steepleview Dr  
Hampden, MA 01036  
From: rjsawler <rjsawler@comcast.net>  
Sent: Thursday, July 16, 2020 4:09 PM  
To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Richard and Joan Sawler  
112 Fuller Street  
Halifax, MA. 02338

Sent from my Verizon, Samsung Galaxy smartphone

From: Carrie <sprout425@comcast.net>  
Sent: Thursday, July 16, 2020 4:08 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Written Testimony S.2820

Dear Senator Cyr,

My name is Carrie Diauto and I live at 42 Papnomett Rd, Mashpee, MA 02649. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper

law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. They're jobs are tough enough as it is and in today's climate they should be afforded protections.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Carrie A. Diauto  
782-603-7228

From: Rose Foley <rose8190@yahoo.com>  
Sent: Thursday, July 16, 2020 4:08 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided

membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

Rosa Doherty

John Doherty

Doris Santorelli

Billerica, MA

From: Bob Villeneuve <bobvill12@gmail.com>

Sent: Thursday, July 16, 2020 4:08 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Robert Villeneuve  
53 Steepleview Dr  
Hampden, MA 01036

From: Shelia <sheilavalicenti@yahoo.com>  
Sent: Thursday, July 16, 2020 4:08 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sheila M. Valicenti  
Sent from my iPhone  
From: Bill Gillmeister <wgillmeister@charter.net>  
Sent: Thursday, July 16, 2020 4:07 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820



Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Bill Gillmeister

8 Kimball St.

Brookfield, MA 01506

From: Jocelyn Sullivan <sullivanjo@peabody.k12.ma.us>  
Sent: Thursday, July 16, 2020 4:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: MA Bill S.2800

To Whom it May Concern:

I am writing to you today in regards to MA Bill S.2800. I have recently been doing a lot of research regarding the proposed Massachusetts Bill S.2800. While I can see that there are many excellent points within the bill, such as requiring additional training, a licensure requirement (which requires renewal every three years), and essentially consistently holding officers to a high standard with review boards, I take issue with removing qualified immunity from our police officers. Our officers go into this line of work to help people and make a positive difference in their communities. Removing any and all protections that they have will

ultimately hamper their ability to do their jobs, and will eventually lead to a culture in which officers cannot appropriately respond, for fear of being personally sued, for trying to help the people they swore to protect. Our officers run into situations in which people are in fear for their lives. They put their lives on the line every day to protect ours. While I do believe in increased training, oversight, and required licensure, I respectfully ask that you reconsider stripping officers of these rights. This bill certainly has some valid points, and may be heading in the right direction, however, removing qualified immunity from our officers is not the way to get there. I look forward to your response.

Regards,  
Jocelyn Sullivan  
Peabody, MA

From: Brian <bcuddy28@comcast.net>  
Sent: Thursday, July 16, 2020 4:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
From: Joe Lutfy <joe.lutfy@gmail.com>

Sent: Thursday, July 16, 2020 4:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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Sincerely,

JoeFrom: Barbara Crockett <bdcrockett@comcast.net>  
Sent: Thursday, July 16, 2020 4:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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Sincerely,

David

From: Barbara Crockett <bdcrockett@comcast.net>

Sent: Thursday, July 16, 2020 4:04 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Barbara

From: Garballey, Sean - Rep. (HOU)  
Sent: Thursday, July 16, 2020 4:04 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: [External]: A copy of my testimony on S. 2820

Hello, please accept the testimony below from one of my constituents.

Thank you

----- Forwarded message -----

From: "R. Eric Reuss" <ereuss@gmail.com>  
Date: Jul 16, 2020 3:55 PM  
Subject: [External]: A copy of my testimony on S. 2820  
To: "Garballey, Sean - Rep. (HOU)" <Sean.Garballey@mahouse.gov>  
Cc:

Dear Representative Garballey,

Below is a copy of my emailed testimony to the House Committee regarding the recently-passed Senate bill. Many thanks to you and your colleagues for addressing this critical issue!

No reply needed, though I'm always happy to answer questions.

--Eric Reuss; 40 Hamlet St, Arlington, MA; 617-721-8438

Dear Representatives,

Thank you for soliciting public feedback on police reform, and for taking action!

I think the just-passed Senate bill is good. While it could have gone further, I feel the most critical thing is to get a bill signed into law this legislative session addressing some key concerns:

1. Qualified immunity. While I am uncertain whether the Senate bill goes far enough, restricting qualified immunity is a critical first step.
2. Systemic and structural racism. Much more could be done, but what the Senate bill does seems good.

3. Police accreditation. We are long overdue for this. The Senate bill may put too much police power on the POSAC, but it's much better than not having it at all.

4. Limiting use of force. Both training in de-escalation and requiring it be used are excellent, as is the duty to intervene.

5. Shifting funding from policing towards community investment. This is something to explore more over time, but the Senate bill seems to make a good start.

The Senate bill also contains a number of small details I appreciate, such as a moratorium on facial recognition, school-policing issues, keeping bad cops from becoming corrections officers, and more.

If there were longer in the legislative session, there would be many things I wish could be added to this bill(1). But there isn't, so I urge the House to pass a bill that is extremely easy to reconcile with the Senate bill so that it can be signed into law in the next 2 weeks. I would rather have a good bill that we can expand upon in future legislative sessions than an excellent bill which doesn't make it.

PS: From what I read, the House has been better about soliciting feedback from minority communities than the Senate has - I applaud this! Please keep doing it! And if those communities tell you there's some provision that needs to be included that the Senate bill lacks, please listen to them, and I'll be more than happy to write my State Senator urging her support for reconciliation including it. I'm only concerned that too many differences will make it too difficult to reconcile in time.

Sincerely,  
R. Eric Reuss

781-648-1652  
Arlington, MA

(1) = Greater data-gathering on police use of force; guaranteed access to that data for the public and insurers; a requirement that police officers be covered by malpractice insurance; limiting the power of police unions (in particular their ability to block towns from firing cops); better civilian oversight of police; body cameras; changing police training to remove the indoctrination of violence / "fighting a war" mindset; and much more.

From: kbythrow@comcast.net  
Sent: Thursday, July 16, 2020 4:04 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity

Please maintain qualified immunity for Firefighters, we sometimes have to defend ourselves from violent individuals.

Thank You,  
Kevin Bythrow  
617-953-7481  
Quincy Firefighters Local 792

Sent from my iPhone  
From: ourpool <ourpool@juno.com>  
Sent: Thursday, July 16, 2020 4:04 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Bill Campbell Randolph Ma

Sent from my T-Mobile 4G LTE Device

From: Stephen and Beverly Wybaillie <swybaillie@comcast.net>  
Sent: Thursday, July 16, 2020 4:04 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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Sincerely,

Stephen and Beverly Wybaillie  
Hingham, MA  
From: Nina Friedman <nsfriedman@gmail.com>  
Sent: Thursday, July 16, 2020 4:04 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S. 2820

Dear Sir/Madam,

As a resident of Arlington, MA, and a constituent of Sean Garbally, I am writing to urge you to pass this legislation for police reform. As a white person in support of BLM and fair, equal, and humane treatment of all people, I see no other way to resolve the current crisis in which we find ourselves. Please act with the urgency the situation deserves, and endorse S. 2820.

Respectfully yours,  
Nina Friedman  
167 Waverly St  
Arlington, MA

From: Peggy Ayres <writeathome@hotmail.com>  
Sent: Thursday, July 16, 2020 4:04 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: police reform bill



I would like to voice my concern over the Senate's bill to do away with qualified immunity for police officers. Qualified immunity is given to ALL members of state, municipal and federal employees in the course of the performance of their job for a reason. It is a protection for the employee and their families to not have worry about losing their home or lifesavings because someone didn't like the way they did their job. Qualified immunity as written does not protect individuals that violate the constitutional rights of others. But it does protect them and their families from frivolous lawsuits.

If you take it away from only one group - then that is discriminatory. And where does it end - EMT's, fire personal, DCF workers, city councilors, state reps?

If qualified immunity is no longer given to police officers, I believe the Commonwealth will lose a lot of qualified law enforcement officers.

While I understand the need for reform, please do not go overboard by punishing all police officers. They are not the enemy.

Thank you.

Margaret Ayres  
119 Chase Road  
Marlborough, MA 01752

<[From: rserino <rserino@aol.com>  
Sent: Thursday, July 16, 2020 4:04 PM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: Reject Senate Policing bill SB 2820](https://urldefense.proofpoint.com/v2/url?u=https-3A_www.avast.com_sig-2Demail-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Dwebmail-26utm-5Fterm-3Dicon&d=DwMFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=rmSqIDu5IeWDrhL2cj79yiUC6KEm0l2vHrHf0wz_ZS4&s=gldYxkEG-diWwBrpI3l5fmIOYtIfz0IqBjVWU4BTa8c&e=> Virus-free. www.avast.com<br/><<a href=)

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Sincerely,

Robert Serino  
From: sticka99 <sticka99@comcast.net>  
Sent: Thursday, July 16, 2020 4:03 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: Bill 2820

Sent from my Sprint Samsung Galaxy S8.

----- Original message -----  
From: sticka99 <sticka99@comcast.net>  
Date: 7/16/20 3:39 PM (GMT-05:00)  
To: HWMJudiciary@mahouse.govHWMJudiciary@mahouse.gov  
Subject: Bill 2820

Dear Chair Michlewitz and Chair Cronin,  
My name is Christopher Macomber and I live at 43 south kingman st lakeville. I work at Old Colony Correctional Center. I am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill

2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less than Lethal Tools:** The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Christopher Macomber

From: Angela Kuzemczak <angela.kuzemczak@watertown.k12.ma.us>  
Sent: Thursday, July 16, 2020 4:03 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Extremely concerned resident and law enforcement family

Dear Representative Michlewitz and Representative Cronin,

My name is Angela Kuzemczak, and I am reaching out to you as a concerned citizen, educator, mother, and wife of a law enforcement officer in the state of Massachusetts.

This year has been truly difficult for my family for so many reasons. My husband is a US Navy veteran, and also a patrol officer in Winchester, Massachusetts. He is a good man with a heart of gold. His favorite stories from work are the ones where he does something to bring a smile to a child's face, or when a resident genuinely thanks him for his help. Often he will tell me how by showing the lights on his cruiser a disabled child will light up with joy, and the parent tells him: "you've just made my son's day". That is my husband. He went into this job to help people, as he did the Navy. He did so knowing full well that it could be at the sacrifice of not coming home to our family, especially our young son, who is four years old.

I am an educator. I have been teaching for over 12 years now in the public schools. As such I know and recognize when there is a need for reform and change. I also know how reform and change take time. I am greatly concerned that the bill passed by the state Senate has been done in haste and hasn't given the adequate amount of time necessary to truly get input from all sides.

As the wife of a law enforcement officer, and an educator, I know change needs to happen. I want there to be change. I want that for both my friends and students who have suffered racial discrimination, but especially so I don't have to fear for my husband's life or the livelihood of my family. Several parts of the bill have frightened me to the point where I am literally thinking of moving out of Massachusetts, to protect my family. I have lived here my whole life. This is the first time I have ever been so scared. My main concerns are:

1. The loss of qualified immunity, which will open up the possibility of frivolous lawsuits that could cause us to lose everything. Including the home we worked so hard to get. We live paycheck to paycheck as public workers; to have that protection taken from us would bring us to our knees.
2. The bill seemingly takes away almost every option of non-lethal use of force. I beg of you and the other representatives to argue for appropriate items for non-lethal use of force to be allowed, as doing so will be beyond detrimental.
3. The elimination of no knock warrants gives potential suspects a 15 second opportunity to arm themselves, therefore putting our officers at an immediate risk of their lives. This has most recently been seen in the news following the death of two Texas police officers that were responding to a domestic disturbance call.

4. The suggestion for an online database where incidents are made public, including the particular officer, puts a direct target on the back of my family. More than my husband's life, I have to now fear for my son and my own.

I have several other concerns but these are just the four that literally keep me awake at night.

Representatives Michlewitz and Cronin, I am a registered democrat, my concern here is personal, and not related to the politics of today. I donated to Senator Elizabeth Warren during her primary campaign. Yet in times like these, I feel abandoned by my fellow democrats. For the first time in my whole life I am considering registering as an independent. If the people in my party won't hear the voices of those literally involved in law enforcement, how can I identify with them anymore?

I assure you, the phrase; "no one hates a bad cop more than a good cop" is true. Yet, my husband, who has a heart of gold (I'm sure Tillie would attest to that, she's known us since his Navy days), has come home recently in tears. People look at him as a demon. A woman slowed her car as he was directing traffic during a medical aid and called him a "fat pig" and said, "I hope you die." How could I ever explain that to my son? The acronym "ACAB" (All cops are bastards) was painted in a church parking lot where my husband sits on duty. It was deliberate. He sees it on every shift as do his colleagues. I saw it the other week when I brought him lunch, and for the first time I couldn't get my son out of the car to say hi because I didn't want him to ask about it.

I'm not saying there is no need for reform. I am saying it is being rushed. If it passes as is, we will lose numerous amounts of good men and women who took their oath in good faith. I fear for the quality of officers who would continue the job when essentially they have no protection. If true change and reform are to be made, all parties must get together at the table and discuss.

Thank you for reading and for your attention to this matter. I'm more than happy to speak with you if you would like.

Stay safe and healthy,

Sincerely,

Angela Kuzemczak

(617) 372-6584

angela.c.bowers@gmail.com

Resident of North Andover, Massachusetts.

Public school teacher in Watertown, Massachusetts since 2008.

When writing or responding, please remember that any email sent or received by an employee of the Watertown Public Schools is subject to the Massachusetts Public Records Law, M.G.L. c.66. This email message (including any attachments) is for the sole use of the intended recipient(s) and may contain confidential information covered under the Family Educational Rights & Privacy Act (FERPA) and/or other student records laws. If you are not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are not authorized to read, retain, print, copy, disseminate or otherwise use this email (or any attachments) or any part thereof. If you have received this email (and any attachments) in error, please contact the sender and delete all copies from your system.

When writing or responding, please remember that any email sent or received by an employee of the Watertown Public Schools is subject to the Massachusetts Public Records Law, M.G.L. c.66. This email message (including any attachments) is for the sole use of the intended recipient(s) and may contain confidential information covered under the Family Educational Rights & Privacy Act (FERPA) and/or other student records laws. If you are not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are not authorized to read, retain, print, copy, disseminate or otherwise use this email (or any attachments) or any part thereof. If you have received this email (and any attachments) in error, please contact the sender and delete all copies from your system.

From: Julia Magliozzi <juliamag@verizon.net>  
Sent: Thursday, July 16, 2020 4:03 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities

would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely, Julia Magliozzi

From: Albano, Joseph <AlbanoJ@worcesterma.gov>  
Sent: Thursday, July 16, 2020 4:03 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820

Joe Albano

Worcester Police Department

508-523-1600

I am thankful for the opportunity to to provide my testimony in regards to Bill S.2820. I have great respect for the work you do day in and out whether I agree or disagree with some decisions. I write you today with great concern for the magnitude of importance your decisions on this bill will have. I have proudly been a Police Officer for 14 years and the recent events and discord in our society has brought me great sadness and pause. The actions in Minneapolis were beyond horrible and have no place in this society or policing. Those actions brought great shame and embarrassment to all of us in the Law Enforcement Community. Those actions should not be accepted or considered the norm of how men and women who put the police uniform on everyday act. Can we do better, of course there is always a need for improvement. I have no issue with reform, but it is my opinion that we as a society are reacting to the actions of a few with a broad angry brush in a manner that is rushed way too quickly for such an important issue. To keep it short some of the issues that concern me most are:

Qualified Immunity- Police officers should be responsible for our actions but to expose us to frivolous law suits without protection would not only be wrong but careless. Police Officers risk their lives everyday they put the uniform on to protect the public leaving behind their families and children who only wish that mom or dad comes home. They shouldn't also have the added stress that their lives could be ripped apart because of a lawsuit. Egregious actions should be punished but there needs to be

protection in those circumstances where you would have to put yourself in that officers shoes.

Due Process/Collective Bargaining- It would be a stance of Anti-Labor if due process was excluded from the de-certification process. We have the right to defend ourselves, present witnesses, cross examination, and to be part of a process where so much is at stake. Proceedings of such importance most provide rights to those being accused. If defendants in the court proceedings have rights why would we not extend those rights in this process.

Make up of the Board- I applaud the goal of creating a diverse board with different sectors of society. My concern is that a majority of these members will be making decisions on Police related matters without having the training, education, or experience in Law Enforcement. Split second decisions can easily be rewinded and slowed down on a video and be "Monday morning quarterbacked" by anyone. If you have not been exposed to the situations and stress of those moments I do not feel you can accurately judge those actions. I believe these members should have to have training that will allow them to understand what goes through the mind of Law Enforcement when certain situations arise. Such trainings as defensive tactics, use of force model, and MILO (Multiple Interactive Learning Objective)

I again thank you for the opportunity to express my concerns and provide my input to such an important decision that you will have to make.

Sincerely,

Joe Albano

From: Maria Sciannameo <mls352@yahoo.com>  
Sent: Thursday, July 16, 2020 4:02 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.



To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Maria Sciannameo  
Shrewsbury, MA

Sent from my iPhone  
From: Julia Magliozzi <juliamag@verizon.net>  
Sent: Thursday, July 16, 2020 4:02 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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From: karen2115@verizon.net

Sent: Thursday, July 16, 2020 4:00 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,  
Karen Wright

From: Melissa Gonzalez-Brenes <mgb@berkeley.edu>  
Sent: Thursday, July 16, 2020 3:51 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Melissa Gonzalez-Brenes  
37 Cameron Ave  
Cambridge, MA 02140  
mgb@berkeley.edu

From: pjpwrite@aol.com  
Sent: Thursday, July 16, 2020 4:00 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,  
Peter Pihun

Westport

From: KENNETH PACHECO <gun007@comcast.net>  
Sent: Thursday, July 16, 2020 4:00 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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From: phothem@verizon.net  
Sent: Thursday, July 16, 2020 3:59 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone  
From: Lu, Hua A, M.D. <Lu.Hua@mgh.harvard.edu>  
Sent: Thursday, July 16, 2020 3:59 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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Sincerely,

Jenny lu

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From: Michael Wood <spdwoody@comcast.net>  
Sent: Thursday, July 16, 2020 3:59 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

You have all lost ur minds  
From: Richard <rpf01089@gmail.com>  
Sent: Thursday, July 16, 2020 3:59 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Sanctuary State Bill moving; Senate pushed Illegal  
Immigration in Policing Bill

Sent from my iPhone

Begin forwarded message:

From: Louise Flak <laff@comcast.net>  
Date: July 16, 2020 at 3:51:48 PM EDT  
To: Richard <rpf01089@gmail.com>  
Subject: Fwd: Sanctuary State Bill moving; Senate pushed Illegal  
Immigration in Policing Bill

?

Sent from my iPhone

Begin forwarded message:

From: Renew Massachusetts Coalition  
<bill@renewmacoalition.com>  
Date: July 16, 2020 at 3:40:47 PM EDT  
To: Richard Flak <laff@comcast.net>  
Subject: Sanctuary State Bill moving; Senate pushed Illegal  
Immigration in Policing Bill  
Reply-To: bill@renewmacoalition.com

?

<[http://paracom.paramountcommunication.com/cimages/4933d4bd7f4135a0e31e8a7c3f3248a0/rmc\\_renewmacoalitionbanner.jpg](http://paracom.paramountcommunication.com/cimages/4933d4bd7f4135a0e31e8a7c3f3248a0/rmc_renewmacoalitionbanner.jpg)>

Open-borders Radicals  
Push Agenda in Policing Bill

Dear Richard,

The open-borders radicals are pushing to ram their agenda  
through any way they can!

The Senate Policing Bill, SB 2820

<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_paracom.paramountcommunication.com\\_ct\\_55732219-3Asch2-2D3-2DJN-3Am-3A1-3A2267194721-3A10CB31B1DA7E896160C34815E9B1F6B8-3Ar&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=nDppuBqGMLcDGYdHs-pstWNsJwOHYQfUmjjpkwmcfw4&s=zRbQ6oqx336LffZmIYp29Kuy-JtYJeEFTzlnTtHQKo&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__paracom.paramountcommunication.com_ct_55732219-3Asch2-2D3-2DJN-3Am-3A1-3A2267194721-3A10CB31B1DA7E896160C34815E9B1F6B8-3Ar&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=nDppuBqGMLcDGYdHs-pstWNsJwOHYQfUmjjpkwmcfw4&s=zRbQ6oqx336LffZmIYp29Kuy-JtYJeEFTzlnTtHQKo&e=>), contains radical provisions that would prevent school officials (that's right, school officials!) from reporting to any law enforcement authority a student's immigration status or whether a student may be a member of a gang!

And this is only the tip of the iceberg. There are several other bad provisions of this bill.

The House of Representatives is taking testimony on this Policing Bill until 11 AM tomorrow morning.

Please take 30 seconds to email the House and tell them reject SB 2820 by clicking here.

Also, despite the fact that the legislature has yet to even consider the budget, the Committee on Public Safety and Homeland Security reported the Sanctuary State legislation, HB 3573, SB1401, favorably.

That means the legislature could take it up and pass it at any time!

If you haven't done so already, please sign our Stop Sanctuary State petition! <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_paracom.paramountcommunication.com\\_ct\\_55732220-3Asch2-2D3-2DJN-3Am-3A1-3A2267194721-3A10CB31B1DA7E896160C34815E9B1F6B8-3Ar&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=nDppuBqGMLcDGYdHs-pstWNsJwOHYQfUmjjpkwmcfw4&s=XI9XYanN4dkGWBSVsknRLcfR2of8u-Lf9pUGSpwx3iQ&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__paracom.paramountcommunication.com_ct_55732220-3Asch2-2D3-2DJN-3Am-3A1-3A2267194721-3A10CB31B1DA7E896160C34815E9B1F6B8-3Ar&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=nDppuBqGMLcDGYdHs-pstWNsJwOHYQfUmjjpkwmcfw4&s=XI9XYanN4dkGWBSVsknRLcfR2of8u-Lf9pUGSpwx3iQ&e=>)>

We can stop the school gag order in the Senate Policing Bill 2820 and the Sanctuary State legislation. But you need to act now!

Thank you,

<<http://paracom.paramountcommunication.com/cimages/4933d4bd7f4135a0e31e8a7c3f3248a0/sigbillblue20191008.jpg>>

Bill Gillmeister  
Executive Director

P.S. The radical leftists in the Massachusetts State Senate are attempting to ram their agenda through the Senate Policy bill SB 2820. It gags school officials from reporting immigration status and whether a

student is a member of a gang as dangerous as MS-13. Tell the House of Representatives to reject this legislation by clicking here. You need to do this before 11 AM tomorrow morning!

P.P.S. They've favorably reported the Sanctuary State legislation, so it could pass at any time! Please sign the Stop Sanctuary State petition now! <[This message was intended for: laff@comcast.net](https://urldefense.proofpoint.com/v2/url?u=http-3A__paracom.paramountcommunication.com_ct_55732221-3Asch2-2D3-2DJN-3Am-3A1-3A2267194721-3A10CB31B1DA7E896160C34815E9B1F6B8-3Ar&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=nDppuBqGMLcDGYdHs-pstWNSJwOHYQfUmjjpkwmcfw4&s=v0-gRB6zpm9dEVxEeybylS1lbvrgjSEvGjTTao3lB3o&e=></a></p></div><div data-bbox=)

You were added to the system June 17, 2020.

For more information click here

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From: anthony wood <aw\_woodinc@yahoo.com>  
Sent: Thursday, July 16, 2020 3:58 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Marlene Hobel <marlenehobel@gmail.com>  
Sent: Thursday, July 16, 2020 3:58 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Abolish Qualified Immunity

I am in favor of removing qualified immunity for public employees, including police officers. I do not believe that anybody should be above or immune to the law. If we maintain rigorous standards, train our police and other employees well, clearly define appropriate response and actions— as the new bill does, then I see no reason to grant immunity. I know this was a contentious issue in the MA Senate debate, and will likely meet the same in the House debate. I do hope the House will vote to retain the language of the Senate bill and dissolve qualified immunity.

Marlene Hobel  
88 Rose Hill Way  
Waltham, MA 02453  
marlenehobel@gmail.com  
From: dfarleyii@juno.com  
Sent: Thursday, July 16, 2020 3:57 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please reject Senate Policing Bill SB 2820

Dear Sirs:

The Senate Policing Bill, SB 2820, contains radical provisions that would prevent even school officials from reporting to any law enforcement authority a student's immigration status or whether a student may be a member of a gang! This is outrageous and I encourage you strongly to reject this misguided bill. Thank you, and may God give you the grace to do what's right.

- Donald L Farley II  
Woburn, MA

"For God so loved the world that He gave His only begotten Son, that whoever believes in Him shall not perish but have eternal life." - John 3:16

From: Scott Winer <scottwiner@hotmail.com>  
Sent: Thursday, July 16, 2020 3:56 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Tarr, Bruce E. (SEN)  
Subject: RE: S.2820

Good afternoon,

We are living in some crazy times. It is wild to think that over the course of three months we, as a nation, can go from praising civil servants ( ie. police officers, fire fighters, EMT's and nurses, etc...) as heroes, to then go on to attack police officers. I have police officers in my family and many friends that have also taken on the noble and sometimes scrutinized calling. My father, whom is a member of a municipal police department, has told me policing is no longer the job that it used to be 10-15 years ago. He has said he is happy I became a nurse instead of waiting for my name to appear on the civil service list. He, along with many other veteran members of police departments, are just riding the wave until retirement. My friends in Law Enforcement, that have only worn the badge for a few years, are actively contemplating and looking at other career fields due to the recent climate in society.

I have recently relocated to North Andover from the South Shore. It disappoints me that this bill was passed the way it was without public input. Especially as it was passed within hours of the two year anniversary of Sgt. Michael Chesna's end of watch. This is a situation that has been theorized to have happened because he hesitated shooting a man armed with "just a rock". As you know this unfortunately cost him his life and the life of Vera Adams.

It is my fear that repealling qualified immunity will put officers and civilian lives at danger. We, as a people, need police that are willing to act and not worry about being sued and losing everything they have worked for. Unfortunately, police upset people daily, whether it's handing out a speeding ticket or arresting the aggressor of domestic violence. Removing qualified immunity, to my understanding, would give anyone with a grievance towards a police officer the ability to sue that individual officer for whatever they can claim happened. It is my fear, as a concerned citizen, that that possibility will make more officers hesitate to act. Most occasions with a police officer happen because they were

called there by someone. They have to show up, no matter the nature of the call.

Over the last few years we have seen countless cell phone videos of incidences with police that appear to show police brutality. While this has been the case in cases such as George Floyd, many are debunked. These videos show a moment in a larger situation. Videos can be persuasive of one argument or another. Many cases can show police are justified when body cameras, video surveillance, eye witness testimony and forensic analysis are introduced into the equation. Take for example the Michael Brown situation. Public outcry said he was shot in the back running away from Officer Darren Wilson. Forensic analysis proved that was not the case and that Officer Wilson was in a struggle with Mr. Brown inside his police vehicle when the shooting occurred. If the type of legislation that is currently proposed was in place in Missouri at that time, Officer Wilson would have been exonerated of criminal charges, but he would have been open to a civil suite.

I believe this one part of the bill sets a dangerous precedence for other occupations that fall under the civil service umbrella. It could one day lead to teachers being sued because a parent feels that their child was not graded properly. A highway department employee could be sued for damages incurred to a vehicle because a pot hole was not filled in in a timely manner. A fire fighter could be brought to court because they had to knock out the windows of a vehicle illegally parked in front of a fire hydrant during a house fire.

I also have a grievance with the oversight committee that would be formed if this bill progresses through the process. Why do we need another committee, group, agency for anything? Where does that money come from? Don't police officers, in this state, have to meet training requirements and hours to become a police officer as it is? I pay enough in taxes to fund border line incompetent and arguably corrupt agencies such as the RMV, OEMS, Mass Board of Nursing and the UMass system. I have had dealings with agencies like these that take months because people are unable to do their jobs properly or fluidly. If this new committee has hiccups in the beginning, like all other agencies, will there be police officers off the job because they cannot get their license approved in a timely manner?

The issue for all of this comes from a disgusting act that happened 1,000 miles away. Society is the problem. Rocks are being thrown at the men and women that ran into the World Trade Centers and Pentagon. Let that sink in. The NYPD has seen significant increases in retirement from officers that were on the job on that horrendous day. No police officer wakes up, goes to work and is determined to get into a life and death situation. These are men and women that put on the uniform and want to make a positive impact on their communities, just like you wanting to be State Representatives and Senators. These men and women need the backing of their communities now more than ever. As a country, we are on the brink of change. While change is good and hard to do, we should not be making it harder to make this a safer town, city, commonwealth and country.

I believe that if your committee is willing to pass Bill S.2820 you need to rethink the stance on gun control and the Attorney Generals law in the commonwealth. As we are seeing increased numbers of shooting in other states/cities that have "defunded" the police, I believe it is of the utmost importance that we, as private citizens, can protect ourselves. The rules governing how to obtain a license to carry change from town to town and can change when there is a new police chief. The argument in the past was only the police should have guns. Unfortunately if there are less police, they are more hesitant and the number of violent crime increases; we need to be able to protect ourselves.

Thank you for your time,

Scott Winer  
781-901-0522

From: Alan Bergeron <alanbergeron513@yahoo.com>  
Sent: Thursday, July 16, 2020 3:56 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from Yahoo Mail on Android

<[Dear Chair Michlewitz and Chair Cronin,](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Q2k3e-dix-XkjjzDawRXKqzSjbcCUE0M0FGgGHP3yG-8&s=701FUS3A9MsqvgAt_2Ay8lBBvrigCrs0keWsfmzB7I&e=></a>><br/>From: Ana Curral <ana_curral@comcast.net><br/>Sent: Thursday, July 16, 2020 8:06 PM<br/>To: Testimony HWM Judiciary (HOU)<br/>Subject: Fwd: Bill 2820</p></div><div data-bbox=)

My name is Ana Curral and I live at 16 Peach Blossom Rd, Acushnet, Ma. <x-apple-data-detectors://0> I work at in Healthcare and am a Human Resources Manager. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Ana Curral

Sent from my iPhone

From: Kate Hannigan <khannigan@verizon.net>  
Sent: Thursday, July 16, 2020 8:06 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill S2820

Dear Chairs,

As a parent of a law enforcement officer, I feel offended All Lives Matter is never considered in your proposals. We are all made in the image and likeness of God. By putting one life over another, you are degrading all others simply by your choice of words. Words matter. Qualified Immunity needs to stay. If it is removed from the men and women who protect all of us, then it should be removed from all of you who benefit from it. As a parent of someone in law enforcement, you are telling me that my child and his family mean nothing except to protect and serve you with no help from you in return. In these times in which we live, everyone is law suit happy and wants to take aim at the police. I am disgusted by the fact the Senate Bill was rushed through the way in which it was. I hope The House has more integrity, common sense and values than the Senate. Reform of any kind must be a two way street. I hope and pray you keep in mind that every law enforcement officer has a wife, children, mother, father, siblings to come home safely to at the end of each shift. It is difficult, but try to put yourself in their shoes. Every stop they encounter is of the unknown. Every stop they encounter could be their last.

Thank you for your time.

You are deliberately punishing every law enforcement officer because of the bad acts of one individual in MN. Would you punish all the children in a neighborhood if 1 child misbehaved and was punished? I think not.

The Senate Bill was passed in haste. Please do not do the same.

Thank you for your time,

Kathryn Hannigan

James Hannigan

Khannigan@verizon.net

Jmhannigan@verizon.net

218 Vernon St. Rockland MA 02370

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Sent: Thursday, July 16, 2020 8:06 PM  
To: Testimony HWM Judiciary (HOU)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and

women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Leo Haskell IV

Sent from my iPhone  
From: Wanda Craig <wcraig709.wc@gmail.com>  
Sent: Thursday, July 16, 2020 8:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

I am very concerned after reading this proposed bill and the speed at which this bill is being forced upon police officers, voters and taxpayers. No discussion, and no input from the public or the police who are both greatly impacted by this legislation.  
\*Taking away qualified immunity will open up officers to frivolous litigation.



\*Without collective bargaining rights Officers will be subjected to unfair working conditions with no way to remedy the situation.

\*Subjecting police officers to having thier disciplinary records open to the public, when criminal board of probation records and sex offender registries are not open or accessible to the public

\*Violating an officers 14th amendment rights to due process. Subjecting them to a board which is made up of members of certain groups who abhor the police and support anti police sentiment.

\* As a citizen, voter and taxpayer where is all the money coming from to fund all these committees, training, and initiatives????

Police reform is needed, we can all agree on that, but more time and discussion is needed to do this right. There is no emergency situation in the State of Massachusetts that warrants immediate action. No other occupation in the United States or Massachusetts is being forced to adhere to such stringent policies that affect their life and liberty as well as their family's lives. No other occupation in the United States is being judged so harshly as a whole by the actions of few. Please stop this bill, we need to do better for all involved.

Thank you  
Wanda Corbin,  
Milton Police  
617 216 8147

From: Steve OConnell <steveoconnell1@comcast.net>  
Sent: Thursday, July 16, 2020 8:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: support amendments 114,116,126,134,129, and137 to the Senate Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due to the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools, organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections, it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model to be used. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Steve OConnell



????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Nicole Callahan

Sent from my iPhone  
From: Devin Paul <oneblade123@gmail.com>  
Sent: Thursday, July 16, 2020 8:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Devin Paul and I live at 42 East Briggs Rd in Westport, Ma. I work at the Bristol County Sheriff's Office and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or

constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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Sincerely,  
Officer Devin Paul  
From: Alexander Berry <aberry2072@gmail.com>  
Sent: Thursday, July 16, 2020 8:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor

and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Alexander Berry

46 H. Putnam Rd. Ext.

Charlton, MA 01507  
Email: ABerry2072@gmail.com

Sent from my iPhone  
From: Randy Tyler <roscot207@gmail.com>  
Sent: Thursday, July 16, 2020 8:03 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Randall Tyler  
From: Jordyn Noonan <noonan\_jt@yahoo.com>  
Sent: Thursday, July 16, 2020 8:03 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820

?

To the House of Representatives,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an

already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,



Jordyn T. Noonan

530 Lyon Street, Ludlow, MA 01056 <x-apple-data-detectors://1/1>

noonan\_jt@yahoo.com

From: Chris Donahue <trooper3423@gmail.com>

Sent: Thursday, July 16, 2020 8:03 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820 Testimony

Good evening,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,

Christopher Donahue

Saugus, MA

From: Dave Oxner <doxner5@gmail.com>  
Sent: Thursday, July 16, 2020 8:02 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,

David M. Oxner

10 Marlymac Way

Pembroke, Ma. 02359

Sent from my iPhone

From: Sean Crowley <stc012@icloud.com>

Sent: Thursday, July 16, 2020 8:02 PM

To: Crighton, Brendan (SEN); Testimony HWM Judiciary (HOU); Wong, Donald - Rep. (HOU)

Subject: Police Reform bill S.2820

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As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,

Sean T Crowley

19 Allston St, Lynn MA, 01904

From: Jacqueline Kung <jacqueline.kung@gmail.com>  
Sent: Thursday, July 16, 2020 8:02 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support S.2820 police reform bill

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

Just last week I had to file a complaint against the Cambridge police department for handcuffing a 21-year-old black man for crying loudly and trying to get into our apartment building, where his mother had just suddenly died. I am a doctor and I have never treated a grieving family member like that.

<https://boston.cbslocal.com/2020/07/10/i-team-cambridge-police-man-handcuffed-video-investigation/>  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_boston.cbslocal.com\\_2020\\_07\\_10\\_i-2Dteam-2Dcambridge-2Dpolice-2Dman-2Dhandcuffed-2Dvideo-2Dinvestigation\\_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=MKZE81rR88bn0oGr6RlwdraSBBBrBTisfUTtthROaz50&s=CBF91JXfE6v6ml0RveetI7enFxfrDAzTvtm3sMm9W1U&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__boston.cbslocal.com_2020_07_10_i-2Dteam-2Dcambridge-2Dpolice-2Dman-2Dhandcuffed-2Dvideo-2Dinvestigation_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=MKZE81rR88bn0oGr6RlwdraSBBBrBTisfUTtthROaz50&s=CBF91JXfE6v6ml0RveetI7enFxfrDAzTvtm3sMm9W1U&e=>)>

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

The problem is here, I have witnessed it myself. Please help.

Thank you for your time and all the work you do,  
Jacqueline Kung, MD  
129 Franklin St, Apt 305  
Cambridge, MA 02139  
From: Joel Martin <joelco27@yahoo.com>  
Sent: Thursday, July 16, 2020 8:01 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,  
My name is Joel Martin and I live at 37 Easthill rd Brimfield MA. <x-apple-data-detectors://1> I work at MCI-Concord and am a Correction Officer . As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.  
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Sincerely,  
Joel Martin

From: Santiago Flores <usmcsf2013@yahoo.com>  
Sent: Thursday, July 16, 2020 8:01 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: House Bill

To the Chair of the House Committee:

First and foremost I would like to thank you for the opportunity to listen to the public and allow us to contribute our opinions regarding this bill which is something that the Senate members failed to do. My name is Santiago Flores and I am currently employed at the Everett Police Department. I want to simply begin by saying that I have spent my entire life fighting for this country from my days in the Marine Corps and now as a Police Officer. I strongly believe that in order to become better individuals and a better state as a whole we need to adapt and change the way we do things. Although change is needed, some of the points that were touched upon by the Senate I believe will not only destroy the job of policing, causing crime to sky rocket, but will also severely and negatively affect the job of all public workers such as nurses, teachers, and firefighters. Below I will list several points that I believe should be included in the bill as well as items that I believe should be left out.

As you probably already know the topic of Qualified Immunity is probably the most important topic that is being discussed. Qualified Immunity is in place in order to protect public employees and allow us to perform our jobs to the best of our ability without having to worry about being sued for doing the right thing. In a world where everyone is quick to sue for everything, I believe that if Qualified Immunity is taken away, it will lead to ridiculous lawsuits from individuals simply looking to make a quick buck. In addition, why would public workers do their jobs to the best of their abilities knowing that they may lose everything even if they do the right thing? I believe in due process and if ANY public employee does something such as the disgusting act that occurred in Minneapolis he/she should be prosecuted to the full extent of the law. However people will still continue to be held accountable for their actions with Qualified Immunity in place and I believe this is where the general public is getting confused about this topic.

Next I will discuss certain Use of Force situations that was covered in the Senate bill. As we all know the use of "chokeholds" is being banned all around the country. Throughout my time on the job, a chokehold is something that I have never used and never seen used. In addition, it is something that was never taught in the police academy. I have trained in different martial arts for years such as brazilian jiu jitsu and kickboxing and have performed and experienced many techniques like this and can say that it is a very dangerous technique that many people do not know how to perform properly and can cause serious injury. I agree with the Senate, and a chokehold should not be allowed in policing in 99% of circumstances. What the Senate bill did not cover is what should be done in a deadly force situation. In any deadly force situation, we must use any force necessary to simply survive and this SHOULD include using a chokehold. To be put simply, a chokehold should be banned from being used unless an officer is faced with a deadly force situation. The second item that was mentioned in the Senate bill was that officers would not be allowed to fire at a vehicle attempting to run them down and that a vehicle will not be labeled a deadly weapon. I will not even waste your time speaking about this topic because it is just absolutely ridiculous. I have responded to many calls for service involving a pedestrian struck where the pedestrian has sustained life threatening injuries or has died. Although in these situations there was no ill intentions by the operators of the these vehicles, they had no control of what sort of damage their vehicle would cause. Now imagine someone deliberately trying to use their car to run someone down. What kind of damage would this cause? I urge you please dismiss this from being on your bill.

Although the Senate bill that was approved had many issues it did bring up some good points. It stressed the fact that officers should go through de-escalation training in order help reduce the amount of use of force situations that occur. I fully agree with this and as an officer that treats every situation that I encounter as respectful as I can I strive to be the best that I can be and go to as many training events that I can go to. This however brings up the question that if police departments begin to get defunded, how will we have the money to further the training of officers? If anything we require more money for training and not less. At the very least, funds should be re allocated in order to

be able to properly train officers in de-escalation. I personally believe that this is where we as officers can make the biggest difference and help prevent a bad situation from happening. Some officers are not very good in this part of the job, not because they don't care or because they want to end every call in arrest but because they simply are not trained properly in dealing with an emotionally disturbed person. We need to work hand in hand with social workers so we can understand fully what they do and vice versa. Something else to consider is when we receive calls for service it is very difficult for us to be able to devote all of our time on one call helping a single individual. Often times we are traveling from call to call and as much as I would like to talk to someone that needs help for an extended amount of time it is not always feasible. I do not know what can be done to alleviate this problem but that once again touches on the fact that if police continue to get defunded it will only make this problem worse than it already is.

I could sit here all day writing to you with my thoughts on the Senate bill as well as ideas to help make your bill improve the field of policing but I know that you simply do not have the time to listen to the thoughts of one person. What I have touched upon in this email I believe are some of the key points that should be brought up. Before I conclude I simply wish to ask one favor. I urge you to look around at cities around our country. As police have been defunded in cities like NYC and LA, crimes have skyrocketed and innocent people have paid the price. I believe that here in the state of MASS, officers have always been held to a higher standard and are better trained and qualified than in other areas in the country. Let's continue make officers better and well trained, helping the communities that we serve. This is not done by taking away qualified immunity or defunding the police, but by working together and improving upon what we have been doing for years. Is our system here truly broken? Or do we simply need to tweak and adjust certain things. Like a car needing an oil change or a tune up, I believe that is what we need. I urge you to listen to the people and not pass a bill on a knee jerk reaction to please a small group of people that know nothing about what we do as officers. I thank you for time, and appreciate you listening to what I have to say. Stay safe and God Bless America.

Respectfully Submitted,  
Officer Santiago Flores  
Everett Police Department

From: Jeremiah Donovan <miah21e@hotmail.com>  
Sent: Thursday, July 16, 2020 8:01 PM  
To: Testimony HWM Judiciary (HOU); Cutler, Josh - Rep. (HOU)  
Subject: My Opposition to Parts of Bill S.2820

?Good Evening,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and



reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Jeremiah Donovan

286 Keene St, Duxbury, MA 02332

781-727-6067

Jeremiah Donovan

From: Mike Smallwood <irishbomber66@gmail.com>

Sent: Thursday, July 16, 2020 8:00 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony

Dear Chair Michlewitz and Chair Cronin,

My name is Michael Smallwood and I live at 44 Braley Hill road Rochester ma. I work at Old Colony Correctional Center and I am a CO 1. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less than Lethal Tools:** The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your



Dawn Davis

From: Jackie Esielionis <jackie@keystoneproperties.com>  
Sent: Thursday, July 16, 2020 8:00 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

I cannot believe that you would tie the hands of the police with this kind of legislation. There are much better ways to get equitability and I believe you should all put your thinking caps on and lead with creative ideas rather than bowing to the loudest folks. Find a better way to keep us ALL safe and prevent abuse of power. Let's use some common sense.

--

Thank you,

Jackie Esielionis  
"Your Realtor for a Lifetime"  
Keystone Team, LAER Realty Partners  
Cell: 978-257-0123  
Office: 978-692-9292  
FAX: 978-540-2112  
www.keystoneproperties.com  
<[Download my new app which to get information on homes you are driving by:  
<https://app.laerrealty.com/jesielionis>  
<\[https://urldefense.proofpoint.com/v2/url?u=https-3A\\\_\\\_app.laerrealty.com\\\_jesielionis&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\\_GkGDD&m=voMA4fZSDuai7hW68hRCQvw1OjCHv1WBvvyX7u4YzMY&s=KrIqG1SC43\\\_AqeUTn1kqRg\\\_fmKSNQwr7fUicL-vgOVY&e=>\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_app.laerrealty.com\_jesielionis&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=voMA4fZSDuai7hW68hRCQvw1OjCHv1WBvvyX7u4YzMY&s=KrIqG1SC43\_AqeUTn1kqRg\_fmKSNQwr7fUicL-vgOVY&e=>\)](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.keystoneproperties.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=voMA4fZSDuai7hW68hRCQvw1OjCHv1WBvvyX7u4YzMY&s=tCJc1n3Jr4hIPoob6L5Wpxe7FUnrgopWLuFvTNzWXT0&e=>jackie@keystoneproperties.com</a></p></div><div data-bbox=)

Here what my clients have said about working with me...

<http://www.zillow.com/profile/Jackie-Esielionis/#reviews>  
<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.zillow.com\\_profile\\_Jackie-2DEsielionis\\_-23reviews&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=voMA4fZSDuai7hW68hRCQvw1OjCHv1WBvvyX7u4YzMY&s=PMvkyPRTTJCA dgIakSZ9xfPxSAi-L-UsrKYwuRaT8Ls&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.zillow.com_profile_Jackie-2DEsielionis_-23reviews&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=voMA4fZSDuai7hW68hRCQvw1OjCHv1WBvvyX7u4YzMY&s=PMvkyPRTTJCA dgIakSZ9xfPxSAi-L-UsrKYwuRaT8Ls&e=>)

Visit and LIKE my Facebook Business Page for Local Real Estate Updates:

<[From: Bruce Gabriel <jbgabriel@aol.com>  
Sent: Thursday, July 16, 2020 8:00 PM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: Reject Senate Policing bill SB 2820 \(corrected for typographical error\)](https://urldefense.proofpoint.com/v2/url?u=https-3A_www.facebook.com_keystonepropertiesrealestate_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=voMA4fZSDuai7hW68hRCQvw1OjCHv1WBvvyX7u4YzMY&s=fpXcT3guE7KiTrWBXFrMdfy3Ea7ZCFxQMir9e_lRaac&e=></a></p></div><div data-bbox=)

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

With S 2800, the police defunding bill having been passed in the Senate, Massachusetts is getting a newfound but undesirable reputation for lawlessness. In response, I will quote the highly competent and vastly underrated President Calvin Coolidge, who so pithily noted the following when he was Massachusetts Governor and much clearer and more reasoned thought prevailed in the Massachusetts Senate and in the Governor's Office:

"It is my purpose to maintain the Government of Massachusetts as it was founded by her people, the protector of the rights of all but subservient

to none. It is my purpose to maintain unimpaired the authority of her laws, her jurisdiction, her peace, her security. This ancient faith of Massachusetts which became the great faith of America, she reestablished in her Constitution before the army of Washington had gained our independence, declaring for 'a government of laws and not of men.' In that faith she still abides. Let him challenge it who dares. All who love Massachusetts, who believe in America, are bound to defend it. The choice lies between living under coercion and intimidation, the forces of evil, or under the laws of the people, orderly, speaking with their settled convictions, the revelation of a divine authority."

— Governor Calvin Coolidge, excerpts from an Address at the Tremont Temple in Boston, October 4, 1919.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

J. Bruce Gabriel  
18 Saint Mary's Way  
Marlborough, MA 01752  
From: Bill Cameron <cameron2832@gmail.com>  
Sent: Thursday, July 16, 2020 8:00 PM  
To: Testimony HWM Judiciary (HOU)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities,

from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Bill Cameron

42 Millbrook Dr

Rockland, Ma 02370

Cameron2832@gmail.com

781-844-7466

From: Comcast <jmalonson13@comcast.net>  
Sent: Thursday, July 16, 2020 7:59 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Joshua Malonson and I live at Carver MA. I work at MCI-Norfolk and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,  
Josh Malonson

Sent from my iPhone  
From: Michael Parr <parr.mike@gmail.com>  
Sent: Thursday, July 16, 2020 7:59 PM  
To: Testimony HWM Judiciary (HOU); Naughton, Harold - Rep. (HOU);  
Chandler, Harriette (SEN)  
Subject: S2820

As your constituent, I write to you today to express my strong opposition to the recently passed S.2820.

This scapegoating is an appalling abuse of power by the legislature. Blaming the entire establishment for the sins of a single bad apple is the most unjust action this nation has seen in decades. This is discrimination under the shade of political correctness.





I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Heather Valdez

From: Bobby <rjberrena@gmail.com>

Sent: Thursday, July 16, 2020 7:53 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S.2800

?

?Ladies and Gentlemen,

My name is Robert Berrena. I am a former UMass-Amherst police officer of 9 years and am presently a Trooper with Massachusetts Department of State Police. I understand the above mentioned bill is is an extremely lively topic that could change many things, including me and my family's future well-being. I agree with change. I agree with the public feeling safe. I especially agree with accountability. I assure you when I signed to be a police officer I vowed to do the right thing and treat all as equals. I speak and interact with people in a manner in which I would want to be treated. So do my coworkers. I see the good in this bill....I truly do.

My concern is this; by taking away and/or adjusting the "Qualified Immunity" for police officers the Commonwealth will lower it's quality in policing, tenfold. I wanted to stay in Massachusetts. I opted to seek a job that protected the citizens here. I love raising my two daughters here In Western Massachusetts. This is our home. I was promised a great career that included honor, integrity, self achievement, and promise of a pension. A safe and achievable retirement is/was very comforting, especially doing something I love and putting 110% effort in each day I go to work. These things were assured as long as I got up everyday and "Did the right thing". I have lived by this for the past 16 years of full time law enforcement. I will continue to as well.

I read the blanket response from Senator Hinds explaining the breakdown of our qualified immunity and that it will still exist. I read his personal interpretation of same. I understand changes were made to protect us. I am familiar with the bill's breakdown but am fearful of the questionable language written in. I saw the 4:15 <x-apple-data-detectors://1> in the morning vote that pushed the bill through the Senate. Police officers will be reluctant to act and/or be proactive. Men and women in blue will take up a reactive type of policing each day in their respective jurisdictions. We will be wondering if we will lose our jobs, or if our kids will eat and be sheltered. Or if someone is suing us

for everything we have...We have seconds to make life altering decisions. Everyone else has days, months, or even years to pull it apart, while sharing the same unaltered qualified immunity. So please entertain my concern and the concern of many. I am one of thousands. The concern here is not just of police officers but for the citizens who currently enjoy their quality of life. They will be deprived of that safe feeling knowing blue lights are coming with confidence to help them in crisis or emergency. There will be hesitant and nervous police officers responding there, trust me. New York City is a prime example of failure and police officers reluctant to act. I personally would like to be alive for my daughters and wife. Is that too selfish Of me? People actually like the police within the Commonwealth. It is shown to me everyday I put the boots on and go to work.

Before this bill is slid into law under the cover of darkness or in the early morning hours, please reconsider and make an amendment guaranteeing our qualified immunity's original protections. Why can everyone else hold this comfort and security but the police? Our job is at most risk of scrutiny at all times. Many of us are too vested to start over. I do not know how to build a house or design a building. Nor do I want to abandon this job because I feel it is being abandoned by many. I have been a police officer since I was 20. This is all I have and will continue to my best....If allowed. Nobody I know including me, condoned the awful tragedy that happened 1,000 plus miles away in another state with George Floyd. It was horrible. I feel awful for his loved ones and family. We have very few of these types of situations within Massachusetts because of the existing demand of qualified and trained police officers. It is one of the highest standards in the nation. This is why our academies are laterally accepted in most other states as a transfer. The Commonwealth's recruitment of qualified and sound police officers will diminish with the stripping or "adjusting" of our qualified immunity.

Thank you for your time.

Respectfully,  
Robert Berrena  
(413)896-6345

From: Bobby <rjberrena@gmail.com>  
Sent: Thursday, July 16, 2020 7:57 PM  
To: Testimony HWM Judiciary (HOU)

??  
?

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My name is Robert Berrena. I am a former UMass-Amherst police officer of 9 years and am presently a Trooper with Massachusetts Department of State Police. I understand the above mentioned bill is is an extremely lively topic that could change many things, including me and my family's future well-being. I agree with change. I agree with the public feeling

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Thank you for your time.

Respectfully,  
Robert Berrena  
(413)896-6345

From: Krystal Day <kmday333@icloud.com>  
Sent: Thursday, July 16, 2020 7:57 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony.HWMJudiciary@mahouse.gov

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Cathy Docos  
32 Fieldstone Drive Goffstown, NH 03102  
Cathy.docos@gmail.com

From: Caden Tibert <cjtibert@yahoo.com>  
Sent: Thursday, July 16, 2020 7:56 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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Thank you,

Caden Tibert

131 Granite St Unit 2 Rockport, MA

cjtibert@yahoo.com

From: mb murphy <elizabethmurphy1987@gmail.com>  
Sent: Thursday, July 16, 2020 7:56 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

To Whom It May Concern:;

My name is Elizabeth Murphy and I live in Rockport MA. I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a

complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration,

Elizabeth Murphy

21 R Pleasant Street

Rockport, MA 01966

(978) 8797926

Elizabethmurphy1987@gmail.com

From: Comcast <jenmareg@comcast.net>  
Sent: Thursday, July 16, 2020 7:55 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800 Bill

My name is Jennifer Regan and I live at 855 Front Street Weymouth, MA I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement



efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Jennifer Regan

Sent from my iPhone  
From: Aaron Richardson <aaronrichardson9393@gmail.com>  
Sent: Thursday, July 16, 2020 7:55 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Review of Bill

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity

and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Aaron L. Richardson  
137B Pleasant Street  
Attleboro, Ma 02703  
aaronrichardson9393@gmail.com

Sent from my iPhone From: Megan Murphy <megmurphyanimate@gmail.com>  
Sent: Thursday, July 16, 2020 7:55 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: In Support of Bill No. S2820

To Whom it May Concern,

This email is a show of support for the Reform, Shift, Build act. I want the state of MA to eliminate qualified immunity and put a limit on the use of force.

I also support the movements within the bill to:

Certify officers and investigate misconduct complaints, and decertify officers who act improperly

Redirect funding away from policing and corrections into communities affected by mass-incarceration

Demilitarize the police force by requiring a public process for any military equipment acquisitions

Thank you for taking the time to read,

Megan Murphy From: Krystal Goodno-day <k.goodno.day@gmail.com>

Sent: Thursday, July 16, 2020 7:54 PM

To: Testimony HWM Judiciary (HOU)

Subject: As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which include...

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termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Krystal Day  
137 Pleasant st Attleboro, Massachusetts 02703  
K.goondo.day@gmail.com

From: Linda White <ljjwhite@yahoo.com>  
Sent: Thursday, July 16, 2020 7:54 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Linda White  
Carlisle, MA

Sent from my iPhone  
From: Elena Korniyenko <ykons777@icloud.com>  
Sent: Thursday, July 16, 2020 7:54 PM  
To: Testimony HWM Judiciary (HOU)  
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Sincerely,

Sent from my iPhone  
From: Sean O'Rourke <orourke sean14@gmail.com>  
Sent: Thursday, July 16, 2020 7:54 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Refom

Good Evening,

I am writing this email in regards to the Police Reform Bill. I am writing in support to all of the great law enforcement officers in Massachusetts.

On May 25, 2020. The murder of George Floyd occurred several states away. The actions of the police were disgusting, and It makes me very angry that

an individual would abuse his badge like this. I truthfully believe that this is not what policing is about, and that individual is isolated. Prior to this event in Massachusetts, there was no extreme concern with Law Enforcement here in Massachusetts. There was no reason to rush a bill through legislation in less than a month. One incident that happened several states away is now effecting all law enforcement officers in Massachusetts and country wide, all of whom do not agree with the actions of those police officers in Minneapolis.

In Massachusetts, all officers are trained by the Massachusetts Police Training Council. All officers have the highest training in the country. We have strict use of force policies, none of which include a choke hold. We have a system of checks and balances with internal affairs investigations. We have the best officers in the country. Well trained and well respected.

As a police officer in Massachusetts I go  
To work everyday and take great respect and pride in what I do.

Police Officers go to work every day, leave their families at home and put their lives on the line. They are our first line of defense against terrorist attacks, like the Boston Marathon Bombings. They respond to murders, shootings, stabbings, home invasions, armed robberies, suicidal individuals, intoxicated individuals and mentally ill people. All of these calls could go wrong at any one second. With all this in mind I ask that you look at numbers of complaints and use of force problems. That number is almost too good to be true here in MA. So few complaints and even fewer use of force issues. Why? Because of the great training we go through. Police officers go to work defend the great people of this state. I ask that you defend the police.

In order for the police to successfully and effectively do their jobs. Qualified immunity is a must. Police must know that their actions, good faith and reasonable actions are protected. That if they act in good faith that they won't lose their house, that their family won't lose their house. If police start second guessing themselves and walking on eggshells in fear that at anytime they could be personally sued, more people will get hurt and the effectiveness of policing will go down. The rate of violence will undoubtedly go up.

I ask that you look at good faith and policing especially when related to use of force. Think of a suicidal individual threatening to jump off a building or jump into traffic. Will an Officer be covered if they physically remove them from the ledge or street. Saving a life and getting that individual to the hospital. Or an intoxicated individual who needs medical help, but is physically refusing. Can a police officer assist in keeping medics safe by helping restrain a patient. All good faith efforts where an arrest would make matters worse. Police are here to help people. The goal is to get these people to a safe environment so they can receive help. If reasonable force is necessary in good faith then so be it. An arrest would in no way help that individual.

Due process and collective bargaining are very important. In the United States we give murderers, terrorists, and violent felons due process

rights. Why would we take them away from police officers? Officers reserve the right To appeals and collectively bargain. They deserve this because they are all US citizens who signed up for a job to help people while putting their life on the line Unions and civil service were started in this state/ country for a reason. Why would we take those away from the police. This sounds like an anti labor bill. I ask that you look at why civil service was started and why the protections of civil service and unions were given. Police deserve these protections like all the other hard working people in this state. Again police officers go to work everyday to help people. Every call we answer there is a Person in need of assistance.

Lastly I ask that the licensing committee Is created with members who have backgrounds and experience in law enforcement. No one understands and sees what police officers see and do on a daily basis. We see things that no one else sees. We deal with things no one else deals with. We wouldn't put a dentist on the board for plumbers. I ask that we fill the board with well respected members of the law enforcement community. Nobody hates a bad cop more Then a good cop.

I ask that you remember the Police officers are there to help. Help the victims of domestic violence, victims of child abuse, victims of sex trafficking, victims of violence, families of victims of violence etc. Help protect the police. You never need the police until you really need the police.

I lastly ask about the repercussions of this bill. Will violence escalate. Will we be able to recruit the best candidates for policing in the future. Will great officers retire and or resign I ask you to step in the boots of a police officer. Would you want a job with no qualified immunity or due process? Would you put your family through that?

Thank You,  
Sean ORourke  
774-696-9231

From: Paul Gibbons <pgibbons@wickedlocal.com>  
Sent: Thursday, July 16, 2020 7:54 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Pam Gibbons

Sent from my iPhone

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This message may contain confidential and/or privileged information. If you are not the intended recipient or authorized to receive this for the intended recipient, you must not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by sending a reply e-mail and delete this message. Thank you for your cooperation.

From: Paul Gibbons <pgibbons@wickedlocal.com>

Sent: Thursday, July 16, 2020 7:53 PM

To: Testimony HWM Judiciary (HOU)

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Sincerely,

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From: Kevin Bell <KevinBell14@outlook.com>  
Sent: Thursday, July 16, 2020 7:53 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Kevin Bell and I live at 1 Kimberly Lane, Blackstone, MA. I work at MCI-Norfolk and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects

officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Kevin Bell

Get Outlook for iOS <[To whom it may concern,](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_o0ukef&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=07ufMgm9B5KiqeQpGLnWbYH5_jDcKR1SYZRAlRLtDIQ&s=4vd2ahsJPfNmJ2OGuYqokW7M0HN7KYztdBqzjMNUjzQ&e=></a>><br/>From: crystal patsavos <cpatsavos1@yahoo.com><br/>Sent: Thursday, July 16, 2020 7:53 PM<br/>To: Testimony HWM Judiciary (HOU)<br/>Subject: attn Chairs Aaron Michlewitz/Claire Cronin - Police Reform Bill S 2820</p></div><div data-bbox=)

Below is a letter I sent to the senators regarding the hastily put together Bill S.2800, now S2820. I, as well as many others are disappointed to say the least, with our elected officials who are trying to rush a bill into law for political reasons with blatant disregard for the safety of the majority of citizens in the state of Massachusetts. Just over a month ago law enforcement officers were regarded as heroes during the surge of Covid-19 here in Mass., many participating in birthday car parades for children unable to celebrate in normal fashion. They are still heroes, that hasn't changed. We should be doing MORE to protect not only law enforcement, but all of our municipal workers. We are watching the detrimental effects of giving more rights to lawbreakers and criminals than to those brave enough to uphold the law. Crime and violence is rapidly increasing throughout the country and especially in our major cities. Crime has been at multi - decade lows but that is now reversing at record pace. Boston will no doubt experience this extreme spike in crime if this bill is passed as is. What I know is that 5 other officers were shot in the past few years in the Southshore/Cape area alone; two of which paid the ultimate sacrifice with their lives; Officer Gannon and Officer Chesna and the latter because he hesitated taking necessary actions to stop the assailant who stole his gun and shot him. This bill will only lead to more of these dangerous situations. Cops will no longer be willing to take the risks necessary to do their jobs in fear of being persecuted for doing so. Policing will be reactive, not proactive as it has been. To my knowledge only one department- Springfield in a total of 357, has been investigated for any wrongdoing. This is not systemic. Please protect the rights of our public servants. This bill should not be passed without more careful consideration just to meet an unrealistic deadline or to satisfy a political agenda. It would be irresponsible and dangerous.

Respectfully,

Crystal Patsavos

14 Madison Drive <x-apple-data-detectors://0/1>

East Sandwich, Ma. <x-apple-data-detectors://0/1>

978-697-1266

Dear Legislator,

I'm writing in regards to the S.2800 Police Reform Bill currently being discussed. I am the wife of Dennis, Ma. police sergeant Nicholas Patsavos who was a recipient of the George L. Hanna Award for saving the life of a complete stranger while risking his own without hesitation. He has been an officer for over 20 years serving the community with compassion and the utmost respect for all citizens regardless of who they are. The VAST majority of police officers are kind, decent people who enter the profession to SAVE lives, NOT take them. For these brave men and women it is a calling and a job few are able to do as most of us are incapable of the sacrifices they make, and the risks they face daily. I have never been more disturbed by the vilification and demoralization of these heroes today. All should not be punished for the poor actions of very few. For the many "hats" they wear on any given shift - a variety of emergencies and tragedies they witness daily, we ask and expect a lot from them. They too are only human. Perfection at all times for any human being is not attainable yet some expect this from our officers. They deserve the respect and same constitutional rights that every citizen in the nation is entitled to. Though some form of police reform may be necessary - regardless of what any of you claim , this bill is being rushed and the

consequences are not being fully thought through. Particularly, in regards to Qualified Immunity, which protects them from frivolous lawsuits when it is clear they are doing their jobs properly and in good faith acting reasonably in the eyes of the law. This does not protect those problem officers who don't act appropriately. Officers are in harms way at any given time and sometimes have to make life altering decisions that most of us can't even fathom in a matter of seconds. If they truly feel their life is in danger they should certainly have the right to protect it. They didn't sign up for the job to not have that right. Their loved ones constantly live in fear that one of these days they won't return home safely. I have two children and their dad is their hero. The choice they are left with in the event of a legitimate threat to their well being is either be killed or defend yourself and risk losing everything/possibly go to jail- just for doing the job we ask of them. Without qualified immunity officers are more at risk as well as every citizen because they won't risk taking the necessary measures to do their job effectively for fear of persecution for doing so. This is just wrong. I do not feel the majority of the public supports this, and far too many aren't even aware of this being pushed along by legislators at all. Laws and Bills need to protect EVERY citizen, police included. Most officers go way above and beyond the call of duty. They help citizens with so many different acts of kindness, Ive seen them do so- whether it's a meal for the homeless, shoveling a driveway for an elderly individual, giving a ride to someone in need, or emotional support to someone suffering loss and tragedy; not to mention rushing to aid anyone in need anywhere when off duty. My own husband has done so many times over the years because that's just what they do. They are our first line of protection always running towards the dangers the rest of us run away from. How quickly we forget the collapse of the Twin Towers/9-11, the marathon bombing, and countless other tragedies they've dealt with across this nation. Always in harms way rushing in to defend all of us- strangers of all colors. They deserve the same- to be protected and defended by every one of us. It is not fair for those who don't walk in their shoes to make decisions they are not experts on which will make it difficult for them to do their job. And that's if they even stick around long enough as many won't and are walking away across the country. Can't say I blame them. It will no longer be worth the risk for many of them. Please consider all of this to make the best possible informed decisions for ALL. I don't want to live in a world without police and one none of us are safe in. The treatment of police in general has been shameful and disgraceful. Those who decide to break the law should be held accountable on BOTH sides- law enforcement as well as the law breaker. Respectfully,  
Crystal Patsavos, concerned citizen and police wife

Sent from my iPhone  
From: Brendan Forestell <btff1213@gmail.com>  
Sent: Thursday, July 16, 2020 7:52 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820.

I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Brendan Forestell  
84 Morrison Ave  
Somerville Ma  
From: Ana Curral <ana\_curral@comcast.net>  
Sent: Thursday, July 16, 2020 7:52 PM  
To: Testimony HWM Judiciary (HOU)

Subject: Bill 2800

Dear Chair Michlewitz and Chair Cronin,

My name is Ana Curral and I live at 16 Peach Blossom Rd, Acushnet, Ma. <x-apple-data-detectors://0> I work at in Healthcare and am a Human Resources Manager. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Ana Curral

Sent from my iPhone

From: Josh Monfreda <josh.monfreda@gmail.com>  
Sent: Thursday, July 16, 2020 7:51 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: LeBoeuf, David - Rep. (HOU)  
Subject: Testimony S.2820

Dear Members of the House Committee on Ways and Means and Judiciary members,

I hope this message finds you all well. My name is Joshua Monfreda, I am a registered voter who was born and raised in the City of Worcester and have recently moved to the town of Leicester. I would first like to thank you all for slowing the process down and giving your constituents an opportunity to weigh in on such an important matter. The bill pushed forward by the Senate, is in no way something that the general public/tax payers would wish to impose upon the very people who protect our communities.

I would like to start by saying that the murder of George Floyd was downright disgusting, unacceptable and a display of pure evil. I agree whole heartedly that the discussions raised since have been fruitful and offer an opportunity to reform policing across this great nation. That being said, I feel that the worst thing we can do is rush this bill, just to be a "first." In todays society, it seems to be the common theme, with news outlets rushing to be first to break news, even though they do not have the facts and often completely make a mockery of the situation at hand. Now this bill, which I feel if rushed will do the exact same thing. Difference being, this bill cannot just be re-read on a later broadcast with corrections. This bill will have a lasting impact on our communities. Look at New York City, who rushed into decisions and have seen a disturbing spike in violent crimes. It has become so bad that now there are Black leaders in the community who are begging for the Anti-Violence Unit to be placed back into patrol. I am in 100% agreement that there is need for discussion and reform, but it should be on a state by state basis and the conversations should without question involve the men and women of the police departments and other stake-holders.

There are numerous parts of S.2820 as currently written that I find unacceptable and hope that you will agree with, at a minimum, the few that I will discuss in the following text:

I find this bill disturbing in the sense that it is without a question an Anti-labor bill. The thought that a majority Democrat Senate, who has forever been the party for Unions and Labor and would look to take the rights afforded to Unions away from Police is mind-boggling. The removal of Collective Bargaining is a slap in the face to Unions across the entire country.

Secondly, the idea that elected officials are looking into taking Due Process from the hard-working men and women of the police departments is appalling. Allowing a committee to be the say all be all is quite frankly dangerous. Having this POSAC committee have final say in decertifying a police officer and not allowing an appeals process is against everything

we know as citizens of the USA. This will give murders and rapists more rights to appeal than the very heroes who so diligently put their lives on the line to protect you and I.

Third is the issue surrounding Qualified Immunity. There seems to be an extreme disconnect in regards to what Qualified Immunity offers to civil servants. Removing this little bit of protection from the Police and other civil servants is dangerous and opens up pandoras box in unsubstantiated civil suits. By removing this sliver of protection, Officers will have more legal binding to stan-by, rather than assist in a major incident.

Lastly, I would like to bring up the breakdown of the Police Officer Standards and Accreditation Committee. There is not a single profession that has such a large number of civilians (people who do not practice/have never practiced) the job at hand. It is quite easy to "Monday morning quarterback" a police officers actions by watching a slowed down, or single sided video, but an entirely different story to individuals who have been in a dangerous or life threatening situation. Imagine having a board of over 50% civilians overseeing a Doctors licensure. Neither you nor I could look at a malpractice situation and be able to determine if a Doctor acted improperly. The same should be offered to Police, who see the worst of the worst in live action and full speed and do not always have the opportunity to "slow it down" to analyze what the action should be. In addition, coming from the City of Worcester (the 2nd largest city in New England) I see their department and Chief as being missing from a seat on this committee. I think that there needs to be some serious discussion about this committee and who is going to have a seat at the table.

I again thank you all for taking the time to listen and hear our requests. As mentioned before, I do think that this bill needs to be slowed to let the dust settle and make sure that we get it RIGHT here in the Commonwealth. If this gets rushed through, we are going to have a mass exodus of Police Officers and be hard pressed to get qualified candidates to fill the vacancies. Nobody is going to risk their families livelihood and finances for such a thankless profession. The time is now to turn this around and back the men and women who risk their lives for perfect strangers on a daily basis. These issues do not plague the state of MA. We have had more Police Officers murdered in this state in the last few years than the other way around. I beg of you all to hear the deafening sound of the silent majority who vote every election, respect, love and admire the men and women in blue.

Respectfully,

Joshua A. Monfreda

774-239-3025

From: Vincent Noe <vinnienoe@gmail.com>

Sent: Thursday, July 16, 2020 7:51 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820



As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Vincent F. Noe

9 Alyssa Drive

Wakefield, MA

781-858-3708

From: Kreig Martinek <kreig.s.martinek@gmail.com>

Sent: Thursday, July 16, 2020 7:51 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Kreig S. Martinek

56 Spruce Street, Westfield, MA 01085

413-250-0901

From: Bruce Gabriel <jbgabriel@aol.com>  
Sent: Thursday, July 16, 2020 7:50 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

With S 2800, the police defunding and bill having been passed in the Senate, Massachusetts is getting a newfound but undesirable reputation for lawlessness. In response, I will quote the highly competent and vastly underrated President Calvin Coolidge, who so pithily noted the following when he was Massachusetts Governor and much clearer and more reasoned thought prevailed in the Massachusetts Senate and in the Governor's Office:

"It is my purpose to maintain the Government of Massachusetts as it was founded by her people, the protector of the rights of all but subservient to none. It is my purpose to maintain unimpaired the authority of her laws, her jurisdiction, her peace, her security. This ancient faith of Massachusetts which became the great faith of America, she reestablished in her Constitution before the army of Washington had gained our independence, declaring for 'a government of laws and not of men.' In that faith she still abides. Let him challenge it who dares. All who love Massachusetts, who believe in America, are bound to defend it. The choice lies between living under coercion and intimidation, the forces of evil, or under the laws of the people, orderly, speaking with their settled convictions, the revelation of a divine authority."

— Governor Calvin Coolidge, excerpts from an Address at the Tremont Temple in Boston, October 4, 1919.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

J. Bruce Gabriel  
18 Saint Mary's Way  
Marlborough, MA 01752  
From: Sean Noonan <noonansean122@gmail.com>  
Sent: Thursday, July 16, 2020 7:49 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

To The House of Representatives,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This

bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Sean T. Noonan

530 Lyon Street, Ludlow, MA 01056

noonansean122@gmail.com

From: Elaine <iblany@aol.com>  
Sent: Thursday, July 16, 2020 7:49 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Veto bill S2820

Back the Blue by vetoing the police reform bill S2620. It's hastily written & is unsafe. I support our LW Enforcement Officers in the Commonwealth and do not support this bill.

Thank you,  
Elaine Lanza

From: emlrn12@comcast.net  
Sent: Thursday, July 16, 2020 7:49 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Anthony J. Luzzetti

<[From: darcie25@gmail.com  
Sent: Thursday, July 16, 2020 7:48 PM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: S2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avast.com_sig-2Demail-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Demailclient-26utm-5Fterm-3Dicon&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=X623jf4kNh0-ZhSPcsLyhMycrBZMNS0meUSnXcVbDPw&s=wZqw-nTFqhqd1WzjnAyeh7DL_84dqW0uqhzhmWrQ3Zk&e=> Virus-free. www.avast.com<br/><<a href=)

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,



Darcie Rayner

Resident

17 Wildewood Drive

Canton MA

From: Kyle Reilly <ksreilly@gmail.com>  
Sent: Thursday, July 16, 2020 7:48 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for S2820

Dear Chair Michlewitz and Cronin,

I am writing to you to voice my support for S2820. Its imperative that we make this first step toward racial justice. We've seen to many times abuses of our neighbors at the hands of law enforcement. Its time we gave the commonwealth the protections it needs, and the legal backing for good police officers to be able to stand up against fellow officers. I ask that you preserve the language creating an independent and civilian majority police body, limit qualified immunity, and reduce the school to prison pipeline by removing barriers to expunge juvenile records.

I also ask that you strengthen the use of force standard, fully prohibit facial surveillance technology and lift the cap of the justice reinvestment fund.

Thank you for taking the time to review my input

Kyle Reilly  
Hopkinton MA  
From: emlrrn12@comcast.net  
Sent: Thursday, July 16, 2020 7:47 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Prof. Elaine M. Luzzetti, MSN, RN

<[From: Ata, Sahar <atas@merrimack.edu>  
Sent: Thursday, July 16, 2020 7:46 PM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: Police Reform Bill](https://urldefense.proofpoint.com/v2/url?u=https-3A_www.avast.com_sig-2Demail-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Demailclient-26utm-5Fterm-3Dicon&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=jSr_L_qdd5IJEllpOpa_wIXcVvEKCGsDhUIqoxs0hX4&s=jV1G1TQjAEoc74L3NVWEoQpEZrhZ49b47ejvVwE0sf0&e=> Virus-free. www.avast.com<br/><<a href=)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity

and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Sahar Ata

6 Mockingbird Ln, Dracut, MA 01826

Atas@merrimack.edu

From: Angela Topham <atopham66@netscape.net>  
Sent: Thursday, July 16, 2020 7:46 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony to Bill S.2820

Dear Rep. Michlewitz and Rep. Cronin;

Please accept the following written testimony as it relates to a Bill (S.2820) in front of the House.

I am a concerned Massachusetts Citizen residing at 66 Crossbow Lane, North Andover, I am a parent and grandparent.

I write today to express my staunch opposition to S.2820 a piece of hastily thrown together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across this nation. It is misguided and wrong. I shudder to think of the repercussions the passage of this Bill will inflict upon the law abiding citizens that depend on our law enforcement to assure our safety in society. I worry for my grandchildren growing up in a non law and order environment and how it will impact their lives. I fear for their safety. All of you should be worried about this also and I cannot understand how ANYONE would think this Bill is the right thing to do for the citizens of this Commonwealth.

Like most of my neighbors, I am dismayed at the lack of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular stand out and demand immediate attention, modification, and/or correction. Those issues are:

(1) Due process for all police officers. Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.



hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
( Lieutenant Brian Pratt)

Sent from my T-Mobile 4G LTE Device

From: Keith Edmeade <kedmeadester@gmail.com>  
Sent: Thursday, July 16, 2020 7:45 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police issue

The police, Boston police in particular have worked tirelessly for years, drawing double shifts almost every day. Running into danger, not even considering their own safety to maintain peace. It was only a few years ago when they were on the cover of sports illustrated, determined to not only help people hurt during the bombing at the marathon but also went out and got those guys. The police didn't stop until they were caught and now, they are being scapegoated. After they were met with an organized mob that tried to hurt them with bricks and the like. Working , not knowing if they will see their family. They bowed to the mob and gave them their due; and now defunding?

How will anyone be encourage to take up this once great profession once these things are in place?

Thank you for your time.

From: Derrek Deranian <derrekderanian@gmail.com>  
Sent: Thursday, July 16, 2020 7:45 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Very Respectfully,

Trooper Derrek G. Deranian

Massachusetts State Police



From: dj0291@aol.com  
Sent: Thursday, July 16, 2020 7:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testtimony

Dear Chair Michlewitz and Chair Cronin,

My name is Daniel Hollenbach and I live at 531 Less River Ave, Somerset. I work at Old Colony Correctional Center and am a CO1. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less than Lethal Tools:** The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Daniel Hollenbach

From: Aaron Greiner <aaronbgreiner@gmail.com>  
Sent: Thursday, July 16, 2020 7:44 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. We cannot let another day pass without meaningful and structural reform. The status quo is not working.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor. We have no time to space - we must act now.

Aaron Greiner  
Somerville  
From: Bridget stevens <bridgetstevens@gmail.com>  
Sent: Thursday, July 16, 2020 7:44 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform bill

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Bridget Stevens. I live at 82 Partridge St, West Roxbury MA. I am writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you very much.

Bridget Stevens

bridgetstevens@gmail.com

82 partridge st West Roxbury MA 02132

From: james.adamson <james.adamson@baystate.edu>

Sent: Thursday, July 16, 2020 7:44 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Hello,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

James Adamson

From: Mike Wandell <mwandell@wilmingtonpoliceunion.com>  
Sent: Thursday, July 16, 2020 7:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

Good Evening,

My name is Michael Wandell, I am a 22 year veteran of the Wilmington Police Department and President of our Patrol Officers Union, NEPBA Local 1. My cell number is 978-337-8551.

I am writing you with my concerns to the Police Reform Bill S.2820. This bill concerns me as it seems to be a knee-jerk reaction, written in haste to a horrible event that occurred 1300 miles away.

I believe Massachusetts policing has been and has stayed well ahead of our country's standards in policing for many years. We spend several hours training every year in several areas including deescalating techniques, CIT (Critical Incident Training) training, which includes persons that suffer from mental health issues, persons with disabilities etc. I along with my fellow officers do believe there is always room for improvement and always look for ways to improve and be better at the job we do.

I believe putting together a committee of people that are not involved in law enforcement is a disservice and an insult to all the time and effort we put into our law enforcement profession. This is the equivalent to putting police officers in charge of a medical review board for doctors. We have no business telling a doctor how to do their job.

Stripping officers of Qualified Immunity is a disservice to law enforcement. Qualified Immunity is not there to protect illegal activity

it is there to protect us who have to make split second decisions while in the performance of our duties.

Can you give me an instance, situation or case where Qualified Immunity has protected the wrongful conduct of a police officer in the state of Massachusetts? I don't believe there are any cases that apply to this doctrine as it stands.

Thank you for your time,

Sincerely,  
Officer Mike Wandell  
Wilmington Police Department  
President  
NEPBA Local 1

Sent from my iPhone  
From: Mecaela Rogers <m6rogers@yahoo.com>  
Sent: Thursday, July 16, 2020 7:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Mecaela Rogers and I live at New Bedford, MA. I work at Old Colony Correctional Center and am a CO I. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Mecaela Rogers

From: Ray Pszenny <erpszenny@gmail.com>  
Sent: Thursday, July 16, 2020 7:43 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Tarr, Bruce E. (SEN)  
Subject: POLICE REFORM BILL S2820 - Concerns with qualified immunity within this bill to be considered

To Whom It May Concern;;

My name is Elizabeth Pszenny and I live in Rockport MA. I write to you to express my support for our many first responders who put

their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration,

Elizabeth Pszenny

15R Pleasant St, Rockport, Ma 01966

erpszenny@gmail.com

From: Stacy Coleman <scolemanj@yahoo.com>  
Sent: Thursday, July 16, 2020 7:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: police reform bill S2800

Good Evening,

I am writing this email in opposition of the policing reform bill Senate S2800. I have multiple relatives and friends in law enforcement that this bill if passed would affect greatly. The police should not have to go to work and fear to do their job to the best of their ability or have their loved ones at home fear that they will get that dreaded call that they have been injured or even killed while trying to do their job and protect the citizens of this state. Police officers should not have to worry about whether or not they will be sued or worse attacked, while trying to protect their communities. My aunt and her children should not have to worry if their husband and father will be injured or sued one day because some one that he came in contact with decided they did not like the outcome of their interaction and decided to file a civil complaint against him. Our police officers should be able to use their judgement in the situation at the moment to protect themselves and the community by whatever means they feel is acceptable for that situation and not worry about if they will be sued or fired because someone questions their motives. This bill would tie the hands of the police officers that swore to protect all citizens of this state. This bill would cause more unnecessary deaths for police officers and citizens like Officer Michael Chesna and Vera Adams. Also to take police out of the schools would be a detriment to the students and communities. Taking the school officers out would result in more violence in the school system. There is already enough bullying and violence in the schools with police officers present to take them out and have no one to stop what they have been would be a big mistake. This would result in more school shootings, more children being afraid of police. For some students school is the only place they feel safe because of the school resource officers. For my 2 children they love having the school resource officers in their school, it makes them feel safe and protected while there with everything going on in this world. I live in Middleboro Massachusetts and the police in this town and all over the world have mine and my families support 100%. This bill if passed would be a smack in the face to the men and woman and their families faces. They risk their lives on a daily bases too protect my family and yours. Please DO NOT pass this bill!

Thank you for your time

Stacy Coleman  
concerned citizen of Massachusetts

Sent from Yahoo Mail on Android  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_go.onelink.me\\_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-)



5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=RaDcN4sqq7VNY4LmTCxf3PQsYc7ZBs9SLbpc7QiONXA&s=FCrR62W3Ro5ygOZcobWhw0NzJZAARuT8iiaFIka1910&e=>  
From: Ann Ragosta <ann.ragosta@yahoo.com>  
Sent: Thursday, July 16, 2020 7:42 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fw: I oppose House Bill S2800

Good Evening,

As your constituent, Ann Ragosta from Milford, I am writing to you today to express my strong opposition to S.2800 which was passed by the Senate. I ask that you oppose this bill as constituted when it is debated in the House of Representatives. This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities. It will cause many good officers to leave due to the new burdens it imposes and will likely only encourage poor candidates for the job.

S2800 establishes a review committee board with overly broad powers, including the power of subpoena, in active investigations. Review boards typically review a process or an event after it has occurred for the purpose of implementing a change. Reviews should not be conducted during the course of an investigation as that would in all likelihood jeopardize the investigation. Why is this language part of the bill?

The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment right (see Carney v. Springfield) and constitutional protections against double jeopardy. Qualified immunity protections (which are really the hallmark of sound and reasonable protections against frivolous lawsuits) are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections for the police officers we send out to protect our communities and who often deal with the most dangerous of circumstances with little or no backup. Removing qualified immunity protections in this way will open up officers to personal liabilities the likes of which they cannot withstand. That is a standard that that makes no sense and are unnecessary as current laws today adequately address any overreach by law enforcement officers.

I am also demanding that this bill be debated in the light of day and not in the cover of darkness. If you have to resort to sneaking a debate and vote in the middle of the night, then I assert it is "prima facie" a bad bill and "prima facie" bad faith on your part as my Representative. In addition, S.2800 failed to follow the normal and appropriate legislative process of holding public hearings to accept testimony from citizens and experts. The glaring question is "Why"? What is the Legislature so

afraid of? It is an abrogation of your duty to your constituents not to listen to them and to consider what they want before you vote.

In summary, this bill is ill conceived, and quite frankly, it is a cornucopia of drivel. If you could set aside for one moment your partisan loyalties, perhaps you will admit to yourself that it is a bad bill and bad policy. Further, how can you or any other Representative reform something of which you know little. Until and unless you have taken substantive police training, I would again ask that you oppose this bill. While I agree that some policing reform should be addressed (good policing should always be evolving as new things are learned) but passing a poor bill for the sake of passing a bill is not in the best interest of the good people of Massachusetts.

I would also encourage you and all your colleagues in the House to perhaps live in a poor urban community with a high crime rate for one month before you decide to change something about which I am going to assume you have little to no knowledge or experience.

For all the reasons stated above, I ask that you oppose this bill.

Sincerely,  
Ann Ragosta

From: Carol Y Mallory <cmallory107@yahoo.com>  
Sent: Thursday, July 16, 2020 7:41 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from Yahoo Mail on Android

<[From: Goc, Jonathan <JGoc@CityofMelrose.org>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMcaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=GgWxHQjz5da2nJnfOIYbaq74CO9jlmvPhbfg_Vnd8m4&s=4fLegun1tLROy-9L8OW_jrzZ3_Y4rohokhUFQ0uA4xg&e=></a>></p></div><div data-bbox=)

Sent: Thursday, July 16, 2020 7:40 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S2820

To: Chair Aaron Michlewitz

Chair Claire Cronin

As a police officer in Massachusetts for 25 years I simply do not understand why this controversial and complex bill (S2820) is

considered to be "immediately necessary" and "declared to be an emergency law, necessary for the immediate preservation of the

public safety." At what point in time did this subject matter become a public safety emergency in the State of Massachusetts?

Please consider delaying the passage of this bill as much further discussion is needed to pass a just bill, which should protect the rights of

all mentioned within the bill.

Thank you for your time.

Respectfully submitted,

Sgt. Jonathan Goc

Melrose Police Department

781-979-4485

Please be advised that the Massachusetts Attorney General has determined that email is a public record unless the content of the email falls within one of the stated exemptions under the Massachusetts Public Records Laws.

IMPORTANT NOTICE: This e-mail message is intended to be received only by persons entitled to receive the confidential information it may contain. E-mail messages may contain information that is confidential and legally privileged. Please do not read, copy, forward, or store this message unless you are an intended recipient. If you have received this message in error, please forward it to the sender and delete it completely from your computer system.

From: Brian Lenfest <user@votervoice.net>  
Sent: Thursday, July 16, 2020 7:32 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Brian Lenfest  
18 Whittier St  
Melrose, MA 02176  
lenfestlaw@hotmail.com

From: Rebecca Zama <Rebeccanoellezama@gmail.com>  
Sent: Thursday, July 16, 2020 7:35 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Rebecca Zama  
18 Whittier St  
Melrose, MA 02176  
Rebeccanoellezama@gmail.com

From: Rick and Joan Sawler <rjsawler@comcast.net>  
Sent: Thursday, July 16, 2020 7:39 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform S2820

Please STOP this reform. We ask you vote this down immediately.

Richard and Joan Sawler

112 Fuller Street

Halifax, MA 02338

781.754.0007

Sent from Mail <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_go.microsoft.com\\_fwlink\\_-3FLinkId-3D550986&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=b-Y0dMYeArPl2IVmQyL2emmsixOSukBCSPV00JY039Y&s=SYoD22puIH2oDxE0xK6TCCebPoD41YEH3ASrebRA3iE&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=b-Y0dMYeArPl2IVmQyL2emmsixOSukBCSPV00JY039Y&s=SYoD22puIH2oDxE0xK6TCCebPoD41YEH3ASrebRA3iE&e=>)> for Windows 10

From: Susan Rizzo <[susanrizzo47@gmail.com](mailto:susanrizzo47@gmail.com)>  
Sent: Thursday, July 16, 2020 7:39 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should

specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Conner Davis <connermdavis1@gmail.com>

Sent: Thursday, July 16, 2020 7:39 PM

To: Testimony HWM Judiciary (HOU)

Subject: Written Testimony: Reforming Police Standards

Hello, my name is Conner Davis with the Greater Boston Interfaith Organization (GBIO). I live at 21 Garland Avenue, Apartment 2, Malden, MA 02148. I am writing to urge the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you very much.

Conner Davis

connermdavis1@gmail.com

From: pchattert <pchattert@aol.com>

Sent: Thursday, July 16, 2020 7:38 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to

ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Patricia Chatterton

Sent from my Sprint Samsung Galaxy S8.

From: Robert Parr <rparr3491@gmail.com>  
Sent: Thursday, July 16, 2020 7:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on Police Reform Bill

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens.



This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Robert Parr

29 Compass Circle, Boylston

From: chrislipiec <chrislipiec@aol.com>  
Sent: Thursday, July 16, 2020 7:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S 2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Christopher M. Lipiec  
245 Tom Swamp Rd  
PETERSHAM MA 01366  
chrislipiec@aol.com

Sent from my Verizon, Samsung Galaxy smartphone

From: Marc Roy <proy\_99@yahoo.com>  
Sent: Thursday, July 16, 2020 7:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Marc Roy, 125 Winter Street, Clinton, proy\_99@yahoo.com

Sent from Yahoo Mail for iPhone

<[From: Katie <kdesq99@aol.com>](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=aKNjdv8DKUkg11EOfXYmLH9oWuL4XIqDEyHNE8PGlKI&s=Q5hUVL0C PmWrfywtlsEWFoQapUJXEZRJOqwXtH3ldR4&e=></a></p></div><div data-bbox=)

Sent: Thursday, July 16, 2020 7:37 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

As a registered voter in the State of Massachusetts I would ask you to read my testimony and understand where I, as well as many others are coming from when voicing our opinions. I am a firefighter in the City of Worcester and my husband is a police officer for the same city. We currently work combined over 100 hours serving our community of underserved citizens as well as those that are abled bodies in all aspects. I am currently assigned to the Community Risk Reduction and Public Education Unit. I, on a daily basis, work with the police department as well as many other city agencies to improve the quality of life for all those citizens underserved including those referred to in this bill as the African Americans and the communities of color. Our impact on these communities as first responders often go unnoticed because we fail in commending ourselves for our own improvement and accomplishments in connecting these citizens to the needed services, since "that is our job". Resources are available for those that want help. We as the Commonwealth of Massachusetts do not need to shift funds from the police as there is an abundance of grants being worked on and many agencies and services already available to assist these underserved members of our communities that want to be helped. We work diligently everyday hand in hand with the police department to assist these members of the community to find the resources that each sole needs. Massachusetts has some of the most prestigious police departments in this country. I have been able to see this first hand on many occasions, not only in the city but on the state level as well. The actions of one officer, so egregiously horrific, in another part of the country should not be an example of all of our officers. Our country has fought for freedom and we should not be punished for the actions of others. We as first responders representing the City of Worcester and the State of Massachusetts take each call as its own, whether it's a sick elderly person, a hurt child, a victim of abuse, a drug deal gone bad, everyone is given the greatest care possible for the best outcome for life. Training academies for the police in Massachusetts have produced some of the greatest Officers in the country. Under no circumstances is there a need to review these standards. Records of such training are kept and trainings are remediated as deemed needed after investigations have been done and officers have been found to be in need of such. Police and Fire departments have extensive trainings in the areas of disabilities and mental health issues as we deal with these patients daily. The police departments have worked with great efforts to utilize the system to give access to the sick/disabled/mentally ill persons we encounter rather than placing them under arrest for criminal activity. Training officers from Massachusetts are constantly attending seminars and trainings to keep up with new methods of policing as well as dealing with the sick and criminals and adjust their academy and in service training to reflect such.

Our police officers and firefighters and other labor unions in the Commonwealth have worked so hard in reaching agreements with their respective cities and towns through collective bargaining. These contracts have proven to be fair and respected by both sides. Removing this right would flaw the system we ALL stand behind. As a civilian, we do not understand these trainings and therefore should not be predicting the methods of dealing with each situation as a civilian we would not preform surgery or tell a surgeon how to operate. Protection given to

each professional occupation should not be taken away as it has been given as a result of need and foregoing of something. I ask that you keep in place the Qualified Immunity Act, Due process and collective bargaining rights of our unions and keep a board that evaluates a member of one occupation to those in that occupation since legal standards usually state what a reasonable person in that profession would do.

Thanks you for your time and efforts in reading my testimony,

Katie Harrington, Esq.  
Worcester Fire  
Community Risk Reduction/Public Education Unit

From: Tima <akadethpaenmuan@yahoo.com>  
Sent: Thursday, July 16, 2020 7:36 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Akadeth Paenmuan

43 W. Summit St. #7

South Hadley MA

Akadethpaenmuan@yahoo.com

From: Emilia <emiroz725@aol.com>  
Sent: Thursday, July 16, 2020 7:35 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a

commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone  
From: Barbara Webb <barb4134@icloud.com>  
Sent: Thursday, July 16, 2020 7:35 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

Dear Sir,

I respectfully ask a delay on this bill until a public hearing can be held. The rush to get this bill passed in the wee hours of the morning, without input of the taxpayers directly effected, is appalling. To say voters are disappointed in this underhanded move is an understatement. There are are far too many concerns in this bill that need conversation and explanation. Elected officials are voted to represent ALL residents of this great state. The fact that a great number of us feel neglected and ignored is a disgraceful and troubling for the future of Massachusetts.

Respectfully,  
Barbara Barrett- Webb  
Sent from my iPad  
From: Bill Gillmeister <bylawbill@calltoorder.us>  
Sent: Thursday, July 16, 2020 7:35 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

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Sincerely,

Bill Gillmeister  
Call To Order Governance Services  
8 Kimball St.  
Brookfield, MA 01506  
508-344-6325  
bylawbill@calltoorder.us  
www.calltoorder.us

From: Jessica Needham <jneedham1711@gmail.com>  
Sent: Thursday, July 16, 2020 7:34 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

To whom it may concern,



My name is Jessica Gillan and I am resident of Abington. My husband is also a law enforcement officer in our town of Abington.

I write to you as the House takes up S2800, An Act to Reform Police Standards and Shift Resources to Build a More Equitable, Fair and Just Commonwealth that Values Black Lives and Communities of Color, today. The following amendments are incredibly important to me and my friends and family, many of whom have also written to you. I hope that you will join in adopting the following amendments:

- (1) Amendment 26: Revocation or Non-Renewal shall be by 2/3s vote (we should be advocating that this be changed to a 3/4 vote, and it is our understanding that Senator Tarr will be doing so)
- (2) Amendment 48: State Police Colonel
- (3) Amendment 77: Discipline Changes for State Police
- (4) Amendment 114: Representation on POSAC
- (5) Amendment 116: Due Process (strike out "within the appointing authority or the committee" so that our current rights to appeal including arbitration stays in place)
- (6) Amendment 126: Changing "a preponderance of the" to "clear and convincing"
- (7) Amendment 129: Definition of Accreditation
- (8) Amendments 74 and 137: Special Commission to Study Qualified Immunity

This bill would cause a mass exodus of good police officers in our state to relocate to a state that supports them, cause those officers nearing retirement to retire early and cause other officers to leave for private security jobs. The state of Massachusetts would no longer be a safe place for many to raise their families if this bill were to pass as is.

Thank you for your consideration. I hope we can count on you to support the law enforcement officers and their families of Massachusetts.

Jessica Gillan  
Abington, MA

From: ronald Hale <blackshoe@charter.net>  
Sent: Thursday, July 16, 2020 7:34 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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Sincerely,

Ronald Hale  
6 West Colonial Rd  
Wilbraham, MA. 01095  
blackshoe@charter.net

From: Sherryfalvey <falveyssherry@gmail.com>  
Sent: Thursday, July 16, 2020 7:34 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform immunity clause.

I just sent an email expressing my concern however I am including my phone number as well. (508). 234-5999  
From: Stacy Matewsky <smatewsky@icloud.com>  
Sent: Thursday, July 16, 2020 7:33 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform bill!

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,  
My name is Stacy Matewsky and I live at 29 Ellisville Rd Plymouth MA. I work at Old Colony Correctional Center and am a CO I. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the

opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less than Lethal Tools:** The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Stacy Matewsky

Sent from my iPhone From: Kyle Gosson <goose1871@gmail.com>  
Sent: Thursday, July 16, 2020 7:33 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820 Opposition

Dear Chair Michlewitz and Chair Cronin,  
My name is Kyle Gosson and I live at 763 Read Street, Somerset, Massachusetts. I work at the Bristol County Sheriff's Office and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Kyle Gosson

From: Marc Roy <proy\_99@yahoo.com>  
Sent: Thursday, July 16, 2020 7:32 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony

\* As your constituent, I write to you today to express my strong opposition to many parts of the

recently passed S.2820. I hope that you will join me in prioritizing support for the establishment

of a standards and accreditation committee, which includes increased transparency and reporting,

as well as strong actions focused on the promotion of diversity and restrictions on excessive

force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections

such as due process and qualified immunity. This bill in its present form is troubling in many

ways and will make an already dangerous and difficult job even more dangerous for the men and

women in law enforcement who serve our communities every day with honor and courage.

Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers.

Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants.

Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Marc Roy, 125 Winter Street, Clinton, Proy\_99@yahoo.com

Sent from Yahoo Mail for iPhone

<<https://urldefense.proofpoint.com/v2/url?u=https->



it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Jason George

Sent from my iPhone

From: theo santos <qualityautodetailing@yahoo.com>

Sent: Thursday, July 16, 2020 7:31 PM

To: Testimony HWM Judiciary (HOU)

Subject: Attention Chair Michelwitz and Chair Cronin

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Theodore Santos and I live at 195 Kennedy Street Fall River, MA. I work at Bristol County Sheriff's Office and am a Corrections Officer of seven years. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that

have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Theodore Santos

Sent from Yahoo Mail on Android

<[rosiebeaudry@gmail.com](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fw1-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=TfoY9HSB19uKCeSgCVoFIZlWeCItbCE4_XKeyvTXrBs&s=K386jj-i5Z_jGSowG4lkHqU0iLo_8DGjDLOSbc4EswI&e=></a><br/>From: Rosemary Beaudry-Rocker <<a href=)>  
Sent: Thursday, July 16, 2020 7:31 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800 Policing Reform Bill

If this Bill is passed into law. It will allow criminals to personally sue Officer's. Directly affecting their families. We need to protect our Officers, their jobs & families. As they risk their lives everyday protecting the community.

Law enforcement officers were hired by the Mayor who represents the City. Responsible to reinforce the law and protect the public.  
From: [jason\\_carabello@msn.com](mailto:jason_carabello@msn.com)  
Sent: Thursday, July 16, 2020 7:31 PM  
To: Testimony HWM Judiciary (HOU); Lovely, Joan B. (SEN); Speliotis, Theodore - Rep. (HOU)  
Subject: Police reform concerns

? As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.



I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Jason Carabello

36 Harrison ave Peabody MA 01960

Jason\_carabello@msn.com

Sent from my iPhone

From: Devhan Correia <dcorreia91@yahoo.com>

Sent: Thursday, July 16, 2020 7:28 PM

To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to Bill 2800

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Devhan Correia and I live in Fall River, MA. I work at the Bristol County Sheriff's Office and am a Corrections Officer and graduating from the SEMPTA police academy for deputy sheriff. As a constituent, I write to express my opposition to Senate Bill 2800. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,





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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Karen Ryan

From: Timothy Menton <tmenton@gmail.com>  
Sent: Thursday, July 16, 2020 7:29 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Chairman,

Thank you for taking the time to read this.

My name is Timothy Brian Menton and I reside at 59 Newell Road, Newton MA (617) 869-9377.

I am writing to you today to express my opposition to any change in Qualified Immunity for Police, Firefighters, Nurses, etc. These essential employees have the toughest jobs in our society as displayed a few short months ago during the height of the Covid-19 pandemic. They all must act quickly and without hesitation in order to complete their professions safely.

To undercut or cause them to second guess their actions due to possible frivolous litigation while working is downright dangerous. It will cause Police Officers to be hurt/killed. To think that "ambulance chasers" will not seek out clients in order to file suits against the above mentioned Heroes is naive.

I implore you to consider how professional the Massachusetts Law Enforcement community is. We do not have the rampant problems found in other parts of the country. This bill will only further victimize lower income communities because Police will take on a more reactive approach to their jobs. Gangs and violent offenders will take over these already marginalized communities. The good residents of these communities will fear for their lives and the safety of their children. We already can see an example of this occurring in New York City. Police reform can and will happen however this bill is far over reaching and will have severely negative consequences for Law Enforcement and the communities they serve.

Schools should share whether a student is affiliated or is an active gang member with the Police. If not, recruitment in our schools and violence in schools will only increase. Schools will be a safe haven for gangs.

This knee jerk reaction bill will cause good Police to leave the profession and will further scare away potential recruits in a profession that has already seen a decline in qualified applicants due to the "war on Police".

Our Police need help and any and all training can only be beneficial to them but please do not handcuff them and prevent them from doing their job which in turn will bring about increases in crime and violence throughout this great Commonwealth.

Thank you for taking the time to hear me.

Respectfully Submitted,  
Timothy B. Menton

Sent from my iPhoneFrom: Sherryfalvey <falveyssherry@gmail.com>  
Sent: Thursday, July 16, 2020 7:29 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform immunity clause

This should not be taken away from the police for the simple reason that it will give criminals the upper hand making it impossible for a police officer to perform his duty to the utmost capability causing innocent citizens to be vulnerable and susceptible to the criminal element. How can justice be enforced when an officers hands are handcuffed?From:

Sargent, Steven M. <SargentS@worcesterma.gov>

Sent: Thursday, July 16, 2020 7:29 PM

To: Testimony HWM Judiciary (HOU)

Subject: Worcester Police Chief

To all

Steve Sargent here and I'm the Chief of Police for the city of Worcester.

I hope all is well! I wanted to take a quick moment about the pending legislation that will fundamentally alter policing as we know it in Massachusetts.

I am sure you are receiving a lot of commentary so I will keep my thoughts brief. As you know, I have been a police officer in Worcester for 34 years. Simply put, forcing through this legislation will, as I see it, have three fundamental unintended consequences:

1. There will be an exponential increase of violence within the more urban Massachusetts communities.
2. Poorer, inner-city neighborhoods will suffer a disproportionate level of this violence and be comprehensively and negatively effected beyond higher levels of violence.
3. A Massachusetts police officer will be seriously hurt or killed because of the inherent doubt of action that some of these amendments will result in.

While any professional police officer or administrator welcomes a thoughtful analysis of police practice, policy, and procedure, this process can not be conducted on an artificial timetable without the opportunity to understand fully the result of all proposed changes.

Remember the silent majority is still the majority.

Please feel free to contact me to discuss.

Office number

508-799-6811

Thanks

Steven M Sargent

Chief of Police

Worcester Ma

From: Steven Kolodziej <kskolod@verizon.net>

Sent: Thursday, July 16, 2020 7:28 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Rick Page <rickpage2004@yahoo.com>

Sent: Thursday, July 16, 2020 7:28 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.



To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone  
From: Beth Hellman <bhellman2@gmail.com>  
Sent: Thursday, July 16, 2020 7:27 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill S.2820

Dear House of Representatives,

My name is Beth Hellman and I live at 25 Lexington Ave. in Methuen, MA. I write to express my concern about and opposition to Bill 2820. This bill puts law enforcement and citizens in danger!

My husband, Brian Hellman, is a Methuen Police Officer. He has several awards/citations hanging on our wall. He has received "Police officer of the Year" in Methuen two times as well as life saving awards and awards for going above and beyond the call of duty. As your constituent and the wife of a police officer, I write to you today to express my opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Defunded police, and limiting the ability to identify and act on crime before it happens, or stop crime in progress will result in less safe environments. It is the responsibility of our state government to support police policies that ensure that we continue to have educated officers that have quality training. We need to offer our law enforcement the respect they deserve and teach our community and our children to do the

same. This bill will backfire and result in emboldened criminals, poorly staffed departments, poorly trained officers and police who may not act with conviction because they fear retaliation. This will create more problems than can be imagined. If being a police officer becomes more dangerous than it already is you will get more retirements sooner and less qualified applicants going forward. Please do not put people at risk by passing this bill as is, which limits police response by removing qualified immunity and encourages criminals to fight back knowing police response has been stifled.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in the proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. The disrespect they are being shown is very upsetting. As a wife of a police officer, I worry about my husband going to work more now than ever before. He is not only a police officer, he is a husband, father of three small children, brother, son, and friend. I think people are forgetting that police officers are real people with real lives and families. They go to work and put their own lives at risk to protect others. They are being portrayed negatively in the media. I don't think it is right to rush this bill just to appease a group of people that are against law enforcement. The actions of a few in another state, should not force this to be pushed through so quickly without the input of the appropriate people. This bill will have serious consequences

not only for police officers but for the citizens they protect. I again implore you to reject this bill and to treat the men and women in law enforcement with the respect and dignity they deserve. Our police officers do not make the laws, but they are tasked with enforcing them. If we, as citizens of Massachusetts want to be safe, we need to support the effort of our officers so they can do the best job possible.

Sincerely,

Beth Hellman

From: Henry Rush <rushh7@verizon.net>  
Sent: Thursday, July 16, 2020 7:27 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800 Bill

I would like a NO vote entered on Bill S2800.

Thank You,

Henry J.Rush Jr.  
10 Walker Road  
Westwood, Ma. 02090  
rushh7@verizon.net  
781-326-0309

From: Jessica Tahiraj <jesslp44@icloud.com>  
Sent: Thursday, July 16, 2020 7:26 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Do not support S2800/S2820

I do not support S2800 or S2820 that makes us frontline workers vulnerable! We will organize a walk out if this gets passed then you will not have doctors, nursing, PTs, OTs, EMTs, firefighters, police etc!!!!

Thank you!

Jessica Tahiraj

Sent from my iPhoneFrom: Teaghan Souza <teaghansouza@gmail.com>  
Sent: Thursday, July 16, 2020 7:25 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

To Whom It May Concern,

My name is Teaghan Souza. I am from Swansea, MA and my father is a sergeant at the police station in our town. I am very worried about the bill that the senate is currently proposing. While there is a lot of good things within this bill that can make our state a lot safer, I believe that there are still some things within this bill as well that will put more people at risk rather than helping them. While there have been many deaths of Black Americans while they were in police custody, there have also been a large number of deaths of police officers who were killed in the line of duty. I believe that if this law is put into place that the number of those who were killed in the line of duty will rise. I already worry every day when my father leaves for work that he may not come back and that I may never get to see him again. Now with the possibility of this bill being passed, not only am I even more worried that he may never come home, but that now he could lose his job at any given point in time or he can be frivolously sued for acting in good faith while on duty. Police Officers should not have to hesitate, stop, and think "Will I be sued for doing this?" before they act. If they have to do this, there will be so many injuries and deaths caused. While I get that you all may have some good intentions when thinking about this bill, it can and will affect so many people negatively including YOU and your family. I do believe that there should be some change to our legal system, but I don't think that it should be done like this. I hope that you all will vote down this bill tomorrow and will be able to address it during a time that is not so controversial and allow public opinion into the bill. Thank you for your time.

Sincerely,  
Teaghan Souza  
Concerned Massachusetts Citizen  
978-689-5970  
From: Donna Balich <donna.balich@yahoo.com>  
Sent: Thursday, July 16, 2020 7:25 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity

Dear Chair Michlewitz and Chair Cronin,

My name is Donna Balich and I live at 151 Pine Hill Road, Chelmsford, MA . I work at Smith & Nephew, Inc as a Global, Category Manager in Procurement. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????????????????????????????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance

and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Donna Balich  
From: Eva G <e\_m\_g2001@yahoo.com>  
Sent: Thursday, July 16, 2020 7:25 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

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Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Eva Gedrich

Sent from my iPhone  
From: Melissa Balich <mbalich@worchester.edu>  
Sent: Thursday, July 16, 2020 7:25 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity

Dear Chair Michlewitz and Chair Cronin,

My name is Melissa Balich and I live in Brighton, MA. I work at Bear Mountain Nursing Facility in Reading MA as an Occupational Therapist. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Melissa Balich  
From: Meghan Balich <meghanbalich88@gmail.com>  
Sent: Thursday, July 16, 2020 7:24 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity

Dear Chair Michlewitz and Chair Cronin,

My name is Meghan Balich and I live in Chelmsford, MA. I am a young professional and as a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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Sincerely,

Meghan Balich

From: etol <etol@comcast.net>

Sent: Thursday, July 16, 2020 7:24 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

Please take your time to have your family, friends and all others who support police and correction officers, to copy this post and send it to: Testimony.HWMJudiciary@mahouse.gov

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Edward O'Leary and I live at 392 Belmont Street in East Bridgewater. I am a retired Randolph Police Lieutenant and am a small businessman. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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Sincerely,  
Edward T. O'Leary

Sent from my T-Mobile 5G Device

From: Mikayla George <mikaylageorge1@gmail.com>  
Sent: Thursday, July 16, 2020 7:24 PM  
To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is Mikayla George and I live in Dracut, MA <x-apple-data-detectors://2> . I work at Bridges memory assisted living in Andover. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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Sincerely,

Mikayla George

Sent from my iPhone  
From: Julie Leduc <leducjm@verizon.net>  
Sent: Thursday, July 16, 2020 7:23 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from Yahoo Mail on Android  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_go.onelink.me\\_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fw1-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMcaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0Sck2EnIiuk13zIs16rchf\\_GkGDD&m=Jhz8NZ\\_ZIJCSizutz0U\\_7-jH2CSTgQv3a1MnfWcpXuE&s=uSVuM82vpT5EZY9-OwnIznEpr5UxHmZ\\_CJ\\_91RUXhLs&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fw1-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMcaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiuk13zIs16rchf_GkGDD&m=Jhz8NZ_ZIJCSizutz0U_7-jH2CSTgQv3a1MnfWcpXuE&s=uSVuM82vpT5EZY9-OwnIznEpr5UxHmZ_CJ_91RUXhLs&e=)>  
From: Shannon Ryan <shannon.ryan@student.fairfield.edu>  
Sent: Thursday, July 16, 2020 7:23 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity

Dear Chair Michlewitz and Chair Cronin,

My name is Shannon Ryan and I live in Tyngsboro, MA. I will be a rising senior at Fairfield University this fall. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Shannon Ryan

From: beth eskenas <beskenas@yahoo.com>  
Sent: Thursday, July 16, 2020 7:23 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from Yahoo Mail on Android

<[I support the Reform, Shift and Build Act \(S.2800\) to reform the MA police and adjust resources to be equitable to POC communities.](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMcaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=fgi3gRNcvvHNdFZhqukNBMHYJjVJhGTvHZdJbhEv7nU&s=dXczKH8L5orAicIaK8hHS1kCyFeu0zydBsJEYbWqD4E&e=><br/>From: Bronia Bogen-Grose <bronia86@gmail.com><br/>Sent: Thursday, July 16, 2020 7:22 PM<br/>To: Testimony HWM Judiciary (HOU)<br/>Subject: reform, shift and build act s.2800</p></div><div data-bbox=)

Bronia Bogen-Grose  
From: Michael O'Donnell <mikeod021@icloud.com>  
Sent: Thursday, July 16, 2020 7:22 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Action

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due to the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools, organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections, it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model to be used. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Michael O'Donnell

Resident

9 Beatty st.

Canton, MA 02021 <x-apple-data-detectors://3/1>

Sent from my iPhone

From: Mark Daly <halligan26@icloud.com>  
Sent: Thursday, July 16, 2020 7:21 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

To the Honorable Massachusetts House of Representatives,

I hope my family and I will be represented in your session considering the Policing Bill.

I am a 47 y/o male father of 3 children under 10. I have been a firefighter emt for almost 18 years now and have been active in my Union and the collective bargaining process.

Let me clearly state that in the 5 contracts I have negotiated we have heard the Towns concerns over finances and wages and as a Union have agreed to make the concessions at the table necessary to safeguard our members by adding staffing in our CBA and adding certifications. We have a cap on sick time at retirement , a very strict drug and alcohol policy, early retirement notification and employment contingent on maintaining licensing.

I am very concerned that "knee jerk reaction" legislation is being pushed through and panders to a small group "out for blood".

It's sad that in the great State of Massachusetts that Democracy is falling by the wayside.

No one condones the horrific act by the Minneapolis officer that resulted in the death of George Floyd.

I'm sure Massachusetts has had issues on certain calls in the past with "use of force".

I also have a more in depth knowledge of Regional teams like NEMLEC, who are geographic teams of Police Officers from separate communities that train with tactical equipment for unique events including armed,

barricaded individuals and the like. These teams are a necessity as an option when all other options fail. Local Departments probably do not need that level of gear.

This legislation will have a dire impact on recruitment of new police officers and potentially firefighters throughout our State. Standards are fine, egregious and negligent behavior should be disciplined up to and including termination. Unilateral changes to Policing only endangers citizens in the future. No doubt the Criminals will benefit from these changes and new requirements. We as a society have come close to the brink of Anarchy and I am concerned what will quell civil upheaval in the future.

As a taxpayer I want the best possible candidate to be hired as a police officer to protect my town and family no matter their gender, race or creed.

We need policing, we need to stop allowing civil unrest. Policing can be reformed but please keep in mind how rioting like we saw at the foot of the Statehouse needs to be prevented and stopped when it begins.

It was disheartening and disgusting to see the rioting and looting being allowed to happen. I went to high school on Tremont street, I know the area well.

This State and our Country should tread lightly before making unilateral changes through legislation in a reactionary way. Racism is unfortunately an issue in many fascists of life. I would clearly like to state that race is not an issue in my home and my children are taught to see equal human beings through their eyes.

My son has Autism so our family's a little more in tune with not judging people based on anything other than what you personally experience with that person as an individual.

Lastly, I would also like the Representatives to consider the opportunity the Mass Municipal Association is now trying to exploit by jamming their ambitions into this bill. They are jumping on the bandwagon not to support the cause but to tip the scales in their favor as far as negotiating, collectively bargaining and discipline however they see fit without recourse.

The Massachusetts House and Senate Memberships wouldn't legislate these changes for their own bodies please don't be fooled by the intentions of the MMA.

I'm a firefighter/emt, who has actively responded to numerous COVID-19 calls during the pandemic because that is my duty I have sworn to provide. (as my colleagues and I have done through Ebola, H1N1, triple E and all new challenges that come along) To now find my career under attack and my livelihood jeopardized because of a Minneapolis Police Officer is absurd, unfair and unjust.



Police and Fire jobs/careers are dynamic and individuals are expected to act to the best of their ability to mitigate the emergency even though that emergency maybe something they've never encountered or trained for.

Please tread lightly, these footprints could last generations.

Thank you for the Consideration.

Mark Daly

Bedford 01730From: estelle0009@googlemail.com

Sent: Thursday, July 16, 2020 7:21 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

To the members of the Legislature,

My name is Estelle D'Amico and I am the wife of a Massachusetts State Police Trooper. Thank you for taking the time to read this and for having a public forum to discuss the topic of police reform unlike the Senate. I urge you not to accept the Senate bill, which was done without public input, and rushed. Member of the State Police are not against police reform and believe like any profession there is always room for improvement. Most concerning from the bill from the Senate is the eroding of qualified immunity. Every government official in Massachusetts is covered by qualified or absolute immunity. To take this away from those in policing would be cruel. They are forced to make split second decisions to protect themselves and others from violent criminals. They should not have to worry about their financial livelihood every time they go to work. Qualified immunity does not shield them from illegal acts. When someone in police breaks the law, they are held accountable. It does protect them from frivolous lawsuits and provides peace of mind when performing a dangerous job. Those of you in the Legislature are protected by absolute immunity, a higher level of protection then police, for actions you take over the course of weeks and months. To strip protection from police for actions they are forced to make in seconds is wrong.

Furthermore, the State Police Association of Massachusetts put forward a request for several common-sense amendments to the Senate Bill that would give law enforcement a voice in reforming policing. To reform policing you must include those doing the job. They only ask for a voice in this process so that the final product benefits everyone. I have included the State Police Associates recommendations below for you and urge you to consider them.

Again, thank you for taking the time to hear my voice and I trust that the Legislature will provide a more balanced and thoughtful bill then the one passed through the Senate.

Respectfully,

Estelle D'Amico

617-901-2105

48 - State Police Colonel - Filed by Senator Rush

This amendment seeks to retain the rank of Colonel coming from within the ranks of the MSP. It states that the Colonel could also fill the dual role as a Superintendent (as is the case today), and if a civilian Superintendent was to be appointed, it greatly increases the requirements of a Superintendent, and retains the position of Colonel from within the ranks of the MSP. Further, if such an outside appointment was to be made, this amendment would ensure that the appointee would have the basic elements required to command and operate a diverse organization such as ours and would double the minimum years' experience required from 10 to 20 years.

74 - Qualified Immunity - Filed by Senator Tran

This amendment seeks to amend the bill in SECTION 10 by striking subsection (c) of section 11I. The following would be struck - "In an action under this section, qualified immunity shall not apply to claims for 431 monetary damages except upon a finding that, at the time the conduct complained of occurred, 432 no reasonable defendant could have had reason to believe that such conduct would violate the 433 law."

Complimentary to this amendment is #137 (filed by Senator Velis), which also strikes the Qualified Immunity section and adds a special commission to study Qualified Immunity.

"Qualified immunity balances two important interests—the need to hold public officials accountable when they exercise power irresponsibly and the need to shield officials from harassment, distraction, and liability when they perform their duties reasonably." Pearson v. Callahan.

77 - Discipline Changes - Filed by Senator Tarr

This amendment moves to amend the bill in SECTION 18 by striking in line 621 the words "1 year" and replacing therewith- "45 days". This would allow for our officers to seek an appeal of an administrative suspension without pay within 45 days, not the 1 year as drafted. This is an important Due Process piece for our officers and grants the Department of State Police more than the required 30 days to complete their investigation.

114 - Representation on POSAC - Filed by Senator Rush

This Amendment move to amend the bill in SECTION 6, by striking lines 164-192 in Section 221 and inserting in place thereof:-

"Section 221. There shall be an independent police officer standards and accreditation committee within the executive office of public safety and

security consisting of: 13 members appointed by the governor, 1 of whom shall be the Attorney General or her nominee, 1 of whom shall be the Colonel the Massachusetts State Police (or a sworn Officer designated by the Colonel), 1 of whom shall be the Commissioner of the Boston Police Department (or a sworn Officer designated by the Commissioner), 1 of whom shall be a chief of police of a mid-sized municipality who is a person of color to be nominated by the Massachusetts Chiefs of Police Association Incorporated, 1 of whom shall be the President of the Massachusetts Association of Minority Law Enforcement Officers, Inc., 1 of whom shall be the President of the State Police Association of Massachusetts, 1 of whom shall be the President of the Boston Police Patrolmen's Association, 1 of whom shall be a sworn Police Officer nominated by the Massachusetts Law Enforcement Policy Group, 1 of whom shall be a retired judge, 1 of whom shall be a Professor of Criminal Justice from a Massachusetts College or University; 1 of whom shall be an expert in the field of use of force, 1 of whom shall be an expert in the investigation of firearms discharge; and 1 other member; provided, however, that non-law enforcement members shall have experience with or expertise in law enforcement practice and training, criminal law, or the criminal justice system. Appointments to the police officer standards and accreditation committee shall be for terms of 3 years and until their successors are appointed. Vacancies in the membership of the committee shall be filled by the original appointing authority for the balance of the unexpired term. Members of the police officer standards and accreditation committee shall be compensated for work performed for the police officer standards and accreditation committee at such rate as the secretary of administration and finance shall determine and shall be reimbursed for their expenses necessarily incurred in the performance of their duties."

Sent from my iPhone  
From: Levine, Susan <SusanLe@lchealth.org>  
Sent: Thursday, July 16, 2020 7:19 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony for expungement

Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this expansion and I hope you will consider it as it directly relates to the

harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

Our criminal justice system is not immune to structural racism and I join you and all members in the great work needed to set things right. The unfortunate reality is that people of color are far more likely to be subjected to stop and frisk and more likely to get arrested for the same crimes committed by whites. Black youth are three times more likely to get arrested than their white peers and Black residents are six times more likely to go to jail in Massachusetts. Other systems where people of color experience racism are exacerbated, and in many ways legitimized, by the presence of a criminal record. Criminal records are meant to be a tool for public safety but they're more often used as a tool to hold communities of color back from their full economic potential. Expungement can be an important tool to rectify the documented systemic racism at every point of a young person's journey through and past our justice system.

Young adults have the highest recidivism rate of any age group, but that drops as they grow older and mature. The law, however, does not allow for anyone who recidivates but eventually desists from reoffending to benefit. Young people's circumstances and cases are unique. The law aptly gives the court the discretion to approve expungement petitions on a case by case basis, yet the law also categorically disqualifies over 150 charges. Anyone who is innocent of a crime should not have a record, but the current law doesn't distinguish between a dismissal and a conviction. It's for these three main reasons I write you to champion these clarifications. Now is the time to do it.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due for a variety of circumstances, and since the overwhelming number of those young people grow up and move on with their lives, I am hoping to make clarifying changes to the law. Expungement for youth also may influence better mental health outcomes due to the decrease in negative police interactions, reduced perception of discrimination, and improved employment opportunities. (MIT. Health Impact Assessment July 2016)

I respectfully ask the law be clarified to:

\* Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.

\* Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

\* Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case basis especially if the case is dismissed of the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism; remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Susan West Levine, MPH

Chief Executive Officer

Lowell Community Health Center

161 Jackson Street

Lowell, MA 01852

978.746.7870

A Community Caring for a Community

Visit [www.lchealth.org](http://www.lchealth.org) for events, stories, and more, celebrating 50 years of cultivating health in Greater Lowell.

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From: Lucas Rich <rucas.lich@gmail.com>  
Sent: Thursday, July 16, 2020 7:17 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform, Shift, and Build Act thoughts

Hello, my name is Lucas Rich. I have lived in Boston for 7 years now

I am sending this email to send all the support I possibly can for the Reform, Shift, and Build Act (S.2800)

The state of the country is no mystery right now, and positive change is long overdue. This will be a move in the right direction, it will help ALL people and ALL residents of our state.

Please support this Act and make it a reality, it is necessary for the well being of our communities.

Lucas

From: Jeffrey White <jwhitenpd@gmail.com>  
Sent: Thursday, July 16, 2020 7:17 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: To House Chair Aaron Michlewitz and Chair Claire Cronin,

To House Chair Aaron Michlewitz and Chair Claire Cronin,

I am writing to you to express my concerns and absolute frustration with the police reform bills 2820 and 2800 that have been circulating around the House of Representatives as well as the Senate. First let me say that I am appalled to say the least on how Police Officers are being treated regarding this matter. Look at the numbers and you tell me if Massachusetts has a problem! Massachusetts officers are some of the best in the country and do their job to a high standard.

Let me start by saying Police officers are some of the most under appreciated men and women in this country and these two proposed bills prove it! How do you expect someone to do the job as a police officer which is already hard enough with no qualified immunity. How could law makers, leaders, and everyone else for that matter expect someone that already puts everything on the line to do so without protection from being sued. This bill will have so many unexpected consequences! We are not talking complete immunity rather just qualified immunity which means you must be acting in good faith. Being racist is not good faith That's plain

and simple. So why is there such a push to remove a protection for our police officers? You can have accountability without taking away something that's a protective measure to these men and women.

We live in a society that puts athletes and musicians on a pedestal paying them millions while the men and woman of law enforcement, firemen and the military are risking their lives only to get shit on (lack of a better term). Why are we attacking the very men and women that protect us day in and day out? When is America going to wake up ? When are we going to learn that knee jerk reactions don't solve problems it makes them worse?

Lastly the unintended consequences of this bill will be ever lasting. We will lose not only great men and women in the profession, we will lose protection which should be afforded to them so that they can do their jobs and keep these streets safe! Where is the rush? This happened with the juvenile reform bill which tied the hands of law enforcement and still does to this day. Let's think before we act and get a real solution! Training officers is the real solution!

Respectfully,  
Jeff White

Sent from my iPhone  
From: D BRIAN MCDONALD <donkay3@verizon.net>  
Sent: Thursday, July 16, 2020 7:17 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,  
From: Paige Watson <paigenwatson@yahoo.com>  
Sent: Thursday, July 16, 2020 7:15 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Written testimony

Dear Senator,

My name is Paige Watson and I live at 111 Grove Street Randolph, MA. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Paige Watson

From: thomas duffy <tduffypats12@gmail.com>



Sent: Thursday, July 16, 2020 7:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Police reform S 2820

My name is Thomas B Duffy II and I am a proud lifelong resident of Worcester, MA. I have been a police officer in the city of Worcester for 23 years. I also served in the United States Marine Corps prior to being a police officer. I am deeply troubled by the manner in which this process has been conducted. I also take great issue with the complete disrespect this profession has been subjected to. We take great pride everyday to go out there and do our job and make the city the safest best place to live it can be. We deeply care about our city and its residents. I would like to go in greater detail, but I will focus on this bill.

I have several issues with this bill to include the fact that it is an anti labor bill. Many of these working conditions we collectively bargained for in good faith. The fact that there is no due process. Every American is granted due process and you want to take that away from police officers. The issue of doing away with qualified immunity, and that we as a profession will not help make up the POSAC board. These issues are completely unacceptable.

I believe this bill is a very dangerous piece of legislation. I would also like you to think about the severe negative consequences this bill would have on the citizens of this Commonwealth. If you think that this bill would make our State safer or be in the best interest of its residents, I strongly suggest you think of all the negative impact it would have and vote No!

Thomas B Duffy II

Worcester Police Dept

508 868-9300

From: Nelson Curral <nelsoncurral@yahoo.com>

Sent: Thursday, July 16, 2020 7:14 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Nelson Curral and I live in New Bedford MA. I work at Bristol County Sheriffs Office and am a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the

opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Nelson Curral

Sent from my iPhone  
From: JEAN BURNAND <jeanburnand21@msn.com>  
Sent: Thursday, July 16, 2020 7:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800 needs editing

Please consider re-evaluating this Bill. I agree with the ban of use of violence, but as a senior citizen living on my own I fear that my safety is in jeopardy. Hold officers and first responders accountable for their actions via choke holds, etc. but do not put my life in jeopardy because an officer won't give me CPR for fear of reprisal. Or a first responder

who won't start an IV in an emergency if needed. If this passes, I will carry in my person and in my vehicle permission to use life saving treatment without fear of reprisal from me or my family.

My son is a firefighter/paramedic and a nurse. Please don't tie his hands. Respectfully,

Jean Burnand

From: Josh Spitaleri <joshspit42@gmail.com>

Sent: Thursday, July 16, 2020 7:14 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony

? Dear Chair Michlewitz and Chair Cronin,

My name is Joshua Spitaleri and I live in Beverly Ma. I work for the City of Beverly and am a Police Officer & Union Vice President. I also worked at the Suffolk County Sheriffs Department for 4 years. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred

inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Joshua Spitaleri

Vice President BPBA (Patrolmans Union)

Beverly Police Department

Sent from my iPhone

From: Tia Thomson <tiasthomson@gmail.com>  
Sent: Thursday, July 16, 2020 7:13 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: I support the Reform, Shift + Build Act (S.2800)

Hi,

I am a resident of Boston, MA and I unequivocally support the Reform, Shift + Build Act (S.2800). The movement that has taken hold of our country (and the world) in the past couple of months has proven that the time for change is now. More than ever before, people are hungry to see real and meaningful action taken by people in power. Simply put, it is time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. Massachusetts needs to be at the forefront of passing progressive legislation to lead the way for the rest of the country.

Thank you,

Tia Thomson

37 Cunard St #2  
Boston, MA 02120  
From: Megan Anderson <meggre32@gmail.com>  
Sent: Thursday, July 16, 2020 7:13 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Good Evening

My name is Megan Anderson and I live at 111 Hillside Circle in Hanover. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Officer and the daughter of a retired Weymouth Police Officer. Growing up as the daughter

of a Police Officer I don't really remember being worried about my father going off to work. It was a different world then. Police Officers were respected and appreciated for the job they did. As the wife of a Police Officer in today's world things are different. Like all police wives, I watch my husband leave and hope and pray that he comes home safely every day. My last words to him every time he leaves are "be careful". The last words our children say to their dad when he leaves are "be safe". In our world this "normal" but not everyone lives in the same world we do, not all wives need to say "be careful" and not all kids have to say "be safe" when their loved one leaves for work.

I also write to you as a member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered. I will never forget where I was when my husband got the initial call about Mike. I will never forget where I was when I learned that news that Mike had died. I will never forget attending Mike's wake and funeral with my husband, my Blue Family and the Chesna Family. Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will never forget. A police wake and funeral are things NONE of us ever want to attend again.

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform.

Like many, I support enhanced training and appropriate certification standards that apply to individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. Qualified Immunity, as I understand it, does not excuse criminal conduct. It is, instead, a legal protection offered to all public employees and serves as a protection against losing one's home or life savings in a civil suit. As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform. If they don't make those decisions quickly enough they face the very real chance of death or injury. Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried

about liability. They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in. They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones. Is there a chance that Sergeant Michael Chesna chose not to use his weapon on the morning of July 15, 2018 because he was worried that such use would have been viewed as use of excessive force? Was he worried that if he used his weapon he could potentially lose his family's home? The answers to those questions we will never know. It does seem reasonable to assume, however, that had Sergeant Michael Chesna chosen to use his weapon to shoot Emanuel Lopes he would still be here today. He would still be here with his family who miss him every single day. Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them. Police Officers who are forced to stop, pause and think about potential liability before they act are Police officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. The bill as it currently stands before you is NOT acceptable as a total package. If Legislation such as that tied to S.2820 is to be effective, appropriate and just for all citizens of our Commonwealth it takes time along with careful thought and consideration. Reactive and rash decision making do not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill and to not study pieces like Qualified Immunity further have been extremely disheartening. I appreciated those Senators who called for more time and for a closer look at the bill in order to produce a product that was fair and just for all citizens of our Commonwealth. I also appreciate the willingness of the House to hear from the citizens of the Commonwealth. Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have the some of the most well trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way. I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Megan Anderson

111 Hillside Circle

Hanover 02339

(781)829-6924

From: laberley@massmed.org  
Sent: Thursday, July 16, 2020 7:12 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Ann Webb; Pam Barra; Joe Golemme  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Patricia Schmid <paschmid8@aol.com>  
Sent: Thursday, July 16, 2020 7:12 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to

ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Patricia Schmid

Sent from my iPhone  
From: Mary Kathryn Flaherty <marykflaherty@hotmail.com>  
Sent: Thursday, July 16, 2020 7:12 PM  
To: Testimony HWM Judiciary (HOU); Naughton, Harold - Rep. (HOU)  
Subject: Testimony

Dear Representative Naughton,  
I hope this email finds you well.  
First, I would like to thank you for your many years of service to the community. Your thoughtfulness and dedication is much appreciated and respected.  
In the past several months the United States has dealt with tremendous upheaval. Every aspect of every citizens life has been impacted. We are facing challenging times socially, educationally, economically, and with access to healthcare. I feel this has brought to the surface many structural problems. One area of concern is the importance of recognizing the value of the disenfranchised; those who lack access to education, healthcare, housing and jobs. It is our job to recognize and address the structural problems that are leading to a collapse in society.  
In order to create meaningful change we must take a critical look at ALL the forces that shape society and address each one. While police reform and standards should be examined, it is my belief the police reform presented is not the answer. There exists several fundamental flaws that would prohibit police officers from carrying out their duty safely and effectively. Specifically the loss of qualified immunity. This along with other recommendations, i.e no K9, no rubber bullets, no tear gas or pepper spray, and allowing people to interfere with police officers doing their duties if they see fit, will create a form of "defensive policing" that will undermine the ability of officers to make split second decisions. This is dangerous for all.  
We ask men and women who serve across the state to risk their lives daily yet legislation is being presented that puts them at risk.  
At no point has any elected official, that I am aware, stood up and recognized that Massachusetts has an educated, well trained police force. At no time, that I'm aware, has an elected official commended the professionalism, compassion, and dedication of the police throughout Massachusetts. It's been too easy to make police the enemy. Law enforcement officers deal with the most tragic, violent, gut wrenching events that affect many vulnerable people. We need to be supportive of the police and not target them with legislature that is based on a visceral



reaction to a public tragedy. I strongly urge you to reject the proposal as presented.

Thanks you for your time,  
Mary K. DeCesare Flaherty, MS  
Resident Clinton MA

Sent from my iPhoneFrom: Eric Anderson <elanderson5@comcast.net>  
Sent: Thursday, July 16, 2020 7:12 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone  
From: Joe S <jstmartinjr@yahoo.com>  
Sent: Thursday, July 16, 2020 7:11 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

I write to you today to express my strong opposition to the recently filed S.2820. This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in

law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of this bill:

This bill authorizes for treble damages if a police officer is found to have submitted a false pay record. This would make police officers the ONLY public employees subject to this punishment. The courts will have a field day in overturning this.

This bill the POSAC Committee is granted broad powers, including the power of subpoena, in active investigations- even when the original law enforcement agency has conducted it's own investigation. The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment rights against self-incrimination (see Carney vs Springfield) and constitutional protections against "double-jeopardy".

Qualified immunity protections are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections essential for the police officers we send out on patrol in our communities and who often deal with some of the most dangerous of circumstances with little or no back-up. Removing qualified immunity protections in this way will open officers up to personal liabilities so they cannot purchase a home, a car, obtain a credit card, or other things for the benefit of them and their families. Good luck with police recruitment.

Thank you,

Joseph St. Martin Jr.

Quincy, MA

jstmartinjr@yahoo.com

From: Nunotte Zama <user@voterveice.net>

Sent: Thursday, July 16, 2020 7:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass a Strong Police Accountability Bill with Key Provisions  
from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Nunotte Zama  
18 Whittier St  
Melrose, MA 02176  
nzama@aol.com

From: ELLEN JOHNSON <ineson@comcast.net>  
Sent: Thursday, July 16, 2020 7:10 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

To whom it may concern: I am strongly opposed to the passing of bill S2820. We need to protect our law enforcement officers so that they can do their jobs! All lives matter; which includes our law enforcement officers. Do not tie their hands. Nobody wants a job that offers no support from the people they are suppose to protect. Also, I believe that there will be less interest in our youth aspiring to pursue a career in law enforcement with the passing of this bill and it will hurt our society beyond repair. Please consider this when voting on this bill.

Thank you,

Ellen Johnson, mother and sister of police officers,

22 Cottage Street  
Wilmington, MA 01887

From: Yahoo <carla.orta@yahoo.com>  
Sent: Thursday, July 16, 2020 7:08 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

To whom it may concern,

My name is Carla Orta I live in Weston, Ma with my husband and daughter. I would like the opportunity to speak on S2820.

I have been an EMT in the city of Waltham for just over 20 years. My husband is not only a decorated officer in Waltham but he is a minority. My husband is Hispanic and speaks both English and Spanish. We have devoted our lives and careers to public service. We have both worked extremely hard, my husband even more as english was not his first language. We were both born into extreme poverty and worked tirelessly to Become educated and make a better life for ourselves and our daughter. Can you imagine a Cuban and a girl born onto a farm without a bathroom is now living on Weston, ma. However if you vote to take qualified immunity away from public service employees you will be taking away from all we have worked hard for. Imagine an EMT does CPR on a patient. The patient lives but subsequently a rib was broken in the process of CPR. That patient can now sue that EMT such as myself in civil court.

Im asking you to chose me to speak as to why taking qualified immunity from us puts the public in harms way.

How could you not want to hear from someone that is an EMT with a 25 year veteran police officer husband that is a minority

It's so important for people to understand how this will affect us all.

Sincerely  
Carla Orta  
597 south ave  
Weston, ma  
781-507-1899  
From: Natalie Loureiro <natalieeloureiro@gmail.com>  
Sent: Thursday, July 16, 2020 7:09 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform, Shift + Build Act (S.2800)

To Whom it May Concern,

I would like to express my support for the Reform, Shift + Build Act. I support police reform and a more equitable commonwealth for communities of color.

Thank you,

Natalie Loureiro  
Dorchester, MA

--

Natalie Loureiro

From: Susan Thornton <smnthorn@yahoo.com>  
Sent: Thursday, July 16, 2020 7:08 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Reverend Susan Thornton  
From: Laura <lauramurphy79@comcast.net>  
Sent: Thursday, July 16, 2020 7:07 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

My wife and I urge you to vote NO. Keep QI for LEO.  
Sent from my iPhone  
From: toothy410@gmail.com  
Sent: Thursday, July 16, 2020 7:08 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820 Testimony

To Whom It May Concern,

I am strongly opposed to many of the components of this bill. Qualified Immunity exists so that Officers who are acting in accordance with their agency's policies and procedures and using the appropriate actions/force based on the situation they are presented with are protected from civil liability. Qualified Immunity doesn't exist to protect officers violating their agency's P&P or using excessive force. I am also opposed to public databases regarding officer complaints.

Should Qualified Immunity disappear officers will no longer be proactive or try to apprehend suspects or violent persons for the very real risk of being sued personally. I honestly believe criminals will be emboldened with the knowledge an officer won't try to apprehend them or put their hands on them. Crime will rise and the innocent public will suffer. Results are already evident in many major cities where officers are taking a hands off approach like the public has called for. Now in those communities leaders are coming forward asking for anti-crime units to be put back in place and more law enforcement.

In law enforcement, unlike many other professions, people can often be left unhappy when an officer is doing "good work". Good work means writing tickets to speeders hoping they slowdown in the future and prevent major crashes resulting in injuries or death. Good work is arresting the spouse who just beat their significant other- even though neither want the police to make an arrest. An Officer does it knowing the next beating could be their last one if they are killed. Good work might mean using lethal force to save someone else's life or your own. Does any officer want to be put in these situations? The answer is no. Sadly, until every citizen abides by the law, police officers need to respond accordingly.

By taking away Qualified Immunity speeders won't be stopped for fear of accusations of bias or profiling. Batterers won't be arrested for fear the couple will accuse the police of using excessive force, even if the appropriate amount was used. A lawsuit could be filed against the officer even if it was found the police acted accordingly. Officers and innocent citizens will die at higher rates when an Officer hesitates to use the appropriate amount of force in a lethal situation (or perceived lethal situation- the police are not psychics) for fear of their family losing their home and savings... or even just being portrayed in the media as a murderer. I believe Sgt. Michael Chesna lost his life and an innocent woman in 2018 because of the fear of using excessive force as the perpetrator was "only" armed with a rock.

Good officers doing good work and being proactive will generate complaints. I have been a police officer for 12 years in the community I grew up in. Every day I try to serve and protect those in my community to the best of my abilities. I truly care about people and often I am kept up at night wondering if the victims I work with will be okay upon my next shift in. In my career I have generated complaints because people were not happy they were pulled over, placed into protective custody for their own safety when they were highly impaired, and felt discriminated against due to their mental health when I assisted an elderly couple get restraining orders against their abusive adult child struggling with their mental health. Having a database available to the public will place a target on officers more than there already is. It is very easy to find addresses available to the public online. Showing and Officer has a certain amount of complaints will give the false perception the officer is a bad one.

In closing, I respectfully request you do not remove Qualified Immunity and do not have a public database regarding officer complaints as this will jeopardize Officers and their family's safety more than it already is. Thank you for taking the time to read my testimony.

Amy Rando

From: blennon1@verizon.net  
Sent: Thursday, July 16, 2020 7:06 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Vieira, David - Rep. (HOU)  
Subject: S2800

To Committee Members;

I am a Retired State Trooper, VERY PROUD OF MY SERVICE, and live in East Falmouth. The Senate passed S2800, An Act to Reform Police Standards and Shift Resources to Build a More Equitable, Fair and Just Commonwealth that Values Black Lives and Communities of Color with 7 members not voting for the bill as it was passed.

These national incidents of Police aggression did NOT occur in Massachusetts, and this legislation hastily drafted and introduced in several weeks (not months or years), does not reflect the good work that law enforcement does here in Massachusetts.

I'm reaching out to express my dismay, disappointment and strong opposition to Senate bill.2800.

It is now in the House and as a past public servant, please do NOT PASS this Bill. This bill is troubling in many ways and will make an already

dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of this bill:

In Section 6, this bill the POSAC Committee is granted broad powers, including the power of subpoena, in active investigations- even when the original law enforcement agency has conducted its own investigation. The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment rights against self-incrimination (see *Carney vs Springfield*) and constitutional protections against "double-jeopardy".

In Section 10, qualified immunity protections are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections essential for the police officers we send out on patrol in our communities and who often deal with some of the most dangerous of circumstances with little or no back-up. Removing qualified immunity protections in this way will open officers up to personal liabilities so they cannot purchase a home, a car, obtain a credit card, or other things for the benefit of them and their families. Good luck with police recruitment.

Additionally, this bill re-writes sections of the 2018 Criminal Justice Reform Bill (see record expungement and corrections) as well as the Hands-Free law the legislature just adopted. Those bills were signed into law after the normal and appropriate legislative process of filing a bill, holding public hearings to accept testimony from citizens, and thoughtful debate over a span of many months. It is inconceivable that the Massachusetts State Senate would attempt this "sleight of hand" trick to re-write those laws with this rushed, bill that will be lightly debated (in the COVID-19 remote sessions) and done behind a smoke-screen of hurried "exigency".

I am a proud voter on Cape Cod, severed over 20 years dedicated to the people of Massachusetts and I ask that you reconsider what the Senate passed and PLEASE, PLEASE DO NOT VOTE HASTILY on these measures for the reasons stated above, and others.

Thank you for your consideration.

Respectfully,

William P. Lennon

Retired Captain, Massachusetts State Police

25 Longshank Circle, East Falmouth, MA 02536

Cell - 508-922-5139

From: Eric DeCouto <edecouto@comcast.net>



Sent: Thursday, July 16, 2020 7:06 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Eric DeCouto and I live at 241 Mount Pleasant st Fall River MA 02720. I work at Bristol County Sheriff Office and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ?????????????????? : Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ????????????? : The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ?????????????????????? : While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Officer Eric DeCouto

Sent from my iPhone  
From: George, Joanne <jtgeorge42@comcast.net>  
Sent: Thursday, July 16, 2020 7:06 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Joanne George and I live at 20 Wheeler Road, Dracut, MA . I work at Lowell Public Schools and am a teacher. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????????????????????????????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

L?????? ?????????? ??????????????????????????????????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????????????????????????????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven

community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Joanne George

From: harvey tiomkin <lefttyharv@yahoo.com>  
Sent: Thursday, July 16, 2020 7:05 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: jeffreynroy@gmail.com  
Subject: Senate bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Harvey Tiomkin and I live at 43 Wampanoag DR, Franklin, MA, 02038, I work at MCI-Norfolk and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less Than Lethal Tools:** The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,  
Harvey Tiomkin

Sent from my iPhone  
From: Kathy Lahiff <kklahiff@verizon.net>  
Sent: Thursday, July 16, 2020 7:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:  
I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Kathleen K. Lahiff  
From: Scott McAdoo <mcadoo.scott@gmail.com>  
Sent: Thursday, July 16, 2020 7:04 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Dear Chair Michlewitz and Chair Cronin,

My name is Scott McAdoo and I live at 278 Waverly Road, North Andover Massachusetts 01845. I work at MCI-Norfolk and am a Correction Officer

with 12 years on the job. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less Than Lethal Tools:** The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Correction Officer Scott McAdoo  
MCI-Norfolk  
12 years

From: Ryan Caneen <rcaneen@gmail.com>  
Sent: Thursday, July 16, 2020 7:04 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Ferguson, Kimberly - Rep. (HOU)  
Subject: Police Reform Bill

To Whom It May Concern,

As a citizen of the Commonwealth, I would like to voice my displeasure with the Bill that the Senate recently passed in regards to police reform. My hope is that the House of Representatives will take a more thorough look at the current state of policing in Massachusetts. I believe that if this is done, it will reveal that police officers in this state are highly educated and trained, use appropriate levels of force, and are far from being racist. The Bill passed by the Senate creates unnecessary burdens on police officers that could result in hesitation on the part of the officer in the performance of their duties. Hesitation can be the difference between life and death to an officer.

Respectfully,

Ryan Caneen

1174 Wachusett Street

Jefferson, MA 01522

(978) 337-7073 From: Francine Hayes <fhayes@verizon.net>

Sent: Thursday, July 16, 2020 7:02 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Dana Toland <dana.toland@itexgroup.com>

Sent: Thursday, July 16, 2020 7:00 PM

To: Testimony HWM Judiciary (HOU)

Cc: Kearney, Patrick - Rep. (HOU);

constituent.services@massmail.state.ma.us

Subject: Police Reform 52820

Dear Representative Michlewitz, Representative Cronin, all members of the house and Governor Baker:

As I single mother, I am terrified of the direction our country is going. The death of George Floyd was evil, and all of the individuals need to be held accountable. However, this atrocity happened in Minneapolis, not in Massachusetts.

Massachusetts has an excellent record in terms of our police officers. Boston's own commissioner is Black. We should be a model for other states to imitate. Could there be more training, probably. I think all organizations, both in the public and private sectors benefit from ongoing training.

I am especially nervous about the immunity clause and our limiting their ability to use certain tools to keep them and the public safe. If they are deprived of immunity, and there are protests or riots in the future, will a politician, who I understand will still be protected by immunity, be at the front of the police line to determine what tactics and force may be used? If not, will officers be willing to work a protest/riot? Looking at the initial riots in Boston, from the comfort of my couch, was terrifying to watch. I was shocked. My son (13) and I were afraid for the police and Boston. We live in Marshfield, and still don't feel safe going to Boston.

In the past month, I know 20 people, who initially were against guns, take a gun safety class to allow them to get a license to carry. Now, I wonder if I need to to get a license. Never in a million years would I think that would ever be seen as a necessity to keep my son and I safe.

Prior to rushing to appease a segment of society, I beg you To find the strength to be true leaders. Gather all key stakeholders to sit down and evaluate and analyze the data and come up with a solution. I believe too the racial issue is systemic. Therefore instead of just looking at police reform, look at the entire issue and find real solutions.

It seems like so many politicians have lost their way, and are afraid to lead. Wouldn't it be wonderful if not just the Massachusetts police, but the leadership of the Mass House could show our country and the world how to make meaningful change that will bring desired results, rather than a placing a bandaid on a much larger problem?

Please be the voice of reason!

Regards,

Dana TOLAND

A terrified Mother of a teenager

617.270.6054

Sent from my iPhone

From: Tara Wilson <wilsonlara9@gmail.com>

Sent: Thursday, July 16, 2020 6:52 PM

To: Testimony HWM Judiciary (HOU)

Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Tara Wilson  
32 Grove St  
Boston, MA 02114  
wilsonlara9@gmail.com

From: Sandra Simon <sfx6@msn.com>  
Sent: Thursday, July 16, 2020 6:59 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: policing standards bill

Police officers deserve the right to the appeal process.  
Police officers deserve qualified immunity.  
The Police Officers Standard Accreditation Committee must include rank and file police officers.  
Please support our police officers.  
Thank you,  
Sandra Simon  
73 Furnace Lane  
Pembroke, MA

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From: Nick Marino <nick.marino1617@gmail.com>  
Sent: Thursday, July 16, 2020 6:58 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill

As a life long resident of this state it upsets me to no end to see how horrible our government is treating the only ppl that stand between anarchist and law and order. If this bill passes I will do everything in my power to make sure everyone that votes yea doesn't get reelected. Yes I may be one vote by I'm part of the silent majority.

PS

Charlie Baker do your job and Veto this bill if it makes it to your desk or you can kiss your political future down the drain as well.  
From: stitcherwiz <stitcherwiz@comcast.net>  
Sent: Thursday, July 16, 2020 6:57 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Debra Powell

Sent from my Verizon, Samsung Galaxy smartphone

From: Larry Lewis <llewis215@yahoo.com>  
Sent: Thursday, July 16, 2020 6:56 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Dear Chair Michlewitz and Chair Cronin,

My name is Larry Lewis and I live at 44 Wilcox St, Fall River, MA. I work at Old Colony Correctional Center and am a Correction Officer I. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less than Lethal Tools:** The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-

trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Larry Lewis

From: Bill Rock <bill.rock@live.com>  
Sent: Thursday, July 16, 2020 6:53 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800

As your constituent, William T. Rock, Walpole, MA, I write to you today to express my strong opposition to S.2800 which was passed by the Senate. I ask that you oppose this bill as constituted when it is debated in the House of Representatives.

I also ask that it be debated in the light day and not voted on in the dark of night.

The bill is ill conceived and politically driven. We agree that police reform is important and needs to be addressed but passing a poor bill for the sake of passing a bill based is not in the best interest of the Commonwealth.

This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. It will cause many good officers to leave due to the new burdens and make it harder to recruit individuals into law enforcement.

S 2800 establishes a review committee with overly broad powers, including the power of subpoena, in active investigations. The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment rights against self-incrimination (see Carney vs Springfield) and constitutional protections against "double-jeopardy."

Qualified immunity protections are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections essential for the police officers we send out on patrol in our communities and who often deal with some of the most dangerous of circumstances with little or no back-up. Removing qualified immunity protections in this way will open officers up to personal liabilities so they cannot purchase a home, a car, obtain a credit card, or other things for the benefit of them and their families. Good luck with police recruitment.

In addition S 2800 failed to follow the normal and appropriate legislative process of holding public hearings to accept testimony from citizens and experts. I ask that you vote NO when S.2800 comes to the House of Representatives for the reasons stated above, and others.

"We cannot support a measure which takes handcuffs off drug dealers and gang bangers and puts them on police, allows criminal records to disappear while tearing open police personnel files and allows criminals to appeal for monetary damages while denying police due process to appeal for their job," said James Machado, executive director of the Massachusetts Police Association.

Thank you,

Sincerely,

William T. Rock  
6 Lakeview Drive  
Walpole, MA 02081  
(339) 364-4829

From: Henrietta Cosentino <hcosentino@me.com>  
Sent: Thursday, July 16, 2020 6:52 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Mathew Muratore; Henrietta Cosentino; Lois Post; Lyle Lawrence; Deanna Nealey; Judy Savage; Mary LeSueur; Martha Vautrain; Vedna Heywood; Deb Etzel; Yaxsarie Velázquez; Alexandra Godfrey; Heidi Mayo  
Subject: Support of the Senate police reform bill, S.2800

Dear Members of the HWM Judiciary Committee,  
I urge your support for the inclusion of the following measures, despite any predictable pushback from police unions and the like.  
We need our police and we appreciate that the majority of officers are full of good intention and the desire to be peacekeepers. These these proposed reforms are fundamental to the restoration of trust, particularly in communities of color and immigrant communities. Incorporating these measures will result in more effective, as well as more humane, policing practices:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety (State Representative Liz Miranda  
<

sgvpuxFJPhOGSVlEGDdi-8TK5zMvvS7iKlk&e=> ) bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277, An Act to Secure Civil Rights through the Courts of the Commonwealth (State Representative Michael Day) which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

Many thanks,

Henrietta & Donald Cosentino  
43 Gallows Pond Road, Plymouth, MA 02360  
Mailing:  
Box 3906, Plymouth, MA 02361  
From: Robert Joannette <robert\_joannette@yahoo.com>  
Sent: Thursday, July 16, 2020 6:50 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Robert Joannette. I work at MCI-Norfolk and am a CO1. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less Than Lethal Tools:** The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for

responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,  
Robert Joannette

From: Laura Windmuller <laura.windmuller@gmail.com>  
Sent: Thursday, July 16, 2020 6:50 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800 Comments

To Whom It May Concern:

I am writing to you regarding the S.2800 bill being considered for vote in the House. I believe it is critical that this bill be brought to the House floor for debate and voting. I also believe the legislation captured in this bill are critical to the health and safety of both police and community members alike. For far too long we have asked law enforcement to deal with those who have been failed by the system. They have been asked to walk into situations they are wildly unprepared nor ill-equipped to deal with on a daily basis. Additionally, our community members have been deeply harmed and even killed as a result of an organization being given too much power and too little oversight and accountability. It is unimaginable to say that the status quo is working for anybody. With the huge body of research and years of work to bring the changes we see included in S.2800 available, I believe it is acceptable for our government to work quickly to finally make changes. I do not believe any delay is warranted nor do I believe that this will be the last time we must revise our approach to community safety and law enforcement. This is only the beginning. But just like anything, we will have opportunities to revise it and refine it as we need. But we know the changes to things like use of force standards, police certification, use of faulty facial recognition technology, and refinement to qualified immunity are critical to preventing further harm to all. Additionally, by allocating funding to programs that are trained and equipped to address so many of the cases that police officers are asked to address, we can alleviate the uncertainty and room for error our offices encounter. Let's set everyone up for success.

We are watching and observing who responds with action during this time. Never doubt it.

Sincerely,

Laura Windmuller

258 Chestnut Ave, Jamaica Plain, MA

From: Peg Foley <peg723ne@yahoo.com>  
Sent: Thursday, July 16, 2020 6:49 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone  
From: Lyle Core <LyleC@brandfuel.com>  
Sent: Thursday, July 16, 2020 6:49 PM

To: Testimony HWM Judiciary (HOU)  
Subject: Written Testimony for House Hearing on Senate Bill S.2800

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due to the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools, organized retail theft and terrorists.
2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections, it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.
3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model to use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient



experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards, policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and will have a clear picture of what conduct is a violation of a citizen's rights. That conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards.

Best regards,

Lyle Core

Resident

5 Short Street

Medway, MA 02053

508-488-6464

From: Kamaron Washburn <kameronw@gmail.com>  
Sent: Thursday, July 16, 2020 6:49 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Kamaron Washburn and I live at 141 Elm st. Blackstone MA 01504. I work at MCI-Norfolk and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the

opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less Than Lethal Tools:** The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,  
Officer Kameron Washburn

From: Karah Piscitelli <karahpiscitelli@gmail.com>  
Sent: Thursday, July 16, 2020 6:48 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

To the Massachusetts House of Representatives,

My name is Karah Piscitelli and I have been a lifetime resident of Millbury. My husband of 4 1/2 years has been a police officer for the city of Worcester for the past 7 years and for the town of Oakham for 3 years before that.

I have personally seen the impact this "war against police" has had on him. He no longer feels the support from not only the political leaders in this country, but even from many people in his life. Lifelong friendships of his have ended simply because he is a police officer. He and the rest of the good, honest police officers are seen as the enemy in these people's eyes and this is taking a toll on them.

Bill S2820 will not make these police officers feel any more supported if passed. Not only will some of what's included in this bill affect the police officers, but it will be affecting their families. I believe eliminating qualified immunity will only discourage police officers even more than they already are. What police officer will want to risk everything they have in life to make an arrest that could potentially lead to a civil lawsuit? Police officers will respond to any call they need to respond to and simply leave it at that. Any kind of proactive policing will be thrown out the window in fear of getting caught up in something that could have been avoided.

I think we can all agree that some reform is necessary in law enforcement and the judicial system alike. There are some good points included in Bill S2820, but there are too many included that will have a lasting negative impact on police officers like my husband.

This is why I'm asking that you reject Bill S2820 that the Senate passed. There is a better way to hold police officers responsible for their actions and I believe that a revised reform bill can be agreed on without having to take the protection of qualified immunity away from law enforcement.

Thank you for your time,  
Karah Piscitelli  
From: Joan Poulin <jjntpoulin@yahoo.com>  
Sent: Thursday, July 16, 2020 6:47 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

My name is Joan Poulin and I live in Raynham. I write to you to express my support for our many first responders who put their lives on the line for the commonwealth EVERY.SINGLE.DAY. As the House considers legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity-legal safeguards that have been established over decades and refined by some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a

complete shield against liability- egregious acts are afforded no protection under the qualified immunity doctrine. Further qualified immunity is civil in nature and provides no protection in a criminal prosecution.

Due process and qualified immunity are well settled in the law and sound public policy dictates that the legislature not disturb these standards- certainly not in this bill so abruptly and certainly not without a vigorous debate in the legislature and in the court of public opinion. We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

I for one support law enforcement and hope you have the courage to do the same, unlike your counterparts in the Senate.

Thank you for your consideration  
Joan Poulin  
10 Martin Dr  
Raynham Ma 02767  
jjntpoulin@yahoo.com

From: Roger Downing <hpd14@msn.com>  
Sent: Thursday, July 16, 2020 6:46 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill 2820

Chair Aaron Michelewitz, Chair Claire Cronin,

I would like to express my opposition to the proposed bill S2820. This bill has serious implications that will negatively affect Massachusetts Police Officers and their families. I have been a Police Officer for 24 years, and duties include department use of force instructor, firearms instructor and less lethal weapons (taser, OC, baton and Pepperball OC launcher).

My concerns with the bill are;

#1 . Qualified Immunity - This bill makes it more difficult to get Qualified Immunity (essentially turning it into a fact issue to be decided at trial, as opposed to a legal issue a judge could weed out early) - but - the real sneaky part is that you removed an element from the State Civil Rights Act, and also provided a provision for attorneys fees to be awarded to plaintiffs. These two changes are huge - will create tons of new state law claims against public employees to be brought in the state courts - as opposed to Federal Courts - where they will cost employees and Cities and Towns so much.

#2 Indemnification - Some legislators are pointing to the lack of changes in the State Indemnification Law (GL c. 258) as a reason that officers should just not worry - suggesting they will still be defended against all of this expected onslaught.

First - GL c. 258 discriminates against municipal officers. Indemnification for municipal employees (police, fire, local officials, etc.) is discretionary. They do not have to do it. On the other hand, people like legislators, and the State Executive branch enjoy mandatory defense and indemnification for up to \$1,000,000.00 if they violate the civil rights laws

Also - the Massachusetts State Police have a special statute of their own - GL c. 258, Sec. 9A - that provides mandatory defense and indemnification for up to \$1,000,000.00 for civil rights violations as long as they are not willful or malicious. MUNICIPAL OFFICERS ARE THE ONLY ONES WORKING WITHOUT A NET.

3. Due Process Rights - Obviously there is so much wrong with this bill - but the idea that our careers may be put into the hands of a inherently political board, mostly non-law enforcement, many with anti-police agendas, and of the law enforcement is mostly management, is alone disheartening enough.

First - That board should be made up of a majority of law enforcement professionals, with representatives of management and labor, with appropriate and limited non-law enforcement representation. JUST LIKE EVERY OTHER PROFESSIONAL BOARD IN THE COMMONWEALTH.

Second - the way the bill defines a "sustained complaint" is that it views it as final once the CITY makes its decision. It does not allow for an unbiased review by an arbitrator or civil service - both rights which most have relied upon forever. In fact, both bargaining law and civil service law acknowledge that the city level process is biased - and more, even says that employees have no right to a disinterested or unbiased or even full hearing at the city level. THE REASON FOR THIS IS THAT THE LAW PROVIDES THESE APPEALS TO ARBITRATION AND CIVIL SERVICE. So - with this bill, officers will be stuck with only the permissibly biased, final decisions of local officials. This cannot stand. Just cause protects good officers - not bad officers. Every good public manager and Chief knows that if they follow correct process, they are able to remove unfit officers.

Third - the Governor's bill did not allow the Board to do its own investigations into complaints, and to be a place where people could complain directly. The Senate changed this and now allows this political board to ignore local IA findings clearing officers, to ignore arbitrators and civil service officers, to ignore DA findings of justified force, etc - and simply do their own thing. This is wrong. This review board should be required to use the facts and findings of unbiased officials, should not be independently creating their own fact findings (which are insulated from appeal other than a legal "abuse of discretion" type appeal). This

independent function should be removed and it should be consistent with the Governor's bill in that the board has a review function only.

The entire reason that public employees need just cause protections and appeals are to protect against political influence - just like what is going on now. Will this bill be taking this protection away from other municipal workers? from teachers? from lawmakers?

Policing is a difficult and challenging career at the best of times. Police are called to fix problems in minutes that took years to create. We are judged from the moment we put the uniform on. Someone is always unhappy with the outcome, but we do our best to handle problems and keep people safe.?

This bill shows every Police Officer that the law makers do not know what we do, how we do it and they do not support us. My fellow Officers and I wear body armor, and must carry blood stopping agents and tourniquets in the very real chance that we are shot or stabbed. In the last five year, 6 Massachusetts Police Officers have been killed in the line of duty. In 2020 alone, 65 Police Officers have been killed in the line of duty nationwide. That's a 14 % increase over last year.

No other profession has to deal with the hate and rage that Police Officers have to deal with on a daily basis. Bill 2800 and 2820 show that the elected officials are caving to mob and not listening to the quiet majority and the professional Police Officers.

Police reform is needed. Police Officers are tasked with handling many issues that we are not equipped to deal with. As a commonwealth, we must move forward together.

If this bill is passed crime will increase. Officers will leave the force and the candidate pool for new officers will be drastically diminished. Anyone who decides to stay will not be proactive. Why would anyone join a career where the pay is minimal, with more calls to defund Police, they could die in the line of duty, be sued by the suspects they arrest and the elected officials on Beacon Hill do not support them.? I can't answer that and being a Police Officer is a job that I love.

All Police Officers are in support of having a POST system. Training is always needed and welcomed. Certifying Officers is long overdue in Massachusetts. But the bill is misguided in its intention and it needs serious work.

I ask that you table this bill and bring career, professional Police Officers to the discussion to have reasonable and long-lasting reform.

Sincerely,

Roger Downing  
Hudson Police Department  
978-567-9446

From: Claire Verlicco <cverlicco@icloud.com>  
Sent: Thursday, July 16, 2020 6:46 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Claire Verlicco

Sent from my iPhoneFrom: THERESA SCATTERDAY <tscatterday@verizon.net>  
Sent: Thursday, July 16, 2020 6:45 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: POLICE REFORM BILL S2820 - Concerns with qualified immunity within this bill to be considered

To Whom It May Concern;;

My name is Theresa Scatterday and I live in Rockport MA. I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate

consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration,

Theresa Scatterday

76 High St, Rockport MA

tscatterday@verizon.net



From: Ann Cumming <cumminga@icloud.com>  
Sent: Thursday, July 16, 2020 6:45 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. % 0A SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Ann M Cumming  
Cumminga@comcast.net

Sent from iPhone From: Alex Elias <alex.s.elias@gmail.com>  
Sent: Thursday, July 16, 2020 6:45 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

Dear Chair Michlewitz and Chair Cronin,

My name is Alex Elias and I am a constituent of yours and a Dennis Police Officer. I am writing to you today to pass on my thoughts regarding police reform which is currently in debate. I began my career in 2005 as a summer police officer on Martha's Vineyard and wanted nothing more than to become a full time officer in Massachusetts. Through hard work and determination, I fulfilled that dream. Throughout my career, I have worked with some of

the most caring, thoughtful and professional men and women you could ever meet. These officers go to work every day to help the community they serve and they do it proudly.

Since the horrific death of George Floyd, the country has taken a turn for the worse. While we have seen patriotism through protests and marches, we have also witnessed destruction, riots, and increases in violent crime nationwide. This is heart breaking to watch as I truly do my best to help our community here on Cape Cod and want the best for my country.

Looking over the proposed bill regarding police reform, I have many concerns that I wish to share with you. My biggest fear is this bill, if passed, will be the final straw in ceasing all effective police recruitment. The national media has been overly critical of all police actions as of late, leaving officers with the feeling that we are under attack. There is very little vocal support for our profession as a whole, regardless of the selfless and heroic work performed every day that garners no attention. This undoubtedly leaves potential police candidates second guessing their career choice. I know of at least one town in my area that received no applicants with a job posting from this past Fall. These recent events, and bills such as this one, will do nothing to help that. My agency and all others on Cape Cod have struggled to attract candidates and seen test applications plummet, leaving potential candidate pools smaller than ever in my career. While I attempted to get hired as a full time officer, I waited in lines with hundreds or even thousands of others who paid over \$100 just for the opportunity to take a test knowing only one or two positions would be available. Unfortunately, those days are over. We no longer have the interest of young men and woman who want to serve their communities as police officers. Current events are only making this worse.

Passing this bill will do nothing to improve policing. In fact, it will only make policing worse. With fewer qualified candidates, cities and towns will be forced to hire second, third and fourth tier candidates to fill vacancies. This will only hurt the community we serve, accelerate the retirement of veteran officers and lead to experienced officers seeking new career paths. I personally know several good police officers who already have an exit plan. They no longer wish to do a job that is as dangerous and heartbreaking as ours. These are good men and women who will be missed by their cities and towns when they leave. These are not the police officers to drive away. These are officers who we should be pointing to and using as positive examples. Unfortunately, with little support from the public and elected officials alike, they are unwilling to risk their lives, their family's safety and their mental wellbeing any longer. Locally, two officers from my agency recently resigned and left policing all together. These are issues that are not just in the cities, but right here on Cape Cod.

I can assure you that a combination of good experienced police officers leaving the job and fewer qualified candidates taking the job will create severe issues throughout the Commonwealth. Like all officers, I do not want to work with bad cops. I do not want to work with cops who are racist, homophobic, or sexist. Nobody hates a bad cop more than a good cop. That is not something I will tolerate. As a Field Training Officer

who is entrusted to train and evaluate new hires, I do not accept attitudes like this. I instill only the best in new officers and expect them to enforce the laws justly and without bias. Furthermore, I do not want to be training anything but the best. These new officers will be working side by side with me and eventually take over for me some day. I do not want to see the hard work of good police officers wasted if lesser recruits are all we have to choose from.

I do not want the good cops who do not fall into that category throw their hands in the air and say, "I'm done. No one supports us." Unfortunately, that is what is happening. As a society, we are in the process of weakening our police departments and ultimately our communities. All we have to do is look at the increase in violent crime in Boston, Atlanta, New York and Chicago, just to name a few.

I am not against police reform. I support reform in the right way and not in a kneejerk reaction to current events. We must all meet to discuss what is appropriate, reasonable and realistic in reform. We must identify tangible issues within our profession and find a solution. A bill that simply lists politically motivated changes and paints the hundreds of police agencies across this state with one broad stroke, in an election year, will not truly make any difference. I think most people who think about that for a minute would agree.

I support better training for police officers. However, the reality is, the Municipal Police Training Committee has requested additional funding for years with almost no support from Beacon Hill. A surcharge was added onto citations issued to motorists, however this failed to be adequate. The police are simply not given enough funding for training. Demands for new training to be added to police curriculum cannot happen under the current funding model. Important classes are already cut short and most officers do not receive any hands on training for years at a time. How can you stay proficient when you are not provided with the necessary training by the state? Perhaps if more hands on training was provided, fewer use of force incidents would be necessary in the first place. Officers would be more confident in their abilities and not be forced to resort to higher levels of force in some cases

People are demanding that we receive training regarding the mentally ill and de-escalation. We do. What we do not receive is the necessary support in the field when we interact with the mentally ill who often times need to be talked down. We do our best, but the state has failed in providing us with the resources and support necessary 24/7. All police officers would agree we need help. We need mental health professionals with us in the field. What we do not need is the current system where we are expected to solve a crisis when a number of other agencies specializing in that issue have not solved it themselves.

I would ask that you please reconsider changes to qualified immunity as this has added immense stress upon officers. We are fearful that our families will be unduly attacked with frivolous lawsuits. Our families already go through enough and do not deserve added stress and fear. The fact is, qualified immunity did nothing to stop the killing of George Floyd. The officers involved were arrested and charged even though

qualified immunity was still in place. That proves the current system works. There is no need to change it just for change sake.

I would also ask that you reconsider the makeup of the proposed POSAC board. With the immense responsibility this board would have, we need law enforcement professionals making up the bulk of the membership. Please do not misunderstand what I am asking. I do not say this because I want bad cops to the protected. I say this because no one knows what police officers face every day besides other police officers. We must be judged reasonably and not by those who are biased against us from the beginning. I ask that more law enforcement officers be included in the board to work with the civilians named to the board for more effective and fair results.

Finally, please strongly consider all parts of this bill which change how we can do our job. We can already look at other areas in the country which has changed what police are allowed to do. Crime is rising. Police officers either cannot or are fearful of intervening before crime occurs. This is sure to help drive crime rates up and eventually fear of crime by citizens. Please understand there is a difference between proactive policing based on statistics and facts and poor policing that we are trying to eliminate. We should not end the use of proven police tactics. We should push bad cops out of the job so they cannot use these good tactics for bad reasons.

I realize this has been a long email and thank you for your time. I understand you are busy and have a number of other emails and phone calls regarding countless issues. I just ask that you honestly consider the effectiveness of this bill and the unintended consequences if it passes before you and your colleagues vote. I would be more than happy to speak further to you regarding the current state of law enforcement at any time if you wanted.

Thank you for your service to our community.

Respectfully,

Alex Elias

Dennis Police Department  
413-519-2555 (cell phone)  
From: Ellen Finn <finn.ellen@yahoo.com>  
Sent: Thursday, July 16, 2020 6:44 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform bill

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens,

INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential

explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,  
Ellen Finn  
Resident  
Braintree, MA

From: Joshua Tierney <JTierney@newburyportpolice.com>  
Sent: Thursday, July 16, 2020 6:44 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 Testimony

Rep. Michlewitz and Rep. Cronin,

My name is Joshua Tierney, and I am a sixteen year law enforcement veteran, currently employed by the Newburyport Police Department, and a resident of the 1st Essex District. I am writing in opposition to bill S2820 being brought before the General Court.

While I concede that all aspects of our governmental functions should regularly be examined and improved, I fear that many aspects of this bill are shortsighted, motivated by political expediency, inequitably punish frontline police officers who serve our communities and put their personal safety at risk, and in turn, hinder our ability to help those who cannot help themselves.

While there have been, and will continue to be protests in my community, I have received many messages of "thank you" and "it's not fair what they are doing to you," while on duty, from individuals who want to live their day-to-day lives and feel safe in their community. While these individuals may not be the loudest voices, they are constituents as well. They vote too.

I implore the committee members in their consideration of this bill to consider the long term effects on both the police officers in the field, and the safety of the public at large. Please detach from the expedient emotional response and consider the totality of the circumstances of this

bill and its effects that, in many ways, will reverse decades of professional policing improvements in the Commonwealth of Massachusetts.

Thank you for your consideration.

Respectfully,

Joshua R. Tierney

Newburyport Police Department

(508)527-3179

From: jebw2003 <jebw2003@yahoo.com>  
Sent: Thursday, July 16, 2020 6:44 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my Sprint Samsung Galaxy Note8.

From: Ellen Connors <ekconnors@icloud.com>  
Sent: Thursday, July 16, 2020 6:42 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: !!!!

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.



3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Kelly Connors  
2417 Centre Street  
West Roxbury, MA

Sent from my iPhone  
From: Patrick Browning <patrick.browning@comcast.net>  
Sent: Thursday, July 16, 2020 6:41 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Written Testimony

Dear Representative Committee Members,

My name is Patrick Browning and I live in Boston. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of

Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

?The proposed changes to QI will have a serious impact on critical public safety issues.

?Unintended and unnecessary changes to QI will hamstring police officers in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

?The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

#### 5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in laborrelations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Pat Browning

From: Ellen Gunning <egunn275@verizon.net>  
Sent: Thursday, July 16, 2020 6:40 PM  
To: Testimony HWM Judiciary (HOU); Kearney, Patrick - Rep. (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives,

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous.

Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Ellen M. Gunning

Retired Public School Principal

From: Linda Coville <lulujean61154@verizon.net>

Sent: Thursday, July 16, 2020 6:38 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from Yahoo Mail on Android

<[Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,  
Charlene Harrison](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=NSTNmqtqYCxXeIMk-DErH2qTwPoTGP8Av-rpA9qQUt8&s=QMu-k5xIUQgvACymSVkYJPynNVQ20BZjChDdiaNviJw&e=></a>><br/>From: WAYNE P HARRISON <harri2020@comcast.net><br/>Sent: Thursday, July 16, 2020 6:38 PM<br/>To: Testimony HWM Judiciary (HOU)<br/>Subject: Reject Senate Policing bill SB 2820</p></div><div data-bbox=)

From: Linda Coville <lulujean61154@verizon.net>  
Sent: Thursday, July 16, 2020 6:37 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from Yahoo Mail on Android

<[From: Keith DeStone <\[keithdestone@gmail.com\]\(mailto:keithdestone@gmail.com\)>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=PGcyhIbetfWmAvzmBtD2poQWL6yYEAvmlyE9C511bBU&s=Yn4Re_jz3hlMhjHifCYSnrO-3tWGPUTWsKQT7VrOO20&e=></a>></p></div><div data-bbox=)

Sent: Thursday, July 16, 2020 6:37 PM

To: Testimony HWM Judiciary (HOU)

Subject: testimony in re S.2820

Dear Rep. Cronin and Rep. Michlewitz-

I am writing in support of S.2820, the police reform bill recently passed by the Senate. While I believe reforms ultimately need to be taken further, I would support the House passing this bill as-is in order to make some progress on the issue as soon as possible. I am sure there will need to be several rounds of police reform instituted, and this is only the first.

I am in favor of many aspects of the bill, the most important of which, to me, are these three:

- limits on qualified immunity
- prohibition on nondisclosure agreements in misconduct settlements
- moving funding from policing and prisons to communities

I'm also in favor of the following:

- duty to intervene when witnessing misconduct
- limits on use of force

- de-escalation training (and requirement to de-escalate)
- requirement to track racial information for police interactions
- requirement of civilian approval for purchase of military equipment
- moratorium on the use of facial surveillance technology
- appointment of a state police colonel from outside the state police
- state-wide training standards
- jail "diversion" programs
- local control over the use of school "resource officers"
- expanded possibilities for clearing juveniles' records
- prohibition on decertified officers working in corrections

Sincerely yours,  
Keith DeStone  
617-230-5539  
Arlington

From: Joslyn Allen <joslyn.allen@gmail.com>  
Sent: Thursday, July 16, 2020 6:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

To the House Judiciary Committee,  
My name is Hallie Joslyn Strupp Allen. I am a resident of Andover (30 Rutgers Road). I am writing today to urge you to preserve the essential reforms that are being proposed in Senate bill S2820, including:

- \* creating an independent and primarily civilian body to oversee police certification and training standards, which provides an important checks and balances system on a body that is currently imbued with too much power, authority, and immunity;
- \* setting limits on qualified immunity so that victims of police brutality can sue for civil damages (though this measure needs to go farther and completely eliminate qualified immunity);
- \* taking steps to reduce the school-to-prison pipeline, which threatens the very fabric of our community by criminalizing youth behavior and forcing individuals into lifelong interactions with an unjust and inequitable system;
- \* establishing a Justice Reinvestment Fund to begin to realign the inordinately disproportionate funding of the police and prisons and to reinvest in our communities.

I also strongly urge you to look closely at where the Senate bill falls short. You, the honorable members of the House, have an opportunity and an obligation to strengthen this bill and to enact real and lasting reform. Please take this opportunity to ABOLISH qualified immunity. As the notable practitioner of restorative justice Danielle Sered has written, "Impunity guts legitimacy, and so any effort to bolster the legitimacy of law enforcement will require that its members be held to at least as high a standard of behavior as that of the people they are authorized to police." Similarly, I beg of you to pass an outright ban on chokeholds and the use of tear gas; the current language does not go far enough to protect Massachusetts citizens from unwarranted police brutality. Finally, please

strongly consider lifting the cap on the Justice Reinvestment Fund. Let's allow for substantial, neither nominal, temporary, nor limited reinvestment in our communities. For far too long, we have spent millions of dollars to militarize the police against our own people. It's time we do better.

Thank you for your consideration and for the work you continue to do to help our Commonwealth enact real, just, and lasting change.

Hallie Joslyn Strupp Allen

--

Pronouns: she/her/hers

When injustice becomes law, resistance becomes duty.

From: Daniel Fitzgerald <daniel.fitzgerald@pd.boston.gov>

Sent: Thursday, July 16, 2020 6:36 PM

To: Testimony HWM Judiciary (HOU); Tarr, Bruce E. (SEN); Biele, David - Rep. (HOU)

Subject: S2820

Representatives of the Commonwealth,

You have a great task in front of you regarding Bill S2820. I corresponded with a number of senators and thanked them for their efforts, both before and after the bill was passed. I would ask the House of Representatives to do more. You already are, by listening to members of the public voice their concerns. I am asking you to take a closer look at S2820, because in it's current form, is no friend to first responders. I can say that, because I have been a Boston Police officer for more than 34 years. The bill is going to affect many people across the state and I can't speak for them, but what I can say, is the current uptick in crime recently in Boston, unfortunately may be the new normal if S2820 passes in the House of Representatives in its current form. No one is against improving law enforcement with new and better tools and training. But my experience tells me that S2820 was pushed through the Senate for political reasons with direct correlation to the current state of the nation. Again no one is against reform - good reform, S2820 in its current form does not hit that benchmark. I urge you to look beyond the current climate and promote a bill that works for all.

Regards,

Dan Fitzgerald

Boston Police Department

--

P.O. Dan Fitzgerald

SORI Unit

617-343-4965

From: tricia greene <triciamgreene@comcast.net>

Sent: Thursday, July 16, 2020 6:35 PM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public



safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,  
From: Anthony Mastrapasqua <amastrapasqua44@gmail.com>  
Sent: Thursday, July 16, 2020 6:35 PM  
To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,  
My name is Anthony Mastrapasqua and I live at 20 Memorial st. Baldwinville, MA. I work for The Massachusetts Department of Correction at MCI Shirley as a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the

appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Anthony Mastrapasqua

From: Errick Davis <errickjersey@gmail.com>

Sent: Thursday, July 16, 2020 6:35 PM

To: Testimony HWM Judiciary (HOU)

Subject: Please pass S.2820

Dear Chair Michlewitz, Chair Cronin, the members of the House Ways and Means Committee, and the members of the Judiciary Committee,

My name is Errick Jersey of Medford, MA and I am writing to request that you pass S.2820, An Act To Reform Police Standards and Shift Resources to Build a More Equitable, Fair, and Just Commonwealth that Values Black Lives and Communities of Color.

I am a white man, and I have enjoyed extraordinary privilege in my interactions with the Boston Police Department over the 16 years I have lived and worked in the greater Boston area. I know that my experience is a reflection of my skin color and apparent class, which means that even though I can be loud and physically intimidating due to my height and strength, I have never had to be concerned that I would be treated with anything other than the utmost respect for my life and rights by the Boston Police Department.

I also know from first-hand accounts from friends and loved ones that people of color in the Boston community do not receive that same respect.

Boston loves to celebrate itself as a liberal bastion, but we have some of the most segregated schools and neighborhoods in the country. Our racism is cloaked in pity and condescension. We do not provide equal opportunities or access to people of color in this city, but congratulate ourselves for not showing the overt racism of the Deep South that I moved here from so long ago.

A massive part of that is the practices of the Boston Police Department. We have poured resources into the BPD, giving them the kinds of armor and weapons we should only see in the frontlines of war, not on our streets. We have given them tear gas, which isn't even legal in war! And they've used it on unarmed, peaceful protesters! All this while crime has declined overall over the decades. There is no excuse.

The least we can do is pass S.2820, and work towards a Boston we can be proud of, where people of color are truly welcome, and given the opportunities to be lifted by this wealthy, liberal city, where we have held them down in the past.

Sincerely and with utmost respect,  
Errick Jersey  
Medford, MA  
From: Julie burgess <jabburgess@comcast.net>  
Sent: Thursday, July 16, 2020 6:35 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2800

Dear Committee,  
I strongly oppose the police reform bill (2800). This bill makes it very difficult for police to do their job. It makes police very vulnerable to frivolous lawsuits.  
It creates too much red tape, waste and oversight. It will cost too much and the taxpayers will be ultimately on the hook.  
The de-escalation restraints are troublesome. The police need to be able to control crowds more than ever given that many cities were on fire one month ago.  
It's a shame that this bill was "rammed" through the process. The committee did not even take into account Mr. Crispin and his arguments against the bill.  
Please do not let this bill go any further. Give the taxpayers who are also VOTERS some say in the process.  
Boston Police have been paramount in coming to the rescue of the city residents time and time again. Who was running toward the bombs on Boylston Street? Who found the terrorists that planted those bombs?  
Please get rid of this bill.  
Boston is not Minneapolis and never has been.

Julie and Frank Burgess  
18 Tanglewood Drive  
Scituate, Massachusetts

From: Anthony Karasinski <tonykphoto@yahoo.com>  
Sent: Thursday, July 16, 2020 6:34 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous.

Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Andie Elaine <apackdesigns@gmail.com>  
Sent: Thursday, July 16, 2020 6:33 PM  
Subject: Free Logo and Branding with Website

Hi all!

I am running a summer special! [www.andreapackdesigns.com/webdesign](http://www.andreapackdesigns.com/webdesign)  
<[\[andreapackdesigns.com/webdesign\]\(http://www.andreapackdesigns.com/webdesign\)  
<\[--\]\(https://urldefense.proofpoint.com/v2/url?u=http-3A\_\_andreapackdesigns.com\_webdesign&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=cMdG2TI1751CqH57S6DUzRfPS8m63vY89Ze2IxF01QE&s=8KDYHZj3E37Nv8ueFnE9rTuqWgxvwZYwMencxUh4mew&e=></a>></p></div><div data-bbox=\)](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.andreapackdesigns.com_webdesign&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=cMdG2TI1751CqH57S6DUzRfPS8m63vY89Ze2IxF01QE&s=pZZq_EShk7SplZGwx_HrsGE6JnG-n7H8K3IVMe-bSa0&e=></a>></p></div><div data-bbox=)

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Andrea Pack, ASID  
Interior Designer/Marketing Strategist  
<http://andreapackdesigns.com>  
<[Ph: 206.707.5847](https://urldefense.proofpoint.com/v2/url?u=https-3A__andreapackdesigns.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=cMdG2TI1751CqH57S6DUzRfPS8m63vY89Ze2IxF01QE&s=1zY1DQsy8Ir4eSWoqpYZIjDJfvHCL5z8E8anwU0xM9U&e=></a>></p></div><div data-bbox=)

From: Jacqueline Thibault <hoop1385@aol.com>  
Sent: Thursday, July 16, 2020 6:33 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Jacqueline Thibault and I live at 29 wildwood ave, Worcester, ma. I work at MCI-Concord and am a Sargent with the Ma DOC. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Jacqueline Thibault

Sent from my iPhone  
From: Emily Forshay-Crowley <realtoremilycrowley@rcn.com>  
Sent: Thursday, July 16, 2020 6:33 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Emily Crowley  
6 Loves Lane  
Woburn, MA

Sent from my iPhone  
From: Shirley Santiago <shirleysantiago625@hotmail.com>  
Sent: Thursday, July 16, 2020 6:32 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill S.2820

Good evening,

My name is Edward Santiago, I live in Worcester, MA. I normally don't get involved in politics but this bill S.2820 affects my family in a personal way. My son is a law enforcement officer and I'm asking for your support in defeating this piece of legislation. I'm not sure if I'm too late to ask for your support in this endeavor but I figure that if I didn't at least try I would not be protecting my son's right to preform his duties without the fear of being prosecuted because he made a millisecond life or death decision that may change his life forever.

My son is a good man who chose to be a law enforcement officer and I'm extremely proud of his decision to put on the badge and represent the men and woman in blue to protect his community. Every time he puts on his uniform he doesn't know if it will be the last time he does. I am a registered democratic who has voted with the best intentions to help put the best representatives that I feel will best represent my views. At this time I ask that you find it in your heart to vote this bill down in it's current state and help rewrite it so that it not only protects the men and women who represent our law enforcement community but the public as a whole.

Please let me know if there is something I can do to help you reach your support for defeating this piece of legislation.

Thank you for your time and I look forward to starting a dialogue with you on this matter..

Sincerely;

Edward Santiago

From: Sue Moore <suemoore43@outlook.com>  
Sent: Thursday, July 16, 2020 6:32 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Helen s Moore, vote against this sb2820 bill, thank you  
Sent from my iPhoneFrom: Angela Bowers <angela.c.bowers@gmail.com>  
Sent: Thursday, July 16, 2020 6:28 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Extremely concerned resident and law enforcement family

Dear Representative Michlewitz and Representative Cronin,

My name is Angela Kuzemczak, and I am reaching out to you as a concerned citizen, educator, mother, and wife of a law enforcement officer in the state of Massachusetts.

This year has been truly difficult for my family for so many reasons. My husband is a US Navy veteran, and also a patrol officer in Winchester, Massachusetts. He is a good man with a heart of gold. His favorite stories from work are the ones where he does something to bring a smile to a child's face, or when a resident genuinely thanks him for his help. Often he will tell me how by showing the lights on his cruiser a disabled child will light up with joy, and the parent tells him: "you've just made my son's day". That is my husband. He went into this job to help people, as he did the Navy. He did so knowing full well that it could be at the sacrifice of not coming home to our family, especially our young son, who is four years old.

I am an educator. I have been teaching for over 12 years now in the public schools. As such I know and recognize when there is a need for reform and change. I also know how reform and change take time. I am greatly concerned that the bill passed by the state Senate has been done in haste and hasn't given the adequate amount of time necessary to truly get input from all sides.

As the wife of a law enforcement officer, and an educator, I know change needs to happen. I want there to be change. I want that for both my friends and students who have suffered racial discrimination, but especially so I don't have to fear for my husband's life or the livelihood



of my family. Several parts of the bill have frightened me to the point where I am literally thinking of moving out of Massachusetts, to protect my family. I have lived here my whole life. This is the first time I have ever been so scared. My main concerns are:

1. The loss of qualified immunity, which will open up the possibility of frivolous lawsuits that could cause us to lose everything. Including the home we worked so hard to get. We live paycheck to paycheck as public workers; to have that protection taken from us would bring us to our knees.

2. The bill seemingly takes away almost every option of non-lethal use of force. I beg of you and the other representatives to argue for appropriate items for non-lethal use of force to be allowed, as doing so will be beyond detrimental.

3. The elimination of no knock warrants gives potential suspects a 15 second opportunity to arm themselves, therefore putting our officers at an immediate risk of their lives. This has most recently been seen in the news following the death of two Texas police officers that were responding to a domestic disturbance call.

4. The suggestion for an online database where incidents are made public, including the particular officer, puts a direct target on the back of my family. More than my husband's life, I have to now fear for my son and my own.

I have several other concerns but these are just the four that literally keep me awake at night.

Representatives Michlewitz and Cronin, I am a registered democrat, my concern here is personal, and not related to the politics of today. I donated to Senator Elizabeth Warren during her primary campaign. Yet in times like these, I feel abandoned by my fellow democrats. For the first time in my whole life I am considering registering as an independent. If the people in my party won't hear the voices of those literally involved in law enforcement, how can I identify with them anymore?

I assure you, the phrase; "no one hates a bad cop more than a good cop" is true. Yet, my husband, who has a heart of gold (I'm sure Tillie would attest to that, she's known us since his Navy days), has come home recently in tears. People look at him as a demon. A woman slowed her car as he was directing traffic during a medical aid and called him a "fat pig" and said, "I hope you die." How could I ever explain that to my son? The acronym "ACAB" (All cops are bastards) was painted in a church parking lot where my husband sits on duty. It was deliberate. He sees it on every

shift as do his colleagues. I saw it the other week when I brought him lunch, and for the first time I couldn't get my son out of the car to say hi because I didn't want him to ask about it.

I'm not saying there is no need for reform. I am saying it is being rushed. If it passes as is, we will lose numerous amounts of good men and women who took their oath in good faith. I fear for the quality of officers who would continue the job when essentially they have no protection. If true change and reform are to be made, all parties must get together at the table and discuss.

Thank you for reading and for your attention to this matter. I'm more than happy to speak with you if you would like.

Stay safe and healthy,

Sincerely,

Angela Kuzemczak

(617) 372-6584

angela.c.bowers@gmail.com

Resident of North Andover, Massachusetts.

Public school teacher in Watertown, Massachusetts since 2008.

--

Un maestro è come una piscina in cui si può imparare a nuotare. Una volta imparato, l'intero oceano è vostro. -Hasan Di Basra  
From: Gloria Christian <glomaec@yahoo.com>  
Sent: Thursday, July 16, 2020 6:27 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities

would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,  
From: Kylie Hogan <kylie9479@aol.com>  
Sent: Thursday, July 16, 2020 6:26 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony for Police Reform Bill

Dear Representative,

My name is Kylie Byrne and I live in South Boston. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

?The proposed changes to QI will have a serious impact on critical public safety issues.

?Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

?The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in laborrelations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely, Kylie Byrne

617-803-6754

Sent from my iPhone  
From: phoebe <phoebe@copper.net>  
Sent: Thursday, July 16, 2020 6:25 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Helena Starke

Sent from my Tmobile email address 4G LTE Device  
From: Ms Mary <maryann121484@hotmail.com>  
Sent: Thursday, July 16, 2020 6:25 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

I am a resident of the city of Brockton and I am terrified to even think about what defunding the police will do for my city and the safety of its

residents. Illegally obtained Guns are found on our streets weekly, arrests are made daily of people who simply cannot follow the rules of our society. If something major and dangerous were to happen here, I want a trained officer to use his department issued AR15 IF NEED BE. Civilian workers should not be called on to respond to mental health issues, these situations can be so dangerous! Having someone hired for an agency with little to no experience and taking on potentially disastrous emergency calls regarding mental health? It should be a no. Police are always trained here and always held accountable. Keep going massachusetts! We don't have the issues other states have. Our criminals are already not being judged by (what many would call) lenient judges. Why does MA need to go further? 99% of Massachusetts law enforcement officers do the right thing everyday, every time. Let's use certain parts of the bill yet cut out others. No chokeholds, no knee to necks and let's have our officers intervene when a fellow officer is out of line. I'm not a resident of a low crime community. We need our officers to feel 100% supported. Inmates also return to cities. Shootings happen daily. The crime isn't going away, so why change what funding our LE gets?

- Brockton resident

Sent from my iPhoneFrom: Stacey Shea <stacey@woofaboutit.com>  
Sent: Thursday, July 16, 2020 6:25 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

?

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the

bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards.

Sincerely,

Stacey Shea

Resident

24 Ward Well Road

Canton, MA 02021

617-372-5994

Sent from my iPhone  
From: Laura Lang <laura.lang@pd.boston.gov>  
Sent: Thursday, July 16, 2020 6:24 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

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Sincerely,

Laura Thomas

<[8 Old Meadow Lane <\[Canton, MA 02021 <\\[https://urldefense.proofpoint.com/v2/url?u=https-3A\\\\_\\\\_www.google.com\\\\_maps\\\\_search\\\\_8-2B0ld-250D-250A-2BMeadow-2BLane-2B-250D-250A-2B-250D-250A-2BCanton-2C-250D-250A-2BMA-2B02021-3Fentry-3Dgmail-26source-3Dg&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-\\]\\(https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.google.com\\_maps\\_search\\_8-2B0ld-250D-250A-2BMeadow-2BLane-2B-250D-250A-2B-250D-250A-2BCanton-2C-250D-250A-2BMA-2B02021-3Fentry-3Dgmail-26source-3Dg&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-\\)\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_www.google.com\_maps\_search\_8-2B0ld-250D-250A-2BMeadow-2BLane-2B-250D-250A-2B-250D-250A-2BCanton-2C-250D-250A-2BMA-2B02021-3Fentry-3Dgmail-26source-3Dg&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIsl6rchf\_GkGDD&m=C4090b-qwTAG8FaMjz5vniSkpnIIUIHA93KicXFL2Ao&s=SEbB0FIik0hX2fwOlmfr3Sn47TOxS521Aq65T30jzfk&e=></a></p></div><div data-bbox=\)](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.google.com_maps_search_8-2B0ld-250D-250A-2BMeadow-2BLane-2B-250D-250A-2B-250D-250A-2BCanton-2C-250D-250A-2BMA-2B02021-3Fentry-3Dgmail-26source-3Dg&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=C4090b-qwTAG8FaMjz5vniSkpnIIUIHA93KicXFL2Ao&s=SEbB0FIik0hX2fwOlmfr3Sn47TOxS521Aq65T30jzfk&e=> Resident</a></p></div><div data-bbox=)

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617 699-2914 <tel:617%20699-2914>

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P.O. Laura Lang  
District C11  
617-343-4337

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P.O. Laura Lang  
District C11  
617-343-4337  
From: Ron Ayotte <ronayotte@verizon.net>  
Sent: Thursday, July 16, 2020 6:24 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820

Dear members of the House Ways and Means Judiciary Committee...disappointed and confused by the Massachusetts State Senate's recent passing of Bill S.2800 (now bill S.2820). The Firefighters of Local 1713 praise diversity within the fire service, and expect Firefighters to provide the VERY best efforts as it relates to protecting people, and property. Race, color, creed or religion doesn't factor when saving lives of the people within our community, or our brother/sister Firefighters when called upon. These truths are self evident. Although well intended, Bill S.2800 was passed on 7/14/2020 at 4:11am and was denied a public hearing process. Bill S.2800 seemed to be rushed, includes amendments that attack ALL public employees, including Teachers, Firefighters, Public Nurses, Police, City and Town employee, etc., etc. These are the same essential workers who were called upon a few months prior to help keep society functioning, while putting themselves and their families at risk by exposing themselves to Covid19, repeatedly. Attacking qualified immunity, due process, and collective bargaining is a direct attack on hard working public employees of Massachusetts, and puts liability of good employees in jeopardy, who do their job in good faith. Furthermore the attack on "due process" and

From: Anne Fernandes <phoruorme2@gmail.com>  
Sent: Thursday, July 16, 2020 6:24 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Anne Fernandes  
515 Snipatuit Road  
Rochester, MA 02770

From: Sara Taetle <sarataetle84@hotmail.com>  
Sent: Thursday, July 16, 2020 6:24 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony in support of Bill S.2820

Dear Chairman Michlewitz and Chairwoman Cronin,

I am writing to express my strong support for Bill S.2820. I support this bill because it will place some independent accountability around policing in the Commonwealth and will make it safer for citizens to exercise their right of free speech and peaceful assembly. I am frankly astounded that some of these elements still haven't been passed into law, for example a stipulation that a person in custody cannot consent to sex with an officer.

Thank you, and I look forward to hearing about the progress of this bill.

Sara Schwindt  
North Andover, MA  
(978) 305-4159  
From: reingham <reingham@verizon.net>  
Sent: Thursday, July 16, 2020 6:24 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Richard & Frances Ingham

From: Luis Maldonado <eddie@lemald.org>  
Sent: Thursday, July 16, 2020 6:23 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Luis Maldonado  
Somerville  
From: EMC <ecallahan01@comcast.net>  
Sent: Thursday, July 16, 2020 6:22 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.



????????????????? ??????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Sean Guilbeault

Sent from Yahoo Mail on Android  
<[I am totally against stripping qualified immunity from police, fire or nurses. None deserve this. How can we expect them to do their job, which many are extremely dedicated to when financial ruin faces them personally. None will take that extra step when some crazy is out there ready to sue. I can't believe any of you could dream this nonsense up.](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=z4ha4eocFpeJNAWBWQRXrIc9aW7eZ-Y5bmATM7o7eVs&s=1qQrAb8uteZhPbYfnw7FPbuEgQiwAHNe1qp6f5aEv4&e=><br/>From: Len Dzengelewski <lennyd729@gmail.com><br/>Sent: Thursday, July 16, 2020 6:34 PM<br/>To: Testimony HWM Judiciary (HOU)</p></div><div data-bbox=)

Len Dzengelewski  
16 Allen Circle  
Milton Ma  
From: Raine Ferrin <raineferrin@gmail.com>  
Sent: Thursday, July 16, 2020 6:22 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony Regarding S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no-knock raids like the one that killed Breonna Taylor.

Raine Ferrin, Malden

From: John Davin <davinmedway@msn.com>

Sent: Thursday, July 16, 2020 6:22 PM

To: Testimony HWM Judiciary (HOU)

Subject: Written Testimony

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.



3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

John J. Davin

Resident

15 Jasmine Road

Medway, MA. 02053

From: Liliane Spatafora <lilymont@verizon.net>  
Sent: Thursday, July 16, 2020 6:21 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.



no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise. ?????????????????? ??????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Zachary Presto  
860-539-8300From:Tori Gabriele <vgabriele18@gmail.com>  
Sent: Thursday, July 16, 2020 6:19 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S. 2800

To whom this may concern,

As a resident of Millbury, I am writing to you today to share my disgust regarding the defunding police bill S. 2800. I have many reasons why I disapprove this bill, here are some examples. This bill will make my community less safe and take away our peace of mind living in the suburbs. I believe in law and order and disapprove with the proposed bill, believing it will dismantle the police and result in a spike in crimes. I bought my home in a safe neighborhood in Millbury for a reason and do not want the safety of my neighborhood and town to change. I find it ignorant to support this bill because of political pressures from news and social media.

Law enforcement officers already have an incredibly difficult job and taking away resources will make it harder. I think this bill will not only affect police officers but will affect everyone and their safety. As a female, I would feel completely unsafe in a world where police officers feels so scared to do their job correctly. I would be nervous for what the future would look like in a society with less police officers due to them leaving. I do not want a police officer to have to hesitate or think twice about saving my life in a dangerous situation because they are afraid they could get sued or lose their job. Criminals will not support them

regardless so giving them the power to do that will ruin how police officers do their job. I think that police should be covered by qualified immunity because they are already putting their life at risk by helping the people.

Lastly, I come from a family of many police officers in different cities and towns here in MA. These are good men and women who wanted to become a police officer to help people and keep people safe. I have a brother who has been a police officer for 4 years and an uncle who has been a police officer for 26 years. Both of them love their job and pick up many shifts during the week. Both of them volunteer to do kind and meaningful things in their community to give back. However, they are both nervous how this bill would impact their job. And good police officers are sadly the ones who will be too scared to do their job without feeling they could get sued. Law enforcement officers risk their life every single day to protect people in a selfless way. We need to protect them in this time because they protect us ALL of the time. I think police officers actually deserve much more respect than what they are shown. I am sure that many people who are in favor of this bill would never want to do their job and respond to the horrible, unfortunate calls they go to every single day. I ask that you stand with THE PEOPLE and vote against this bill. The safety of THE PEOPLE you represent are in danger.

As your constituent, I ask you to vote NO on S. 2800 for the reasons I stated above.

Thank you for your consideration.

Victoria Gabriele

From: Elena Ansara <eansara@utecinc.org>

Sent: Thursday, July 16, 2020 6:19 PM

To: Testimony HWM Judiciary (HOU)

Subject: Support expungement

7/16/20

Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this

expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

Our criminal justice system is not immune to structural racism and we join you and all members in the great work needed to set things right. The unfortunate reality is that people of color are far more likely to be subjected to stop and frisk and more likely to get arrested for the same crimes committed by whites. Black youth are three times more likely to get arrested than their white peers and Black residents are six times more likely to go to jail in Massachusetts. Other systems where people of color experience racism are exacerbated, and in many ways legitimized, by the presence of a criminal record. Criminal records are meant to be a tool for public safety but they're more often used as a tool to hold communities of color back from their full economic potential. Expungement can be an important tool to rectify the documented systemic racism at every point of a young person's journey through and past our justice system.

We also know that young adults have the highest recidivism rate of any age group, but that drops as they grow older and mature. The law, however, does not allow for anyone who recidivates but eventually desists from reoffending to benefit. Young people's circumstances and cases are unique and the law aptly gives the court the discretion to approve expungement petitions on a case by case basis, yet the law also categorically disqualifies over 150 charges. We also know that anyone who is innocent of a crime should not have a record, but the current law doesn't distinguish between a dismissal and a conviction. It's for these three main reasons we write to you to champion these clarifications and now is the time to do it.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due to a variety of circumstances and since the overwhelming number of those young people grow up and move on with their lives, we are hoping to make clarifying changes to the law. We respectfully ask the law be clarified to:

- Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.
- Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

- Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case basis especially if the case is dismissed of the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Elena Ansara

Utec, Inc.

978-856-3902

Sent from my iPhone  
From: Charlie Keller <charlierkeller@gmail.com>  
Sent: Thursday, July 16, 2020 6:18 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please Pass & Strengthen Police Justice Bill

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Charles Keller, Medford, MA

From: Joanne Dorsky <joannedorsky@hotmail.com>  
Sent: Thursday, July 16, 2020 6:18 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Dear House Ways & Means Committee,

I am writing to you today out of concern and extreme frustration over Bill S.2800 that was passed by the State Senate today. This bill has been hastily thrown together and is a knee-jerk reaction to what is currently happening now in this war on police. As you know, Massachusetts has a fantastic police force at the municipal and state levels and yet there is an agenda some have to destroy the great policing that is done here. This Bill, as written, robs police officers of the same Constitutional Rights extended to citizens across the nation, It is misguided and wrong. The fact that it has been so hastily pushed through the Senate without any transparency only leads credibility to my comment about a hidden agenda.

There are MANY aspects of this Bill S.2800 that I, and many of your other constituents, find troubling but I will just list a few here that are definitely of the greatest consequence if passed as written:

1. Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.
2. Qualified Immunity: Qualified Immunity does NOT protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities from frivolously unrealistic lawsuits.
3. POSA Committee: The composition of the POSA committee MUST include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.
4. Removal of requirement for State Police Colonel to be appointed from within the department: This should NOT be removed as it should be extremely important for the Colonel of the State Police to have first hand working knowledge of how a department works and the

appointment should definitely come from within the MA State Police department. If for some reason this requirement is removed there should be a requirement that the person have at least 20 years experience in law enforcement and at least 10 years in a high profile leadership role within law enforcement.

I hope you will be sure to stand against those that would do harm to our state by unfairly persecuting and removing rights from those people that put on a uniform to keep us all safe every day. It has never been more important that our elected officials fight for our brave men and women in blue. It is already a thankless job and it will be near impossible to get anyone to want to do the job if this horrendous reform bill is passed without some major overhaul.

Thank you for your time and serious consideration of the points I have made here today.

Regards,

Joanne Dorsky  
8 Alder Rd  
Westwood MA 02090

Joanne Dorsky  
Coldwell Banker Residential Brokerage, Premier Office  
692 High Street  
Westwood, MA 02090  
joanne.dorsky@nemoves.com <mailto:jdorsky@hammondRE.com>  
Call or Text: 617-335-8991

From: M Rothman Ahern <mmrothman@gmail.com>  
Sent: Thursday, July 16, 2020 6:17 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: OPPOSITION TO S.2800

My name is Michelle Ahern, and I live in Watertown. I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong and can reasonably be expected to have devastating unintended consequences.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:



(1) Due Process for all police officers: Fair and equitable process under the law. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Michelle Rothman Ahern, Esq.  
From: Zachary Dunne <dunned13@gmail.com>  
Sent: Thursday, July 16, 2020 6:17 PM  
To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Zachary Dunne and I live at 70 patriots rd Templeton, Ma. I work at MCI Shirley and am a corrections officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

?????????????????????????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????? ?????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Zachary Dunne

From: Christina <drful00@hotmail.com>  
Sent: Thursday, July 16, 2020 6:17 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony Regarding S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no-knock raids like the one that killed Breonna Taylor.

Christina Ferrin, Tewksbury  
From: Calla Crafts <calla53@gmail.com>  
Sent: Thursday, July 16, 2020 6:17 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform build and shift act

We support this bill. It addresses needed changes in the regulations.  
Please pass this  
Calla m. Crafts  
103 Montague rd

Leverett  
Ma 01054  
Sent from my iPhone  
From: COLLEEN M SALMON <colleensalmon29@comcast.net>  
Sent: Thursday, July 16, 2020 6:16 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

To:  
Rep. Aaron Michlewitz  
Rep. Claire D. Cronin  
Chair, House Committee on Ways and Means  
Chair, Joint Committee on the Judiciary

Re:  
Bill No. Title S2820

I am opposed to this bill. You are making it impossible for the police to do their jobs effectively. It was rushed through without public input and makes no sense. Pandering to a limited number of protesters is not representing the people who elected you.

Sincerely,

Colleen Salmon  
Boston, MA  
Private Citizen - No Organization  
617-777-5787  
From: Terry Barden <tbarden49@yahoo.com>  
Sent: Thursday, July 16, 2020 6:16 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800

To whom this may concern,  
My name is Theresa Barden. I live in West Roxbury, MA. I am a registered nurse and work along side EMTs and police officers. I do NOT support this bill. Civil lawsuits is not the route that should be taken and defunding the police and holding them accountable for ridiculous claims does not benefit anyone. I find it interesting that this bill was passed at 4:15am. Obviously, the idea was to slip this under the rug, similar to sending a memo to staff late on a Friday afternoon. I am 100% against this bill and implore you to include Article 10 with immunity. And to those who were present but did not vote, please do not take the coward's way out and vote for what is right.  
#backtheblue  
Sincerely,  
Theresa

From: Terry Thomas <Tsquared09@msn.com>  
Sent: Thursday, July 16, 2020 6:16 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Terry Thomas

Subject: Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of

sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

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Sincerely,

Terry J. Thomas

Resident

8 Old Meadow Lane

Canton, MA 02021

617 699-2914

From: Robert Shubert <shubert59@comcast.net>

Sent: Thursday, July 16, 2020 6:15 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill 2820

Mr. Robert N. Shubert

698 Rockdale Avenue

New Bedford, MA 02740

RE: Bill2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Robert N. Shubert and I live at 698 Rockdale Avenue New Bedford MA. I am a Sergeant at The Bristol County Sheriff's Office.



July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Erica Pimentel and I live in North Billerica, MA. As a constituent and a law enforcement spouse, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Erica Pimentel

Sent from my iPhoneFrom: Mary Memmott <memmottm@gmail.com>  
Sent: Thursday, July 16, 2020 6:14 PM  
To: Testimony HWM Judiciary (HOU)

Subject: support for Senate Bill S2820

As a resident of Framingham, MA, I support the police reform bill S2820. It should not be watered down -- each aspect is important to true police reform, including clarifying "qualified immunity."

No one should live in fear of their police force -- these reforms are necessary so police can truly "protect and serve" all citizens of the Commonwealth.

Sincerely,  
Mary Memmott  
24 Terri Rd.  
Framingham, MA 01701

From: D JH <dhuyghel@hotmail.com>  
Sent: Thursday, July 16, 2020 6:13 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down qualified immunity in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum it should specifically eliminate any provisions similar to sections 10, 49, and 52, as well as amend Section 63 to have more police representation. Sincerely, Debbie Huyghe

From: john Routhier <paulrouthier2@icloud.com>  
Sent: Thursday, July 16, 2020 6:12 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Good evening,  
I am a citizen of the United States and a resident of North Andover, Massachusetts and extremely concerned about the S.2820 bill passed by the senate.  
Growing up police officers were respected, admired, trusted and to many heroes.



Now all of that has been replaced with hatred, distrust and verbal and physical abuse.

The real question is WHY and why is it allowed?

Politicians have been bullied into making rash decisions by those that are making the most noise.

Certainly there has been some tragic and needless tragedies, along with the Covid 19, that has brought protests and started the "Black Lives Matter" movement.

Bad cops need to be removed and punished when they cause unnecessary death or injury.

However the truth is most police officers are good people trying to do a good job for all of our citizens and they more than anyone want the bad ones removed.

I don't know of any profession that doesn't have a few bad apples and they too should be removed.

When police officers are shot or killed I don't see the public protesting and marching against criminals. Why is that?

If more training and proper guidelines help. Let's do it. However removing "qualified immunity" is a major mistake!

Police officers put their lives on the line every day. They deal with the good, bad and ugly. Disrespected, spit at, abused, hit with many different objects, kicked, punched, shot at, injured and sometimes killed. Why do we want to punish those that put up with this every single day? Why don't we back them up and go after the criminals and why don't we keep them in jail?

Those that want to force this bill through should be required to spend 6 months as a police officer and then put together a bill that supports law enforcement as well as citizens.

If this bill passes removing qualified immunity I expect many police officers will retire or resign and others will no longer pursue law enforcement as a career.

Who will respond to accidents, shootings, robberies, rapes and murder?

Crime will escalate and those that remain will be reluctant to do their job fearing they will be sued and possibly lose their homes and savings.

I must admit I am biased by the generation I grew up in where respect and love thy neighbor was prevalent. I've never been prejudice to anyone for any reason but I feel supporting Black Life's Matter means I don't support All Life's Matter. Instead of making the world a better place it's tearing it apart.

I'm also biased because my youngest son is a State Trooper. The day he graduated from the academy and received his badge was one of the proudest days of my life. He always wanted to be a police officer and after 6 months of training at the academy his dream was achieved and I'll always remember that look of accomplishment and happiness on his face.

Now I worry for his safety every day. When my phone rings I hold my breath if it is his number as some of those calls are to tell me he was involved in a dangerous situation and he's ok. One of those calls was to meet him in the hospital after a vehicle hit his cruiser. Eventually he required surgery to repair his neck.

I'm still proud of him but if he was going to college I would discourage him from pursuing his dream

My message is please vote AGAINST bill S2820 if it includes removing "qualified immunity" for police officers.

Let's support, respect and help those that protect us.

I love my family, my country, the American flag and all lives and proud to say so!

John P. Routhier, Jr.  
51 Cochichewick Dr.  
North Andover, Ma. 01845  
978-273-6368

Sent from my iPadFrom: Christin Peets <christinpeets@yahoo.com>  
Sent: Thursday, July 16, 2020 6:12 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,  
My name is Christin Peets and I live at 18 Blossom St, Clinton MA. I am a wife of a Correction Officer at MCI Shirley. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????????????????????????????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better

it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Christin A. Peets

Sent from my iPhone  
From: William Gallant <wpdgallant@gmail.com>  
Sent: Thursday, July 16, 2020 6:11 PM  
To: Testimony HWM Judiciary (HOU); Gregoire, Danielle - Rep. (HOU)  
Subject: E-testimony bill S. 2820

Dear representatives,

There is a reason Massachusetts police have one of the lowest complaint rates in the country. There is also a reason we are one of the safest states and have some of the safest major cities in the nation. That reason is we have some of the best trained and best qualified officers in the country. In years past we had dozens of applicants per vacant position. Now we are lucky to get one or two applicants for a single job. Now, think about the press the police are getting (remember that none of these issues occurred within our borders). There will come a time where we can not fill vacant positions. Down south and out west they have been having this issue for many years. They can't fill positions and when they do it's usually with people who could not get a job elsewhere (many times from around here). They have to advertise to get qualified applicants and still can't fill them all. Now take this information and then make the job even less desirable. Make it so no one with an education would want this job. People with skills and life experience might take a job doing something else that would be less dangerous, more respected, and way less controversial. How many parents out there will ever encourage their child to go into a career in law enforcement? You like what you have here? You like living in a safe location? You like the fact that your police are usually nice to you? You like the fact that minority complaints against police are the lowest in the nation (per capita)? Well don't get comfortable it's coming to an end. Policing as you know it will end in the next decade or so if the state bill in its current form (S.2800 or 2820) goes through. All because you want to fix police here for things that happen elsewhere. please listen to police leaders and fix it for Massachusetts not for Minnesota or Kansas. Your kids will thank you.

Thank you,

Respectfully submitted,

William Gallant  
71 Farmington Cir  
Marlborough, MA 01752  
774-245-0126  
From: Katryna Hadley <hadley.kat@gmail.com>  
Sent: Thursday, July 16, 2020 6:11 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear members of House leadership;

S.2820 does almost nothing to prevent state violence against Black people or stop the flow of Black people into jails and prisons.

I believe S.2820 will cause more harm than good by increasing spending on law enforcement through training and training commissions, expanding the power of law enforcement officials to oversee law enforcement agencies, and making no fundamental changes to the function and operation of policing in the Commonwealth. Real change requires that we shrink the power and responsibilities of law enforcement and shift resources from policing into most-impacted communities. The definition of law enforcement must include corrections officers who also enact racist violence on our community members.

This bill should have been written hand in hand with community input , truly asking the community what is important to them - this feels like a bill that is being pushed through so that leadership can say it had done police reform.

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people. Rather than limiting legislation to moderate reforms and data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. I also support student-led efforts to remove police from schools.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there.

Thank you,  
Katryna Hadley,  
Somerville, MA

From: Robert Kieran <robert.kieran@comcast.net>  
Sent: Thursday, July 16, 2020 6:10 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Bob Kieran  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Robert F. Kieran

Salem, Mass.

From: Ms Mary <maryann121484@hotmail.com>  
Sent: Thursday, July 16, 2020 6:10 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Hello!!

My name is MaryAnn. I am a black female, currently working in law enforcement. I reside in the commonwealth of Massachusetts and I am against the police reform bill. The images of the past decade where I have seen unarmed black men who look like my brother or father being killed by police officers have sickened me. As have the riots/looting. However I don't believe change in regards to law enforcement needs to occur in Massachusetts. Massachusetts is on top of training their officers of all agencies and most importantly Massachusetts is all about holding officers accountable for their actions. We don't have the problems other states have. Would I like to see the hiring process and diversity training changed/implemented? YES! Massachusetts does not need to put forth a copycat bill just to quell BLM. I'm Black and I have confidence in our Massachusetts law enforcement officers. Please, let's not defund our

police, let's take a look at other avenues to ensure that what happened in so many other states doesn't happen here. Please do not defund the police.

-MaryAnn  
Mass. Resident

Sent from my iPhone From: Cheryl Goggin <cag2236@gmail.com>  
Sent: Thursday, July 16, 2020 6:09 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Cheryl Goggin and I live at 40 Benefit St, Attleboro MA 02703. I work at MCI-Norfolk and am a Correction Officer I. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less Than Lethal Tools:** The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one

hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Cheryl Goggin

From: Dana <danatberry@gmail.com>  
Sent: Thursday, July 16, 2020 6:09 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

From: will recos <wjrp8@hotmail.com>  
Sent: Thursday, July 16, 2020 6:09 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Dear elected officials,

My name is William Recos and I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth

every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration.  
William Recos (registered voter)

Sent from my iPhoneFrom: kv.fettig@verizon.net  
Sent: Thursday, July 16, 2020 6:08 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

I urge passage of the Senate police reform bill, S2800. Please include the provisions in the House bill below:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda



<https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_www.facebook.com\_voteliz\_-3F-5F-5Ftn-5F-5F-3DK-2DR-26eid-3DARAoqrvxbqxcHkbaGFFDal2duSLy5lzQwskyvWjSckN0ysQRjD-5FhYuVo9hUS8qQ7GsXpQxRtDfuqyFxu-26fref-3Dmentions-26-5F-5Fxts-5F-5F-255B0-255D-3D68.ARCpDWxSSsBCAr4mlQWUG89eamUATJiOejOVVzTb-5Fh5TYPotPwTxxZ2JtqfZoMTFI-2D1fSGgJE-5FAdM69hnlWOGxpWGCMb-2DDeQIkK4gMQFDv9KdbZTqybbTQab8lGKdWQqCJl6NpVz0rWrm5Tat7OE-2Dj1U99acZZdP8YctIDWcI-2DQfxYjvYfn5aO-5F-2DtZqgE1N7OCvfaYTnFPi6&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=byr-rSGFMGKy1FJwnpkhRnXF7FHWVHHbmWFbyIUzGW0&s=-N1QAdGEqgWmnd-knj4j0Q-Enpf2dpfP7Cqkq8x6tnA&e=> bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.  
HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity.

Virginia Fetting  
234 Baker St.  
Walpole, MA 02081  
508-641-9673

From: Dale Gunn <dcgunn@gmail.com>  
Sent: Thursday, July 16, 2020 6:09 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Dale C. Gunn  
94 Washington St.  
Hudson, MA 01749

(Home: 978-562-8531)  
mailto:dcdgunn@gmail.com <mailto:dcdgunn@gmail.com>

From: Brian Bowman <brianbowman53@yahoo.com>  
Sent: Thursday, July 16, 2020 6:07 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Brian Bivman and I live at 89 Princeton st, Jefferson MA . I work for the Department Of Corrections and am a K-9 sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective



no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise. ?????????????????? ??????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

David A. Peets

From: Nancy Minucci <nancyminucci@gmail.com>

Sent: Thursday, July 16, 2020 3:55 PM

To: Testimony HWM Judiciary (HOU)

Subject: BILL S.2800

Dear All Massachusetts Elected Senators & Representatives,

My name is Nancy Minucci and I live at 894 East Broadway, South Boston, Massachusetts. <x-apple-data-detectors://0> As a Massachusetts constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public

employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Nancy Minucci

From: Alan Bergeron <alanbergeron513@yahoo.com>  
Sent: Thursday, July 16, 2020 3:55 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

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Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from Yahoo Mail on Android

<[From: austin correia <austinjohncorreia@gmail.com>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiuk13zIs16rchf_GkGDD&m=OrAztde2psbrvAEnjIye5wmDA1ScjbcjlqaX0mCkREo&s=gmDlvKCA C35gy8ZhJ5wl_pxyLDsyCqXS47NdiL9hw90&e=></a></p></div><div data-bbox=)

Sent: Thursday, July 16, 2020 3:55 PM

To: Testimony HWM Judiciary (HOU)

????????????? July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Austin Correia and I live at 13 railroad ave ,Taunton,Ma. I work at Old Colony Correctional Center and am a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Austin Correia

From: Elizabeth Bernstein <liz@drlizbernstein.com>  
Sent: Thursday, July 16, 2020 3:54 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Advocacy for Bill S. 2820

As a Massachusetts voter, I am very concerned about police reform and that the Mass house preserve key parts of the Senate bill and build on them.

It is vital to preserve these features of the Senate bill:

- \* Creating an independent and civilian-majority police certification/decertification body
- \* Limiting qualified immunity so that victims of police brutality can sue for civil damages
- \* Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- \* Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- \* Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

It is vital to add these additions to the Senate bill:

\* Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas

\* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)

\* Lifting the unnecessary cap on the Justice Reinvestment Fund

Thank you for your consideration on this very important issue.  
Elizabeth Bernstein

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Elizabeth Bernstein, Ph.D.  
49 Hancock Street  
Cambridge, MA 02139  
617-943-2529  
liz@drlizbernstein.com

--

Elizabeth Bernstein, Ph.D.  
49 Hancock Street  
Cambridge, MA 02139  
617-943-2529  
liz@drlizbernstein.com  
From: Lisel Sipes <freyal947@yahoo.com>  
Sent: Thursday, July 16, 2020 3:54 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Matthew Carmack <matthew.carmack@icloud.com>  
Sent: Thursday, July 16, 2020 3:54 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820



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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Matt Carmack

Ashby, MA From: Patrick Harrinton <pathwpd@yahoo.com>

Sent: Thursday, July 16, 2020 3:53 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill S2820

My name is Pat Harrington and I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House consider legislation revolving around public safety, and in particular police reform (S2820). I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting

fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration.

Pat Harrington (registered voter)  
Phone #1-508-304-2524

Sent from Yahoo Mail for iPhone  
<[From: kvgoodfellow@aol.com  
Sent: Thursday, July 16, 2020 3:53 PM](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=0sEWTZVJDen_8ZplMdWbgK1uf0_yHWkOnsROL2vMPLE&s=OSFN2_3z xikhEqJKcC7dNdA2c0BW6EFfe5lBng9eNBeQ&e=></a>></p></div><div data-bbox=)

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Kathy Goodfellow  
From: MARK TRETTEL <mtrettel@verizon.net>  
Sent: Thursday, July 16, 2020 3:53 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Mark Trettel  
Subject: Reject Senate Policing bill SB 2820

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Maureen and Mark Trettel

Sent from my iPhone  
From: Debbie Black-Komendecki <dblackkomo@yahoo.com>  
Sent: Thursday, July 16, 2020 3:53 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Deborah Black Komendecki

From: AMY FEMINO <amj1178@hotmail.com>

Sent: Thursday, July 16, 2020 3:53 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Regarding Police Reform Bill

To whom it may concern:

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more!!

Thank you,  
Amy FeminoFrom: Mary Haley <maryg30@verizon.net>  
Sent: Thursday, July 16, 2020 3:53 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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Sincerely,  
Mary Haley, Hingham, MA

From: R. Eric Reuss <ereuss@gmail.com>  
Sent: Thursday, July 16, 2020 3:52 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on S. 2820 (Reform, Shift + Build Act)

Dear Representatives,

Thank you for soliciting public feedback on police reform, and for taking action!

I think the just-passed Senate bill is good. While it could have gone further, I feel the most critical thing is to get a bill signed into law this legislative session addressing some key concerns:

1. Qualified immunity. While I am uncertain whether the Senate bill goes far enough, restricting qualified immunity is a critical first step.
2. Systemic and structural racism. Much more could be done, but what the Senate bill does seems good.
3. Police accreditation. We are long overdue for this. The Senate bill may put too much police power on the POSAC, but it's much better than not having it at all.
4. Limiting use of force. Both training in de-escalation and requiring it be used are excellent, as is the duty to intervene.
5. Shifting funding from policing towards community investment. This is something to explore more over time, but the Senate bill seems to make a good start.

The Senate bill also contains a number of small details I appreciate, such as a moratorium on facial recognition, school-policing issues, keeping bad cops from becoming corrections officers, and more.

If there were longer in the legislative session, there would be many things I wish could be added to this bill(1). But there isn't, so I urge the House to pass a bill that is extremely easy to reconcile with the Senate bill so that it can be signed into law in the next 2 weeks. I would rather have a good bill that we can expand upon in future legislative sessions than an excellent bill which doesn't make it.

PS: From what I read, the House has been better about soliciting feedback from minority communities than the Senate has - I applaud this! Please keep doing it! And if those communities tell you there's some provision that needs to be included that the Senate bill lacks, please listen to them, and I'll be more than happy to write my State Senator urging her support for reconciliation including it. I'm only concerned that too many differences will make it too difficult to reconcile in time.

Sincerely,  
R. Eric Reuss

781-648-1652  
Arlington, MA

(1) = Greater data-gathering on police use of force; guaranteed access to that data for the public and insurers; a requirement that police officers be covered by malpractice insurance; limiting the power of police unions (in particular their ability to block towns from firing cops); better civilian oversight of police; body cameras; changing police training to remove the indoctrination of violence / "fighting a war" mindset; and much more.

From: Jane Leung <jleung@bostonasiansyes.org>  
Sent: Thursday, July 16, 2020 3:52 PM  
To: Testimony HWM Judiciary (HOU)

Subject: Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

July 16, 2020

Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

Our criminal justice system is not immune to structural racism and we join you and all members in the great work needed to set things right. The unfortunate reality is that people of color, are far more likely to be subjected to stop and frisk and more likely to get arrested for the same crimes committed by whites. Black youth are three times more likely to get arrested than their white peers and Black residents are six times more likely to go to jail in Massachusetts. Other systems where people of color experience racism are exacerbated, and in many ways legitimized, by the presence of a criminal record. Criminal records are meant to be a tool for public safety but they're more often used as a tool to hold communities of color back from their full economic potential. Expungement can be an important tool to rectify the documented systemic racism at every point of a young person's journey through and past our justice system.

We also know that young adults have the highest recidivism rate of any age group, but that drops as they grow older and mature. The law, however, does not allow for anyone who recidivates but eventually desists from reoffending to benefit. Young people's circumstances and cases are unique and the law aptly gives the court the discretion to approve expungement petitions on a case by case basis, yet the law also categorically disqualifies over 150 charges. We also know that anyone who is innocent of a crime should not have a record, but the current law doesn't distinguish between a dismissal and a conviction. It's for these three main reasons we write to you to champion these clarifications and now is the time to do it.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due to a variety of circumstances and since the overwhelming number of those young people grow up and move on with their lives, we are hoping to make clarifying changes to the law. We respectfully ask the law be clarified to:

\* Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.

\* Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

\* Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case basis especially if the case is dismissed of the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Jane Leung  
Executive Director

[jleung@bostonasianyees.org](mailto:jleung@bostonasianyees.org)

Boston Asian: Youth Essential Service, Inc.

199 Harrison Avenue, Boston MA 02111

617 482-4243



From: PFB <pbiggins@wfbiggins.com>  
Sent: Thursday, July 16, 2020 3:52 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

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Sincerely,

Peter F. Biggins

--

From: John Umina <johnu@umina.org>  
Sent: Thursday, July 16, 2020 3:51 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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Sincerely,

--

John Umina  
978-397-2939

From: RR <suhag21@yahoo.com>  
Sent: Thursday, July 16, 2020 3:52 PM  
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Sincerely,

Richard Jordan, Medford MA 02155

From: Deanna Castro <deannacastro@comcast.net>

Sent: Thursday, July 16, 2020 3:51 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820 An Act to Reform Police Standards and Shift Resources

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

First, I hope you and your families are well during this pandemic. These are challenging times for our individual and collective health. Not made any easier by the unrest in society that has come to the forefront in recent months. I respect and appreciate the role you play in these very complex, often divisive, far reaching, critical issues. Especially when they have the safety of citizens AND law enforcement officers on the line. I implore you on S2820, formerly S2800, to STOP. LOOK. And LISTEN. This is what my parents taught me at a young age before crossing the street, knowing these simple steps could keep me safe, from getting injured, or worse from death. I taught my children the same rules.

STOP. RUSHING. I understand there's a July 31 deadline. But the impact of making sweeping, broad changes and reform in short order have long standing, far reaching, life altering, and potentially life threatening implications for law enforcement and their families. I read S2820 for hours. And I had already read S2800 last week so I was already familiar. I took notes. I was exhausted, overwhelmed, confused, and VERY, VERY CONCERNED. This is an EMERGENCY LAW necessary for the immediate preservation of the public safety. It took centuries to build structural, systemic racism. We should all be held accountable for that. All. And yet this 89 page document with 80 sections focuses on Law Enforcement as if they are the ones solely responsible for it. Or at least when I read this in totality, Law Enforcement stands to be the most severely impacted by the repercussions of rushing this through especially with such controversial and far reaching impacts that Qualified Immunity changes would mean. Do we know all that needs to be known about Qualified Immunity? Do we know who and what professions will also be impacted? Who doesn't get impacted? Is it distinguishable? What does any change to Qualified Immunity actually solve? What is the downside? What are the consequences? Who will take up this profession with not only this change but all the other proposed changes if enacted? It is not lost on me that it took until Section 78 out of 80 to have anything written and proposed about the Executive Office of Public Safety and Security requiring programs for critical incident stress, peer support programs, address police officer mental wellness and suicide prevention. What do you think this document and all the negative focus on law enforcement has done or

will do to their well-being, morale, quality of life, not to mention their safety? I find it shameful and regrettable that an 89 page document with 80 different sections that will forever change, alter, and impact law enforcement officers took the final pages to address HOW it impacts them. And yet they are to withstand all the sweeping reform that will come with the enactment of too much change all at once.

LOOK. At what has been proposed. 89 pages of recommendations for Committees needing 14 members, Councils needing 31 members, countless agencies that impact and support Law Enforcement, etc. Suggestions to gather data, make reports, etc. And what has been done to all the work that Police Chiefs and so many critical stakeholders proposed a couple of years ago after Sgt. Sean Gannon was executed? After Sgt. Michael Chesna was murdered? After the wave of patriotism and support of law enforcement took hold following those horrific acts? Where is all the progress on Criminal Justice reform that stemmed from all that heartache, focus, testimony, collaboration, and cooperation? Where is all the training that was requested? That was pleaded for by leaders in Law Enforcement for training and training facilities? How did we fund all those necessary and critical requests that perhaps would have staved off some of the issues being brought up now years later? We had stakeholders in agreement about what needed to get done. We finally decided to add a fee to car rentals to pay for necessary and much requested additional training for public safety officers. That doesn't show strong support for the need for additional training but now we need it. And how will all the additional credentialing and collaboration and training be funded? I didn't read that part. How much is still undone from all the previously requested suggestions? How much is still unfunded mandates? We are still studying years later Nero's Bill that hasn't been enacted and that is simply providing emergency care for police K9s. We create commissions and committees to study far less important and non-life threatening issues. Anything relating to public safety and public servants should have all that benefit and complete and comprehensive professional, collaborative, focus.

LISTEN. Who was consulted in this sweeping legislative reform? Who did we miss? Why? Areas so critical to public safety and public servants should dot every I and cross every T. All stakeholders should have been informed, consulted, involved, able to provide testimony, be heard, etc. Why would there have been no public testimony in the Senate version? If all law enforcement agencies will be held accountable, were they considered for their part of being the solution to these problems? This legislation clearly lays out multiple law enforcement agencies. Were they consulted over the years about reforms and changes they were eager and willing to make? Were they supported in those endeavors? Why were their calls for changes to training, funding, and reform not supported but they will be forced on them now? Was the Black and Latino Caucus involved and have their concerns been addressed with this legislation? Has the Minority Police Union Chief been consulted? I pray all key stakeholders both inside and outside law enforcement are heard and fully understood

before sweeping reform and legislation takes place. Seems to me that 80 articles that take 89 pages to complete is too broad. Can there not be strong and needed compromise so that many pivotal elements can move forward while allowing the very committees and councils being recommended here be formed, given time to collect and review data, and make recommendations with all the proposed timelines established here to allow time to study, collaborate, educate, inform and offer proposals based on sound data and feedback?

I implore you to STOP rushing through this broad legislation. Please find mutually agreed upon items that stakeholders agree can move forward. Accomplish those needed and critical things. BUT please don't rush through all these articles, especially those that involve Qualified Immunity and elements of policing that make policing more dangerous for law enforcement. Let's study the impact of those. Let's take the time to understand their far reaching impact on careers, livelihoods, and lives.

LOOK at all the formerly proposed and current proposed reforms that make policing more professional, safe, and standardized. And look at the training elements and facilities that are being utilized to provide this training. Be prepared to fund these mandates. And not with a car rental fee given a pandemic or any other unforeseen crisis would result in limited or narrow funding. Funding needs to be sustainable and predictable. Where is that funding going to come from now if car rental fees don't generate the proposed or hopeful revenue?

LISTEN. To all the stakeholders who have willingly stepped up with valuable input to share. Police Chiefs, Police Commissioners, Black and Latino Caucus, Minority Police Chiefs, professionals inside and outside law enforcement. Police Officers have much to lose with too much to accomplish in an EMERGENCY LAW enactment. Institutional and systemic racism took years to build and is not entirely the fault of law enforcement. Let's not impose broad changes that would severely punish a profession and put all this responsibility on their backs. We all have a role to play. I'm willing to accept my responsibility for change. Please include others who are also willing to be part of the solution.

Thank you for listening. Respectfully submitted,

Deanna Castro

9 Bridle Way

North Reading, MA 01864

978-821-5660

From: John Larivee <jlarivee@crj.org>  
Sent: Thursday, July 16, 2020 3:51 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Criminal record expungement expansion

Dear Chair Michlewitz, Chair Cronin, Vice Chair Day, and Vice Chair Garlick:

Community Resources for Justice (CRJ) supports expansion of the expungement law (MGL Ch 276, Section 100E) as proposed in S.2820, the Racial Justice and Police Accountability bill.

As you know, the overwhelming number of young people who become involved with the criminal justice system grow up and move on with their lives. With that consideration, CRJ respectfully asks the law be amended by:

- Removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.
- Distinguishing between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.
- Removing certain restrictions from the 150+ list of charges.

Expanding the expungement law will advance the goals of the Legislature's 2018 criminal justice reforms: reduce recidivism, and remove barriers to employment, education, and housing. Moreover, it will allow young people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the opportunity to move on with their lives.

Thank you for your consideration.

John

John J. Larivee

Community Resources for Justice

President & Chief Executive Officer

355 Boylston Street, Boston, MA 02116

(617) 482-2520 x2112 (voice)

(617) 262-8054 (fax)

[www.crj.org](http://www.crj.org) <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.crjustice.org\\_&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=zu0C041w3hhmSAIJEdg6F4h6oxVkMY2Knk2ZiucE-iY&s=-1Jti5VOA-N-FtksMaA8t0pH7VUet\\_LoWiQGLHGzG\\_4&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.crjustice.org_&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=zu0C041w3hhmSAIJEdg6F4h6oxVkMY2Knk2ZiucE-iY&s=-1Jti5VOA-N-FtksMaA8t0pH7VUet_LoWiQGLHGzG_4&e=>)>

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Statement of Confidentiality:

The information contained in this electronic message and any attachments to this message are intended for the exclusive use of the addressee(s) and may contain confidential or privileged information. If you are not the intended recipient, please notify me at 617-482-2520 x2112 or reply to [jlarivee@crj.org](mailto:jlarivee@crj.org) <<mailto:amitrovic@crjustice.org>> and destroy all copies of this message and attachments.

From: Michael Anderson <[mikea523@yahoo.com](mailto:mikea523@yahoo.com)>  
Sent: Thursday, July 16, 2020 3:51 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Good Afternoon,

Please accept this correspondence as a plea to reconsider ending the qualified immunity as described in S.2820 for public servants including those of us who work in public safety and education.

I agree there needs to be constructive reforms that work for all people. By ending qualified immunity, many will suffer the unforeseen consequences of this radical agenda.

Sincerely,

Michael Anderson  
Rockport resident & taxpayer  
Police Officer in Essex County  
From: Louise Flak <laff@comcast.net>  
Sent: Thursday, July 16, 2020 3:50 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone  
From: Trish R <trishregan1966@gmail.com>  
Sent: Thursday, July 16, 2020 3:50 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a



commission to study and make recommendations regarding policing with a lopsided membership.

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I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Thank you.

Sincerely,  
Trish

Sent from my iPhoneFrom: patc135 <patc135@yahoo.com>  
Sent: Thursday, July 16, 2020 3:49 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

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Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Pat Chessa, taxpayer & VOTER  
Westford MA

Sent from my smartphone

From: Kecia McCaffrey <kecia@hphcllc.com>  
Sent: Thursday, July 16, 2020 3:48 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: RE: S.2820

Dear Senator Brown,

My name is Kecia McCaffrey and I live at 8 Nautical Way, South Dennis . As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their

respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Kecia McCaffrey

From: Lorraine Botts <vze3cnd2@verizon.net>  
Sent: Thursday, July 16, 2020 3:48 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely, Lorraine A. Botts, Rehoboth, MA  
From: Smc39 <smc39@aol.com>  
Sent: Thursday, July 16, 2020 3:48 PM  
To: Testimony HWM Judiciary (HOU); mcgovern.press@mail.house.gov  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Sue Clerk  
Westborough, MA  
From: vaacpa@yahoo.com  
Sent: Thursday, July 16, 2020 3:47 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Vin Armstrong

Plymouth, MA

From: sallyb1057@aol.com  
Sent: Thursday, July 16, 2020 3:47 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: MIke Delsoldato <mdelsoldato@scarafoniassociates.com>  
Sent: Thursday, July 16, 2020 3:47 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill

Thank you for giving us a chance to voice our frustrations. I believe this bill was written in haste and rushed through very improperly for one.

Police are not the problem in society. Taking away their qualified immunity is such a disgrace and slap in the face to our officers and troopers that serve the commonwealth and our local municipalities. These men and women are out there dealing with the lowest of the low scum our society has to offer. Most all of them will have an axe to grind with an officer or trooper arrest them, so you make it easier for them to sue said law enforcement officer that does this. I have heard from many friends in the State Police that when this thing goes thru they plan a mass exodus. Also local law enforcement officers many have said the same. Why would they want to do a job that each day they go to could loose everything they have worked for protecting the citizens of this state. Seems a little backwards to me. Also you are doing this to Nurses, Firefighters, any municipal employee! What do you think is going to happen when all these people say" you know what? This isn't worth it". You are going to have anarchy in this state and no town will be safe. Your beautiful Berkshire's will become a cesspool. Second home owners will be gone and towns will suffer as local businesses shutter. Citizens will have to do the job of your law enforcement officers. That's not something anyone wishes for. Please reconsider this bill for the safety of our front line first responders and municipal employees. As a retired volunteer firefighter with 22 years experience I have seen some very sad things, but this should not be one of them. Let's keep our state safe and let the law enforcement officers do their jobs as they do everyday to make each and everyone of us safe.

Mike Delsoldato

Lee Massachusetts From: Alyssa Gonzalez <alyssangonzalez@yahoo.com>  
Sent: Thursday, July 16, 2020 3:46 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Concerns on S2820

Dear Committee,

I send this email today to oppose S.2820. I ask you to consider a commission to really look into our weakness and our strengths to better our communities together. I fear that removing qualified immunity for first responders is not wise.

If you are choking in a restaurant and there is a Doctor, a Nurse or a First Responder trained to save your life, they may pause. They hesitate because they are terrified at the reality they may very well break your ribs. This would open them up for civil lawsuits, and litigation just to do their life's work to save lives.

That is why I ask you to table this and study it rather than a knee jerk reaction that may very well hurt our communities in the end. Massachusetts is not Minnesota, New York, or any other state. Let's be different in how we approach our community safety and public safety.

Thank you.

Alyssa Gonzalez  
AlyssaNGonzalez@yahoo.com  
9788682233

186 Waterford Street  
Gardner, MA 01440

From: Janet Nolan <j2006nolan@yahoo.com>  
Sent: Thursday, July 16, 2020 3:45 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Janet Nolan  
978-377-0515

From: Elizabeth Molle <e.m.mourad.95@cantab.net>  
Sent: Thursday, July 16, 2020 3:45 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: constituent.services@massmail.state.ma.us  
Subject: S.2800 Bill Testimony

Dear Committee Member,

I am writing to provide you with testimony regarding your policing Bill as both a citizen of the Commonwealth, a student of urban economics and a professional for more than three decades. Having worked in the lower Roxbury area and affordable housing policy as a national housing consult for several years, the one constant that rang true nationwide was the need

and desire from the local communities for additional policing. I was very distressed to hear that Bill 2800 was proposing personal liability for police officers. In my view, this is simply another way of defending the police. Massachusetts has always been a pillar of excellence and innovation. I have to believe that we can reimagine the police and better support our communities in more creative ways that don't necessarily call for reducing police officers.

I sincerely hope that the Committee will reconsider this aspect of the bill and once again lead the nation with an innovative and thoughtful approach to both policing and keeping our communities safe.

Sincerely,

Elizabeth M. Molle,  
617-803-6035

From: Louise Parker <parkerlouise@earthlink.net>  
Sent: Thursday, July 16, 2020 3:44 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Jehlen, Patricia (SEN)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I am writing to express my strong support for S.2820. I believe this bill will bring crucial reform to our criminal justice system. I am therefore calling on you to work swiftly to pass and strengthen this bill. Specifically, it is essential that the final bill eliminates qualified immunity; if we do not eliminate this loophole we cannot hold police accountable for excessive force and overreach. It is also essential that bill introduces strong standards for decertifying problem officers and completely bans tear gas, chokeholds, and no knock raids such as the one that killed Breonna Taylor. I believe that the Commonwealth can be a leader in criminal justice reform. S.2820 provides a much needed and powerful step towards this goal.

Sincerely,

Louise Parker

1 Warwick Park

Cambridge, MA 02140



From: Emily Ronald <ekronald@gmail.com>  
Sent: Thursday, July 16, 2020 3:44 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S. 2820 Support

Dear Representative Stanley and Members of the House Ways and Means Committee,

I'm a Waltham resident writing to express support for S. 2820, the Senate's police reform bill. I urge the House to enact a similar bill quickly.

I'm especially in favor of the bill's positions on limiting use of force, the duty of an officer to intervene in misconduct, restrictions on purchasing military equipment, and its modifications to qualified immunity.

I also support leaving the decision about police in schools to local superintendents. As much as I love the police officer in my sons' elementary school - she's kind, friendly, and a welcome face to them - police officers in schools by and large do not make schools safer enough to outweigh the increase in arrests and profiling of minority students. This decision ought to be up to each community.

Most of all, I hope that a good police reform bill will be enacted and signed into law by the end of July.

Thank you for your attention to this priority, and thank you for soliciting opinions on the bill (I saw Rep. Stanley's tweet and remembered I hadn't called or emailed!). Please stay well in these COVID days, and thank you for your hard work.

Regards,  
Emily Ronald

--

Emily Ronald

Researcher  
she / her  
cell: 617-803-0584  
From: Sallye Bleiberg <sallyefbleiberg@gmail.com>  
Sent: Thursday, July 16, 2020 3:44 PM  
To: Testimony HWM Judiciary (HOU); Ciccolo, Michelle - Rep. (HOU)  
Subject: Police Reform

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Sallye Bleiberg

Lexington

From: Michael Wetherbee <wetherdad@comcast.net>  
Sent: Thursday, July 16, 2020 3:44 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Written testimony regarding S2820

Please take your time to have your family, friends and all others who support police and correction officers, to copy this post and send it to: Testimony.HWMJudiciary@mahouse.gov

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,  
My name is Michael Wetherbee and I live at 26 Red Fox Xing Gardner, MA 01440. I work at the Souza Baranowski Correctional Center and am a Lieutenant and a Disciplinary Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

?????????????????????????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

?????????????????????????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board

hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Michael Wetherbee

From: Chief William G. Brooks III <wbrooks@norwoodma.gov>

Sent: Thursday, July 16, 2020 3:43 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony re: Senate 2820

I am the Chief of Police in the Town of Norwood. I have been a police officer for 43 years, served as president of the Massachusetts Chiefs of Police Association in 2016, and am a member of the Board of Directors of the International Association of Chiefs of Police.

To say that the morale of police officers is sagging these days is an understatement. We are all disgusted by what we saw happen to Mr. Floyd, but we also worry that the good people we serve will associate us with those who killed him, or at some level believe that any of us would do such a thing. And now, a bill is before you that promises to "reform" us, while missing the point on so many levels. So we are left with the narrowest of windows within which to try to explain how we feel, or why we believe Senate 2820 misses the mark in so many places.

First, please understand that Massachusetts has some of the best trained, most highly educated police officers in the U.S. (in spite of low state funding in these areas), with remarkably low levels of use of force. Our citizens enjoy relatively low rates of crime and violent crime, and our Commonwealth has the lowest incarceration rate of any state in the country. Our police departments lead the way nationally in training and policy related to serving people with mental illness and we embraced community policing long before it became universally accepted. We implemented and authored a white paper on the pillars of 21st century policing as outlined by the DOJ and President Obama's task force, and followed up with training on restorative justice, implicit bias, and procedural justice.

Our officers risk their lives daily, but just as importantly they provide service to their communities in a dignified and respectful manner.

As for the bill, the issue causing the most angst among officers is the threat to qualified immunity. Our officers accept that they must make split-second judgments in highly charged situations, but they expect some measure of protection from personal liability when a citizen believes they should have handled an incident differently. The change to qualified immunity in the Senate bill would affect all public employees (except legislators, judges and prosecutors who enjoy absolute immunity). It strikes me that the bill confers the lowest level of immunity on those public employees with the least time to make decisions. I fear that such a change will make it even more difficult for us to attract qualified candidates to policing.

I am troubled by the proposal to create a "police officer standards and accreditation committee." First, the name of POSAC should be changed. There are currently many police departments, including mine, that are accredited through Massachusetts Police Accreditation Commission (and re-accredited every three years) and so the similarity in titles will be confusing. If an entity is created to certify officers, it should be called the Massachusetts Police Certification Board.

The bill as written would empower the board/agency to conduct misconduct investigations with subpoena power, but we note that law enforcement officers are in the minority on the board. If medical boards are staffed with medical professionals and bar overseer boards by attorneys, why would a board overseeing the certification of police officers not be staffed primarily by law enforcement officers? And police departments must report all complaints of officer misconduct to this board? Misconduct at all levels? That is absurd.

As for the creation of a POST system of standards and training, you may already know that the Massachusetts Chiefs of Police Association proposed a POST system (as it is called in 46 other states) in the 2013 and 2015 legislative sessions. So I support the concept, but it should be accomplished properly.

(As an aside, Massachusetts already has two MPTCs, one of which is actually a committee, but other the state training agency. The name of the

agency should be changed to "agency" or something similar. This is a constant point of confusion.)

The bill contains a requirement that an officer report every stop and frisk, even if consensual. This requirement poses a risk that the authors of the bill did not likely understand. An officer who encounters a person behind a building late at night might ask him if he's carrying a weapon and if the answer is no, ask if he can check for for weapons for his own safety. I did this many times when I was on patrol or as a detective. A law requiring the reporting of all such encounters will cause officers to hesitate to ask a person for consent out of concern that they will have to report it. And the notion that an officer would have to give every person a "receipt" is off the mark. What does a receipt do? I have never fielded a complaint from a citizen and been unable to discern which officer he or she was talking about. A receipt?

It strikes me that the data reporting in this bill looks like the provisions struck by the legislature from the hands-free bill just a few months ago. But if the legislature wants data on stops, the state should fund an interface connecting police departments to the state (we STILL don't have an interface for the eCitation system the state asked us to adopt) and the state can pull whatever information it wants.

One section of the bill deals with use of force and force reporting, and requires a police department to report to the state the use of any "chemical weapon." We suspect that this provision is aimed at the use of tear gas, but as written it would require an agency to report every time an officer uses oleoresin capsicum (OC) spray, and report "all measures that were taken in advance of the event to reduce probability of disorder." Really?

There needs to be a clarification regarding the potential use of a chokehold. Massachusetts police officers neither use nor are trained to use chokeholds. However, if an officer is involved in a deadly force situation, it is nonsensical to make an officer subject to criminal prosecution and decertification for using a chokehold, when he/she would have been otherwise authorized to use deadly force and shoot someone. This is easily accomplished by adding language like, "unless authorized to use deadly force to protect the life of the officer or another" after the language prohibiting the use of chokeholds. My Department policy already contains this language.

There are many other segments of the bill that are troubling, and the better course would be to either defer passage of the bill, or to pass a version creating a POST and take up the many related issues in the next session when we all have time to think and talk about it.

I appreciate that the members of these two committees will read this testimony and consider it in their deliberations. But I ask that you take a moment to think about the good work police officers do, often under dangerous conditions, and our commitment to community service.

William G. Brooks III  
Chief of Police  
Norwood Police Department  
137 Nahatan Street  
Norwood, MA 02062  
781-440-5150  
IACP Board of Directors  
@ChiefBrooksNPD <<http://ozil-conseil.com/wp-content/uploads/2013/01/Twitter-logo.jpg>>

From: Jen Holtcamp <jenholtcamp@gmail.com>  
Sent: Thursday, July 16, 2020 3:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Jennifer Holtcamp  
From: jcsmyrle@aol.com  
Sent: Thursday, July 16, 2020 3:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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Mr. Myrle Francis

JCSmyrle@aol.com

From: Lisa Ouellet <leelaj22@aol.com>  
Sent: Thursday, July 16, 2020 3:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

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specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,  
From: Jesse Crafts-Finch <jcfinch@gmail.com>  
Sent: Thursday, July 16, 2020 3:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public Comment on S.2800

Members of the Committee,

TLDR: I support the changes presented in S.2800.

As a citizen of the Commonwealth, it is important to me that we recognize that in the last several decades Police and Police Unions have seen an enormous growth in influence, power, and a massive decline in accountability. At this point in time, I believe it is essential that we make a substantial push in the other direction. When our laws and judicial findings prevent public servants from being held accountable for their actions, and when laws and policies provide incentive structures for Police gain at the expense of the public (such as Civil Forfeiture) steps need to be taken to address the issue.

I'm aware that our State has a relatively good record when it comes to both policing and incarceration compared to the rest of the country. It is important to note that this in itself does not mean we are doing a good job, just that we are doing better. We should continue to strive to improve ourselves as a commonwealth.

The Police need to be more accountable for their actions. Their members and unions will cry foul and tell stories about how if the status-quo is changed, chaos will reign, all officers will quit their jobs, and those that remain will continuously be charged for crimes when they were simply doing their jobs. It makes sense for them to make these appeals, because they have nothing to gain in the short term by giving up such protections.

It is up to you in the committee, the larger Senate and House, and the citizens of this state to step back and take a more clear eyed view of the situation to understand that even with some of the significant change this bill would produce, our police will still be among some of the best protected - legally and otherwise - in the world.

At the end of the day we need to strike a good balance between providing officers the ability to do their job effectively, and providing the public with the protections, oversight, and ability to hold the police accountable that a healthy community requires.

In closing, I want to note that trivial changes or changes which some might categorize as tweaks will just continue to perpetuate the problem. It would punt it down the road, to use a sports analogy. The body politic



at this time clearly sees a need to make a significant change, and if our legislatures do not do so the problem will only continue to worsen. We need to take the top off the pot before it boils over.

Sincerely and with Best Regards,

Jesse Crafts-Finch  
18 Nutting Ave.  
Apt 2  
Amherst MA, 01002

From: Noreen McDonagh <nmcdonagh99@yahoo.com>  
Sent: Thursday, July 16, 2020 3:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Dear Members of the House Committee on Ways & Means,

I am writing to you today out of concern and extreme frustration over Bill S.2800 that was hastily passed by the State Senate. This bill has been is an attack on all public employees. People who are public employees work within the community to ensure the vital growth of the community. As you know, Massachusetts is the first in education and to take away rights from teachers is just ludicrous. For years, studies have shown that the number of people staying in the teaching profession is dwindling with the average new teacher lasting roughly 5 years. Additionally, across the Nation, there is a dire need for teachers who are people of color. This Bill sets yet another reason why young people would stay out of the profession. You know as well as I do that anyone can say what they want about anyone whether true or false and there just needs to be a modicum of doubt ruin a person's life.

Additionally, this attack on law enforcement is going to lead to a lack of law and order. It is happening every day and people just ignore it. This lack of law and order will flow through every community and school system in the state and what does that leave us?

Please do not do this to public employees and to the future of this state.

Thank you for your time.

Regards,  
Noreen McDonagh  
153 Aldrich Street  
Roslindale, MA 02131

From: Jeanne Marrasso <marrassoward3@gmail.com>  
Sent: Thursday, July 16, 2020 3:42 PM  
To: Testimony HWM Judiciary (HOU)

Subject: Bill S.2820 An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

I am writing to voice my opposition to Bill S.2820. I strongly urge the Governor to veto this and any similar bill that would come across his desk, that would establish a committee or laws for the benefit of any person or persons based strictly on the color of their skin! Any one who does support such a Bill I believe is a racist and therefore has no place in the Massachusetts government. And I will work to have those lawmakers and representatives voted out of office. This is no longer 1965 and we have moved way beyond segregation. At this time in our history we have a well respected police force that does not require these extreme measures. If there are a few who do not abide by reasonable current guidelines, they should be provided the proper training or removed from law enforcement. Let me reiterate once again, I will make it my mission to do everything in my power, to see that any racist occupying a seat on Beacon Hill is promptly voted out of office.

Respectfully yours,  
Citizen, Jeanne Marrasso  
617-224-2031

Ward 3, Newton, MA

From: Daniel Craven <craven.daniel.t@gmail.com>

Sent: Thursday, July 16, 2020 3:41 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

The Honorable Rep. Aaron Michlewitz

Chair, House Committee on Ways and Means

The Honorable Rep. Claire Cronin

House Chair, Joint Committee on Judiciary

Dear Chair Michlewitz and Chair Cronin,

I am writing to ask you to oppose S2820, An Act to reform police standards. The bill as written has dangerous changes to qualified immunity, due process and collective bargaining. I can agree that police and criminal justice reform is needed, but this bill reaches far beyond that.

The proposed changes to qualified immunity would result in the flooding of the state court with lawsuits. Those lawsuits would cause a financial strain on the municipalities that are forced to defend these cases. The increase in costs may cause municipalities to settle meritless claims that would have been protected under qualified immunity prior. The state courts will have to interpret the new qualified immunity language. That will force the courts to develop a whole body of case law and will lead to

uncertainty for public employees and plaintiffs for years to come. Lastly, qualified immunity does not just apply to police officers, but all public officials. This will put all government officials at a greater risk for individual personal liability based off of their official actions.

Given the concerns surrounding these changes, S2820 should not be passed at this time. As a proud member of the Professional Firefighters of Massachusetts Local 1032 I ask you to oppose this bill and to stand with public employees to ensure that much needed criminal justice reform is done so thoughtfully.

Sincerely,

Daniel Craven

8 Silverbirch Rd

Billerica, MA 01821

From: william murphy <8murfs@gmail.com>  
Sent: Thursday, July 16, 2020 3:41 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
William Murphy

Sent from my iPhone From: Lisa Bradley <lisabradley618@gmail.com>  
Sent: Thursday, July 16, 2020 3:36 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Lisa Bradley  
15 Sleeper St Apt 506  
Boston, MA 02210  
lisabradley618@gmail.com

From: Jay Morgan <jaymorgan69@yahoo.com>  
Sent: Thursday, July 16, 2020 3:39 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Greetings,

I support police reform to get rid of bad police officers and police brutality but I do not support a removal of qualified immunity for police officers. If an officer has done anything criminal in performance of their duties, that person can be criminally prosecuted. It is however not fair to bankrupt a police officer by civil proceedings since by definition he is acting as an agent of the state in performance of his duties. He would not otherwise be arresting people. The same logic is applied to politicians who have complete immunity from personal civil prosecution for their legislative actions. Thank you for reading my input to the current proposed legislation.

Respectfully,  
Joseph G Morgan  
6 Bright St, Apt 1  
Waltham, MA 02453

781-642-7379

From: Iris <iristoner@comcast.net>  
Sent: Thursday, July 16, 2020 3:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: SB 2820 (policing reform)

Iris Toner  
(508)386-1241  
134 Whippoorwill Dr  
Raynham, MA

Hello,

My name is Iris Toner. I'm from Raynham and am a Taunton Public School teacher. I am writing to you to please not move forward with the Police Reform Bill. I feel that the citizens from the Commonwealth of MA need transparency about this new Police Reform Bill. Politicians that passed this bill in the Senate did not hear their constituents nor did they present this bill to their community that they represent. My State Rep-Mark Pacheco who voted for this bill did not take any consideration that the majority of his constituents are NOT in favor of this bill. We need more transparency, more dialogue from all points of views, and more time. This shouldn't be rushed. Police Reform should be a thoughtful and methodical process, not rushed for to appease a political climate.

As a citizen of this great state and as a public school teacher, this not only effects adults from all walks of life, but also our children especially those who rely on School Resource Officers for their safety. For example, at our high school, our school resource officers are involved with the at risk students' lives more than a teacher could reach. SRO are an unusual hybrid of a counselor, educator, and a cop. Our SROs are important to our school community, but VITAL to our low income community with mainly single parent households. SRO provide guardians and parents with guidance/counseling, education, mentoring, a friend to lean on for help, and role model to the youth in the community.

If you ask many students in the Taunton Public School System, they would tell you not to pass this bill that could jeopardize losing their SRO who are the fabric of our school community, but also their friend and role model.

Thank you for taking the time to read my letter,

Iris Toner

Sent from my iPhone  
From: Stanley Sayer <sayer207@yahoo.com>  
Sent: Thursday, July 16, 2020 3:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: reform

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

thank you  
stanley sayer  
76 elm at boston ma 02130  
sayer207@yahoo.com

From: Virginia Vaughan <vvaughan80@yahoo.com>  
Sent: Thursday, July 16, 2020 3:37 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill No. S2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Virginia Cassidy. I live in Billerica, MA. My husband, Patrick Cassidy, is a Police Officer in Everett, MA. He is also a father to our two little boys, a son, brother, friend, and role model. He works in Youth Violence and as a School Resource Officer. He builds positive relationships with ALL MEMBERS of the community. He has kept many kids from going down a dark road of drugs and crime. He is considered a role model to so many. He gets invited to be a part of these kids' lives far past when they graduate from school. He has EARNED their trust and their respect. He has run into burning buildings to rescue people he doesn't know. He has stopped known criminals from running from a crime scene and

directly into innocent civilians homes. He HAS SAVED LIVES and KEPT EVERYONE SAFE.

He is part of the 99%. He teaches kindness and patience to all those around him. He is fair. He is just. He is proactive. He goes to work everyday, kisses his family goodbye, and prays he will come home. He sees that the power to not use force is the best power of them all. Our kids and I see him as a HERO and you will not find a soul who will dispute that.

Our friends and family? About 90% of them wear the badge. They also find it a privilege and calling to protect and serve the Commonwealth . They are also part of the 99%. They also have children, spouses, mothers, fathers, and other family who are proud of the way they protect the public, collaborate with their communities, and earn the respect and trust of the citizens they serve.

As a wife of a an exceptional law enforcement officer, I find the NON-TRANSPARENT, NON-COLLABORATIVE, LATE NIGHT, REACTIONARY acts of our State Senate to be a slap in the face of all law enforcement, law enforcement families and, quite frankly, anyone in the Commonwealth who values their safety and quality of life. The idea that the livelihood of my family could be in jeopardy because of an ignorant few is downright despicable. No officer wants to have to wonder if they are going to lose their home or retirement for doing a job that they feel is their calling in this life.

This bill does not just impact law enforcement. It also impacts nurses, firefighters, and other public servants. I have worked in Healthcare in Massachusetts for over 15 years. I have seen first-hand the impact of the quick actions taken by qualified first responders to save people's lives, minimize injury, and protect the quality of life of so many citizens of the Commonwealth. I am concerned this bill will negatively impact this valuable, critical decision-making and will INCREASE mortality, and injury, and be detrimental to the quality of life of the citizens of Massachusetts.

No good decision is ever made at 4AM. Never mind one that is RUSHED, NON-COLLABORATIVE, POORLY EVALUATED for LONG TERM CONSEQUENCES, and PUNISHES those who are QUALIFIED to serve and protect the Commonwealth.

We have the opportunity to stop a very harmful piece of legislation from passing. As a wife of a law enforcement officer, a member of the Massachusetts Healthcare Team, a Mom, a Daughter, and a Proud Citizen of the Commonwealth, I BEG you to reconsider this Bill and Vote a Strong "No."

I am sure you are getting lots of emails about his topic and I thank you for taking the time to read this one.

Please don't hesitate to reach out. I can be contacted via email or at 6179183360.

Regards,  
Virginia Cassidy

Billerica, MA

From: Glenn Mulno <glennmulno@gmail.com>

Sent: Thursday, July 16, 2020 3:36 PM

To: Testimony HWM Judiciary (HOU)

Cc: Garlick, Denise - Rep. (HOU); Rausch, Becca (SEN)

Subject: Feedback for police reform and racial equity legislation

To Members of the MA Legislature

I write to offer the humble opinion of a concerned citizen regarding police reform and racial equality. This is simply my opinion on these topics and the scope of my opinion may go beyond what you are currently considering for active bills to date. But I feel compelled to ask that you work to bring about a more just and equal system for every human in this state.

Regarding police reform:

If Massachusetts were a private/public corporation, a school, small business, restaurant, etc - we would have a set of rules and expectations about what behaviors are acceptable and not acceptable for our employees. Should one of these employees violate those standards the employee would be subject to discipline up to and including termination. This is how it works in every place of business and that is a good thing. Accountability to one's actions is critical to a properly functioning and just society. Why should we expect anything less for our hired employees of the police force?

If anything, because these employees were hired to enforce the laws of our great state and represent all of us, we should expect more from them and at a higher standard. These are public employees whose employers are the citizens of this great state of Massachusetts. They are not a power or entity unto themselves. We the people of Massachusetts should have a say in what behavior is acceptable and not acceptable for our employees. These employees should not be protected and shielded from their own actions and behaviors when those actions and behaviors violate the trust and integrity we expect and demand from our employees.

It is time we decide what behaviors are acceptable and not acceptable. There is no reason to choke someone. There is no reason to put your knee on someone's neck. There is no reason to attack protesters. Employees that perform unnecessary acts of violence on another human are terminated and must face the consequences of their actions. It is time these employees be given proper guidelines that if crossed, they are terminated and face the consequences of their actions.

Think too about what the police force has grown into. We expect the police to handle every grievance, every complaint, every accident and everything we don't want to deal with ourselves. We ask them to show up at accident scenes to handle traffic, to handle traffic for construction crews and to babysit our roads to handle the high crime of forgetting to use your blinker. We ask them to show up in millions of situations, where a person with a gun is probably not in the top 10 of people who could best handle that situation.



It is time we step back and rethink our policing and ask them to do only what they do best and where the presence of a weapon may reasonably be expected. We must redirect funds from a runaway police force to resources that are better equipped to handle much of what the police face on a daily basis.

Regarding racial equality:

We are long long past when we should do everything, everything, in our power to bring about racial equality in our communities, our state, our nation, and the world. For far too long people of color have had to live with a system of "justice" that is racist, unjust and has treated them as if they don't matter, or at least that they don't matter as much as white people. Thank God for cameras that have exposed near daily instances of police brutality and abuse of power around the country. Without those cameras many of us would be ignorant and blind to the longstanding and continued injustices faced by people of color every day.

We must work to educate and retrain our police to eliminate racial biases, profiling, discriminating policies and hiring practices. We must change laws that were written to punish people of color and are enforced against people of color in far higher percentages than whites. We must change our criminal justice systems and enact prison reforms that incarcerate people of color at far higher percentages than white people. We must release people from prisons that are serving time for nonviolent crimes and reduce or eliminate prison times for nonviolent crimes, again, that impact people of color at far higher rates. We must overhaul our bail systems that put people in jail for the crime of being poor.

We must also change the foundations within communities to provide economic and educational equality throughout the state. Far too many schools receive far too little funds because they are not as affluent as another community. The foundations of future financial success are rooted in a full and enriching education from preschool through college, but we let the rich perpetuate inequality at these most basic levels and tell poor communities they just need to self fund like the rich do to be on equal footing. This is a lie that perpetuates a racist and unjust system. All too often the poorer communities are primarily people of color, all too often the affluent communities are primarily white. We should direct funds to communities that need more so they can be truly equal.

You have the power to stop perpetuating racial and economic injustice. You have the power to reimagine our communities in a truly equal way. You have the power to reimagine our policing in a more just way. You have the power to bring the State of Massachusetts closer to the ideals of what this great nation was founded on.

Act

Perhaps no one will read this. I am just a citizen. I am just one person. One voice. One vote. But I hope that we can all work together for a better community for all.

Best regards in these difficult times. Stay safe. Stay healthy.

Glenn Mulno  
40 Morton Street  
Needham, MA  
02494

From: Elizabeth Egan <eliegan@bu.edu>  
Sent: Thursday, July 16, 2020 3:32 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony in Support of Police Accountability -- Use of Force Standards, Qualified Immunity Reform, and Prohibitions on Face Surveillance

July 17, 2020

The Honorable Rep. Aaron Michlewitz  
Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin  
Chair, Joint Committee on the Judiciary

Re: Testimony in Support of Police Accountability -- Use of Force Standards, Qualified Immunity Reform, and Prohibitions on Face Surveillance

Dear Chairs Michlewitz and Cronin,

I write in strong support of the many provisions in S.2820 designed to increase police accountability. In particular, I urge you to:

1. Adopt strict limits on police use of force,
2. End qualified immunity, because it shields police from accountability and denies victims of police violence their day in court, and
3. Prohibit government use of face surveillance technology, which threatens core civil liberties and racial justice.

The Fraternal Order of Police acknowledges that the "enormous responsibility that comes with a badge" and that officers should be "held to a much higher standard of personal and professional conduct."

Unfortunately, this rhetoric does not carry over to the practice or structure in which law enforcement officers practice. Many professions have standardized education requirements, testing, continuing education, and licensing boards which uphold the shared values and standards of a profession. I support the creation of a Police Officers Standards and Accreditation Committee to provide independent oversight of the profession and uphold the standards of the profession. It is time for qualified immunity to be revoked and for law enforcement officers to be held to the same standard as other professionals who are accused of wrongdoing. In medicine, providers are held liable for mistakes that lead to death or injury and can be the subject of civil lawsuits, they are held to high standards of education, licensing, peer and societal review and must complete continuing education to ensure their practice is based on evidence. It should not be controversial to apply the same professional framework to that of law enforcement. S.2820 applies a reasonable person standard, and if brought to trial, the accused would be able to present evidence to a judge or jury, who would apply the reasonable standard to the case. Again, this is not a controversial process, it is not new and it is not remarkable in any way, it is the standard by which the residents of the Commonwealth can seek damages.

George Floyd's murder by Minneapolis police brought hundreds of thousands of people into the streets all around the country to demand fundamental changes to policing and concrete steps to address systemic racism. This historic moment is not about one police killing or about one police department. Massachusetts is not immune. Indeed, Bill Barr's Department of Justice recently reported that a unit of the Springfield Police Department routinely uses brutal, excessive violence against residents of that city. We must address police violence and abuses, stop the disparate policing of and brutality against communities of color and Black people in particular, and hold police accountable for civil rights violations. These changes are essential for the health and safety of our communities here in the Commonwealth.

Massachusetts must establish strong standards limiting excessive force by police. When police interact with civilians, they should only use force when it is absolutely necessary, after attempting to de-escalate, when all other options have been exhausted. Police must use force that is proportional to the situation, and the minimum amount required to accomplish a lawful purpose. And several tactics commonly associated with death or serious injury, including the use of chokeholds, tear gas, rubber bullets, and no-knock warrants should be outlawed entirely.

Of critical and urgent importance: Massachusetts must abolish the dangerous doctrine of qualified immunity because it shields police from being held accountable to their victims. Limits on use of force are meaningless unless they are enforceable. Yet today, qualified immunity protects police even when they blatantly and seriously violate people's civil rights, including by excessive use of force resulting in permanent injury or even death. It denies victims of police violence their day in court. Ending or reforming qualified immunity is the most important police accountability measure in S2820. Maintaining Qualified Immunity ensures that Black Lives Don't Matter. We urge you to end immunity in order to end impunity.

Finally, we urge the House to prevent the expansion of police powers and budgets by prohibiting government entities, including police, from using face surveillance technologies. Specifically, we ask that you include H.1538 in your omnibus bill. Face surveillance technologies have serious racial bias flaws built into their systems. There are increasing numbers of cases in which Black people are wrongfully arrested due to errors with these technologies (as well as sloppy police work). We should not allow police in Massachusetts to use technology that supercharges racial bias and expands police powers to surveil everyone, every day and everywhere we go.

There is broad consensus that we must act swiftly and boldly to address police violence, strengthen accountability, and advance racial justice. We urge you to pass the strongest possible legislation without delay, and to ensure that it is signed into law this session.

Sincerely,  
Elizabeth Egan, MPH, LICSW

From: Chris Westfall <ctw46@law.georgetown.edu>  
Sent: Thursday, July 16, 2020 3:26 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Chris Westfall  
1 Emerson Pl Apt 10E  
Boston, MA 02114  
ctw46@law.georgetown.edu

From: Abraham, Tobin (HOU)  
Sent: Thursday, July 16, 2020 3:29 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: [External]: Police and Juvenile Justice Reform Legislation

Good afternoon!

I am forwarding the below testimony on S.2820.

Best,

Tobin

Tobin G. Abraham, Esq.  
Legislative Aide | Office of Representative Tram T. Nguyen, Esq. - 18th  
Essex District  
State House, Room 33 | Boston, MA 02133  
617-722-2060 ext. 5 | Tobin.Abraham@MAhouse.gov

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From: mona Igram [monaigram@yahoo.com]  
Sent: Thursday, July 16, 2020 2:17 PM  
To: Abraham, Tobin (HOU)  
Subject: [External]: Police and Juvenile Justice Reform Legislation

Dear Representative Nguyen (Tram),

Thank you for committing to confront racial injustice in our communities. I am writing asking you to urge the Speaker to include these youth-focused policies in the House race equity bill. These proposals will address racial disparities in our justice system and hold law enforcement accountable when interacting with young people in our communities and in our schools:

\* Require transparency and accountability by reporting race/ethnicity data at each major decision point of the juvenile justice system, as filed by Rep. Tyler (H.2141). Require law enforcement and other juvenile justice agencies to report data on young people at major decision points with the juvenile justice system to improve the state's policy and planning. It is really difficult to look at systemic change without access to data.

\* End the automatic prosecution of older teens as adults, as filed by Rep. O'Day and Rep. Khan (H.3420): Massachusetts' youth of color bear the harshest brunt of our legal system with their over-representation in the adult criminal justice system. By raising the age at which a teenager can be automatically tried as an adult, we can hold young people accountable in a more developmentally appropriate setting, giving them a better chance to succeed and turn away from offending and reduce the harms of legal system involvement all while reducing crime in our communities. Raising the age of majority to 19 is the first step in increasing the jurisdiction of the juvenile court, where young people are treated in developmentally appropriate ways.

\* Expand eligibility for expungement to rectify the collateral consequences of the over-policing and criminalization of communities of color, as filed by Rep. Decker and Rep. Khan (H1386) and as passed in S.2800: There is overwhelming evidence <[Expungement as passed was a hollow promise. Please make it a priority to give young people a clean slate.](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.washingtonpost.com_graphics_2020_opinions_systemic-2Dracism-2Dpolice-2Devidence-2Dcriminal-2Djustice-2Dsystem_-23School&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=FFzuTF14HHJEtOOWc-awL8LiFjtFfdoQgT3yGtkZXXK8&m=BW0aLTTdDSKOcKq0Wla0khWzkNFTcNu57A_OZ4BKUVg&s=vEXvBeKf2dnGHJnaWdb5hhYNMGjJpc6Nv-1mIeDqwGM&e=> that racial disparities against Black individuals at every stage of the legal system - from policing and profiling, court proceedings to sentencing and every stage in between. Expungement is an important tool to rectify the over-policing and disparate treatment of people of color by expanding. The current law limits does not distinguish if a case ended in a conviction or a dismissal. We ask that eligibility is modified so that (1) all non-convictions are eligible for expungement; (2) change the limitation on the number of cases on a record, to length of time since last conviction (3 years for misdemeanors and years for felonies); and (3) limit the list of offenses ineligible for expungement to only those resulting a felony conviction.</p></div><div data-bbox=)

\* End the surveillance and profiling of students in schools as amended in S.2800 Section 49 by prohibiting school police from sharing student information they gather through their interactions with students with the Boston Regional Intelligence Center (BRIC) and the Commonwealth Fusion Centers that are accessed by local, state and federal law enforcement.

\* Prohibit law enforcement restraints of minor children in a prone or hog-tie position and require that de-escalation techniques are developmentally appropriate and require that law enforcement consider calling parents/guardians to de-escalate a situation with a child. Some of these provisions passed in S.2800 amendment 41.

\* National and local studies have overwhelmingly shown that Black and Latinx students are significantly more likely to be suspended, expelled,

and arrested in school than their white peers. Repeal the state mandate that every school district be assigned at least one school resource officer; require school committee approval by public vote for assigning SROs; require that law enforcement officers be stationed in a police station and on-call for schools, rather than being stationed on school property; and mandate that school districts and police departments comply with the reporting requirements of school-based arrests to qualify to have an SRO. These provisions passed in S.2800 amendments 25 and 80.

Thank you and I look forward to hearing back from about your position on these priorities.

Mona Igram  
5 Heritage Lane  
Andover, MA 01810  
(603) 401-7146

From: D. McKeown <dougmckeownmst@gmail.com>  
Sent: Thursday, July 16, 2020 3:30 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: End qualified immunity!

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

MA State and municipal police are notoriously corrupt. A full quarter of the officers at my local police department can't be called to testify during court cases due to being on the Brady List. This means they've lied in an official capacity, and are not reliable witnesses! Yet somehow they still have their jobs? Completely unacceptable.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no-knock raids like the one that killed Breonna Taylor.

If you could take a full and committed step toward ending police brutality in our Commonwealth, that would be wonderful.

Cheers,  
- Douglas J. McKeown, resident of Medford MA  
From: Mark Obrien <markob65@gmail.com>  
Sent: Thursday, July 16, 2020 3:30 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

My name is Mark O'Brien and my family and I are Lynnfield residents. I am a State Trooper and have a combination of 16 years of law enforcement experience. I am writing on behalf of my family, specifically my two sons.

I consider us very fortunate to reside in Massachusetts. The Commonwealth is a wonderful place to live; however, the safety of our communities is at risk. If our public safety employees are no longer protected under the well established civil protection now afforded to us, there will be a stark drop in safety provided to our cities and towns. To no one's surprise, the fear of a civil suit will influence one's job performance; whether that job a police officer or a teacher, the fear is real. As police officers our number one priority is to ensure the safety of the communities and to hopefully act before someone is victimized. The fear of a civil lawsuit will drastically hinder the performance of those job duties.

There is potential for a drastic trickle effect caused by the recent bill passed by the Senate that would effect our future generations. The idea of my two sons growing up in an unsafe community is scary. In such an advanced society, why would the following generation suffer such mistakes made by the previous generation. I truly believe the Senate acted in accordance with an agenda; to wit a dangerous agenda.

As I grew up as a child in the lower middle class in an urban community, I knew if I worked hard I could become a civil servant and provide for a small family. Police and fire careers were a modest, worthwhile goal. I served in Operation Iraqi Freedom to become a police officer. If the senate bill were to pass, how will we replace the volume of police that will retire with new qualified candidates? We are striving to recruit candidates of every race, ethnicity and gender to work with. This will be near impossible. Representatives I assure you the quality of candidates will not be what they are today if the Qualified Immunity we are afforded now is changed. This in turn affects the quality of life my children will grow up in. I assure you, family is the reason we oppose any changes to qualified immunity. Massachusetts is a wonderful place to live. We should not suffer from tragic, wrong actions in the Midwest. Commonsense must prevail.

Respectfully,

Mark O'Brien  
Lynnfield, MA

From: Patricia Brouillard <patSYMAY521@gmail.com>  
Sent: Thursday, July 16, 2020 3:46 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill S2820

Dear Representatives,

I am writing to you as a registered voter regarding the current Police reform bill ( Senate bill S2800, House bill S2820) passed by the Senate and under review by the House.

I am opposed to 3 aspects of the bill, and they are: Changes to Qualified immunity for state and city/town Police, Firefighters, EMT's, Paramedics; The complete ban on chokeholds; The restriction on the use of tear gas.



I urge you to not support this bill because of these above-mentioned issues.

Sincerely,

Patricia M Brouillard

19 Hall Ave

Andover, Ma 01810

From: Julio Quiles <JQuiles@wpd.org>

Sent: Thursday, July 16, 2020 3:29 PM

To: Testimony HWM Judiciary (HOU)

Subject: Urgent

Dear Representative Aaron Michlewitz, Representative Claire Cronin, and to all the other elected officials.

My name is Julio Jose Quiles and I live at 24 Lawrence Street, Haverhill, MA 01830. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully submitted,

Ofc. Julio J. Quiles  
Patrolman, Badge 197  
Patrol Division  
Wilmington Police Department  
1 Adelaide Street  
Wilmington, MA. 01887  
978-658-5071 Ext. 5197

From: Robtirrell <robtirrell@aol.com>  
Sent: Thursday, July 16, 2020 3:28 PM  
To: Testimony HWM Judiciary (HOU)

Dear Madame and Mister Chairman,

As a Constable I am against any language that effects qualified immunity. It would open the door to frivolous lawsuits for all public employee in pursuit of their duties.

Thank you for your attention to this matter.

Robert Tirrell  
From: donna semel <donna10707@gmail.com>  
Sent: Thursday, July 16, 2020 3:28 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please don't put children in jail

Please consider raising the age of placing offenders in adult prisons to at least 21. Could YOU be held responsible for your behavior at that age? Children need to be provided with care to make them into functioning adults. A juvenile facility could be their last chance at that.  
Thank you,  
Donna Semel

Sent from my iPhoneFrom: Jessica Pero <jessiepero@gmail.com>  
Sent: Thursday, July 16, 2020 3:28 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Good afternoon,

My name is Jessica Pero and I'm writing to you today about the police reform bill that has been brought before you.

My husband has been a Boston Police Officer for about 15 years. I have lived and worked in the city of Boston my whole life and I feel that the Boston Police do a great a job. I do not feel that Boston faces the same problems that face other states across the country and to blanket all police departments as one just isn't fair.

However, like most people, I do believe that some change is needed but this bill is NOT that change. This bill threatens to harm the neighborhoods throughout the state, as well as the well being of its police force. It's a large bill that needs to be broken down to the public so that everyone knows and understands what's in it, and how it will affect them and their safety. It seems as this was thrown together rather quickly to make a statement.

So I'm asking you to veto this bill so that we can affect the real change that is needed, for everyone, and not just a few.

Thank you,  
Jessica Pero

Sent from my iPhone  
From: Barbara Keefe <jessejam@comcast.net>  
Sent: Thursday, July 16, 2020 3:26 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill

Please veto the S2800 police reform bill. The Commonwealth of Massachusetts needs its wonderful police force at State and local level. Across this country police are being attacked and demoralized, please don't let it happen in Massachusetts

Get BlueMail for Android <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.bluemail.me\\_r-3Fb-3D15894&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=ZNzDgbr8tx5irsWM2-xjCoz7j4T5rCGpyMBjanrNZA&s=ZHPTbhdKAJ7jGmW82krCaHyk4nq6mu66DS\\_g3JMLef4&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.bluemail.me_r-3Fb-3D15894&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ZNzDgbr8tx5irsWM2-xjCoz7j4T5rCGpyMBjanrNZA&s=ZHPTbhdKAJ7jGmW82krCaHyk4nq6mu66DS_g3JMLef4&e=)>

From: Lynette Culverhouse <lculverhouse@gmail.com>  
Sent: Thursday, July 16, 2020 3:25 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony re S.2820

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July. It is imperative that we address the bullying culture that has been allowed to exist in our police force for way too long. The precedents have been set that allow white male police officers to bully and harass people from marginalized communities, some of our most vulnerable people, including women. It is time to watch out for them and give them some cover. This bill would be a start. Please make it happen before any further damage to our state's integrity is done by rogue police officers.

Thank you.  
Lynette Culverhouse  
Arlington Fights Racism  
concerned citizen  
From: Tyler Estrella <tylerestrella22@gmail.com>

Sent: Thursday, July 16, 2020 3:25 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Tyler Estrella and I live at 120 Hood ST, Fall River MA 02720. I work at the Bristol County Sheriffs Office and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Tyler Estrella

Sent from my iPhone  
From: Bonnie Bain <bonnie@bonniebain.com>  
Sent: Thursday, July 16, 2020 3:25 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. I am alarmed by the amount of pushback we are seeing for the bare minimum required for a safer criminal justice system.

The final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for certifying all officers and decertifying problem officers (I have learned that the time it takes to become an officer and the amount of training they get is minimum and the methods by which we remove problem officers hardly exist), and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Bonnie Bain Massie, Salem

From: Julie Murphy <murfcota@yahoo.com>  
Sent: Thursday, July 16, 2020 3:23 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

Dear Representatives,

I am writing to you after reading the bill S2800, which is now bill S2820. I am shocked that our elected officials would even allow to pass this bill on after reading the full details. I am a nurse and an educator and not only am I upset about how this will impact our police, but all other professions that have vowed to care for the public. I know you are in a tough situation, but I plead that you reconsider this bill and perhaps start over and focus on funding and training.

Sincerely,

Julie Norton of Quincy, MA  
From: Parks, David <dep3@williams.edu>  
Sent: Thursday, July 16, 2020 3:22 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: MA Police Reform Bill

I definitely support the MA Police Reform Bill!

Thanks,  
David Parks  
34 Glass Works Rd  
Berkshire, MA 01224  
From: mcana7@aol.com  
Sent: Thursday, July 16, 2020 3:19 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill

July 16, 2020  
Good afternoon,

I write to support the bill in front of the House to begin reform of police practice in Massachusetts. It is a good step in the right direction. All of good hearts and fair minds will agree we are in dangerous and unhealthy times. We have an opportunity to reach a little higher, to do better, to strive for peaceful settlements of disputes by strengthening the good that is being done already and requiring more thoughtful approaches to crime and punishment. Determent is best. Punishment was never meant to be meted out in the street by officers of the law.

Those who profess to protect and serve must be accountable to those people they protect and serve. It is those people calling for reform. We are all a community here, and all subject to the law, not above it, especially those who enforce it. In these days of rabid abuse of power and negligent disregard of human life, we in Massachusetts take the step toward peace, toward a better union.

We can do better. We can go forward. We can lead this crippled nation toward peace. In God We Trust.

Mary Canavan M.Ed  
617-744-5259  
From: Margaret Ryding <margaretryding@comcast.net>  
Sent: Thursday, July 16, 2020 3:18 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony re S.2820

Subject line: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Thank you,

Margaret Ryding

781-641-2195

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Margaret Ryding, M.Ac.  
Traditional Acupuncture,  
393 Massachusetts Avenue,  
Arlington, MA 02474

[www.margaretryding.com](http://www.margaretryding.com) <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.margaretryding.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.margaretryding.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-)

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{office} 781 641 2195

From: tom rock <tomfrock95@gmail.com>

Sent: Thursday, July 16, 2020 3:18 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2800

As your constituent, Tom Rock, from Mendon, I write to you again today to express my strong opposition to S.2800 which was passed by the Senate. I ask that you oppose this bill as constituted when it is debated in the House of Representatives.

I also ask that it be debated in the light of day and not voted on in the dark of night.

The bill is ill conceived and politically driven. I think that we all agree that police reform is important and needs to be addressed but passing a hastily thought-out bill just for the sake of passing a bill is not in the best interest of the Commonwealth.

This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. It will cause many good officers to leave due to the new burdens and make it harder to recruit individuals into law enforcement.

S 2800 establishes a review committee with overly broad powers, including the power of subpoena, in active investigations. The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment rights against self-incrimination (see Carney vs Springfield) and constitutional protections against "double-jeopardy."

Qualified immunity protections are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections essential for the police officers we send out on patrol in our communities and who often deal with some of the most dangerous of circumstances with little or no back-up. Removing qualified immunity protections in this way will open officers up to personal liabilities, or maybe more importantly the constant fear of personal liability, so they cannot purchase a home, a car, obtain a credit card, or other things for the benefit of them and their families. It will also expose LEOs to unlimited frivolous lawsuits and person legal costs associated with defending themselves in court. Good luck with police recruitment.



In addition S 2800 failed to follow the normal and appropriate legislative process of holding public hearings to accept testimony from citizens and experts. I ask that you vote NO when S.2800 comes to the House of Representatives for the reasons stated above, and others.

"We cannot support a measure which takes handcuffs off drug dealers and gang bangers and puts them on police, allows criminal records to disappear while tearing open police personnel files and allows criminals to appeal for monetary damages while denying police due process to appeal for their job," said James Machado, executive director of the Massachusetts Police Association.

Please have the courage to challenge the popular narrative and vote NO on S.2800

Thank you,

Sincerely,

Your Name and address and phone #

Sent from my iPhone  
From: Dino Rossi <dino@realestateman.com>  
Sent: Thursday, July 16, 2020 3:16 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

We need our local policemen and I do not support this proposed bill. Governor Baker please VETO this bill. If this passes we will have a mass exodus of policemen/women.

Dino Rossi, Owner  
Everything We Touch Turns To SOLD!!!!  
362 Watertown Street  
Newton, MA 02458  
617-312-3910 Cell  
617-969-0676 Office

Do you want to know what your home would sell for in today's HOT Real Estate market? Find your homes value by clicking here  
<

Please donate <[From: Cooper Gould <coopgould@gmail.com>  
Sent: Thursday, July 16, 2020 3:16 PM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: Please Pass the Reform, Shift, Build Act!](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.newtonbgc.com_copy-2Dof-2Ddonate&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=DxHPE3Fy2fQbAx_B7rCPZNaH0QoQVdsVbq5XVRtyfZg&s=1C4cjAJE vTIGteS4ZmNMjzMYvzBWWDYgyxuMbV74qBY&e=> to the Newton Boys & Girls Club whenever you are able!!</p></div><div data-bbox=)

To whom it may concern,

Massachusetts must pass S2820.

I have been deeply disheartened by recent events across this country and in my city of Boston. As someone who has been in the streets demanding justice for the Black lives that have been murdered by police and white supremacists across the country, I have been disgusted by the response of state and local officials and law enforcement to the demands and the needs of the people. Time and time again, when communities rise up to make their voices heard and their demands clear, they have been met with a wall of police officers, armed and armored as if for war, with clearly visible detention and torture implements hanging from their belts and vests. The whole reason that people have been in the streets week after week is to show that the welfare of communities of color in our city and our state are more important than the semiautomatic weaponry, white supremacist indoctrination, and internationally criminal instruments of torture with which police forces are readily supplied. We are still in the streets because we have yet to see evidence that our representatives agree with this assessment. S2820 is the step we need to start to make this claim, that black lives matter a truth in our state and not simply a fantastical regulatory ideal. If the money spent on policing were spent on enriching communities, redistributing wealth, and providing health care and other essential social services, communities would be safer, happier, healthier, and better. I think we can all agree that empirical evidence shows the militarized, overpaid, unaccountable and improperly trained police forces of the state achieve none of these goals. S2820 is absolutely necessary if we are even to begin to consider Massachusetts a safe place for our communities and residents of color. I would be ashamed of my representative government if they were to reach an alternative conclusion.

Thank you for doing your jobs well, making Massachusetts a better place, and passing S2820.

Cooper Gould  
From: Ashley Barber <ashleybarber@icloud.com>  
Sent: Thursday, July 16, 2020 3:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Re: S2800

Good Afternoon

I am writing to you in regards to the recent police reform bill (S.2800) that was carelessly rushed through the senate. I ask that you do not support this bill. This bill is nothing short of detrimental to law enforcement and the way that they serve and protect their communities. It is very clear that little research was done by the individuals who wrote this bill, not one has experience in law enforcement. Many black and Latino officers have stepped forward to challenge this irresponsible bill. They are frustrated that they, commonwealth chiefs and other law enforcement professionals were not consulted at all whatsoever. The boards, policies and the removal of all protections that this bill proposes is disheartening to myself, most Massachusetts residents, municipal and public employees and the men and women of law enforcement. We should all have had a voice on this matter and the senate effectively removed what rights we had to voice our opinions by sneaking this hastily written and irresponsible bill through to vote. This is not okay. This is not what they were elected to do.

If any reform is passed, let it be for more training and better equipment. If something is to be done, let us give police what is needed to keep everyone safe, from the residents of the commonwealth to the men and women who swore to protect it. Police departments in the state of Massachusetts are for the most part very progressive and extremely well run. Disrupting the way they are run with this bill is going to destroy policing in the state and could be catastrophic for all of us. Officers now are in fear for their future and reconsidering doing the job they love. What has happened in Massachusetts in recent years that we have to punish every officer in the state for? The terrible actions of one man in Minneapolis do not reflect a single officer at any level in the state of Massachusetts. They should not be subject to punishment for something they simply did not do or condone.

In closing, I ask that you do not support this bill. What the men and women in Law Enforcement is our support, not to be made out to look like animals and be stripped of any and all protections. They are not the enemy that S.2800 makes them out to be. We should all be most concerned about the senators who pushed this bill through.

I thank you for your time  
Ashley M Barber  
781-588-5502

From: Cynthia Tavilla <cstavilla@gmail.com>  
Sent: Thursday, July 16, 2020 3:13 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and

get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Cynthia S. Tavilla  
781-572-5554

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Cindy Tavilla  
107 Webster St.  
Arlington, MA 02474  
Hm/Cell: 781.572.5554  
Wk: 781.863.5570  
FAX: 781.316.0374

"The question is not whether Lincoln truly meant "government of the people" but what our country has, throughout its history, taken the political term "people" to actually mean."  
? Ta-Nehisi Coates

From: michael carey <michael.carey@comcast.net>

Sent: Thursday, July 16, 2020 3:13 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: RE S 2820, Police reform

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

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Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Michael Carey  
617 599 5817

Community Reentry Program Inc.  
Prison Fellowship at Friends Meeting (Quaker), Cambridge  
Cambridge, MA 02139  
From: John Bonczek <jbonczek@charter.net>  
Sent: Thursday, July 16, 2020 3:12 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill

As a Massachusetts retired citizen I respectfully disagree with the police reform bill. It puts police and citizens in danger. We the people need to be protective from the criminals that are taking over this country. We need more protection not less. Please do not approve this bill.

Thanks

John j Bonczek

Sent from my iPhone  
From: Michael Ricci <mikeric@gmail.com>  
Sent: Thursday, July 16, 2020 3:11 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Testimony

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Michael Ricci and I live in Middleboro. I work at Old Colony correctional Center and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the floodgates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less than Lethal Tools:** The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your

support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Michael Ricci

From: George Sousa <gsousa123@yahoo.com>  
Sent: Thursday, July 16, 2020 3:11 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Subject: Police Reform Bill

Honorable members of the House Judiciary Committee,

Please accept this email as testimony regarding the police reform bill you are considering with regard to the issue of "qualified immunity". As the father of a Swansea police officer, it is concerning that my son could potentially be sued for just trying to do his job. Being a police officer in today's society is hard enough (many think it is the toughest job in the country). These men and woman choose a tough profession and the majority perform their duties admirably every day. They take an oath to protect and serve us. Massachusetts Police Officers are among the best - trained and most professional officers in the Nation. This measure of weakening or eliminating the protections granted to Police Officers under "qualified immunity" seems to me will only make the job even more difficult and has the very real possibility of making them and the citizens they serve less safe. I fear 2 things: Hard - working, honest police will be forced to "reason" or second guess themselves if they should help in certain situations (as noted in a recent Boston Herald article) or we will see many of these officers (especially the younger officers) leave the profession and create huge gaps in manpower. I think you will agree that most police officers are good people who want serve their community and are now living in the shadow of what the few bad cops do.

I ask that when the House reviews police reform that you consider the issue of "qualified immunity" and how this will have a negative impact on police officers. The law - abiding citizens of the Commonwealth need our elected officials to support our police officers rather than enacting legislation that has the potential to put their futures in jeopardy.

I hope that you agree that weakening or eliminating "qualified immunity" with regard to police reform is not a good thing and should not be part of any police reform bill. This is how this is affecting my son: He has been an officer for 6 years, has taken the Sergeant exam and scored second within his department, has multiple commendations in his jacket and wants to remain on the force. If this passes, he will have to shift gears and start a new career out of frustration leaving his Bachelor's Degree in Criminal Justice and past 6 years of his life feeling wasted.

Please do the right thing and support our officers.

Thank you for your time and consideration.

George Sousa

209 Bushee Road, Swansea, MA 02777

508 207 5612

From: amcbig <amcbig@yahoo.com>  
Sent: Thursday, July 16, 2020 3:10 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill s2800

Good Afternoon,

We need to back our Police not harass them! We should be hiring more police on our streets instead of trying to find ways to destroy morale and put our officers in harms way! We were just fine in Boston but this is creating hatred that I've never seen before directed at our police officers! You are all more concerned about criminals than the law abiding citizens of the Comth. Stop pandering for votes and protect our Police and citizens! At the rate we are going you won't have to worry about police anymore because they will all quit then you will have regular citizens armed to protect themselves and their families and property. Stop this hatred and violence against our men in blue! They deserve respect and protection for putting their lives on the line every day!!!

Anne Biggins  
617-875-8334

Sent from my Verizon, Samsung Galaxy smartphone

From: Jimmy Elsenbeck <jelsenbeck@gmail.com>  
Sent: Thursday, July 16, 2020 3:09 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

James Elsenbeck, Medford, MA  
From: Josh <joshcolbs@aol.com>  
Sent: Thursday, July 16, 2020 3:08 PM



To: Testimony HWM Judiciary (HOU)  
Subject: Opposed to bill S2820, especially the qualified immunity section

To the honorable representatives of Massachusetts,  
I am opposed to bill S2820 for Police reform and mainly to the qualified immunity section. Jobs that serve and help the communities need the up most protection we can legally give them. We cannot tell law enforcement officers or first responders to rush towards danger when help is needed. But not have their backs when they need help. We dont live in a perfect world, and these men and women do their best to protect is from the criminals and people who try to do us harm. Taking away the qualified immunity will only hurt the community further. Responding agencies with lower number of employees will now take longer to get to emergency calls. If you've never been involved with a medical call, seconds can be life saving. The first responders answering the call will now drive slower in fear of potentially getting into a fender bender or clipping another vehicle and being sued over it. Or detain someone who fits a suspect description, and be sued because it wasnt the right suspect.

This is a link to a PDF file that explains the hazards of messing with qualified immunity:

<https://files.constantcontact.com/132a544f001/feed66f3-e896-43ad-b0a2-e90e4a45070e.pdf>

Some changes are needed. But not this, and not in this way.

Thank you for your time.

From: Bill Burke <wjb1776@yahoo.com>  
Sent: Thursday, July 16, 2020 3:08 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 Police Reform

Chairs Michelewitz & Cronin

House Committees on Ways and Means and the Judiciary

I am emailing you my concerns for any hastily written or rushed police reform legislation. As a former municipal and state police officer I hope the Senate and House can agree on a police reform bill that is based on facts and not emotions.

Any bill being proposed deserves proper process including vetting, hearings, debate and input from all groups including law enforcement.

A Certification/De-Certification Process for law enforcement in Massachusetts is well overdue but must include a Due Process/Right of Appeal.

The elimination of Qualified Immunity will be a morale killer for the hard working members of law enforcement that go to work everyday trying to do the best job they can for the community they serve. The

Qualified Immunity elimination will also keep the most qualified and educated candidate from applying for positions in law enforcement due to the possibility of being sued individually for "acting in good faith" in performing the duties of law enforcement.

Thank you for your consideration.

Bill Burke  
MSP-Retired  
508- <tel:508-385-5388> 922-7619 (c)  
wjb1776@yahoo.com

Sent from my iPad  
From: Diana Starke <djstarke@gmail.com>  
Sent: Thursday, July 16, 2020 3:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

I respectfully request that the Massachusetts House preserve the vital reforms in the Senate bill and go further than the Senate bill by

- \* Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
- \* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- \* Lifting the unnecessary cap on the Justice Reinvestment Fund

Diana Starke  
Boston, MA  
From: Elizabeth Maglio <elizabethmaglio@icloud.com>  
Sent: Thursday, July 16, 2020 3:04 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Need Transparency on SB 2820

Dear Chairs Michlewitz and Cronin,

Transparency is critically important, particularly when it comes to fighting abuse issues and the work of special state police officers. Specifically, there needs to be transparency around number of investigations, arrests, and arraignments to avoid selective and unjust policing practices. Special state police officers who work to fight animal abuse must be required to follow public record laws if they are empowered with some of the rights of policing. In essence, they must be held accountable to the public and/or marginalized populations, just like any other police officer.

We ask that you adopt a provision ensuring that special police officers are NOT exempt from public record laws, as follows:

An Act relative to transparency for special state police officers

SECTION 1. Chapter 66 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 21 the following section:-

Section 22. A document made or received by special state police officers as defined in Chapter 22C, including but not limited to, special state police officers as defined in sections 51, 56, 57, 58, and 63 shall be considered a public record under this chapter and under clause twenty-sixth of section 7 of chapter 4 and subject to all applicable exemptions.

Thank you,  
Elizabeth Maglio on behalf of  
Mass Coalition to End Puppy Mills

From: Debbie Lang <deborahannlang27@gmail.com>  
Sent: Thursday, July 16, 2020 3:02 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S-2800

To Whom it May Concern,

I know you believe that the Police needs reform, but I'll tell you this, I have been working for the City of Boston for almost 6 years and Boston Police is my family. They are there when we need them and who else will go into communities to kill each other. On another note, you think that Health Care workers are the solution to Domestic Violence, well that won't help, the victim will continue to be the victim when the suspect, continues the abuse of them and those of the Health Care, they should also be infear for their lives because the suspect will beat on them as well. This Commonwealth needs to have Police and I know as an employee that Commissioner Gross, keeps a tight house and that is all that matters. So with these words I oppose this bill as should all the public.

Regards  
Deborah A Lang  
540 Hyde Park Ave #3  
Roslindale, MA 02131  
From: Nathaniel Harrison <harrysson@aol.com>  
Sent: Thursday, July 16, 2020 3:01 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Ban all use of chokeholds

Dear HWM committee members,

I am writing to urge you in the strongest possible terms to approve a justice reform measure that would ban the use of chokeholds in ALL circumstances. The relevant language approved in Senate Bill 2800 is far too narrow and is unlikely to prevent practices that violate standards of basic decency and humanity.

Thank you for your consideration.

Nathaniel Harrison  
106 A Franklin Street  
Watertown, Massachusetts 02472  
617-852-2919

From: Rich and Lisa Barthelmess <landrbart3@gmail.com>  
Sent: Thursday, July 16, 2020 3:00 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800 (Police Reform)

Please accept my brief thoughts on S.2800.

I am a police officer with just over 29 years experience. Although some version of police reform is needed, I feel that the current attempt to rapidly change is a knee jerk reaction. Did something terrible happen in the Commonwealth during the pandemic? The answer is NO. I, along with the overwhelming (I would venture to say over 99%) of police officers continue to do the right thing every day. During the pandemic I went to work everyday. As always leaving my family not knowing what the day would bring. We went from hero's to being unwanted. I feel there are people that want nothing more than to see our mission fail. That mission is to care for and protect the citizens of this fine Commonwealth.

Please refer to the opinions of such professional groups as the Mass Police Association, MACOPS and the Mass Chiefs to name a few. Obviously we are not against well thought out and fair change. One area I personally take issue with is Qualified Immunity. Removing that puts all police officers (and others like Firefighters, Nurses and EMTs) in an unsafe position. QI protects the good police officer who act in good faith. It protects us from frivolous lawsuits that will be common if this becomes law. Please do the right thing and protect us who protect the Commonwealth.

Other issues again I ask you listen to the requests of our professional groups. Let us have a seat at the table.

I previously sent an email to Rep. Spiliotis. So if this is considered duplicate, I apologize.

Thank you for your time.

Richard Barthelmess  
Danvers PD (this is however a private request)  
Danvers MA  
978-739-8424

From: Dave Cooper <hnia.coop@gmail.com>  
Sent: Thursday, July 16, 2020 2:59 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform Bill S.2820

To whom it may concern :

This is a copy of a letter I sent to State Representative Joseph Mckenna voicing my Opinion on this reform bill. and what my thoughts are about why it is being pushed through the process so fast , I ask of this Committee to think strongly about the true reasons that you are doing this . As a Citizen of the Commonwealth my entire 49 + years 15 of which I was a 1st responder covered by the Qualified Immunity system that you are trying to remove from our 1st responders . This will affect all citizens in the Commonwealth in a negative way. not to mention put an additional burden on the Court system that already has a hard time keep up on cases as it is now. again please see attached email that I sent to my State Representative.

Mr, Mckenna,

I am taking this time to express to you my disapproval of the Police Reform Bill and especially the section pertaining to the removal of the Qualified Immunity for this States 1st Responders .

Especially the Police , Fire & EMS parts . This will give the criminal the upper hand in a State that already is more stringent on Police and Law Abiding Citizens whom defend themselves .

We need Representation that will not be afraid of going against the main stream and Black Lives Matter . Please do not allow this bill to pass for the Citizens of the Commonwealth depend on our 1st responders a great deal. If this bill passes it will leave the common citizen protected by the good Samaritan Act more then our Police , Fire and EMS . Again please do not Pander to the Left and stand your ground for all of the Citizens in the Commonwealth.

Thank You

David Cooper

Webster, Ma.

470-359-1476

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From: Daniel Paluzzi <daniel.paluzzi@gmail.com>  
Sent: Thursday, July 16, 2020 2:58 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,  
My name is D. Paluzzi and I live at 28 May Street Braintree, MA. As a constituent, I write to express my opposition to Senate Bill 2820. This

legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
D. Paluzzi

Sent from my iPhoneFrom: Julie Campbell  
<campbell.julie.info@gmail.com>  
Sent: Thursday, July 16, 2020 2:57 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill # Title S2820

We can have police reform without making our cops feels vulnerable.

Julie a Campbell 7814549914  
From: Lisa Morton <lmorton@laplumeprinting.com>  
Sent: Thursday, July 16, 2020 2:56 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill Police Reform

Good afternoon Rep. Michlewitz and Rep. Cronin,

I'm writing to you regarding the senate police reform bill, and specifically about qualified immunity, which has now been extended to nurses and firefighters. I'm beyond disgusted. Our police departments in MA are envied by other states for their general professional conduct. We've have not had an incident like Minneapolis for that reason, so why is this being applied to our police forces? Our public servants were called "heroes" throughout the pandemic by the public, and all on Beacon Hill. Are police, firefighters and nurses now villains? This bill is the ultimate non thank you and slap to the face. As a licensed nurse, why would I ever return to the profession when I could be exposed to unjustified lawsuits? Same for the police and firefighters - expect a mass exodus of experienced professionals. Yes, police reforms are needed for incompetent officers, but not to this extreme where we punish all. I am very upset by the growing civic ignorance of Beacon Hill, and how our elected officials are sending more support to those with extreme views, rather than the majority of citizens. We pay taxes for our laws to be enforced, and for a peaceful existence. I worry for the future of the state. Also, I have one more thought about the bill in general, in regards to limits on police tactics to subdue a suspect. I believe some of their present methods should remain intact, such as mace, pepper spray or a taser, if other physical methods are eliminated. Did you hear what happened to the two NY officers who just recently made an arrest of a known drug dealer and gang member? On the arrest, the suspect was resisting after being cuffed. A mob then descended on the police, and one of the officer's bodycams was purposely knocked off, which led to a physical scuffle. The officer in the scuffle was placed in a choke hold with maximum pressure and was rendered unconscious and defenseless. What if his gun was taken? What if the officer had another means to stop this? These men and women in uniform need our support. The criminals in NY were cheering that the policeman was placed in a choke hold, instead of the neighborhood cheering that a criminal was taken off their street. This is so backwards and so very wrong.

Thank you for letting me speak as a concerned citizen, and I hope for greater transparency with future bills in the house and senate.

Respectfully,

Lisa Morton

978-807-7782

1 Farley Street

Lawrence, MA 01843

978-683-1009

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From: Vera Pavel <[vera.pavel@gmail.com](mailto:vera.pavel@gmail.com)>

Sent: Thursday, July 16, 2020 2:54 PM

To: Testimony HWM Judiciary (HOU)

Subject: Support police reform bill

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Sincerely,

Vera Pavel, Medford MA resident

From: Maria Minichello <[mariarminichello@gmail.com](mailto:mariarminichello@gmail.com)>

Sent: Thursday, July 16, 2020 2:51 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S.2800



Dear Chair Aaron Michlewitz and Chair Claire Cronin,

My name is Maria Minichello and I live at 52 Wordsworth Street, East Boston MA. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Maria Minichello

From: Miriam Riad <miriam.riad222@gmail.com>  
Sent: Thursday, July 16, 2020 2:50 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform, Shift + Build Act (S.2800)

Dear Chair Aaron Michlewitz & Chair Claire Cronin,

I am writing about the Reform, Shift + Build Act (S.2800). I am writing to express my support of this bill. I am grateful to the police officers who risk their lives to keep our communities in Massachusetts safe, but I also firmly believe that there needs to be greater accountability for our law enforcement, as the tragic and unlawful deaths of Breonna Taylor and George Floyd have demonstrated.

I support this bill to restrict qualified immunity, as well as ban chokeholds and tear gas, and I hope our House of Representatives will support it as well. We must put stronger accountability measures in place to preserve justice in our law enforcement system. Taking measure such as the ones outlined in the Reform, Shift + Build Act (S.2800) hold us all to a desperately needed higher standard, a standard which our communities deserve and need.

Best,  
Miriam Riad

From: Jennifer Yanco <jjyanco@gmail.com>  
Sent: Thursday, July 16, 2020 2:47 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: testimony: S.2820

Dear Rep. Cronin and Rep. Michlewitz,  
I am writing in support of S.2820, and urge the House to enact a similar bill as soon as possible, get it through a conference committee, and have it signed by Governor Baker by the end of July. This is of critical importance to me.

I am glad to see a number of features of this bill, which I believe will go a long ways towards reforming police in ways that reflect community standards and the quest for justice. A state-wide certification board and state-wide training standards and limiting use of force are important, as is specifying officers' duty to intervene when witnessing misconduct by another officer. In the interest of diminishing racial bias in policing, banning racial profiling and mandating the collection of racial data for police stops will be a solid start. As for demilitarizing the police, requiring civilian approval required for the purchase of military equipment is a step forward. I am also in support of the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I have also been concerned about growing police presence in our schools and support leaving the decision of whether or not to have SROs to local Superintendents of Schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to

have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Above all, I am eager to see a good police reform bill enacted by the end of July. Thank you for attending to this historic bill and giving it priority. important priority.

Sincerely,

Jennifer J. Yanco, PhD  
Author of Misremembering Dr. King  
16 Monument Street  
Medford, MA 02155  
jjyanco@gmail.com

Justice is indivisible. If it is accorded to some and not others it is not justice but privilege. Gary Younge

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From: Bill K <billkett1@gmail.com>  
Sent: Thursday, July 16, 2020 2:48 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform Bill number S2820

Dear Representatives,

I am writing to you as a constituent regarding the current Police reform bill ( Senate bill S2800, House bill S2820) passed by the Senate and under review by the House.

I am strongly opposed to at least 3 aspects of the bill, and I therefore emphatically urge you to not support this bill as it is currently written. It is my opinion that these 3 below- mentioned aspects of the proposal are deeply flawed, fundamentally short-sighted, misguided and dangerous. They do nothing to facilitate the just and right cause of true racial and social equality and justice, (which I strongly support), and they will only serve to radically hinder our law enforcement in their ability to protect and serve the citizens of the Commonwealth. I think it's pretty obvious that the practical outplay of these 3 aspects of the bill, and their subsequent hindrance of Law enforcement, will simply be emboldened and increased criminal behavior. This is completely unacceptable.

The 3 aspects I am adamantly opposed to are as follows:

- 1) Any changes to Qualified immunity for state and city/town Police, Firefighters, EMT's, Paramedics.
- 2) A complete ban on chokeholds, even in legitimate cases of self defense. (A police officer should be allowed to utilize a choke hold in legitimate situations of self defense and/or protection of an innocent crime victim).
- 3) Restrictions on the use of tear gas. (I am also opposed to any further restrictions of other chemical agents such as mace or pepper spray, any further restrictions of the use of rubber bullets or pellets, and any further restrictions of the use of Tasers and any other electronic equipment).

That being said, some of the things i am in favor of are: increased training for police, a certification program, body cameras, a comprehensive database to keep up to date info on legitimate Police offences.

I would have liked to have had further time to review the bill for positive aspects and point them out, but because of the unreasonable submission deadline of 11am on 7/17, I am unable to do so.

As a long time Mass resident, law-abiding citizen and registered independent voter, I am very upset at the attempt to push this bill through so quickly and the borderline sneaky way in which the 30 senators passed it. That is unacceptable for a bill of this importance.

Finally, i am also very upset that the bill is such a "mixed bag" of some obviously good ideas, with some obviously horrible and destructive ideas sandwiched in.

To reiterate, my emphatic request as a constituent is: Do not pass this bill as it is currently written.

Sincerely,  
C William Kettinger Jr

19 Hall Ave  
Andover, Ma 01810  
(978) 749-0983  
From: barbsullw@aim.com  
Sent: Thursday, July 16, 2020 2:47 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Barrows, F. Jay - Rep. (HOU)  
Subject: Police Reform Bill

The House Committees on Ways and Means and the Judiciary,

I would like to share my opinion on the bill that just passed regarding police reform.

I feel it is a poorly written bill and although some reforms may be necessary this bill which takes away qualified immunity from first responders and teachers goes too far. I am all for education, extensive training and forbidding choke holds, however this bill goes too far.

I hope as my representatives you understand how strongly I oppose this legislation.

Thank you for your time.

Barbara Wainwright  
From: Matthew Tupe <matthew.tupe@gmail.com>  
Sent: Thursday, July 16, 2020 2:46 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform

Dear Chair Michlewitz and Chair Cronin,

My name is Matthew Tupe and I live at 85 Holly Rd, Marshfield, MA, work at Marble and Granite, Inc. and am a Sales Representative. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates

for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Matthew Tupe  
P: (617) 653-1203  
From: lindy stowe <lindy28882@gmail.com>  
Sent: Thursday, July 16, 2020 2:45 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform, Shift + Build Act (S.2800)

Hello,

I am a resident of Boston, MA and I unequivocally support the Reform, Shift + Build Act (S.2800).

Massachusetts has always been on the forefront of states passing legislation to support the people that live here and I have taken pride in the fact that we never shied away from decisions that seemed radical at the time.

Since moving here I have always been proud of Mass being the first state to legalize gay marriage, and I hope to see us continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow. I, like many others, believe it's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. I hope to see this legislation pass so I can continue to be a proud resident.

Thank you for your time.

Lindy Stowe  
From: christine defelice <yeep107@hotmail.com>  
Sent: Thursday, July 16, 2020 2:45 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2800

Dear Mr. Chairman/Madam Speaker,

I ask that you support amendments 114, 116 ,126 ,134, 129, and 137 to the Senate Bill S2800. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards.

I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS.

The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

Respectfully,

Christine B. DeFelice

Swampscott, Ma 01907

From: Colleen <caivens@comcast.net>  
Sent: Thursday, July 16, 2020 2:44 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2800

Good afternoon,

As a concerned citizen I am asking that qualified immunity for police officers remain in effect. I think it is a disgrace that the lawmakers of Massachusetts would even consider this. Police officers need to do their jobs, which is protecting ALL OF US, without having their hands tied worryingly about a frivolous lawsuit which could cost their family their home and livelihood. Have we forgotten the Marathon Bombing already? As far as the argument made by Cindy Friedman stating that qualified immunity closes a loophole that enables cities and towns to deal with a bad cop I find that incredibly naive. The thought that she would want to punish the thousands of good police officers in Massachusetts to weed out a few bad officers is beyond outrageous.

I want the police officers in all cities and towns in Massachusetts to be able to do their jobs completely.

Thank you for reading this and I hope you will kill this bill.

Colleen Ivens

781-718-1450

Concerned Citizen

From: Jane Hearn <jhearn417@verizon.net>  
Sent: Thursday, July 16, 2020 2:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: S.2820 (policing reform package)

Sent from my iPad

Begin forwarded message:

From: Jane Hearn <jhearn417@verizon.net>  
Date: July 16, 2020 at 2:33:49 PM EDT  
To: HWMJudiciary@mahouse.gov  
Subject: S.2820 (policing reform package)

?

My name is Jane Hearn, 508-612-2988, and as a lifelong resident of the City of Worcester and the mother of a Worcester Police Officer the the grandmother of a Shrewsbury Police Officer, I want to express my strong opposition to S.2820 the policing reform package. The bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities with honor and courage. Massachusetts has already undertaken many police reform bills and our officers continue to be trained and retrained throughout every year. As yourselves how you think the police departments in your area are performing in this very difficult time.

The language which authorizes any person to intervene if they believe an officer's use of force is excessive and will result in more police being hurt and killed.



Who wouldn't want police officers in schools when needed to keep track of the gangs in our areas.

Qualified immunity protections are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections essential for police officers sent out to patrol in our communities and who often deal with some of the most dangerous circumstances with little or no back-up. Removing qualified immunity in this way will open officers up to personal liabilities. Imagine you are having a heart attack and the officer who arrives is afraid to perform CPR to save your life for fear of breaking a rib and being sued. This is not the community I want to live in. We do not want officers afraid of doing what they are trained to do for fear of opening those personal liabilities so they cannot purchase a home, a car, obtain a credit card or other things for the benefit of their families. GOOD LUCK WITH POLICE RECRUITMENT.

I ask you to look at and reconsider the make-up of the POSAC committee which will govern the conduct of police and judge police officer conduct, but unlike every other professional licensing board, does not have any law enforcement members. The Board of Plumbers is made up by a majority of plumbers, WHY NOT the Police Officer Standards and Accreditation Committee. At the very least it should be made up of individuals who have been on the streets, walked the walk, in police officers shoes. Just do a ride along for a few shifts. This bill will handcuff police officers, and God help the rest of us.

This Anti-Labor bill effectively eliminates collective bargaining rights for police officers - the employees that need it most given the difficulty of their job. This anti-labor, anti employee bill essentially removes (only for police) the right to be disciplined only where there is just cause - a right enjoyed by virtually every other public employee in our state.

Massachusetts has one of the lowest annual rates for deadly use of force incidents in the nation.

Massachusetts Cities have excellent records with it comes to deadly force - look at Worcester - not one since 2013

During this time span police have successfully handled many millions of calls for help, often involving volatile and violent individuals, without incident

Most Massachusetts Towns have had no law enforcement related deaths during the tracked time period

Before you, our state legislators create a huge new State Agency or Agencies and destroy the morale and success of our public safety officers - PLEASE TAKE A LOOK AT HOW POLICE IN MASSACHUSETTS ARE PERFORMING. Please take a look at your own constituencies and see what needs changing and what is working....

I am not a member of any organization, just a proud constituent, proud to call my family members Police Officers.

Jane Hearn, 417 Hamilton Street, Worcester, MA 01604  
508-612-2988

From: Jennifer Valenzuela <jennvalenzuela@yahoo.com>  
Sent: Thursday, July 16, 2020 2:43 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: oamarasingham@aclum.org  
Subject: Testimony in Support of Police Accountability -- Use of Force Standards, Qualified Immunity Reform, and Prohibitions on Face Surveillance

Dear Chairs Michlewitz and Cronin,

I write in strong support of the many provisions in S.2820 designed to increase police accountability. In particular, I urge you to:

1. Adopt strict limits on police use of force,
2. End qualified immunity, because it shields police from accountability and denies victims of police violence their day in court, and
3. Prohibit government use of face surveillance technology, which threatens core civil liberties and racial justice.

George Floyd's murder by Minneapolis police brought hundreds of thousands of people into the streets all around the country to demand fundamental changes to policing and concrete steps to address systemic racism. This historic moment is not about one police killing or about one police department. Massachusetts is not immune. Indeed, Bill Barr's Department of Justice recently reported that a unit of the Springfield Police Department routinely uses brutal, excessive violence against residents of that city. We must address police violence and abuses, stop the disparate policing of and brutality against communities of color and Black people in particular, and hold police accountable for civil rights violations. These changes are essential for the health and safety of our communities here in the Commonwealth.

Massachusetts must establish strong standards limiting excessive force by police. When police interact with civilians, they should only use force when it is absolutely necessary, after attempting to de-escalate, when all other options have been exhausted. Police must use force that is proportional to the situation, and the minimum amount required to accomplish a lawful purpose. And several tactics commonly associated with death or serious injury, including the use of chokeholds, tear gas, rubber bullets, and no-knock warrants should be outlawed entirely.

Of critical and urgent importance: Massachusetts must abolish the dangerous doctrine of qualified immunity because it shields police from being held accountable to their victims. Limits on use of force are meaningless unless they are enforceable. Yet today, qualified immunity protects police even when they blatantly and seriously violate people's civil rights, including by excessive use of force resulting in permanent injury or even death. It denies victims of police violence their day in court. Ending or reforming qualified immunity is the most important police accountability measure in S2820. Maintaining Qualified Immunity ensures that Black Lives Don't Matter. We urge you to end immunity in order to end impunity.

Finally, we urge the House to prevent the expansion of police powers and budgets by prohibiting government entities, including police, from using face surveillance technologies. Specifically, we ask that you include H.1538 in your omnibus bill. Face surveillance technologies have serious racial bias flaws built into their systems. There are increasing numbers of cases in which Black people are wrongfully arrested due to errors with these technologies (as well as sloppy police work). We should not allow police in Massachusetts to use technology that supercharges racial bias and expands police powers to surveil everyone, every day and everywhere we go.

There is broad consensus that we must act swiftly and boldly to address police violence, strengthen accountability, and advance racial justice. We urge you to pass the strongest possible legislation without delay, and to ensure that it is signed into law this session.

Sincerely,

Jennifer Valenzuela, LICSW, MPH 72 Halliday St.  
Roslindale, MA

From: Sam Carihfield <scrihfield@bbns.org>  
Sent: Thursday, July 16, 2020 2:42 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public Comment in support of police accountability bill

Dear Chairs,

I write in support of the measures before you to increase police accountability, including adopting limits on police use of force, ending qualified immunity, and prohibiting facial surveillance technology.

I believe these and the many other provisions in the bill are important ones to create a proper balance of trust between the community and the state. As an educator, I am particularly concerned with youth being criminalized, and I particularly support efforts to move away from the youth prison pipeline.

Thank you,  
Sam Crihfield  
Boston resident

--

Sam Crihfield

Upper School English Teacher  
Buckingham Browne & Nichols School  
80 Gerry's Landing Road  
Cambridge, MA 02138  
he/him/his  
From: Noreen McDonagh <nmcdonagh99@yahoo.com>  
Sent: Thursday, July 16, 2020 2:41 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2800

Dear Members of the House Committee on Ways & Means,

I am writing to you today out of concern and extreme frustration over Bill S.2800 that was hastily passed by the State Senate. This bill has been is an attack on all public employees. People who are public employees work within the community to ensure the vital growth of the community. As you know, Massachusetts is the first in education and to take away rights from teachers is just ludicrous. For years, studies have shown that the number of people staying in the teaching profession is dwindling with the average new teacher lasting roughly 5 years. Additionally, across the Nation, there is a dire need for teachers who are people of color. This Bill sets yet another reason why young people would stay out of the profession. You know as well as I do that anyone can say what they want about anyone whether true or false and there just needs to be a modicum of doubt ruin a person's life.

Additionally, this attack on law enforcement is going to lead to a lack of law and order. It is happening every day and people just ignore it. This lack of law and order will flow through every community and school system in the state and what does that leave us?

Please do not do this to public employees and to the future of this state.

Thank you for your time.

Regards,  
Noreen McDonagh  
153 Aldrich Street  
Roslindale, MA 02131

From: Rick Bravoco <rickbravoco@yahoo.com>  
Sent: Thursday, July 16, 2020 2:41 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820, (please read)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,  
My name is Richard Bravoco and I live at 37 Rosemont St, Haverhill MA. I work at MCI Concord and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve

the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Richard Bravoco

From: Karen Cooper <kcooper65@yahoo.com>  
Sent: Thursday, July 16, 2020 2:40 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: AGAINST S2820 policy immunity

Please do not pass S2820 and take QUALIFIED IMMUNITY from police officers/ firefighters/nurses. My grandfather was a Cambridge police officer: my brother-in-law was a Burlington Police officer and my sister is a nurse. She worked within a Covid unit at Lahey Clinic recently. to take away the protection of immunity of such first responders will put ALL of us at risk. I do not know anyone who would work such a job without qualified immunity. If you take away their qualified immunity, then take it away from all politicians to be fair.

if I have a car accident and my car is on fire, and a police officer or firefighter pulls me from my car and it leaves me paralyzed I should not be able to sue him for his actions and take his home and assets that he has worked hard for. I would not want to burn in my car because the police or firefighter are afraid he will be sued. this bill contains a double edge sword that is against public service. REASONABLENESS IS THE KEY and this bill is currently not reasonable.

it appears to me that because one police officer killed Mr. Floyd that all are labeled bad. From the Michael Jackson's song, "ONE BAD APPLE DON'T SPOIL THE WHOLE BUNCH".

PLEASE DO NOT PASS THIS BILL.

Karen Cooper 69 Francis Wyman RD Burlington,ma 781-272-2510

From: Sue Gladstone <sgladstone@utecinc.org>  
Sent: Thursday, July 16, 2020 2:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

7/16/20

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

Our criminal justice system is not immune to structural racism and we join you and all members in the great work needed to set things right. The unfortunate reality is that people of color are far more likely to be subjected to stop and frisk and more likely to get arrested for the same crimes committed by whites. Black youth are three times more likely to get arrested than their white peers and Black residents are six times more likely to go to jail in Massachusetts. Other systems where people of color experience racism are exacerbated, and in many ways legitimized, by the presence of a criminal record. Criminal records are meant to be a tool for public safety but they're more often used as a tool to hold communities of color back from their full economic potential. Expungement can be an important tool to rectify the documented systemic racism at every point of a young person's journey through and past our justice system.

We also know that young adults have the highest recidivism rate of any age group, but that drops as they grow older and mature. The law, however, does not allow for anyone who recidivates but eventually desists from reoffending to benefit. Young people's circumstances and cases are unique and the law aptly gives the court the discretion to approve expungement petitions on a case by case basis, yet the law also categorically disqualifies over 150 charges. We also know that anyone who is innocent of a crime should not have a record, but the current law doesn't distinguish between a dismissal and a conviction. It's for these three main reasons we write to you to champion these clarifications and now is the time to do it.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due to a variety of circumstances and since the overwhelming number of those young people grow up and move on with their lives, we are hoping to make clarifying changes to the law. We respectfully ask the law be clarified to:

- Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal

justice system and the overwhelming majority do and pose no risk to public safety.

- Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

- Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case basis especially if the case is dismissed of the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Susan Gladstone

UTEC, Inc., Lowell, MA

Cell - 978-496-6110

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Sue Gladstone | Major Gifts Officer

UTEC | [sgladstone@utecinc.org](mailto:sgladstone@utecinc.org)

Work: 978-233-1359

Cell: 978-496-6110

Programs: 35 Warren St. | Café UTEC: 41 Warren St.  
Mailing: P.O. Box 7066, Lowell, MA 01852



Join our enews <[www.UTECinc.org/donate](https://urldefense.proofpoint.com/v2/url?u=http-3A__tinyurl.com_UTEC-2DENEWSsignup&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=IZtFQk01U2m0NhTkpeWx90KCvU5isZLcdDv6HyWdpuQ&s=apqmkb-YybwcehvqyJNnA8XDwVKerx0QkN7st0iOUA8&e=></a><br/>Give today to break barriers in 2020! <a href=)  
<[< \[<\\[From: Gina Hughes <\\\[delcil3@aol.com\\\]\\\(mailto:delcil3@aol.com\\\)>  
Sent: Thursday, July 16, 2020 2:39 PM  
To: Testimony HWM Judiciary \\\(HOU\\\)  
Subject: S2820\\]\\(https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.linkedin.com\\_company\\_utecinc&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=IZtFQk01U2m0NhTkpeWx90KCvU5isZLcdDv6HyWdpuQ&s=2us0\\_uzJ\\_NLbmcDzS3Rud3OWsH4oFcDT2kxqn5rj8QM&e=></a></p></div><div data-bbox=\\)\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_www.facebook.com\_UTECinc\_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=IZtFQk01U2m0NhTkpeWx90KCvU5isZLcdDv6HyWdpuQ&s=Iu3Aw0PqA8-djjMB0ptyX1pBdx-ibB8eaw\_WGMTilDk&e=></a><br/><<a href=\)](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.utec-2Dlowell.org_donate&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=IZtFQk01U2m0NhTkpeWx90KCvU5isZLcdDv6HyWdpuQ&s=jPY1P_m5a0ZAzTp1q3hQb41kMhjWxf3JH5JwYtYSVSKQ&e=></a></p></div><div data-bbox=)

To Whom It May Concern,  
As a lifelong Massachusetts citizen, I am appalled and frankly frightened by what has been written in this bill. How dare you take away our rights to protection and elevate criminals at the expense of our brave men and women in blue. You have been elected to represent your constituents and this does not represent the will of the taxpayers and citizens of the Commonwealth. Our police should have more funding not defunding. Holding them personally liable for actions that may be out of their control or caused while trying to apprehend a criminal who most likely is exhibiting violence towards them is absolutely unfair and criminal within itself. There will be no police force or protection for us citizens, your constituents, if you pass this bill. I implore you to vote NO!!!

Sincerely,  
Gina Hughes  
110 Sheridan Ave  
Medford, Ma  
781-396-8670

Sent from my iPhone

From: Paula Bennett <pbennett2001@gmail.com>

Sent: Thursday, July 16, 2020 2:39 PM

To: Testimony HWM Judiciary (HOU); oamarasingham@aclum.org

Subject: Police Accountability

Dear Chairs Michlewitz and Cronin,

On behalf of The Episcopalian Immigration Partnership of the Diocese of Eastern Massachussets, I write in strong support of the many provisions in S.2820 designed to increase police accountability. In particular, our organization urges you to:

1. Adopt strict limits on police use of force,
2. End qualified immunity, because it shields police from accountability and denies victims of police violence their day in court, and
3. Prohibit government use of face surveillance technology, which threatens core civil liberties and racial justice.

As someone who has attended presentations of Lorrie Mills-Curran on understanding your rights, I recognize that being confronted by police can be most intimidating, especially for recent immigrants to our community.

This historic moment is not about one police killing or about one police department. Massachusetts is not immune to incidences of police brutality. Indeed, Bill Barr's Department of Justice recently reported that a unit of the Springfield Police Department routinely uses brutal, excessive violence against residents of that city. We must address police violence and abuses, stop the disparate policing of and brutality against communities of color and Black people in particular, and hold police accountable for civil rights violations. These changes are essential for the health and safety of our communities here in the Commonwealth.

Massachusetts must establish strong standards limiting excessive force by police. When police interact with civilians, they should only use force when it is absolutely necessary, after attempting to de-escalate, when all other options have been exhausted. Police must use force that is proportional to the situation, and the minimum amount required to accomplish a lawful purpose. And several tactics commonly associated with death or serious injury, including the use of chokeholds, tear gas, rubber bullets, and no-knock warrants should be outlawed entirely.

Of critical and urgent importance: Massachusetts must abolish the dangerous doctrine of qualified immunity because it shields police from

being held accountable to their victims. Limits on use of force are meaningless unless they are enforceable. Yet today, qualified immunity protects police even when they blatantly and seriously violate people's civil rights, including by excessive use of force resulting in permanent injury or even death. It denies victims of police violence their day in court. Ending or reforming qualified immunity is the most important police accountability measure in S2820. Maintaining Qualified Immunity ensures that Black Lives Don't Matter. We urge you to end immunity in order to end impunity.

Finally, we urge the House to prevent the expansion of police powers and budgets by prohibiting government entities, including police, from using face surveillance technologies. Specifically, we ask that you include H.1538 in your omnibus bill. Face surveillance technologies have serious racial bias flaws built into their systems. There are increasing numbers of cases in which Black people are wrongfully arrested due to errors with these technologies (as well as sloppy police work). We should not allow police in Massachusetts to use technology that supercharges racial bias and expands police powers to surveil everyone, every day and everywhere we go.

Having listened to a number of DACA recipients, I have learned of so many members of our Latina community who have had unfortunate encounters with our police force.

There is broad consensus that we must act swiftly and boldly to address police violence, strengthen accountability, and advance racial justice. We urge you to pass the strongest possible legislation without delay, and to ensure that it is signed into law this session.

Sincerely,

Paula Bennett- 02116

From: Robert Gariepy <robert\_gariepy123@hotmail.com>  
Sent: Thursday, July 16, 2020 2:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Robert Gariepy and I live at 113 W Shore Drive Ashburnham, MA 01430. I work at North Central Correction Institution at Gardner Ma and am a Correctional Officer 1. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Robert Gariepy

Sent from my iPhoneFrom: Robert Ayres <ayresall@gmail.com>  
Sent: Thursday, July 16, 2020 2:37 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

To Whom It may Concern,

I understand that the House is deliberating S.2820 which was hurriedly passed by the senate. I understand it eliminates "Qualified Immunity" for police, fire and nurses.

This is an enormous mistake. In the current political environment, police departments are already having difficulty recruiting replacements for retirements.

This will boost retirements/resignations and kill recruiting. No one will want to serve their community.

When you need help, when something goes bump in the night, you call 911 (police, fire) because you trust them to come and help you. All my life, that is what I have seen.

This legislation seeks to destroy that group of first responders. Anyone who votes to destroy that important government function will never get my vote again. Shame on anyone who votes for it.

With no law enforcement, we can disband the legislature because we would have no need of legislators to write laws which will not be enforced.

I always vote and my memory is long.

--

Robert Ayres  
Citizen of Bolton, MA  
508-983-4929  
From: Kimberly Bress <kimbress@bu.edu>  
Sent: Thursday, July 16, 2020 2:35 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony re: S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Kimberly Bress

410-491-1222

Boston University

--

Kimberly Bress

410-491-1222 | [kimbress@bu.edu](mailto:kimbress@bu.edu)

From: Nicholas A. Vettese <[nvettese@juno.com](mailto:nvettese@juno.com)>  
Sent: Thursday, July 16, 2020 2:36 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Nicholas Vettese and I live at 132 Milk st Westborough. I work at MCI Concord and am a correction officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Nicholas Vettese  
From: Alex Kolodney <alex.kolodney01@gmail.com>  
Sent: Thursday, July 16, 2020 2:36 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

I am a Massachusetts resident who is excited and grateful by the progress being made by passing this police reform bill. However, Massachusetts can do better. I am writing to ask you to preserve the vital reforms which have been passed, including

- \* Creating an independent and civilian-majority police certification/decertification body
- \* Limiting qualified immunity so that victims of police brutality can sue for civil damages
- \* Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- \* Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- \* Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

As well as adding additional reforms to improve the lives of those in our state, by:

- \* Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
- \* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- \* Lifting the unnecessary cap on the Justice Reinvestment Fund

Lets end the violent policing that targets our most vulnerable communities and make a stronger, safer Massachusetts for all.

Alex Kolodney  
Newton, 02460

From: annie weiss <anniecweiss@gmail.com>  
Sent: Thursday, July 16, 2020 2:35 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

To whom it may concern,

I was born and raised in Massachusetts and raised my own children here. I am writing now to support the police reform bill. Though we need more dramatic measures to direct funding away from police departments statewide and towards community-based stability, safety, clean energy, and justice services, the reform measures in the bill, including reducing qualified immunity, are necessary for making our communities (especially Black and Brown ones) safer and more just. Please pass this bill and continue making MA a leader in our country for just legislation.

Thank you,



Annie

From: Marianne Jenkins <mjenkins@alliancesecurityservice.com>  
Sent: Thursday, July 16, 2020 2:35 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Tarr, Bruce E. (SEN); Nguyen, Tram - Rep. (HOU)  
Subject: Written Testimony/S.2820

Dear Rep. Michlewitz and Rep. Cronin;

Please accept the following written testimony as it relates to a Bill (S.2820) in front of the House.

I am a concerned Massachusetts citizen residing at 78 Equestrian Drive, North Andover, as well as the Owner and President/CEO of small security business (WBE/WOSB) based in Everett. I employ approximately 150 people providing security services throughout the region. As the industry serves a security and public safety function, I am cognizant of the repercussions this Bill will have on not only policing, but the security industry and private businesses, which protect people in the communities we serve, along with millions of dollars of assets.

I write today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Please confirm timely receipt of this e-mail to be included in the written testimony on S.2820.

Marianne Jenkins

President/C.E.O.

Alliance Detective & Security Service, Inc.

930 Broadway

Everett, MA 02149

Phone: 617-387-1261

Cell: 617-974-0002

Fax: 617-389-0022

E-mail: [mjenkins@alliancesecurityservice.com](mailto:mjenkins@alliancesecurityservice.com)  
<<mailto:mjenkins@alliancesecurityservice.com>>

Web: [www.alliancesecurityservice.com](http://www.alliancesecurityservice.com)  
<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.alliancesecurityservice.com\\_&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=NL1vFjh-fuZQxS-vmcrVKWq-pPghcAUWbOXV69wIYIg&s=aWrnWHNTAH2TgRi\\_4a-rTL4qK9SVzgt5-p5IXmJAdvY&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.alliancesecurityservice.com_&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=NL1vFjh-fuZQxS-vmcrVKWq-pPghcAUWbOXV69wIYIg&s=aWrnWHNTAH2TgRi_4a-rTL4qK9SVzgt5-p5IXmJAdvY&e=>)>

"Life is not measured by the number of breaths we take but by the places and moments that take our breath away." ~Anonymous

From: Kathleen Rush <kmmrush@verizon.net>  
Sent: Thursday, July 16, 2020 2:35 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

I want you to vote NO on the entire bill.

Kathleen M. Rush  
781-326-0309  
From: Evelyn Ophir <evelynlouisephir@gmail.com>  
Sent: Thursday, July 16, 2020 2:34 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony re: S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Thank you very much for your serious consideration of the so very timely issues raised in this email.

Sincerely,  
Evelyn Ophir  
Brookline, MA  
Tel: 857-919-3859  
Organizational affiliation: Temple Sinai of Brookline

From: Ashley Goldstein <ashley.goldstein30@gmail.com>  
Sent: Thursday, July 16, 2020 2:34 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

July 16, 2020  
Dear Chair Michlewitz and Chair Cronin,

My name is Ashley Goldstein and I live at 51 South Street Apt 202 in Hingham, MA. I work at Boston Children's Hospital and am a registered nurse. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ???????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ???????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven

community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Ashley Goldstein  
From: Joe Brooks <brooksjoel477@gmail.com>  
Sent: Thursday, July 16, 2020 2:34 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820

Mr. Michlewitz and Ms. Cronin,

My name is Joseph Brooks, and my purpose in writing to you today is to oppose bill S.2820 as currently constructed. Some background on me, I have been working in law enforcement for the last ten years, beginning with campus law enforcement at Bentley University in Waltham, the Massachusetts Institute of Technology in Cambridge, and for the past 7 years the Newton MA Police department. My father spent over 32 years serving the Waltham Community as a police officer, and two of his brothers served or are currently serving as police officers in the city of Boston. My mother has been a nurse for over 30 years serving the greater Boston community. My family is deeply rooted in public service, and are proud to serve our communities.

The death of George Floyd has brought a call for reform to law enforcement across the country. Every police officer is suddenly being judged by the actions of Officer Derek Chauvin, which departments around the country have vehemently condemned. Policing has been vilified in the media and activists are pushing for the defunding and abolishment of police departments.

Massachusetts has some of the most well trained and highly educated officers in the country. Our police academies do not train in the use of choke holds, and our use of force policies are designed around a sliding escalation scale. Many departments have social workers working alongside officers and offering jail diversion and counseling options for those suffering from mental health or addiction crisis. We received crisis intervention and de escalation training. Departments have created critical incident stress management units to offer peer support to officers, to prevent burn out and PTSD trauma from the calls officers respond to. Our law enforcement in this state is very progressive, and President Obama specifically mentioned Boston as a model for the rest of the country when talking about police reform. It's disheartening that the Senate passed this bill, and continued the narrative that policing in Massachusetts is broken.

I want to address a few sections of the bill that I hope you will take under consideration. The amendments regarding qualified immunity are going to have drastic and far reaching consequences if passed. I've attached a link highlighting some of these issues.

<https://files.constantcontact.com/132a544f001/feed66f3-e896-43ad-b0a2-e90e4a45070e.pdf> <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_files.constantcontact.com\\_132a544f001\\_feed66f3-2De896-2D43ad-2Db0a2-2De90e4a45070e.pdf&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=a\\_qawGHDMpMhAVAnYQ4CRMcdliRC1fb8vQ8GvvPTGBc&s=xfyPZHhXxoySKIWq\\_Xe4woBmqelqshkKmt3rF8Onz2A&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A_files.constantcontact.com_132a544f001_feed66f3-2De896-2D43ad-2Db0a2-2De90e4a45070e.pdf&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=a_qawGHDMpMhAVAnYQ4CRMcdliRC1fb8vQ8GvvPTGBc&s=xfyPZHhXxoySKIWq_Xe4woBmqelqshkKmt3rF8Onz2A&e=>)>

The section in regards to "military equipment" also should be left to the departments discretion, and not public scrutiny. How quickly the community forgets the Boston Marathon bombing, the murder of Sean Collier, and the ensuing shootout in Watertown. It's an unfortunate reality that police departments need to be prepared for extraordinary situations to protect the communities we swore an oath to serve. The North Hollywood shootout was a major eye opener for policing, when you have a bank robbery and the suspects are better equipped than your police officers. School shootings across the country have also brought to light the need for Officers to be prepared which brings me into the next portion of the bill that I feel needs to be addressed.

The lack of communication and information sharing between schools and the police is going to have very real consequences. School resource officers not only are a deterrent to immediate violence, but are able to intervene when the schools have concerns regarding their students behaviors. Looking at school shooting history, teachers, administrators, and other students often saw the signs that something was "off" with the shooter, whether that was mental health related or bullying. The current bill reads more towards gang affiliations but I would argue that the response from police would be the same in regards to early intervention. If the police are able to identify these problems early on, it may be possible to prevent future tragedies.

I would ask that you take the time to speak with law enforcement professionals and hear the realities of the job, before rushing to pass legislature based on an incident that happened half way across the country. Hastily moving through the legislative process without input from ALL community stake holders, and thinking about the long term impacts of the laws you are passing, will greatly diminish the public safety in the state.

Thank you for your consideration on the matter,

Joseph Brooks  
2 winch park road, Framingham Ma 01701

From: Joey Shelley <joeytrshelley@gmail.com>  
Sent: Thursday, July 16, 2020 2:31 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

Ending qualified immunity, and banning life-threatening techniques like tear gas, chokehold, and no-knock raids should be a priority for this judiciary period. Move swiftly to protect all lives in Massachusetts and specifically Black lives.

Thank you,  
Joey Shelley  
Somerville, Ward 3  
From: David Markham <dmarkham18@gmail.com>  
Sent: Thursday, July 16, 2020 2:31 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Police Reform Bill S.2820

Hi,

I would like to voice my support for the following parts of the Senate Police Reform Bill:

- \* Creating an independent and civilian-majority police certification/decertification body
- \* Limiting qualified immunity so that victims of police brutality can sue for civil damages
- \* Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- \* Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- \* Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

I would also like to ask that the following areas be expanded upon in the house bill:

- \* Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
- \* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- \* Lifting the unnecessary cap on the Justice Reinvestment Fund

Thank you for taking time to read my email. I hope you consider the aforementioned when amending the bill.

Regards,

David

From: Kung, Sunny, M.D. <SKUNG@BWH.HARVARD.EDU>

Sent: Thursday, July 16, 2020 2:29 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: SUPPORT of police accountability reforms in S.2820

July 16, 2020

The Honorable Rep. Aaron Michlewitz  
Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin  
Chair, Joint Committee on the Judiciary

Re: Testimony in Support of Police Accountability -- Use of Force  
Standards, Qualified Immunity Reform, and Prohibitions on Face  
Surveillance

Dear Chairs Michlewitz and Cronin,

I write in strong support of the many provisions in S.2820 designed to  
increase police accountability. In particular, I urge you to:

1. Adopt strict limits on police use of force,
2. End qualified immunity, because it shields police from  
accountability and denies victims of police violence their day in court,  
and
3. Prohibit government use of face surveillance technology, which  
threatens core civil liberties and racial justice.

I am part of a group of Brigham residents investigating the movement of  
"Defunding the Police". After literature search and discussion, we have  
found that police brutality as a consequence of systemic racism is a  
public health crisis leading to the death of our Black patients. Use of  
force must be stopped and police must be accountable for their actions.

George Floyd's murder by Minneapolis police brought hundreds of thousands  
of people into the streets all around the country to demand fundamental  
changes to policing and concrete steps to address systemic racism. This



historic moment is not about one police killing or about one police department. Massachusetts is not immune. Indeed, Bill Barr's Department of Justice recently reported that a unit of the Springfield Police Department routinely uses brutal, excessive violence against residents of that city. We must address police violence and abuses, stop the disparate policing and brutality against communities of color and Black people in particular, and hold police accountable for civil rights violations. These changes are essential for the health and safety of our communities here in the Commonwealth.

Massachusetts must establish strong standards limiting excessive force by police. When police interact with civilians, they should only use force when it is absolutely necessary, after attempting to de-escalate, when all other options have been exhausted. Police must use force that is proportional to the situation, and the minimum amount required to accomplish a lawful purpose. And several tactics commonly associated with death or serious injury, including the use of chokeholds, tear gas, rubber bullets, and no-knock warrants should be outlawed entirely.

Of critical and urgent importance: Massachusetts must abolish the dangerous doctrine of qualified immunity because it shields police from being held accountable to their victims. Limits on use of force are meaningless unless they are enforceable. Yet today, qualified immunity protects police even when they blatantly and seriously violate people's civil rights, including by excessive use of force resulting in permanent injury or even death. It denies victims of police violence their day in court. Ending or reforming qualified immunity is the most important police accountability measure in S2820. Maintaining Qualified Immunity ensures that Black Lives Don't Matter. We urge you to end immunity in order to end impunity.

Finally, we urge the House to prevent the expansion of police powers and budgets by prohibiting government entities, including police, from using face surveillance technologies. Specifically, we ask that you include H.1538 in your omnibus bill. Face surveillance technologies have serious racial bias flaws built into their systems. There are increasing numbers of cases in which Black people are wrongfully arrested due to errors with these technologies (as well as sloppy police work). We should not allow police in Massachusetts to use technology that supercharges racial bias and expands police powers to surveil everyone, every day and everywhere we go.

Our group also advocates for divesting from policing and investing in mental health first response teams, such as CAHOOTS which has effectively minimized the use of police and saved money for the city of Eugene, Oregon.

There is broad consensus that we must act swiftly and boldly to address police violence, strengthen accountability, and advance racial justice. We urge you to pass the strongest possible legislation without delay, and to ensure that it is signed into law this session.

Sincerely,

Sunny Kung, MD  
Internal Medicine-HVMA Residency Program, PGY-3  
Brigham & Women's Hospital  
Pager: 33710 | Cell: (408) 705-8714

The information in this e-mail is intended only for the person to whom it is addressed. If you believe this e-mail was sent to you in error and the e-mail contains patient information, please contact the Partners Compliance HelpLine at <http://www.partners.org/complianceline> . If the e-mail was sent to you in error but does not contain patient information, please contact the sender and properly dispose of the e-mail.

From: PAUL LANDRY <bard6@comcast.net>  
Sent: Thursday, July 16, 2020 2:29 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800 Police Reform Bill

To Whom it May Concern;

I want to thank you in advance for your willingness to seek public input.

I have had the honor to serve my city and the commonwealth for 26 years as a sworn law enforcement officer. The following quote from Sir Robert Peel in 1829 still resonates with me today - "The police are the public and the public are the police."

We are the community because we are part of it, and we like many others are concerned about the murder of George Floyd. Since June an incident occurred more the 1,500 miles away, police officers have been vilified, threatened, killed or injured in the line of duty and labelled as racist killers.

However the narrative cannot be farther from the truth. Just look at the data from the Bureau of Justice Statistics In 2018 African-Americans made up 53% of known homicide offenders in the US and commit about 6-% of robberies, though they are 13% of the population.

Or look at the Washington Posts database - that in 2019 police fatally shot 9 unarmed blacks and 19 unarmed whites. In 2018 there were 7,407 black homicide victims, assuming that a comparable number of victims in 2019 the nine unarmed black victims represent 0.1% of all African-Americans killed in 2019. A police officer is 18 ½ times more likely to be killed by a black male than an unarmed black male is to be killed by a police officer.

While every life is precious and we should be concerned anytime a person regardless of race, creed, religion or color is killed - the charge of systemic police bias and racism does not hold up - unless you just want to perpetuate the also narrative.

Do I believe police reform is necessary, Yes I do, we always need to continue to change and adapt our policies and procedures to reflect the norms of society and to continue to uphold the rule of law.

Of most concern is the issue of qualified immunity. Qualified Immunity does not mean absolute immunity. In Malley v. Briggs, 475U.S. 335 (1986) it "As a matter of public policy, qualified immunity provides ample protection to all but the plainly incompetent or those who knowingly violate the law." What it does do is protect good police officers from frivolous lawsuits, just for doing their job.

Prior to this current environment my department already met the policy and training recommendations of the "8 Can't Wait." Chokeholds aren't part of the training curriculum of the MPTC, we require de-escalation training, and require Use of Force Reporting for any force that officers use. Massachusetts has some of the best trained officers in the country. Officers are screened (medically and psychologically) before being hired, are trained and attend between 60 to 80 hrs of in-service training, which includes Use of Force as well as Biased Base Policing Training and Mental Health Training. My department also has a social worker on staff as part of our Jail Diversion Program.

This is a challenging time, but we can move forward and be successful if we collaborate and developed police reforms that are part of a non-partisan, apolitical and well informed effort. We all must denounce racism and excessive force - that's a given. But at the same time Law Enforcement must be supported. They are not mutually exclusive.

I'd like to suggest you ensure you get input from the police unions, the chiefs of police as well the minority police officer groups.

Thank you in advance for your attention to this matter.

Paul Landry  
Everett Police Department  
617-201-1942

From: Lee Constantine <lconstantine@massbar.org>  
Sent: Thursday, July 16, 2020 2:29 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: testimony of the Mass Bar Association

Testimony before House Ways and Means and Judiciary Committees

July 16, 2020

via email

The Massachusetts Bar Association (MBA) urges your Committees to include the expansion of expungement when considering Racial Justice and Police Accountability legislation. Senate Bill No. 2820 contains this expansion.

The criminal justice reform legislation recently enacted contained special provisions to permit expungement of juvenile court records and adult offenses committed before the age of 21 if a judge finds that such expungement is in the interests of justice. G.L. c. 276, §§ 100F-100J. These provisions, however, are unworkable because an individual seeking to expunge an offense is not eligible unless he or she only has a single charge on his or her record. In practice, a case often includes more than one offense. Police also may overcharge a person with more than one offense related to a single incident. In addition, more than 150 common offenses are excluded from eligibility for expungement under the current law. As a result, attorneys are rarely able to obtain relief for clients under the present statutory scheme.

Expanding current expungement law would promote access to jobs and opportunities for professional success by permitting expungement even if a person has more than one charge and allowing expungement of all juvenile offenses except for never sealable sex offenses.[1] The right to expunge a record is of great importance because criminal record sealing only limits who has access to the record. Expungement, however, is "the permanent erasure or destruction of a record so that the record is no longer accessible to, or maintained by, the court, any criminal justice agencies or any other state agency, municipal agency or county agency." [2] As the Supreme Judicial Court has acknowledged, a "cloud of prosecution" remains even if a case ends favorably if law enforcement, employers or others can gain access to information about the case.[3]

Thank for your consideration of our views.

[1] "Steady gainful employment is a leading factor in preventing recidivism." OFF. OF THE ATT' GEN., U.S. DEP'T OF JUSTICE, THE ATTORNEY GENERAL'S REPORT ON CRIMINAL HISTORY BACKGROUND CHECKS, 2 (2006). See also Christy A. Visher, Laura Winterfield, & Mark B. Coggeshall, Ex-Offender Employment Programs and Recidivism: A Meta-Analysis, 1 J. OF EXPERIMENTAL CRIMINOLOGY 295 (2005); John H. Laub & R. J. Sampson, Understanding Desistance from Crime, 28 CRIME & JUST. 1, 18 (2001).

2 MASS. GEN. LAWS c. 276, § 100E, added by St.2018, c. 69, § 195, eff. Oct. 13, 2018 <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_1.next.westlaw.com\\_Link\\_Document\\_FullText-3FfindType-3D1-26pubNum-3D1077005-26cite-3DUUID-28I0C1F990044-2D2B11E8994DF-2DA89B0D54A4C-29-26originatingDoc-3DNEC8132F04EFE11E8BA478209A3F344DF-26refType-3DSL-26originationContext-3Ddocument-26transitionType-3DDocumentItem-26contextData-3D-28sc.UserEnteredCitation-29&d=DwMFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=nqZ4nwtSa8zzwhTnEvuSSKdFfyul18lXHhsD9e5AJxA&s=2PpOn\\_sAfIIbT6jWnPyDh9FsGqDnVAKbpax6M-HbCBA&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__1.next.westlaw.com_Link_Document_FullText-3FfindType-3D1-26pubNum-3D1077005-26cite-3DUUID-28I0C1F990044-2D2B11E8994DF-2DA89B0D54A4C-29-26originatingDoc-3DNEC8132F04EFE11E8BA478209A3F344DF-26refType-3DSL-26originationContext-3Ddocument-26transitionType-3DDocumentItem-26contextData-3D-28sc.UserEnteredCitation-29&d=DwMFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=nqZ4nwtSa8zzwhTnEvuSSKdFfyul18lXHhsD9e5AJxA&s=2PpOn_sAfIIbT6jWnPyDh9FsGqDnVAKbpax6M-HbCBA&e=>) .

3 Police Com'r of Boston v. Mun. Court of Dorchester Dist., 374 Mass. 640, 659, (1978).

Lee Ann Constantine

Director of Policy and Operations

Massachusetts Bar Association

<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.massbar.org\\_&d=DwMFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=nqZ4nwtSa8zzwhTnEvuSSKdFfyul18lXHhsD9e5AJxA&s=AFL\\_cXkc tV\\_vftq4F49-0jxX2gVRk-ULPg8jKZv5VRk&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.massbar.org_&d=DwMFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=nqZ4nwtSa8zzwhTnEvuSSKdFfyul18lXHhsD9e5AJxA&s=AFL_cXkc tV_vftq4F49-0jxX2gVRk-ULPg8jKZv5VRk&e=>)

20 West St., Boston

(617) 338-0692

[lconstantine@massbar.org](mailto:lconstantine@massbar.org)

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[1] "Steady gainful employment is a leading factor in preventing recidivism." OFF. OF THE ATT' GEN., U.S. DEP'T OF JUSTICE, THE ATTORNEY GENERAL'S REPORT ON CRIMINAL HISTORY BACKGROUND CHECKS, 2 (2006). See also Christy A. Visher, Laura Winterfield, & Mark B. Coggeshall, Ex-Offender Employment Programs and Recidivism: A Meta-Analysis, 1 J. OF EXPERIMENTAL CRIMINOLOGY 295 (2005); John H. Laub & R. J. Sampson, Understanding Desistance from Crime, 28 CRIME & JUST. 1, 18 (2001).

[2] MASS. GEN. LAWS c. 276, § 100E, added by St.2018, c. 69, § 195, eff. Oct. 13, 2018 <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_1.next.westlaw.com\\_Link\\_Document\\_FullText-3FfindType-3D1-26pubNum-3D1077005-26cite-3DUUID-28I0C1F990044-2D2B11E8994DF-2DA89B0D54A4C-29-26originatingDoc-3DNEC8132F04EFE11E8BA478209A3F344DF-26refType-3DSL-26originationContext-3Ddocument-26transitionType-3DDocumentItem-26contextData-3D-28sc.UserEnteredCitation-29&d=DwMFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0Sck2EnIiuk13zIs16rchf\\_GkGDD&m=nqZ4nwtSa8zzwhTnEvuSSKdFfyul18lXHhsD9e5AJxA&s=2PpOn\\_sAfIIbT6jWnPyDh9FsGqDnVAKbpax6M-HbCBA&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__1.next.westlaw.com_Link_Document_FullText-3FfindType-3D1-26pubNum-3D1077005-26cite-3DUUID-28I0C1F990044-2D2B11E8994DF-2DA89B0D54A4C-29-26originatingDoc-3DNEC8132F04EFE11E8BA478209A3F344DF-26refType-3DSL-26originationContext-3Ddocument-26transitionType-3DDocumentItem-26contextData-3D-28sc.UserEnteredCitation-29&d=DwMFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiuk13zIs16rchf_GkGDD&m=nqZ4nwtSa8zzwhTnEvuSSKdFfyul18lXHhsD9e5AJxA&s=2PpOn_sAfIIbT6jWnPyDh9FsGqDnVAKbpax6M-HbCBA&e=>)

[3] Police Com'r of Boston v. Mun. Court of Dorchester Dist., 374 Mass. 640, 659, (1978).

From: Deborah Paisner <debpaisner@gmail.com>  
Sent: Thursday, July 16, 2020 2:27 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: The MA Senate's Police Reform Bill

It's a start but it's so important to strengthen the senate bill by widening the definition of "chokeholds", allow for no loopholes in the teargas and no knock raids, limit the interactions with police in mental health or traffic issues and the doctrine of qualified immunity should be ABOLISHED.

Now is the time to make a real difference!!

Sent from my iPhoneFrom: Kecia Ali <kecia.ali@protonmail.com>  
Sent: Thursday, July 16, 2020 2:27 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Ensuring police accountability

Dear HWM Judiciary members,

I write to urge you to pass a bill similar to S.2820, the Senate's police reform bill, and to get both through conference committee and signed by the governor this month.

While I wish the Senate bill had gone further in some of its reforms, I suggest that the House bill should retain its provisions for limiting the use of force, requiring officers to intervene when colleagues engage in misconduct, for banning racial profiling and mandating the collection of racial data for police stops. I want the House bill to require civilian approval for the purchase of military equipment; I want it to prohibit nondisclosure agreements in police misconduct cases--these encourage a problematic culture of silence. I also support the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I dislike the Senate modifications to the proposed restrictions on qualified immunity for police officers. Under their bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. I want an end to qualified immunity. In the interests of getting legislation passed, however, it might be necessary to keep the current version in. However you modify the bill, police officers should not be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Thank you,

Kecia Ali

Arlington

781-475-0536

From: Manoach Paul <mhpaul@live.com>  
Sent: Thursday, July 16, 2020 2:27 PM  
To: Testimony HWM Judiciary (HOU)

Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Rivas, Gloribel (HOU)  
Subject: Strong Support for the Reform-Shift-Build Act

Dear Sir/Madam,

I am writing to voice my strong support for the Reform-Shift-Build Act. As a resident of Stoughton, I get to see and celebrate diversity every day. We are a community made up of many cultures, representing the full spectrum of race that this globe offers. My family and I have fed from that spectrum and we have given back as well. Right now, we are not safe. We have been unsafe for quite some time. We will remain unsafe as long as the current state of policing is maintained. We here in Stoughton are not the only ones.

Our State and Nation face a long postponed reckoning with race., We must keep a stern dialogue with how we police one another as part of that reckoning. The Reform-Shift-Build Act opens that dialogue in unprecedented ways. Stringent certifications, inroads towards banning excessive force, review boards staffed by community, and a stronger stance against surveillance technology are just some of the impressive pieces we will be bringing to the state with this Act. Perhaps the most impressive piece to this is a focused reform to the doctrine known as "qualified immunity."

Passing this act while keeping the reform of qualified immunity attached to it would be historical. It would send the appropriate message to the Nation. If we as a people are to be policed, it must be under an entirely reimaged officer. There are glimpses of good in all of us. There are glimpses of good in our law enforcement. But there is also an unspeakable bad in all of us. As it permeates all of us by degrees, so too does it fester in our law enforcement.

I have witnessed firsthand what can occur when unchecked racist thought and sentiment spills into human behavior. There is no thermometer check for hatred, dislike, annoyance, ambivalence. And that temperature rises and subsides throughout a life. Thoughts are truly free, and should not be governed. Action is governed. But actions are rooted in those thoughts. The action to take another's life, to choke another out, to abuse another, to dominate another, to correct another, without impunity is what I believe qualified immunity too often permits.

Reform, and regulation are necessities for police in Massachusetts and everywhere. But the protective mask of qualified immunity must fall. We face consequences as citizens. Those consequences do not police our thoughts, but they force us to think twice, or even just once before acting. For too long has our police force acted without impartial thought when it comes to another's life and rights.





and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.  
????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.  
????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Diego Paredes

From: Peter Wise <peter@squarecandy.net>

Sent: Thursday, July 16, 2020 2:24 PM

To: Testimony HWM Judiciary (HOU)

Cc: Farley-Bouvier, Tricia - Rep. (HOU); Hinds, Adam (SEN)

Subject: S.2820 Public Testimony

Hello -

My name is Peter Wise and I'm a resident of Pittsfield. (52 Thomson Pl, Pittsfield, MA 01201) Please include my statement in the official public testimony on S.2820.

I'm writing today in support of strengthening some specific measures in the Police Standards Reform bill.

The Senate bill had stronger and clearer language on the creation of a truly independent and civilian-majority police certification board. The creation of such a body without giving it any real authority or power is lip service in place of the real systemic change the people of the

Commonwealth are asking for. I ask that the House consider adopting the original Senate bill language.

Likewise, the language on limiting qualified immunity and making real efforts to reduce the school-to-prison pipeline have been watered down and I ask that the House restore the original Senate bill language on these topics. Without real reform to qualified immunity, not many other police reforms make much of a difference. The message our current system sends to officers is "please don't do bad stuff... but if you do, there's pretty much no accountability or consequences at all... but please, seriously, don't do bad stuff." How can we be surprised by the constant stream of video evidence of blatant abuse of power when this is our official public stance towards the police? Let's end qualified immunity for real in Massachusetts.

I also believe that we can and must go further than either existing bill in a number of areas. The outcry in this country after the deaths of George Floyd, Eric Garner, and many others choked to death by police has been loud and is righteous. And yet the current bill only dips its toe into the waters of strengthening use of force standards. The current language in the bill would allow what happened to George Floyd to be completely legal right up until the seconds before his death. Let's actually ban choke holds here in Massachusetts. This should be a really easy one.

Another issue that deserves attention is facial recognition technology. The uses of this technology by law enforcement are so troubling that even big tech companies like IBM are pulling out of the sector and calling for a national discussion about the potential abuses and consequences of using such technology. Let's fully ban facial surveillance tech instead of just vaguely implying that it's bad.

Thank you for your time.

Sincerely,

Peter Wise

Peter Wise

Owner  
Web Design and Development Lead

Square Candy Design

pronouns: he/him  
(413) 591-8401 <tel:4135918401>

squarecandydesign.com <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_squarecandydesign.com&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=zYd\\_-0M4TFj-32yrlbYWSrx28o5lh0RX2ORe\\_a95VwQ&s=nuNGAdrtYuHlecx4hxGoSVaCX8AQVz8MP\\_FKmmOR85I&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__squarecandydesign.com&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=zYd_-0M4TFj-32yrlbYWSrx28o5lh0RX2ORe_a95VwQ&s=nuNGAdrtYuHlecx4hxGoSVaCX8AQVz8MP_FKmmOR85I&e=>)>

From: Tanya Gorlin <tanya.gorlin@comcast.net>  
Sent: Thursday, July 16, 2020 2:24 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

My name is Tatyana Gorlin, I live in Brookline, MA. It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without public hearing.

The very idea that such a thing as removing qualified immunity from police can be seriously proposed, let alone voted for 30 to 7, seemed totally absurd just a few months ago. Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function. And policemen, due to the very nature of their work, are the most vulnerable group.

This shameful legislation is unfair, immoral, and harmful to the extreme, especially to the people of color, whom it's supposedly designed to help - this group needs strong law enforcement and police protection more than anybody. By taking away qualified immunity from police the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen will retire, which is already happening. And nobody will be

interested in joining the police force - the group that not only is unjustly vilified, but now even deprived of any legislative protection.

A horrible death happened in Minnesota and everybody condemned it. But why the whole profession of policemen is punished for that? I talked to Brookline police and there has been not a single incident of police brutality for the years of existence of Brookline police. Massachusetts police in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Tatyana Gorlin  
28 Marshal street  
Brookline  
tanya.gorlin@comcast.net

From: Scott Haskell <shaskell@18degreesma.org>  
Sent: Thursday, July 16, 2020 2:23 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Expungement

7/16/20

Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

Our criminal justice system is not immune to structural racism and we join you and all members in the great work needed to set things right. The unfortunate reality is that people of color are far more likely to be subjected to stop and frisk and more likely to get arrested for the same

crimes committed by whites. Black youth are three times more likely to get arrested than their white peers and Black residents are six times more likely to go to jail in Massachusetts. Other systems where people of color experience racism are exacerbated, and in many ways legitimized, by the presence of a criminal record. Criminal records are meant to be a tool for public safety but they're more often used as a tool to hold communities of color back from their full economic potential. Expungement can be an important tool to rectify the documented systemic racism at every point of a young person's journey through and past our justice system.

We also know that young adults have the highest recidivism rate of any age group, but that drops as they grow older and mature. The law, however, does not allow for anyone who recidivates but eventually desists from reoffending to benefit. Young people's circumstances and cases are unique and the law aptly gives the court the discretion to approve expungement petitions on a case by case basis, yet the law also categorically disqualifies over 150 charges. We also know that anyone who is innocent of a crime should not have a record, but the current law doesn't distinguish between a dismissal and a conviction. It's for these three main reasons we write to you to champion these clarifications and now is the time to do it.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due to a variety of circumstances and since the overwhelming number of those young people grow up and move on with their lives, we are hoping to make clarifying changes to the law. We respectfully ask the law be clarified to:

\* Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.

\* Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

\* Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case basis especially if the case is dismissed or the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately

experience the collateral consequences of a criminal record the opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Scott Haskell

Program Director

18 Degrees, West Main Connections SSYI program, North Adams, MA

413-672-4242

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for Windows 10

From: Raymond Hawkins <[rayoflight97@gmail.com](mailto:rayoflight97@gmail.com)>  
Sent: Thursday, July 16, 2020 2:23 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for

decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Raymond Hawkins, of Waltham, MA  
From: Peter Wood` <pwoodlicsw@gmail.com>  
Sent: Thursday, July 16, 2020 9:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Community policing

Hello,

As a private citizen of western mass, I am grateful to live in a town where no firearm has been discharged by police in over 40 years.

Yet, I am dismayed by the omnipresence of guns and weaponry carried by police at all times. Police officers are required less training than licensed hair stylists, and yet are given graver responsibilities to intervene in a multitude of matters beyond their skill, resorting to brute force often resulting in catastrophic consequences related to incarceration even prior to any conviction.

Police require oversight and community resources with alternatives to force in order to help them provide safety and security to the communities they serve. They do not need more weapons, or to carry them at all times, or drug arrest incentives, or military surplus.

In addition, the prosecutorial process must be overhauled to ensure people who are arrested, particularly for non-violent crimes (Which are too broadly defined), do not lose their housing, public assistance, voting rights, children and freedom in general regardless of their suspected offense.

Police are the first point of contact for American citizens, the majority of whom are people of color, for entry into the unjust, destructive and racist judicial system that exists today. Let's ensure that these gate keepers are not alone and ill equipped to exercise good judgement, compassion and discretion when facing the challenges of being human. Money and weapons are crude and clearly ineffective in keeping our communities safe and our neighbors out of jail.

Sincerely,  
Peter Wood, LICSW  
AmherstFrom: Tina Collins <teemarie\_collins@yahoo.com>  
Sent: Thursday, July 16, 2020 9:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Dear Members of the House Committee on Ways & Means,

I am writing to you today out of concern and extreme frustration over Bill S.2800 that was passed by the State Senate today. This bill has been hastily thrown together and is a knee-jerk reaction to what is currently happening now in this war on police. As you know, Massachusetts has a fantastic police force at the municipal and state levels and yet there is an agenda some have to destroy the great policing that is done here. This



Bill, as written, robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. The fact that it has been so hastily pushed through the Senate without any transparency only leads credibility to my comment about a hidden agenda.

There are MANY aspects of this Bill S.2800 that I, and many of your other constituents, find troubling but I will just list a few here that are definitely of the greatest consequence if passed as written:

1. Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

2. Qualified Immunity: Qualified Immunity does NOT protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities from frivolously unrealistic lawsuits.

3. POSA Committee: The composition of the POSA committee MUST include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

4. Removal of requirement for State Police Colonel to be appointed from within the department: This should NOT be removed as it should be extremely important for the Colonel of the State Police to have first hand working knowledge of how a department works and the appointment should definitely come from within the MA State Police department. If for some reason this requirement is removed there should be a requirement that the person have at least 20 years experience in law enforcement and at least 10 years in a high profile leadership role within law enforcement.

I hope you will be sure to stand against those that would do harm to our state by unfairly persecuting and removing rights from those people that put on a uniform to keep us all safe every day. It has never been more important that our elected officials fight for our brave men and women in blue. It is already a thankless job and it will be near impossible to get anyone to want to do the job if this horrendous reform bill is passed without some major overhaul.

Thank you for your time and serious consideration of the points I have made here today.

Regards,

Tina Collins

19 Bonney St  
Westwood, MA 02090

508-326-1411

Sent from Yahoo Mail on Android

<[From: Thomas Wycislak <tomw2318@icloud.com>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=51Ert2dgurPXSKikyoxUx6E9902v0euxSGmS9HFI2Yo&s=9S7bgzroFDFkePoZEQvMfrHHXswGDnDm_WLF1E-_9rs&e=></a>></p></div><div data-bbox=)

Sent: Thursday, July 16, 2020 9:57 AM

To: Testimony HWM Judiciary (HOU)

Subject: BILL S2800

Hello,

I am a Law Enforcement Supporter and am sending this email in opposition of the proposed bill. 99% police officers go to work daily and do the right thing and should not be in fear of being sued civilly. In the case of Chauvin, he is in jail... charged with murder... what did qualified immunity get him? He got exactly what he deserved.

Police need to be allowed to do their jobs and go hands on and keep us safe. If we are going to pass this bill why not take the reigns off and give the criminals the keys to the state. How come we are not watching NY as they are doing just that and seeing crime spike through the roof.

Taking immunity away from police will ruin the profession and 100% force police to not intervene as they used too. It won't matter to the rich cause they will hire private security but what about the middle class lady at the ATM who will get robbed and the police will not be in any rush to get there. Not that they don't want to help but that they don't want to get sued by the CRIMINAL.

From: Mike Foster <mrvmrtn1@gmail.com>  
Sent: Thursday, July 16, 2020 9:53 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill

Hopefully someone will actually read this.

I would like to comment on the Police reform bill. I am a retired Massachusetts Law Enforcement Officer with over 30 years of service. I have no problem with reforms but you need to consider the following. Frivolous complaints against Officers or those that are not substantiated should not be part of the public record or count against them for purposes of certification. I didn't work with one Police Officer that did not get a complaint. Many of those were frivolous, you gave me a ticket and I want you in trouble. I can't count the number of times I had defense attorneys tell me that their client wanted to sue thinking it would help them get off on their charges.

I worked in traffic for a few years. Some of my complaints went like this. This officer wrote me a ticket. The Lt. in charge would ask was the officer courteous and professional. Yes. Did he explain the reason for the citation. Yes. Did he explain how to appeal it. Yes. What is your complaint. I wanted to talk about the ticket and he said I could give my side at a hearing if I chose to do so. He then said the stop was over and I was free to leave. What is your complaint. He wouldn't talk to me.

Remember, by case law, I cannot extend the stop past the reasonable amount of time it would take to write the citation after making computer checks. Nothing good can come of a conversation at the side of the road with an upset person where the conversation won't change anything at that time. So, they go into headquarters and file a complaint.

You are thinking, hopefully, as rational people that are not about to have their liberty taken away or are upset because they were issued a traffic citation. Think about how people react when they get a parking ticket. Most people are upset when Police interactions don't go their way and you don't want to give them an avenue to harass an Officer that did their job properly.

Some qualified immunity, as long as the Officer is acting lawfully, and within the training that is mandated by the training council, is needed to prevent frivolous complaints and unnecessary lawsuits. If the Officer acts outside his training or commits an unreasonable act, he does not have qualified immunity. Simple. Or, end qualified immunity for all government employees including yourselves.

You should also think about making A&B on Police Officer a Felony since it is now permissible to attack Police Officers with impunity. I had judges comment that they routinely dismissed A&B on PO complaints because Police should expect people to lash out and hit them. They never commented on my operations to repair torn cartilage, my bruises, scratches, bite marks or pulled muscles caused by the defendant. Make the judges enforce the laws instead of interjecting their private feelings.

Lastly. If you mandate civilian review boards, and you probably will, there should be people on them with Law Enforcement experience. It should be required. Just as I could not critique what an emergency room doctor did to a patient, it is impossible for a person to critique a Police Officer's actions without having ever done the job.

Please do the right thing, not the at the moment politically right thing.

Mike Foster

From: Mallory Aronstein <mallory.cole@gmail.com>  
Sent: Thursday, July 16, 2020 9:52 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Comments on S2800

Good morning,

Thank you for the opportunity to submit comments on the Police Reform Bill that recently passed the Senate.

I agree with the main elements of the bill and support further training and police reform.

That being said, the scaling back of qualified immunity will have a myriad of unintended consequences. These are similar in nature to what we found with Officer Michael Chesna who lost his life as he hesitated in shooting an offender. This aspect of the bill harms the police unfairly. The entire industry should be overhauled, yes, but qualified immunity protections ensure that our officers are not second guessing their actions in the field. Second guessing leads to delays, panic, and further bad decisions. Those are good for no one.

Thank you for your consideration of this input and your aim to make our Commonwealth better!

Mallory Aronstein  
70 Sheridan Street  
North Easton, MA 02356  
From: Dan Houston <danhouston1964@gmail.com>  
Sent: Thursday, July 16, 2020 9:48 AM  
To: Testimony HWM Judiciary (HOU)

To whom it may concern.

As a Veteran for 10 years serving my Country in US Army , and now currently serving my Community in Lowell Ma for the last 24 years as a Police Officer I have dedicated 34 years of my 56 years to protect and serve. I am appalled at the knee jerk reaction from our Elected officials. You are tone deaf and pandering to a small group of anti Police agitators. Votes maybe?

You have no idea how this state is about to become a crime infested cesspool. Cops are going to be leaving in masses and the ones that are staying are going to be so Reactive the criminal element are going to be controlling the streets.

You have painted every Police Officer in this Country with a broad brush based on the actions of one Bad Minnesota cop. Ive been trained constantly in this State regarding the recent issues we face, discrimination, racial

profiling, ect, ect an ect. The response from our Elected officials concerning something that did not happen here is Pathetic.

If you think recruitment of new officers trained under Police Reform is goin to be the fix all think again you non police experts. Recently Lowell had 14 recruits in a Academy. 8 graduated. Go ahead lower the hiring Standards. More bad cops you idiots.

As a Independant voter I can honestly say I will never vote Democrat again. I am also looking to leave this state. Cant get out soon enough. You Clowns who won popularity contests ( Elected by nitwits), are going to have real problems at the polls come Election time. Yes us Cops talk with each other, family and friends. Nationwide Democrats are going to have election problems also. Trump 2020. You make it easy.

I wake up everyday with glee knowing I can walk over to the Retirement board and put in my papers. I will do my job as I always have, help the oppressed but will do so with a bare minimum attitude. Im going to treat every call with civil lawsuits in mind. This is the Attitude you have created.

After being away for a couple weeks I cant wait to read my department Emails. Im not a gambling man but I will wager that not a single Lowell politician or even our not so glorified CM has even issued a public show of support for Police.

So to all of you popularity contest winners who are going to support bill s2800 without facts, research or public input go Fuck yourselves assholes. I just dont care anymore about you.

Dan Houston Lowell MA. 9789304044

From: Gene <glaisne@gmail.com>  
Sent: Thursday, July 16, 2020 9:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.28000

Hello,

As a resident of Walpole MA. I am opposed to this bill.

putting first responders in a position where they could be sued personally would only flood the courts with frivolous cases. Furthermore, it would scare away most future candidates.

I don't believe this bill is the way to go about reform. If reform is the goal.

Gene Laisne  
Walpole Ma.  
From: Poirier, Elizabeth - Rep. (HOU)  
Sent: Thursday, July 16, 2020 9:43 AM

To: Testimony HWM Judiciary (HOU)  
Subject: Testimony

Thank you for accepting testimony on this bill. I will not vote to remove qualified immunity from our Police force. This action will destroy our entire public safety force across our Commonwealth. This is a knee jerk response to recent issues and not an appropriate solution. We should perhaps put more emphasis on training to deal with these increasingly difficult encounters. We need a police force that is well trained, supported and respected by the citizens of our Commonwealth.

Sent from my iPhoneFrom: Ashley LaBella Trowt  
<ashleylabela@gmail.com>  
Sent: Thursday, July 16, 2020 9:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

I'm writing to express my concern about the passing of the police reform bill. We need the police officers to be able to do their jobs, to protect the public and enforce laws! The way this was passed in the middle of the night without public hearing is unjust.  
Thank you for listening!

Ashley Trowt  
Elementary School Teacher  
Beverly Public Schools  
781-443-2165  
From: Tamara Soralez <tsoraluz@utecinc.org>  
Sent: Thursday, July 16, 2020 9:34 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

Our criminal justice system is not immune to structural racism and we join you and all members in the great work needed to set things right. The unfortunate reality is that people of color are far more likely to be subjected to stop and frisk and more likely to get arrested for the same crimes committed by whites. Black youth are three times more likely to get arrested than their white peers and Black residents are six times more likely to go to jail in Massachusetts. Other systems where people of color

experience racism are exacerbated, and in many ways legitimized, by the presence of a criminal record. Criminal records are meant to be a tool for public safety but they're more often used as a tool to hold communities of color back from their full economic potential. Expungement can be an important tool to rectify the documented systemic racism at every point of a young person's journey through and past our justice system.

We also know that young adults have the highest recidivism rate of any age group, but that drops as they grow older and mature. The law, however, does not allow for anyone who recidivates but eventually desists from reoffending to benefit. Young people's circumstances and cases are unique and the law aptly gives the court the discretion to approve expungement petitions on a case by case basis, yet the law also categorically disqualifies over 150 charges. We also know that anyone who is innocent of a crime should not have a record, but the current law doesn't distinguish between a dismissal and a conviction. It's for these three main reasons we write to you to champion these clarifications and now is the time to do it.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due to a variety of circumstances and since the overwhelming number of those young people grow up and move on with their lives, we are hoping to make clarifying changes to the law. We respectfully ask the law be clarified to:

- Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.

- Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

- Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case basis especially if the case is dismissed of the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the

opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Tamara Soralez

UTEC

203-952-1133

--

Tamara Soralez | Director of Learning  
Pronouns: She/her/hers

UTEC | 978-856-3902 Ext: | tsoraluz@utecinc.org  
Programs: 35 Warren St. | Café UTEC: 41 Warren St.  
Mailing: 15 Warren St., No. 3, Lowell, MA 01852

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<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_twitter.com\\_utec-5Finc&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=vgZh9VJ3Tq\\_UV8vl82ej9kz11n0JH9ICsXx60aur2iY&s=--FCnVoVJSaRpJn-310cGZtfj3QkKVf7cbjpnG830f4&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_utec-5Finc&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=vgZh9VJ3Tq_UV8vl82ej9kz11n0JH9ICsXx60aur2iY&s=--FCnVoVJSaRpJn-310cGZtfj3QkKVf7cbjpnG830f4&e=>)>



<[From: Joe Furtado <jfurtado3100@yahoo.com>  
Sent: Thursday, July 16, 2020 9:23 AM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: House Bill S2820](https://urldefense.proofpoint.com/v2/url?u=https-3A_www.linkedin.com_company_utecinc&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=u0evGIjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=vgZh9VJ3Tq_UV8vl82ej9kz11n0JH9ICsXx60aur2iY&s=PpnX9ndTUn_IkbYA7YpZpAgOu88sp4hrUlnCjWwYxMQ&e=></a></p></div><div data-bbox=)

Dear Representatives Aaron Michlewitz and Claire D. Cronin it is with great urgency that I write you this email. I am shocked and greatly disappointed at what the Massachusetts State Senate did with the passage of Senate Bill S2800. Not only did the Senate basically label all the honest men and women of law enforcement to include officers of color as racist but they also attacked every public sector employee and union with this poorly crafted bill.

The loss of Qualified Immunity is a principle that is fully supported by the United States Supreme Court in case law and protects public sector employees from good faith errors while in the performance of their duties. Qualified Immunity does not protect unlawful conduct by public sector employees, it never has and does not shield officers from unlawful conduct. The senate bill not only effects law enforcement but fire, medical and educational employees as well as municipal and elected officials. The potential financial cost to the commonwealth and individual public sector employees will be massive. In addition to this the effect on law enforcement will be profound with every officer in the commonwealth second guessing everything they do and choosing inaction over action out of fear of civil litigation for just performing their duties. This will transcend into every public sector job and field, how is this good for the state and its citizens. The Senate bill will create an potential atmosphere that emboldens criminals and clogs up the court system with frivolous law suits.

Another very important issue is the loss of collective bargaining rights and due process in the senate bill. The Massachusetts House has a long and proud history of supporting labor and unions in this state. Why has the senate decided to strip bargain rights away from workers in this state and on top of that take away a persons due process rights to appeal or and protection from over reach or retribution by employers for any reason that they deem fit. This is wrong on so many levels and violates basic human rights. I would hope that the House of Representatives is just that it represents a fair and impartial legislative body not like the senate that seemed to pander to a very dangerous progressive agenda that puts public safety and the financial well being of the commonwealth at risk.

The two above mentioned topics are of extreme importance not only to myself but all my friend and many of my neighbors. I have personally

spoken to countless people in my community and they are afraid of some of the portions of the senate bill but are afraid to speak out about the senate bill out of fear of being labeled a racist. This process needs to slow down meaningful reform can take place but the input of all parties and sides needs to be heard. The senate failed to do this they rushed through their version of the bill without one single public hearing and the lack of input from all sides. Instead they listened only to one side the side that wishes to crush employee rights strip away hard fought legal employment protections and open up every public sector employee to crushing civil law suits, how is this good for anyone.

With all this said I do support the establishment of standards and accreditation for law enforcement but only if they are administered in a fair and impartial manner. I do oppose the current senate version of the proposed committee that will oversee accreditation. I agree that the make up of the committee needs to be diverse but why are there ACLU representatives on the committee. The ACLU has spent decades trying to destroy law enforcement they can not be impartial. I would suggest that the committee be made up of law enforcement, civilian use of force professionals as well as members of the Black and Latino caucuses. There is no need for the ACLU to have a person on the committee they will never be able to be fair or impartial in any way.

I do realize that there is need for reform but commonsense reform not radical losses of rights to public sector employees and the loss of previously agreed upon employment rights. I would be more than happy to discuss this matter or answer any questions that you may have. I truly do appreciate your time and consideration regarding this very important matter.

Sincerely,

Joseph Furtado  
71 Emerald Dr.  
Lynn, MA  
617-308-8945

From: Paul Damon <PaulD@HawkeyeFence.com>  
Sent: Thursday, July 16, 2020 9:19 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Making it so that fire fighters, emts, and police can be sued individually in this bill is outrageous. I have a

friend who is an EMT and he makes 18.00 per hour and is covered under the law against being sued for

Breaking grandmas ribs during cpr. Now he says he wont perform cpr because he can get sued.

If a police officer puts cuffs on "too tight" he can get sued so guess what fewer arrests this bill that is

Proposed will give criminals the power and we will all live in fear.

Thank You,

Paul Damon

Operations Manager

Hawkeye Fence, LLC

194 Bedford Street, LLC

Marketplace Square, LLC

Construction & Development Dept.

925 Centre St., Brockton, MA 02302

Office (508) 559-9090 X 110 | Direct (508) 256-3011 | Fax (508) 587-9090

E-mail: pauld@hawkeyefence.com <mailto:pauld@hawkeyefence.com>

P Before printing this e-mail, please consider the environment

A veteran, whether active duty, retired, national guard, or reserve is someone who, at one point in his or her life, wrote a

blank check made payable to The "United States of America", for an amount of up to and including their life.

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From: Eric Montefusco Montefusco <ericmontefusco66@gmail.com>  
Sent: Thursday, July 16, 2020 9:17 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police

This LAW is a DISGRACE TOO ALL LAW ENFORCEMENT. THIS SHOULD NEVER PASS, AND IF IT DOES SEE HOW MANY MORE PEOPLE DIE IN CAR CRASHES, BREAK INS, TAKEN HEART ATTACKS, POLICE WON'T HELP, THEY MY BE SUED.. GOOD LUCK MASS,

From: Paul Keyes <keyespa150@yahoo.com>  
Sent: Thursday, July 16, 2020 9:17 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 (policing reform package).

Paul A Keyes  
Proud second generation Worcester Police Officer  
508 713-3846

An Act to disregard the safety and well-being of police officers.and shift resources to build a more equitable, fair and just commonwealth For all others but not for the those that protect and serve the community "

This bill you have enacted is anti police and anti labor. This bill puts the voice of the mob 1st the same mob that disregard the safety of Public by failing to follow all safety guidelines that were established to

protect the public's from a virus that has taken so many lives around the world.

Now you want to take away our protection which is qualified immunity. So you want us to risk our lives but don't want to protect us.

Qualified immunity allows to act without be worried that we could lose are jobs, lively hood and no longer providing for our family. We work hard for what we have and what we provided for Our families.

Now not only is this bill taking away Our legal protection but also our right to collective bargaining. This bill is anti labor this country was built by Unions. Law enforcement Officer put their life's on the line on doing what we do. We have shown that when we came to work every day while millions of Americans were in their home quarantined. You can say your gratefull by passing this bill has shown that you are not. This bill shows you chose to listen to the voices of those that chose to put all others at risk with their protest.

From: Jennifer Jardin <jennifer\_jardin@yahoo.com>

Sent: Thursday, July 16, 2020 9:13 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

I am witting in regards to the police reform bill. Although there are areas=

I agree with with such aS the chokehold and having to keep up with certific=

ations, there are areas that I do not.

Recently, there were riots in Brockton. Police had water bottles, fireworks=

and rocks thrown at them. They responded with tear gas . How should they r=

espond when being attacked. There was very little damage done to the city t=

hat night. It could have been much worse. If the police had backed off aft=

er being attacked, who knows what could have happened.

I work in the Brockton Public School System. I see the importance that scho=

ol police and resource officers serve in the schools. More specifically, I w=

ork at the alternative high school. I see the officers come in and have pos=

itivity interactions with the students. I have witnessed conversations betw=

een the officers and the students talking about how they feel about racial p=

rofilng. To see them sit down and talk about things like that and really l=

isten to each other. These conversations would never happen out on the stre=

et.

Having a school resource officer has very often deescalated situations. The= y have gotten the student to take a walk with them, discuss what was going o= n and be able to pull themselves together. Before having the school resour= ce officer, many times a fight would break out and we would have to call 911= for assistance. Which situation do think is a better way to handle the sit= uation and had the better outcome?=20

Having school resource officers in the younger grades also is very important= to help develop positive relationships at an early age. The kids learn tha= t the police are approachable and want to help. Many are fearful of them be= cause of what their older siblings and parents tell them. =20

By having the resource officers, it also helps make them aware of things tha= t could be happening in the community as the overhear things or students wil= l let them know that something is going to happen after school. Again, they= can be prepared and be there before things escalate .

Thank you for taking the time to read my concerns. If you need to speak wit= h me about my concerns, I can be reached at 505-561-0393

Sincerely,

Jennifer Buckley  
2 Murray Rd <x-apple-data-detectors://17/1>  
East Bridgewater, MA 02333 <x-apple-data-detectors://17/1>

Sent from my iPad  
From: Shaun Reagan <sreags@icloud.com>  
Sent: Thursday, July 16, 2020 9:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill

This bill will only cause issues. Police will not make arrests and will second guess themselves in every situation. We will see a mass exodus of police officers. There will be an increase in crime and officer injuries. Please seek more guidance before enacting this into law.

- concerned citizen From: Matthew Brennan <mbrennan4th82@gmail.com>  
Sent: Thursday, July 16, 2020 9:03 AM  
To: Testimony HWM Judiciary (HOU)

Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Rivas, Gloribel (HOU)  
Subject: Reform Shift and Build Act S.2800

Dear Committee and Community Members,

I am writing to voice my wholehearted support for the Reform-Shift-Build Act. As a resident of East Boston, I get to see and celebrate diversity every day. We are a community made up of many cultures, representing the full spectrum of race that this globe offers. My family and I have fed from that spectrum and we have given back as well. Right now, we are not safe. We have been unsafe for quite some time. We will remain unsafe as long as the current state of policing is maintained. We here in East Boston are not the only ones.

Our State and Nation face a long postponed reckoning with race., We must keep a stern dialogue with how we police one another as part of that reckoning. The Reform-Shift-Build Act opens that dialogue in unprecedented ways. Stringent certifications, inroads towards banning excessive force, review boards staffed by community, and a stronger stance against surveillance technology are just some of the impressive pieces we will be bringing to the state with this bill. Perhaps the most impressive piece to this is a focused reform to the doctrine known as "qualified immunity."

Passing this bill while keeping the reform of qualified immunity attached to it would be historical. It would send the appropriate message to the Nation. If we as a people are to be policed, it must be under an entirely reimagined officer. There are glimpses of good in all of us. There are glimpses of good in our law enforcement. But there is also an unspeakable bad in all of us. As it permeates all of us by degrees, so too does it fester in our law enforcement.

I have witnessed firsthand what can occur when unchecked racist thought and sentiment spills into human behavior. There is no thermometer check for hatred, dislike, annoyance, ambivalence. And that temperature rises and subsides throughout a life. Thoughts are truly free, and should not be governed. Action is governed. But actions are rooted in those thoughts. The action to take another's life, to choke another out, to abuse another, to dominate another, to correct another, without impunity is what I believe qualified immunity too often permits.

Reform, and regulation are necessities for police in Massachusetts and everywhere. But the protective mask of qualified immunity must fall. We

face consequences as citizens. Those consequences do not police our thoughts, but they force us to think twice, or even just once before acting. For too long has our police force acted without impartial thought when it comes to another's life and rights.

I am asking you to support the Reform-Shift-Build Act for my family, for East Boston, for Boston, for Massachusetts, and for the entire United States of America. I am asking you to share my voice with your fellow legislators, and amplify it yourself in your championing of this Act.

Thank you for your time and attention.

Respectfully,

Matthew Joseph Brennan IV

East Boston

From: Chris Davis <cpdonemorecast@aol.com>  
Sent: Thursday, July 16, 2020 9:02 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820, An Act to reform police standards and shift resources to build a more equitable, fair, and just commonwealth that Black lives and communities of color

S2820 [An Act to reform police standards and shift resources to build a more equitable, fair, and just commonwealth that Black lives and communities of color] is not a fair and effective means of addressing the injustices that have been seen recently in national arenas. While education and training is absolutely necessary for so many in public eyes - and acknowledged by law enforcement - the limitations proposed in this bill hand-tie the majority of good public servants who have dedicated their life and careers to keeping each of us safe from harm and to uphold the very laws that you have created.

This Bill does nothing to impact the changes needed and only serves to make an already difficult and stressful job 10 times more difficult and dangerous for all police officers.

I respect and stand with my black and African American friends for justice and will stand for the changes that are desperately needed, but I also stand with those of my friends and family who have invested their lives to serve as genuine and honest law enforcement officers. We need to find



other ways to root out the "bad individuals" throughout our society, but there are far more outside of law enforcement than within, and the limitations enlsted in this Bill are nothing short of signing death notices for good cops.

I ask that you PLEASE either strike this down or do not allow this to come for vote in the House - send this proposal back for deeper discussion in the Senate immediately and open the doors to hearing more taxpayer, professional and stakeholder input.

Christopher Davis  
Bellingham, MA  
508-883-1545

Sent from my iPhone  
From: Sandra Nigro <snigro1428@gmail.com>  
Sent: Thursday, July 16, 2020 9:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support the Police

We are in support of the police department and we do not agree with Senate police reform act. The police need to be safe when they are protecting the public they serve.

We do support more frequent Psycolgical testing and assistance for police officers. We also support punishment for bad officers.

All officers should not be put in danger for the act of a few bad officers.

Thanks,  
Sandra Nigro  
Independent voter  
339 927 5692From:deb <debazh@aol.com>  
Sent: Thursday, July 16, 2020 8:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Bill

Please don't pass this horrible Bill. If and when I need help from and Officer, Nurse, EMT,ect. I want them to not be second guessing their response. If they break a rib saving me from a heart attack I want them to know I would not or could not take their home from them. This Bill is a quick and crazy reaction to something that happened far from MA. I would hope that with the great training our men in blue, who by the way put their life on the line each time they go to work, receive. Yesterday our Town again mourned the loss of Sergeant Chesna on the second anniversary of the senseless Murder of this Father of two small children leaving them fatherless, In the line of duty. Shot in the head multiple times with his own gun while doing his job to protect and serve. During this assault a poor elderly woman was shot and murdered as she looked out her window to see what all the commotion was. Finally our men in blue answered the call and the Carnage was ended. They went in without hesitation to save lives without thought of there own. Be Proud of our

Public Servants don't lump them in with a few bad ones from places far away.  
From: mancinimark@hotmail.com  
Sent: Thursday, July 16, 2020 8:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

To members of the committee,  
I am writing this testimony using both my experience and education. Here is my background:

I first worked in the navy, I operated a nuclear reactor on a submarine. Though this may be irrelevant to the topic at hand, I wanted to establish my commitment to service and also the level as which I may be able to comprehend data, statistics, and information. The schooling I went through is probably the most academically difficult and demanding 18 months, that probably exists in this world. I then worked about a year at the State House, so I understand the inner workings as to what goes on up there.

Now to the more relevant material. I worked for six years as a patrol officer for the Town of Falmouth, and have spent the past two years working the crime scene unit at the Barnstable County Sheriff's Office. During that time I also went to school full time and received an Associate of Science in Criminal Justice at Cape Cod Community College, which was more forensic based, and a Bachelor of Arts in Criminal Justice with a minor in psychology at Curry College, which was more criminology based.

So all and all I have the first-hand experience and have studied and continue to study and understand the theory behind criminal behavior and policing.

What happened in Minneapolis was a travesty, the police officer is a pathetic excuse of a human being and moreover a disgrace to the badge. It made me reevaluate my time working as a patrolman. And I recently sat down with one of my former co-workers from the Falmouth Police, an officer shot in the line of duty two years ago, an officer who also happens to be black. After not witnessing any racism on the job, I wanted to get his opinion, he agreed he also never witnessed or experienced racism from within the police department. However, we both also agreed there were officers who were quick to escalate and quick to use force.

I understand that I work in a small town (though in a normal summer our population went to around ~100k) and so I looked at the data. In 2017-2018, police in Massachusetts were responsible for the deaths of nine people. One black, one Hispanic, and seven white, all males. Of those nine, all were justified killings. In those same two years 308 people were murdered in Massachusetts, two of them being police officers, and another two officers in my town were both shot, unprovoked.

So I fail to see the necessity of much of this legislation, we are not Minneapolis, we don't have a scourge of police brutality and killings. In fact most of this legislation actually puts us more on par with Minneapolis, not further from it.

If this legislation passes, as written by the senate, you will see an exodus of police from Massachusetts. You will no longer have the best candidates for policing. You will see crime increase, and even if you just saw a very modest 10% increase in crime, that would equate to 15 extra murders a year. 15 every year, and since you don't have any unjustified killings by police, you won't even stop any of those. You'll actually probably see an increase in deaths at the hands of police, as you will have less qualified, less trained, and more overworked officers working.

In the end this bill as passed by the senate will make Massachusetts a far more dangerous place, for everyone. You may score political points, but at the cost of how many lives? The same lives you profess to be trying to help.

Thank you,  
Mark Mancini  
Falmouth, MA  
508-566-1396

From: Rosemary Heath <rosemarykheath@gmail.com>  
Sent: Thursday, July 16, 2020 8:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

I'm writing to state my opinion on the S2820 bill. It cannot and should not pass!

The state has enough BS in the judicial system now, they dont need frivolous law suits against public employees!

Our beloved Officers, Firefighters, EMS and Teachers need to focus on their jobs, not the consequences of what may come about after the fact.

Mental health reform needs to happen! All of these professions need proper mental health support.

I went through a tragedy where my husband, who was a beloved teacher was murdered when we both stood up to save someone else- a deranged man, who was released from the hospital just ours before- not receiving the mental health support he needed from the state. He went out and crested mayhem in Taunton.

My life was saved by an off-duty Plymouth County Sherrifs Deputy during this event.

Thankfully, he was connected to a great support system. That helped him and his wife get thru the emotional trauma and continue his life in a fully productive manner.

This is not always the case. They need support, not defunding and frivolous law suits!

Do not allow this to pass!

Rosemary K. Heath  
50 Terrienne Dr  
Taunton, MA 02780

Sent from my Verizon, Samsung Galaxy smartphone  
Get Outlook for Android <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_aka.ms\\_ghei36&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=GcmXCSXLMH0lCQfBZGx\\_r-DniQsbdWtrPOvJhsnrkfw&s=2CI9HDgJiRj4HQgAW4Mnnp7WgYCysEwidtc8VpxGof4&e=](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=GcmXCSXLMH0lCQfBZGx_r-DniQsbdWtrPOvJhsnrkfw&s=2CI9HDgJiRj4HQgAW4Mnnp7WgYCysEwidtc8VpxGof4&e=)>  
From: kelly mcgrath <kelly9175@gmail.com>  
Sent: Thursday, July 16, 2020 8:53 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Test

Test  
From: Sandra Nigro <snigro1428@gmail.com>  
Sent: Thursday, July 16, 2020 8:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support the Police

We support the police and we want to ensure their safety while they protect and serve.

Thanks,  
Sandra  
From: Stephanie Ringland <sringland@gmail.com>  
Sent: Thursday, July 16, 2020 8:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Do not pass S.2800

To whom it may concern,

This bill that Senate just passed was a mistake. Maybe they were too many tired senators as they debated for 17+ hours.

If this bill passed, why has the entire world taken measures to stay home and do their part? To save lives... Our lives our neighbors lives.

If this bill passed, how are people's lives saved by BRAVE firefighters who run into burning buildings while everyone else is running out? When BRAVE police officers are in a position to tackle an armed robber who just shot a store clerk? A frontline essential ICU nurse who performs CPR on patient who flat lined and in process of saving their life, brakes a rib or 2?

If this law passes, how are firefighters, police officers, essential workers, etc. protected to do their job IN Protecting our community? Why would anyone want to have any of these professions that PROTECT and HELP people if law does not protect THEM?

Reform maybe needed BUT This is not the way.

Stabbing our essential workers, law enforcement, etc in the back... Is not the right way.

Frontline workers are trained to save and protect... Not question themselves on what they are doing. Not throwing their hands up out of fear of having a law suit.

Please, this is not the right bill. This bill passes, WE as a community will have bigger issues as we loose frontline/essential workers.

Thank you

From: Katie McCabe <kmm154@gmail.com>  
Sent: Thursday, July 16, 2020 8:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Do not pass this bill

To whom it may concern,

I am concerned. This Bill, if it passes, will put a horrible strain on the communities you think you are protecting. This is not the answer.

If my loved one were to need CPR- I don't want a hesitation on the police officers part

Heck I lock my keys in the car I want the police officer to help (they are so much faster than AAA)

Removing qualified immunity is a HORRIBLE idea.

Please vote this down and do not put my family in danger.

Thank you

Katie McCabe  
Dedham

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Sent from Gmail Mobile

From: Dan Mastro <Parts\_Guy@comcast.net>  
Sent: Thursday, July 16, 2020 8:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police, Fire, etc immunity

Who would ever want to become or remain in those jobs with the threat of being sued by less than stellar persons without the conditional immunity?? I would rather have our elected officials from the town/city levels, state levels, and pols in DC have their immunity revoked so they can be sued civilly for deformation or false slandering remarks.

That won't happen since we have the foxes guarding the chicken coops.

Signed by a Massachusetts Conservative, MAGA.

Dan Mastro

From: Jon Craven <joncraven@comcast.net>  
Sent: Thursday, July 16, 2020 8:46 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: House police reform

Good morning,

My name is Jon Craven and I am a Police Sergeant with the West Bridgewater Police Department. I am writing to you in regards to the recent police reform currently going through the legislature.

I started my career working for the Department of Youth Services with our most at risk juvenile population and then moved to the Department of Children and Families working with our most at risk families. I was lucky enough to get hired as a Police Officer 10 years ago and work with my community. I am an active member in my community. I am an executive officer with our local youth athletic association and I have prided myself on building only the most positive relationships in the community. I make a sincere effort to engage the public in a positive manner as much as I possibly can. I am not a villain. I am the police officer that you pray comes to your home when you call 911 because I will be there for you and your family to the best of my ability. I understand that all cops are not like me but I know that 99.99% are. The men and women I work with in my community are some of the most hard working and community focused people I have ever met.

However the quick passage of these bills has shaken us to the core. The fact that the legislature can strip us of so many core rights with the swipe of a pen with zero input from us is astounding. So I just ask that you listen to us and understand where we are coming from before you hastily pass a bill that will cripple law enforcement as you know it in order to appease a small group of people who believe we are the enemy.

Regarding trainings. There is not a cop in this world that doesn't want more training. However we can't increase trainings for law enforcement without the funds to do so. Add any training you want to the MPTC curriculum! We are happy to go and learn about black history as well but what about all other state agencies. All municipal and state employees have to do a conflict of interest and ethics course every year. They should all be required to learn about this as well.

Banning of chokeholds. Not an issue for us unless in a life or death situation. If someone is trying to kill me I should be able to use whatever force necessary to live. What happened to George Floyd was disgusting and there's not one cop in the USA that feels otherwise.

POSAC. I support a certification commission for police officers and having a board to hear more about the bad actors that ruin the badge for the good ones. However this is the USA and we need due process. Police officers are often accused of wrong doing by the general public. They often will file false complaints against an officer that arrests them solely in an attempt to discredit them and have their criminal case dismissed. As a supervisor I hold our officers to the highest standard. They are not perfect but minor issues shouldn't decertify an officer.

Qualified immunity. No reason to beat a dead horse here but you already know that QI doesn't protect an officer that breaks the law. It protects the officers that do their jobs without obviously violating someone's rights. We have thousands of arrests a year. The court systems laissez-faire attitude towards the criminals puts us at severe risk without QI.

For example if I arrest someone for drunk driving (seized under the 4th amendment) and then once at court the case is dismissed because of a mistake I made somewhere in the process then technically they can sue because I unjustly detained them. If you allow restrictions on QI you will not only have a mass exodus of police officers here in the Commonwealth but you will also have officers out there that will hesitate to do even the simplest of tasks. Officers won't perform life saving measures at scenes out of fear of being sued. Please if you do nothing else leave this alone.

I know this isn't really an option but I would like to talk about Body cameras. Add body cams into your bill, or introduce a new one next session and fund them. Change the 2 party consent laws so we can effectively use them. You will see that most of the time the police are courteous and respectful and aren't the instigators. You will also be able to see the behavior of those officers that show concerning behavior. Without body cameras it's our version vs the complainants.

Thank you for the taking the time to hear us out.

Sgt Jon Craven  
West Bridgewater Police Department  
508-586-2525  
From: Elizabeth March <elizabethlmarch@gmail.com>  
Sent: Thursday, July 16, 2020 8:41 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Raise the Age

Chair Aaron Michlewitz and Chair Claire Cronin

I am writing to ask you to support including language in S 2820 that would raise the age at which youth are automatically adjudicated as adults.

Not only will this improve community safety but it will advance educational and employment outcomes for some of the Commonwealth's most vulnerable young people. This legislation would allow the Commonwealth to hold them accountable while vastly reducing the chances of recidivism. One need only know that the recidivism rate of teens placed in the juvenile system is less than half that of young people automatically prosecuted as adults to know the proposal makes sense.

If you have any doubt about the real life impact of the legislation, hear the voice of young people in support of the bill  
<https://mtwyouth.org/raise-the-age/>  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_mtwyouth.org\\_raise-2Dthe-2Dage\\_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk](https://urldefense.proofpoint.com/v2/url?u=https-3A__mtwyouth.org_raise-2Dthe-2Dage_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk)>

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b8ibEIGc0xGM&e=> .

Elizabeth L. March

728 Tremont St

Boston, MA 02118

From: sgttrunk@aol.com  
Sent: Thursday, July 16, 2020 8:41 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Removal of qualified immunity

Dear Sir/Madam,

Getting rid of qualified immunity just makes cops afraid to do their job. Cops will become reactionary, handling calls only.

In my 38 years of law enforcement I have learned that proactive policing is what makes communities safe.

If you remove qualified immunity, cops will become like firemen, waiting for the next call. In reality you will end up paying boatloads of money in police salaries, and getting very little in return on your investment.

I have easily made over 600 arrests and have filed close to 2000 criminal complaints in my career. If you remove qualified immunity bad guys will figure it out real quick. When bad guys realize there is no more push back, they will ramp up their game pushing more drugs for profit, resulting in increased usage, more addicts, more crime to feed the habit, more shoplifting, B&Es to houses and vehicles, larcenies, strong armed robberies etc.

The people affected the most will be people of color, the very people you are trying to help, because they lack the resources to get into the best treatment programs, make their homes safe with modern technology, and are more susceptible to violent street crime based on current crime statistics and trends.

Removing qualified immunity does not protect bad cops. It hurts good cops who are trying to do their job.

Respectfully,

Reading PD  
Sgt Mark J OBrien  
C-978.771.5448  
Sgttrunk@aol.com



Sent from my Verizon Motorola Smartphone  
From: Len Carlson <len.carlson@yahoo.com>  
Sent: Thursday, July 16, 2020 8:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: POLICING LEGISLATION

Dear House

I do not agree with provisions of this bill.

- 1) Immunity needs to be maintained for all first responders.
- 2) Schools and other state and town organizations need to continue to report to police all incidents that occur in their facilities, like drugs, violence, gang activity and illegal immigrants.

The State needs to continue to protect it's citizens and first responders.

I do agree with certifications and other provisions.

Len Carlson

From: Brandy <brc417@aol.com>  
Sent: Thursday, July 16, 2020 8:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Hello,

I am writing to you regarding the police reform bill.

I am deeply saddened by the events that have led up to even discussing this bill. I have studied extensively the data and stats regarding police brutality, and firmly believe that the villianization of all police in this country for a statistically rare event that happened way across the country has caused this much hatred and violence towards our officers all across the country. It is the most hypocritical disgusting thing I have ever witnessed in my 48 years. Everyday these officers protect and serve our communities and clearly that has become a thankless job! The polls show 85% of Americans do NOT support defunding of police. I realize it will never be perfect but in my opinion they do not need reform, the general public does. Politicians have demoralised police and emboldened the criminals, what a recipe for disaster. Look at these cities already they are exploding in violence while these so call leaders watch it happen and even encourage it. Yet as the murder rate has gone up 246% in NYC their incompetent mayor is still slashing billions from police. They are being attacked in the streets, spit on, screamed at, and ambushed simply for attempting to do their job. I beg you not to follow this trend of acting on emotion rather than logic. My fear is no one will ever take this job and the quality of officers will plummet. Living in a world without quality police protection is absolutely terrifying to me as a woman and a mother of two children. The media in this country has manipulated the people to believe this is racism because they never show white people being killed by officers, that is by design to create racial division and it's so irresponsible and dangerous yet they do not care at all. This has already led to brutal killings of innocent police officers being assassinated and will continue! It's even more disappointing to see our

government in Massachusetts jump on this bandwagon. The loss of immunity is the biggest assault and I'm shocked to see my state even think about it. The frivolous lawsuits that this will inspire will be devastating to our police and their families. I see countless cases of officers being attacked and blamed even when they have to kill someone in a very obvious case of self defense. The Michael Brown case is the perfect example of an officer having no other choice but to protect his life when after committing a strong arm robbery he is hanging through the cruiser window repeatedly punching the officer in the face while trying to remove the officers gun from his holster, yet that officer has been branded a racist cop with his face splashed all over the media, while they paint Michael Brown as a victim! I read the actual court documents so I know the facts not just the media spin like everyone else. Sitting in judgement of police from your living room is real easy, God forbid you ever had to make a split second decision to save your own! My biggest complaint is with taking away immunity! That should not even be on the table. Interestingly enough I saw a criminal with an officer in a choke hold yesterday, banning it all together could cost them their life. If 99% of us can show respect for the laws in place why do we make excuses for those that don't? I think there is a large silent majority that agrees with me! This is not the time to pander for votes or play politics with such a serious issue that could effect public safety!! As far as sending them to racism school I also think that is a slap in the face. We can see how well that has worked out for the generation who have been convinced they are oppressed in this country or they are automatically born racist because of the color of their skin! This BLM movement told us who they are Marxist/Communist Movement attempting to drag us into Communism under the guise of racism. They have a very different agenda then what they portray on their website. I am begging you to stop this war on police! Enough is enough! Please don't turn our beautiful state into a dangerous mess like NYC and Minneapolis! I hope all our representatives will do the right thing in a bipartisan fashion!

Thank you for the opportunity to be heard!  
From: Ann Hill <annfla@gmail.com>  
Sent: Thursday, July 16, 2020 8:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

To Whom it May Concern,

I strongly oppose the proposed bill for police reform. In my opinion, this bill will encourage more police officers to leave the job and further jeopardize the safety and well being of our communities.

Sincerely,  
Ann M Hill  
Weat Roxbury, MA

Sent from my iPhoneFrom: Uarda Barry <uardabarry@yahoo.com>  
Sent: Thursday, July 16, 2020 8:36 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill s2800

Hello,

I am writing you today to tell you how disappointed I am in the proposed bill s2800.

This bill, if passed will be the beginning of the end. First responders effectively will have the worry of civil suits as a result of them trying to do their job, which In my opinion, will result in a dilemma in every situation our first responders are faced with. This will carry with it serious repercussions, whether a slight hesitation in action or less aggressive life saving measures. One could say that delaying or withholding crucial treatment is unethical but let's be honest, do you want to literally put everything on the line everyday you report for work? Do you want to worry about financial ruin? Run the risk of losing everything in legal and court costs even if you are found not at fault? The damage will already be done by that point.

I am a proud mother of 2 police officers. They put their lives on the line to protect us every day, often working double shifts, sacrificing family time, missing holidays all to protect and serve. I hope you will not support a bill that will make their job harder, that will tie their hands and ultimately put us all at risk.

Also at risk by the passing of this bill are the very people that are the backbone of our society, teachers, firefighters, EMT's, paramedics and several other public servants with the exclusion of our law makers, career politician and judges(!), the very people that should looking out for the safety of the citizens they serve!

The fact that this was pushed through committee at 4 am is reprehensible, and to start out as 13 pages and end up as 70+?? Its time for our elected officials to listen their constituents , WE are the people that will will be affected, WE are the people that will have to deal with the consequences of YOUR actions.

I thank you for reading this and I pray when the time comes you will do what you know in your heart is right.

Sincerely. Uarda Barry

691 Union St  
Rockland MA 02370

Sent from Yahoo Mail on Android

<[From: jimncinroy@yahoo.com](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIinjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=uH9aV0Cf5DydwZrqR1gL3dytWSzNBHeGFB0_URTRuKY&s=OBuUC1ta-ht3Q0o00K0QkmV1YOxVTgakdvcyxsRQLsw&e=></a></p></div><div data-bbox=)

Sent: Thursday, July 16, 2020 8:36 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform and redistribution

Please do not hobble our police, firefighters, and nurses with this bill. Criminals smell this weakening of law enforcement coming and crimes like the robbery/murder of that 21 yr old Bangladesh immigrant store clerk will

increase in frequency and audacity. Legislators are throwing out the baby with the bath water. Wake up. Look at your actions and the effects they will have on us little people.

And do not make mask wearing a requirement. Baker has slowed our reopening so that we do not need such draconian measures.

And do not extend the waiver of rent payments and evictions. You will turn this state into one large Detroit.

You are losing your way.

Wake up.

Cynthia Roy

Sent from my iPhone  
From: jboncek@aol.com  
Sent: Thursday, July 16, 2020 8:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill No. S2820

Ladies and Gentleman,

I am BEGGING you to CHANGE some of this BILL.  
YOU MUST keep the "Qualified Immunity" part of the bill, IN THE BILL!  
This is just wrong...If a Policeman, Fireman, Nurse or a Doctor stops at an accident and tries to help out and the person dies at NO FAULT of the person helping, they can get SUED!!! IS just wrong. IF this bill passes, I BELIEVE there will be a MASS EXODUS of these first responders. I agree in MORE training for the Police Officers in relations, and banning the CHOKE hold. I want to know, what happens when there are NO MORE Police..People will go and buy guns and DEFEND themselves.. I again beg/ ask REMOVE THE END OF QUALIFIED IMMUNITY wording, in this bill..

Copied form an article..  
Massachusetts State Senate has passed a bill regarding ending "Qualified Immunity" for Firefighters, Nurses and of course Police Officers. These are the very professions that routinely act in "good faith" by making a split-second decision when it comes to helping others in emergency situations.

Thank you Joseph P. Boncek Jr.  
p.s I VOTE too!  
From: Yolanda Moreno <yolandamoreno418@gmail.com>  
Sent: Thursday, July 16, 2020 8:13 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform bill

I think mace is a non lethal weapon and the banning of it is a mistake. Your going to let the public use mace but not a police officer??

The fastest bill ever passed, lets not become NY the new third world country.

Your making some mistakes.

From: jillforste@yahoo.com  
Sent: Thursday, July 16, 2020 8:11 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Mark  
Subject: Opposition to S2800

?. Good morning,

My name is Jill Cimildoro and I live at 36 Pleasant Garden Rd, Canton MA. <x-apple-data-detectors://0> As your constituent, and a wife of a MA LEO, I ask that you support amendments 114,116,126,134,129, and137 to Senate Bill S.2800. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards.

I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS.

The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. I ask you to not bow down do these BLM radicals. You took an oath and it includes morality and justice. Enough is enough.

Thank you for your time and consideration.

Respectfully,

Jill Cimildoro  
From: Brian Blais <BBLAZE32@hotmail.com>  
Sent: Thursday, July 16, 2020 8:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: s2800

Hi my name is Brian Blais, I am a first responder and I am worried about the passing of this bill. Just the other night while transporting a patient in an emergency situation my partner tripped and almost fell. If this person was additionally injured while we were helping them because of an unfortunate occurrence I would now be able to be sued civically. That could potentially destroy my family and hurt them more then the person who actually got hurt while trying to be helped.

Thank You

Brian Blais

From: Sabine Kuzio <sabine.bright02@gmail.com>

Sent: Thursday, July 16, 2020 8:04 AM

To: Testimony HWM Judiciary (HOU)

Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Rivas, Gloribel (HOU)

Subject: Reform, Shift + Build Act (S.2800)

Dear Committee,

I am writing to voice my wholehearted support for the Reform-Shift-Build Act. As a resident of East Boston, I get to see and celebrate diversity every day. We are a community made up of many cultures, representing the full spectrum of race that this globe offers. My family and I have fed from that spectrum and we have given back as well. Right now, we are not safe. We have been unsafe for quite some time. We will remain unsafe as long as the current state of policing is maintained. We here in East Boston are not the only ones.

Our State and Nation face a long postponed reckoning with race., We must keep a stern dialogue with how we police one another as part of that reckoning. The Reform-Shift-Build Act opens that dialogue in unprecedented ways. Stringent certifications, inroads towards banning excessive force, review boards staffed by community, and a stronger stance against surveillance technology are just some of the impressive pieces we will be bringing to the state with this Act. Perhaps the most impressive piece to this is a focused reform to the doctrine known as "qualified immunity."

Passing this act while keeping the reform of qualified immunity attached to it would be historical. It would send the appropriate message to the Nation. If we as a people are to be policed, it must be under an entirely reimagined officer. There are glimpses of good in all of us. There are glimpses of good in our law enforcement. But there is also an unspeakable bad in all of us. As it permeates all of us by degrees, so too does it fester in our law enforcement.

I have witnessed firsthand what can occur when unchecked racist thought and sentiment spills into human behavior. There is no thermometer check for hatred, dislike, annoyance, ambivalence. And that temperature rises and subsides throughout a life. Thoughts are truly free, and should not be governed. Action is governed. But actions are rooted in those thoughts. The action to take another's life, to choke another out, to abuse another, to dominate another, to correct another, without impunity is what I believe qualified immunity too often permits.

Reform, and regulation are necessities for police in Massachusetts and everywhere. But the protective mask of qualified immunity must fall. We face consequences as citizens. Those consequences do not police our thoughts, but they force us to think twice, or even just once before acting. For too long has our police force acted without impartial thought when it comes to another's life and rights.

I am asking you to support the Reform-Shift-Build Act for my family, for East Boston, for Boston, for Massachusetts, and for the entire United States of America. I am asking you to share my voice with your fellow legislators, and amplify it yourself in your championing of this Act.

Thank you for your time.

Respectfully,

Sabine Bright

From: Michael Chernoff <michaelchernoff97@gmail.com>  
Sent: Thursday, July 16, 2020 8:01 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Domb, Mindy - Rep. (HOU)  
Subject: Police reform bill

Dear Representatives Michlewitz and Cronin--

I am writing about the police reform bill currently under consideration, particularly the qualified immunity portion. I strongly believe that police cannot be protected by this clause. Unlike other public servants, police are armed (both with guns and batons) and in a position to inflict immediate harm on individuals without any due process. Moreover, some officers have been shown to abuse their roles in the community. If a teacher hit a child in school, there would be repercussions. Police training can certainly include an understanding of the limits on their use of force and the ramifications to them if they exceed those limits.

Second, I believe that civil or criminal penalties against officers that involve financial payment to the plaintiffs should be paid from police pension funds. It irritates me no end that taxpayer money ends up being used to pay for abuses, as determined in a legal process, to compensate victims while the police themselves bear no burden. I think that if pension money were on the line, officers would be more inclined to report abuses by their fellow-officers since it would be their own funds that are on the line. I am not sure how this would be operationalized, but I believe it bears looking into.

Thank you for reading this. I copied my district rep on this.

Michael Chernoff  
Amherst  
From: Dave Prockett <clayarmy4@aol.com>  
Sent: Thursday, July 16, 2020 7:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2800

I am opposed to this bill it limits rights to the employees

David C Prockett local 1713

Sent from my iPhone  
From: Christine Cavagnaro <christinecavagnaro@icloud.com>  
Sent: Thursday, July 16, 2020 7:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified immunity

As a parent of a newly female state trooper I feel  
What's happening is a disgrace. If they take away qualified immunity I'm  
not sure how we proceed in law enforcement. It's really a shame.  
I'm against this bill  
Thank you,  
Christine Cavagnaro  
296 Lincoln street  
Revere ma 02151

781-289-8230

Christinecavagnaro@icloud.com  
Sent from my iPhoneFrom: kcampbell421 <kcampbell421@comcast.net>  
Sent: Thursday, July 16, 2020 7:48 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Hello. My name is Kristin Campbell and I live in West Yarmouth with my  
husband and two adult children. We are all registered voters and are  
against s2820. This will only make our dedicated and professional police  
officers vulnerable to frivolous lawsuits. It will not help control the  
officers that are not following procedures. Please do NOT pass this. I am  
aware of the majority of my friends and family feel the same as us. We  
will make sure to remember who voted for or against when re election time  
comes around.

Thank you  
Kristin Campbell  
5083986631

Sent from my Sprint Samsung Galaxy S8.



From: jtf6363@aol.com  
Sent: Thursday, July 16, 2020 7:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2800

This Police reform Bill S2800 is a disaster. The bill was hastily put together and strips our heroic officers of their ability to do their jobs (qualified immunity). What happens if an officer breaks a window in a car to help a dog in distress? Now that officer can be sued for damages by the car owner. What happens if they perform CPR on someone and break a rib which almost always happens, now they could be sued? This bill does more harm than good. It is being rushed through without input from those that know, those who it affects the most. This is disturbing to say the least. Changes should be made But not like this. It will make it impossible for Police to do their jobs and what is right without having to go through frivolous lawsuits. Vote down bill S2800.

Jason Flaherty  
51 taft rd <x-apple-data-detectors://0/1>  
Weymouth,ma <x-apple-data-detectors://0/1>

Sent from my iPhone

From: Stampfl, Dennis <stampfld@barnstablepolice.com>  
Sent: Thursday, July 16, 2020 7:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800

Dear Rep. Aaron Michlewitz & Rep. Claire D. Cronin,

My name is Dennis Stampfl and I live at 91 Pioneer Path, West Barnstable. I am police officer for the town of Barnstable. I have 22 plus years in law enforcement.

I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation.

I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Dennis Stampfl

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From: Stacy Meulenaere <stacy.meulen@gmail.com>

Sent: Thursday, July 16, 2020 7:43 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police bill

To whom it may concern

My name is Stacy Meulenaere and I live in Auburn, Ma. I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. I also write to you as a state troopers wife, and mother to his kids who would like him to come home after every shift. Currently he is serving our country in Afghanistan which I feel he is safer over there than he is here working in law enforcement. Please read that again, I feel he is safer in Afghanistan than he is here in uniform as a state trooper!

As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and

accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration.

NAME Stacy Meulenaere

ADDRESS 152 Pakachoag St Auburn Ma 01501

OPTIONAL: EMAIL OR PHONE NUMBER stacy.meulen@gmail.com

From: Judi Hanson <judikenhans@verizon.net>  
Sent: Thursday, July 16, 2020 7:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

Please modify or deny this bill.

Sent from my iPad  
From: Dennis Stampfl <redsx52@me.com>  
Sent: Thursday, July 16, 2020 7:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800

?Dear Rep. Aaron Michlewitz & Rep. Claire D. Cronin,

My name is Dennis Stampfl and I live at 91 Pioneer Path, West Barnstable. I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation.

I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Dennis Stampfl

From: Chris Locke <lockec@manchester.ma.us>  
Sent: Thursday, July 16, 2020 7:28 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

I am writing for my concern, fear, and uncertainty for what the future holds. If this bill passes in it'd current form, policing in Massachusetts will dramatically change for the worse.

Officers, like Michael Chesna (Weymouth PD Killednin the line of duty) will find themselves hesitating and afraid to act with their training and experience in moments of life or death. This bill is going to make every Officer I know FEAR going to work more than we already do. Opening ourselves up to civil litigation for doing our jobs to the best of our ability is no the answer to the tragedy in WI.

We should be sitting down, having a conversation and coming up with a solution together. It is already so difficult to find qualified, educated police officers in MA with the pay and being what they are. Creating this reform and changing so many aspects of the job; with literally no input for those on the front lines seems very reactionary and not proactive. Some thing that will become of the police. They will become reactionary and not pro active because of fear.

Thank you for your time, and we as police officers look forward to being involved in the change that those think we need.

Best,

Sergeant Chris Locke  
Manchester by the Sea Police  
978-526-1212  
LockeC@manchester.ma.us  
From: Jessica Stimpson <jstimpson1129@gmail.com>  
Sent: Thursday, July 16, 2020 7:22 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Hello,

My name is Jessica Stimpson and my phone number is (774) 215-0608. I do not represent any organization nor am I affiliated with any however, I am an educator and have spent time working with underrepresented children in foster care.

I think that this police reform bill is a step in the right direction. I know that many people and organizations will be emailing to tell you how it's a bad idea but they're wrong. In my field, if I were to use any kind of restraint without proper training and licensure I would lose my job. If that restraint resulted in any bodily harm, I would go to jail. And that's the way it should be.

No one has the right to take a life or cause bodily harm to another human without consequences. It is the lack of consequences for years that I believe have led to the number of wrongful deaths at the hands officers.

Thank you for all the work that you do and for moving our state forward to rise to the occasion for social justice and equal protection under the law.

Jessica Stimpson  
From: LAURA HAYDEN <lhayden@comcast.net>  
Sent: Thursday, July 16, 2020 7:22 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820

To Whom it may concern,

I am writing you today about Bill S.2820. I was extremely disappointed that this bill pass the senate at 4:30am with no chance for the public to have their voices heard. As a Massachusetts taxpayer I do NOT support this bill at all. I urge the Senate to veto this bill on Friday. I have made a list of a few a problems I see this with this bill.

Under Section 1

\* (d)- This commision should be representing anyone at all that is being discriminated against. Race, Color, Religion, sex, height, weight, disability, etc. We should all be represented not just one race.

\* (h)- The conflict of Interest Law states that an individual Shall Not receive more than \$50 per year in any gift or donation who works for or with any public entity. The amount listed is illegal. Why just towards African Americans. What about the Irish, Italian, Latinos, Mexican, French, English, Canadian, Brazilian, Jamaican, people from Georgia, people from Colorado, people from Florida? My point is this should include all of us.

Under Section 2

\* (c) I am not a lawyer so I don't know what this means. What are you saying here?

Under Section 3

\* This committee should have NOTHING to do with our Police Officers, their training or how they do their job. I disagree with this whole section.

Under Section 4

\* I disagree with all of Section 4. This new commission shall have nothing to do with our Police Officers.

This is a very long bill so I won't make me email equally as long but I don't agree with this bill at all. Our Police Officers need our support and whatever training and tools they need to keep us safe. Police Officers shall be able to perform their duties keeping the public safe with no negative consequences at all. If a Police Officer breaks a law they shall be held responsible as any other citizens but that is all.

Respectfully,  
Laura and David Hayden  
45 Hayes Lane  
Brewster, MA 02631  
508-896-1989

From: Joel Wool <joelwool@gmail.com>  
Sent: Thursday, July 16, 2020 7:19 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support S.2800; Thank you for Reporting H3277

Dear Chairs:

I write to affirm the great importance of advancing legislation on police reform this session. I am fully in support of S.2800/S.2820 and urge you to take up this legislation. Should the house move to take up several pieces of legislation as opposed to an omnibus, I urge that H3277, previously reported by Judiciary and regarding reforms to Qualified Immunity, as well as HD5128, introduced by Rep. Miranda and regarding use of force and police militarization, be taken up.

While it is commendable for the House to hold an additional hearing, I am disappointed by the rhetoric around public process, particularly with regard to an issue that was heard last year and acted upon by the Judiciary Committee in February. It speaks volumes that the Judiciary Committee previously acted to reform qualified immunity by advancing H3277, and I commend the committee for acting on this legislation.

The doctrine of and legislative protections for qualified immunity create constitutional and civil rights crises, and if anything, the changes should be strengthened so that no person is above the law. As a public employee myself, I take very seriously the obligation to serve Massachusetts residents and do not believe any public employee should be effectively "immune" to appropriate recourse if they violate another person's rights. What use is the law if anyone is above it?

Regards,

Joel Wool  
545 Adams St, Boston, MA 02122

C: (978)697-0361  
E: joelwool@gmail.com

From: Patricia Harris <PBHarris@Wellpath.us>  
Sent: Thursday, July 16, 2020 6:58 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: HWMJudiciary@mahouse.gov  
Subject: Police Reform Should Include

Good Morning Decision Makers,

As a woman of color I feel All Police/Law Enforcement should lose their pensions completely if they are fired or charged with using excessive force. Because if that becomes the law

Policemen/Law Enforcement would think twice about how they treat people and people of color in particular. They have to be held accountable regardless of the color of one's skin.

God Created All Of Us Equally some of us did not get the memo...This is why and how the Black Lives Matter Movement began and is so necessary today. No one is better than the next

person just because their skin is lighter. This is what the Black Lives Matter Movement is really all about in simple form make sure Equality for All that's it! God Bless and Help Us All!!

Thank You,

Patricia Harris

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From: David Nielsen <davidhnielsen@gmail.com>  
Sent: Thursday, July 16, 2020 6:52 AM  
To: MindyforMA@gmail.com; Testimony HWM Judiciary (HOU); David Nielsen  
Subject: Re: Virtual Town Hall, Police Reform Hearing and Legislative Update

Dear Representatives Michlewitz and Cronin,

Please increase, not decrease, police funding. I'd advise an amount equal to the CPI to account for inflation. The movement to decrease police funding is well-intentioned but ill-advised. Of course black lives matter but so do Asian, white or any other color. Is it any more racist to say that "White lives matter" or "All Lives matter" than "Black lives matter"?

I lived through the early 1950s and McCarthyism. I never thought I'd see an era of profound intolerance again in America. But, here we are again.

Please provide some guidance in these troubled times. Keep black people and all people safe. Do not defund the police.

Thank you ,  
David Nielsen of Amherst, MA  
I support no political party or organization.  
Phone: 413-253-3842

On Thu, Jul 16, 2020 at 6:34 AM Mindy Domb <MindyforMA@gmail.com> wrote:

The Latest News from State Rep Mindy Domb

<<https://gallery.mailchimp.com/7e976b7021c41e9bce64c8871/images/22a330bd-8549-4e0c-aafe-1a505ce021bd.png>>

July 16, 2020

Dear David,

I hope you and your family are healthy and safe. As the pandemic continues, we are seeing the COVID-19 spikes in various states across the country. Here in Massachusetts we're told that our public health indicators continue to show a flattening of the curve, the re-opening of the economy continues with Phase 3  
<

to use the summer to develop feasibility plans for three different instruction scenarios in the fall (all remote, all in person and a combination). Many of us continue to work remotely – including me, voting on legislation from Amherst via cell phone and laptop.

#### Town Hall on Responding to Hunger

TODAY! Thursday, July 16 from 4 to 5 p.m., please join Rep. Natalie Blais and I at a virtual town hall on responding to hunger in our community. Please join us and share with friends and neighbors. Advance registration is required [HERE](#)

<[<\[#### Legislation\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_facebook.us12.list-2Dmanage.com\_track\_click-3Fu-3D7e976b7021c41e9bce64c8871-26id-3D06f827274a-26e-3Dd892e00594&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=Noly1Y\_pvDDKAwzL-vbJD9ajj3EmE6SGLPmJEJzLmug&s=xtHYpNcwZB15CaSjbxFae4RsSNU1YL0t0B0ZZoWLOCg&e=></a></p></div><div data-bbox=\)](https://urldefense.proofpoint.com/v2/url?u=https-3A__facebook.us12.list-2Dmanage.com_track_click-3Fu-3D7e976b7021c41e9bce64c8871-26id-3D126e1a64e1-26e-3Dd892e00594&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Noly1Y_pvDDKAwzL-vbJD9ajj3EmE6SGLPmJEJzLmug&s=nTSOCaNwiod2hgRpwFVhcWFJ9wyfHYe2edLkszEEiBk&e=> .</a></p></div><div data-bbox=)

##### COVID-19

This week I filed, with Rep. Jon Santiago and Sen. Harriet Chandler, HD 5181 to prioritize five public health policy interventions to reduce the likelihood and/or intensity of a second coronavirus surge. The policies include: (1) mandatory face covering to reduce COVID-19 transmission; (2) requiring a two-week quarantine for travelers entering Massachusetts to prevent community spread; (3) prioritizing COVID-19 testing for vulnerable populations (whether or not they have symptoms) to increase knowledge of infection and reduce transmission; (4) instituting enforceable workplace safety standards during reopening to protect workers, customers and communities; and (5) providing more resources and funding to local boards of health to build their capacity to be effective partners.

It's becoming clear that the pandemic will be with us for a while. This bill helps to amplify these issues and push the discussion around addressing the continued spread of COVID-19. I'll keep you posted on it's progress.

<<https://mcusercontent.com/7e976b7021c41e9bce64c8871/images/147411e8-1dbc-4264-8882-89c0738af590.png>>

In the past month, we've voted on several bills that may be of interest to you.

#### Supplemental Budget FY20 - COVID19

The House has passed a supplemental budget, and the Senate passed its. The two need to be reconciled and then sent to the Governor. I am pleased to tell you that both versions would make Juneteenth a state holiday. I am very proud that I joined a group of legislators and filed legislation to do just this, which was the inspiration for Rep. Bud Williams (D-Springfield) to introduce an amendment that was passed.

#### Vulnerable Children

Last week, the House of Representatives passed H. 4841 to address the imminent needs of children and families amplified by the COVID-19 crisis and illuminated through the lens of racial equity.

The bill requires:

- \* The Department of Children and Families (DCF) to report monthly to the Legislature on changes in the numbers of child abuse and neglect cases.
- \* DCF to implement a public information campaign to improve awareness of child abuse and neglect.
- \* DCF to report on efforts to support the foster care system.
- \* DCF to analyze the effect of virtual and video technology on services during COVID-19.
- \* School districts to report the number of students who did not participate in a form of remote learning, including students with open DCF cases.
- \* Department of Elementary and Secondary Education to develop a statewide plan to ensure that the most vulnerable and at-risk students and their families receive assistance to ensure remote learning works for them.
- \* Establishes a Foster Parents' Bill of Rights outlining the relationship between the department and foster parents. By clearly articulating the rights of foster parents and the responsibilities of DCF, designed to retain and recruit foster families.

#### Arbovirus in MA

The House passed H.4842 to expand the state's efforts to address mosquito-borne illnesses such as EEE and West Nile Virus. The Joint Committee on Public Health, through its Chairs, Rep. John Mahoney and Sen. Jo Comerford, took 11 lines from the governor (that was the entirety of his EEE bill which essentially gave the state permission to spray, with little to no accountability to local communities) as an invitation to craft legislation, in the middle of a pandemic, that provided more community control, more environmental protection and more deliberation than the governor ever expected or demonstrated an interest in securing. The legislation creates a task force to develop a plan to control mosquitoes. I'm gratified that two amendments I proposed were accepted into the final legislation (requiring that the commission membership

include a microbiologist with expertise in diseases transmitted by mosquitoes and ticks, and increasing the commission's role to identify known ingredients in pesticides that are used and determine a process that can be used to identify "unknown" ingredients).

The Department of Public Health is tracking EEE and West Nile Virus; you can find out more information here  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_facebook.us12.list-2Dmanage.com\\_track\\_click-3Fu-3D7e976b7021c41e9bce64c8871-26id-3D6154096a6d-26e-3Dd892e00594&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gg1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=Noly1Y\\_pvDDKAwzL-vbJD9ajj3EmE6SGLPmJEJzLmug&s=-WuU44N1ffMJ9L0r-VwnORfupP54n6-gchV2D4yhCRk&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__facebook.us12.list-2Dmanage.com_track_click-3Fu-3D7e976b7021c41e9bce64c8871-26id-3D6154096a6d-26e-3Dd892e00594&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gg1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Noly1Y_pvDDKAwzL-vbJD9ajj3EmE6SGLPmJEJzLmug&s=-WuU44N1ffMJ9L0r-VwnORfupP54n6-gchV2D4yhCRk&e=>)> . Please note there have been two identified cases of EEE in Franklin County so far this season.

#### Police Reforms

The State Senate passed a bill earlier this week addressing many areas of reform in policing in the Commonwealth. The House is holding a virtual public hearing prior to our voting on this important issue, and accepting written testimony on bill. Comments will be accepted until Friday, July 17, at 11a.m. Written comments can be sent to Chair Aaron Michlewitz (House Ways and Means Committee) and Chair Claire Cronin (Judiciary Committee) at: [Testimony.HWMJudiciary@mahouse.gov](mailto:Testimony.HWMJudiciary@mahouse.gov). Please provide your name, organization and phone number. Feel free to send me a copy of your statement/e-mail <<mailto:mindy.domb@mahouse.gov>> so I can be aware of your views.

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Thank you for staying in contact during these challenging times. Please feel free to let me know your thoughts on topics in this e-news or other matters of importance to you, and please let me know if these electronic newsletters are helpful to you, and if there are particular topics you'd like to see addressed.

With warm wishes for your health and safety, and please remember, the only way to prevent COVID-19 transmission at this time is: wear a face covering (or mask) in public, stay at least six feet apart from other people when you can, and wash your hands with soap.

With appreciation for the honor of representing you in the Massachusetts House of Representatives,

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Mindy Domb, State Representative  
Representing the 3rd Hampshire District (Amherst, Pelham, precinct 1 in Granby) in the MA House of Representatives

PS - PS Hope to see you at tomorrow night's "town hall" on food security. Please register  
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From: Elizabeth Baggett <elizabethkavery@gmail.com>  
Sent: Thursday, July 16, 2020 6:45 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Re: Against reform bill

Also, my phone number is 857-891-7268.

Thank you.

On Thu, Jul 16, 2020 at 6:42 AM Elizabeth Baggett <elizabethkavery@gmail.com> wrote:

To whom it may concern:

I am writing to strongly encourage this vote NOT to pass. As a sister of a law enforcement officer and cousin of two Boston Police officers, this law would not only be a detriment to law officers but prohibits them from doing their job - to keep us SAFE. The idea of qualified immunity for police and whether the Legislature should make it easier to sue public officials in civil court is abhorrent and will surely lead to many officers leaving the force and discourage MANY from wanting to become a police officer.

The millions of our brave officers deserve to be protected in their job and the few "bad" officers that are out there shouldn't overshadow the good.

In a time of uncertainty, we need to support the blue - not turn our backs to appease the masses.

Sincerely,

Elizabeth K. Baggett

From: Sara Goldsmith <saragoldsmith82@gmail.com>  
Sent: Thursday, July 16, 2020 6:44 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Rivas, Gloribel (HOU)  
Subject: In Support of the Reform, Shift + Build Act

Hello Mr. Michlewitz & Ms. Cronin,

I am writing to voice my full support of the Reform, Shift + Build Act. Specifically the restriction of qualified immunity.

As a white woman my experience with police has never felt like life or death. If I've been pulled over, my greatest fear is an expensive parking ticket and a higher insurance bill. This is not by chance.

And as a white resident of East Boston, my experience with the police has been positive. This is also not by chance.

I choose to live here because it is the most vibrant, diverse and welcoming neighborhood. But I know that my Black and Brown neighbors are not treated the same by police.

It is only fair that this Commonwealth is just as safe for our neighbors and friends of color.

Respectfully,

Sara Goldsmith

From: Elizabeth Baggett <elizabethkavery@gmail.com>

Sent: Thursday, July 16, 2020 6:43 AM

To: Testimony HWM Judiciary (HOU)

Subject: Against reform bill

To whom it may concern:

I am writing to strongly encourage this vote NOT to pass. As a sister of a law enforcement officer and cousin of two Boston Police officers, this law would not only be a detriment to law officers but prohibits them from doing their job - to keep us SAFE. The idea of qualified immunity for police and whether the Legislature should make it easier to sue public officials in civil court is abhorrent and will surely lead to many officers leaving the force and discourage MANY from wanting to become a police officer.

The millions of our brave officers deserve to be protected in their job and the few "bad" officers that are out there shouldn't overshadow the good.

In a time of uncertainty, we need to support the blue - not turn our backs to appease the masses.



Sincerely,

Elizabeth K. Baggett

From: Gail Miller <gailmiller48@icloud.com>  
Sent: Thursday, July 16, 2020 5:38 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Madaro, Adrian - Rep. (HOU)  
Subject: Senate 2800

Dear Chairs Michlewitz and Cronin,

I urge your support of Senate bill #2800 if we are to make systemic changes in procedures to prevent the assaults and murders by police of our Black and Brown brothers and sisters. The time has come and it is now. We cannot let the status quo remain in our policing here and across the nation. What kind of country are we if we remain stuck in archaic regulations?

Your voice and support are needed at this juncture!

Regards,

Gail Miller  
232 Orient Avenue  
East Boston

Sent from my iPhoneFrom: john zocchi <j\_zocchi@verizon.net>  
Sent: Thursday, July 16, 2020 5:33 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Input S2800 Police Reform Bill Please Do NOT Pass this bill as written

My wife and I do not support removing qualified immunity

The Reform Bill 2800 was surprisingly passed by the Senate without a proper review. We support Police reform but a quick, not properly vetted reform bill should not be approved.. Eliminating qualified immunity is a very dangerous action which will put all citizens in danger. Many frivolous law suits will jam the courts and burden police. Some of the cases may have merit but many others will not. Regardless, police officers will bear the cost of defending themselves and could effect police response. It's great for lawyers but bad for law enforcement and the general public. Responding to a call is stressful enough. .

Finally, does eliminating qualified immunity apply to other groups such as: first responders, city hospital nurses, teachers....others?

Regards

John and Mary Zocchi  
4 Partridge Road  
Hopkinton  
508-435-5775

From: Nate Arnold <wmassfirebuff@gmail.com>  
Sent: Thursday, July 16, 2020 12:50 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Re: Testimony on S.2800

To whom it may concern:

I, Nathan Arnold, hereby submit my personal comment concerning S.2800's removal of qualified immunity for law enforcement officers in the Commonwealth of Massachusetts. Let the record show that I am firmly AGAINST the removal of qualified immunity because this will undermine the hard, dangerous work our police officers do on a day to day basis. It will open agencies, municipalities and individual officers up to lawsuits that will cause a tectonic shift in the way agencies allow officers to do their jobs. This will create more problems than it solves. I strongly urge all parties involved in this legislation to amend it and keep qualified immunity fully intact.

Respectfully,  
Nathan Arnold  
Private resident of Massachusetts

Sent from my iPhoneFrom: Alex <alexjohn1992@gmail.com>  
Sent: Thursday, July 16, 2020 12:32 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820

To:  
The Chair of the House Committee on Ways and Means  
Rep. Aaron Michlewitz  
Rep. Claire Cronin  
Chair of the Joint Committee on Judiciary

My name is Alex Johnson and I reside in Worcester. I am a police officer in a town north of Worcester. I am writing you about Bill S.2820 that was just passed in the Senate and has moved on to the House of Representatives.

I am writing you with concerns of this bill specifically in regards to protecting our rights as police officers. This police reform Bill was rushed through the Senate without a public hearing. It was not well thought out nor drafted. It was pushed through to appease a group of people rather than actually studied by experts in the field. This is a very dangerous precedent that should not be set.

As a police officer, and speaking for the thousands of other officers in the state of Massachusetts, we all agree that we can do better. We are not completely against this bill as a whole. Rather, we are against some

aspects of this bill that take away our rights. Massachusetts has some of the most educated and well trained police officers in the country. In fact, there are a lot of states outside of MA that actually try and recruit officers from this state due to our training and education.

Some key proponents of this bill that I and others officers are asking to be amended are the part about qualified immunity, the part about due process, and the part of allowing law enforcement representation on the proposed POSAC licensing system.

Qualified immunity is a very important protection that allows an officer to be protected if he/she is sued civilly. With the proposed bill, we will all lose that protection. Which means even if we acted in good faith, we could still be held civilly liable and the money will come from our pockets. This is not fair to us as public servants who put our life on the line every single day for the public.

As far as due process - it is not fair that we would not have the right to appeal a decision made by a board of members in terms of our license in the proposed system. Especially if that board does not have any law enforcement representation on it.

I hope that all of the Representatives in the House actually take the time to look at this bill and think about the outcomes that would come from it if passed. Our state will lose good cops who have put their heart and soul into this profession. It would cause officers to second guess themselves due to not wanting to be held liable for any damages resulting from a civil law suit. And most importantly, the crime rate would sky rocket in this state. The safety of all citizens in the Commonwealth would be jeopardized.

Very Respectfully,

Alex Johnson

508-688-0194 From: Us <theresaandpete@comcast.net>

Sent: Wednesday, July 15, 2020 11:47 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill S 2800

To Whom it May Concern,

The bill being pushed through the Senate without debate or any real consideration of consequences for not only major stakeholders, but our society, is not only wrong; it's foolish. First of all, we live in an incredibly litigious society; removing or scaling back the qualified immunity of police or any other civil servants is completely irresponsible. Why would anyone want to enter civil service with that kind of liability looming over their every move?? We need our civil servants, our first responders. Their job is already stressful and risky enough, they do not need to be worried anytime they have a contentious interaction with someone. I urge you to reconsider or amend this bill especially around the qualified immunity aspect. We can support the Black Lives Matter movement through proper legislation that doesn't punish all the

amazing police, fire or whomever else this bill will or could impact with this knee-jerk reaction.

My daughter and I personally have had our lives saved, literally saved, by the Methuen Fire Dept in 2018 when at 6.5 mos pregnant I was unconscious seizing on the floor of my home due to pregnancy complications. The first responders who answered the call, in what was an incredibly delicate yet urgent situation, did so with full focus and attention without fear of retribution or a life-altering lawsuit. Would they have hesitated to try something heroic on me in case it didn't go quite right for fear of being sued personally? I shudder to think how their mindset could be impacted in a similar situation moving forward with those fears. Please consider this testimony moving forward on this matter or to contact me for more information if necessary.

Sincerely,  
Theresa Fisher  
Methuen, MA

From: Elizabeth Crosby <singer.elizabeth@gmail.com>  
Sent: Wednesday, July 15, 2020 11:33 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: MA Resident in Opposition of Bill S2800 / S2820

Chair Aaron Michlewitz and Chair Claire Cronin:

I am writing in regards to proposed Bill S2800. As a constituent of Massachusetts, I am a registered Independent with very liberal views. I have registered as Independent because I cannot align myself with the Republican Party, but I have also lost faith in Democrats; even more so, now, in the manner in which the Mass Senate just passed S2800. Our Country has become so polarized that "the middle" seems like no-man's land. It's where I stand grounded - frustrated that common sense has become so lacking in the United States.

Today I am writing to you, not only as a registered voter in Massachusetts, but, as the wife of a Boston police officer. Law Enforcement, and their families, have become the scapegoats of the pervasive and systemic racism that has plagued our country for centuries, with reaches far broader than policing.

Where is the outrage that "In the United States, black women are 2 to 6 times more likely to die from complications of pregnancy than white women" as a result of the "quality of prenatal delivery and postpartum care" they receive (source <

3A\_\_www.cdc.gov\_media\_releases\_2019\_p0905-2Dracial-2Dethnic-2Ddisparities-2Dpregnancy-2Ddeaths.html&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=FXvNnhYCpUDYwMcsHUheL166RL0W9\_cvJkE2a-On08&s=p4AB-8DdVpHQLS1IbFdp30Vzzza7wYznoJxXsR5vtW8&e=> ). If the mother should survive maternity and childbirth, her baby still has "2.3 times the infant mortality rate as non-Hispanic whites" (source <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_minorityhealth.hhs.gov\\_omh\\_browse.aspx-3Flvl-3D4-261vlid-3D23&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=FXvNnhYCpUDYwMcsHUheL166RL0W9\\_cvJkE2a-On08&s=XdJQajFSC-yJ2QDYZr1qxtDj46r8YLjELZVesGk3eV8&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__minorityhealth.hhs.gov_omh_browse.aspx-3Flvl-3D4-261vlid-3D23&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=FXvNnhYCpUDYwMcsHUheL166RL0W9_cvJkE2a-On08&s=XdJQajFSC-yJ2QDYZr1qxtDj46r8YLjELZVesGk3eV8&e=>)> ).

God-willing, when this child reaches school, they will, most likely, be met with racial disparity in their school system, whether it be the lack of qualified educators or resources enjoyed by their higher tax-paying counterparts. If they should overcome these disparities, the reality is still that "black students (are) 54 percent less likely than white students to be recommended for gifted-education programs" and "3.8 times as likely as their white peers to receive one or more out-of-school suspensions" (source <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.apa.org\\_monitor\\_2016\\_11\\_cover-2Dinequality-2Dschooll&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=FXvNnhYCpUDYwMcsHUheL166RL0W9\\_cvJkE2a-On08&s=i8wP4b6Ta\\_ammJwIzR4m0h1TwtV3c9A540tEKNRpLGA&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.apa.org_monitor_2016_11_cover-2Dinequality-2Dschooll&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=FXvNnhYCpUDYwMcsHUheL166RL0W9_cvJkE2a-On08&s=i8wP4b6Ta_ammJwIzR4m0h1TwtV3c9A540tEKNRpLGA&e=>)> ). "Students who are suspended are more likely to drop out of school and have run-ins with the juvenile justice system, a pattern so well documented in the literature that it has earned its own dubious moniker—the "school-to-prison pipeline." ." (source <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.apa.org\\_monitor\\_2016\\_11\\_cover-2Dinequality-2Dschooll&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=FXvNnhYCpUDYwMcsHUheL166RL0W9\\_cvJkE2a-On08&s=i8wP4b6Ta\\_ammJwIzR4m0h1TwtV3c9A540tEKNRpLGA&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.apa.org_monitor_2016_11_cover-2Dinequality-2Dschooll&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=FXvNnhYCpUDYwMcsHUheL166RL0W9_cvJkE2a-On08&s=i8wP4b6Ta_ammJwIzR4m0h1TwtV3c9A540tEKNRpLGA&e=>)> ).

I understand that Bill S2800 calls for "the immediate creation of an independent Office of Police Standards and Professional Conduct to ensure minimum statewide policies and procedures for all law enforcement in the Commonwealth (including procedures on the use of force) as well as statewide oversight and accountability—including police officer certification and enhanced training" - a civilian majority board, nonetheless.

Will these civilians also review the standards and professional conduct of the Doctors involved in maternal or fetal deaths, and have the power to strip medical professionals of their license? Will these civilians be in charge of overseeing education and housing reforms, to ensure that minority children do not fall trap to the "school-to-prison pipeline"?

Better yet, will these civilians go through the Police Academy and patrol the streets to better understand policing?

If you are going to have civilians on a board with the authority to certify and decertify Law Enforcement, it seems to be common sense that these individuals be experts in the field of Law Enforcement. This simply doesn't suffice: individuals with "criminal law, civil rights law, the criminal justice system or social science fields related to race or bias". If you allow non experts on the board, then how can Law Enforcement be assured of impartiality and unbiased opinion? How do they know that the civilian authorized to strip them of their credentials doesn't operate with extreme bias based on personal experience?

In addition, this bill is so deeply flawed by the public's belief in the "Monday Morning <x-apple-data-detectors://1> Review". As a civilian, it is easy to say what could have, or should have, been done, once presented with all the facts and in an environment where the sympathetic nervous system is not in overdrive. It is very different when life-or-death decisions need to be made in a split second.

When pushing this Bill, Senators' brought to name the deaths of George Floyd and Breonna Taylor, Sandra Bland in Hempstead, Texas, and 12-year-old Tamir Rice in Cleveland, Ohio and the death of Michael Brown in Ferguson, Missouri. Yet, not one of these individuals was killed by Massachusetts Law Enforcement, who are among the best in the Country.

I can promise you one thing; this Bill, as it stands, will get people killed, but, the Country has made it abundantly clear that bloodshed is okay if it is that of a police officer. If you need a reminder, here are a few names:

Officer Tarentino  
Sgt. Michael Chesna  
Sgt. Sean Gannon

Or, Boston Police Officer John Moynihan who, by the grace of God, survived being shot in the face within 30 seconds of approaching the suspect's car.

My husband and I always say, when presented with those situations, you are already damned because you either end up in a box, or demonized. Sometimes I think it's better to end up in the box.

With that said, how about a civilian review board to review the decisions of judges in our State, that have indirectly lead to the deaths of police officers? Should Judicial Immunity be revoked?

We need police officers. We also need reform. Bill S2800 is NOT the reform needed.

The proposed "public database of complaints" against officers would only be accurate if the "tabbing" system of police officers is completely overhauled. It is an inherently flawed system where anyone can tab a police officer, for any reason, and that complaint remains on the police officer's record regardless of its veracity.

As a law enforcement family, I am deeply concerned with ending Qualified Immunity, which would not only punish police officers for trying to do their job, but would punish their families, spouses and children; your constituents. At what point do our rights matter? Furthermore, most people are completely ignorant to what Qualified Immunity does and does not protect.

We urge you to consider the following as the House continues to debate the elimination of Qualified Immunity, with a few reasons why Qualified Immunity should remain in-tact:

\* Officers and public officials need qualified immunity to carry out their jobs. Public officials, and particularly police officers, perform vital tasks that may require split-second decisions in stressful circumstances. Taking away qualified immunity could lead to officers being hesitant to act when it is most needed.

\* Removing qualified immunity could open up public officials and police to unwarranted lawsuits, in which judges and juries could second-guess split-second decisions and lead to significant costs for cities, police officers, and other public officials.

\* Officers do not have absolute immunity, and they can be held liable when they violate a clearly established constitutional right.

\* The narrow interpretation of clearly established precedent is appropriate. Officers should not be forced to apply an abstract right under the Constitution to specific circumstances in split-second decisions. Officers cannot be expected to be legal scholars or think through legal arguments when attempting to make an arrest.

\* Officers must have room to make mistakes or have moments of bad judgment without worrying about being sued.

Ending Qualified Immunity is simply picking the low-hanging fruit. The pervasive racism in this country begins from the top-down. Politicians, BLM and news organizations need to stop vilifying Law Enforcement simply because they are the most "visible".

This Bill is simply giving the public more ways to sue Police Officers for attempting to do their jobs. Anyone can now say they were racially profiled, ignoring the fact that "there are differences across racial and ethnic groups in the frequency that they commit crime, which puts some groups in contact with the police at a rate that is disproportionate to their presence in the population". In addition, "the problem is made even further difficult because we also live in a racially segregated society. So, if you are going to send the police where there is the most crime, you're also going to wind up sending the police to what are typically racially segregated communities" (Professor Daniel Nagin). So, under the new Bill, an officer in the districts of Roxbury or Mattapan, for instance, are to do what to effectively do their job without being accused of racial profiling? If you are honest with yourself, you can say, without prejudice, that a resident of Roxbury or Mattapan is more likely to be a person of color.

As for the District Attorney, Judges and Legislators of Massachusetts - put some skin in the game. If you are going to revoke Qualified Immunity, then revoke Prosecutorial, Judicial and Legislative (Absolute) Immunity, as well. Make everyone accountable. Especially when the men and women of Massachusetts Law Enforcement start losing their lives because they begin to hesitate, questioning the outcome of their actions beyond their own mortality. Let the families of Law Enforcement have the same avenues for Civil suit against Legislators, that pushed through a rushed bill that did not include the input of key stakeholders, and puts our lives and well-being at risk. Truly, does that sound like fair, unbiased and representative legislation?

Honestly, in this day, what person would sign up to do this job? As a family, we have made so many sacrifices because my husband took an oath to Protect and Serve. Most days I am left parenting alone. We do not get to spend holidays or birthdays together. We do not get to plan vacations or have plans for days off, because, most likely, they will be cancelled. And all so the public can continue to enjoy their sports games, social events and, even, right to protest.

Every year, because my husband is a public servant, his salary is posted in the newspaper for all to see and scoff at, with no context. It doesn't tell the story of the many hours worked, one shift to the next, not by choice. It doesn't tell of the many days-off cancelled. It doesn't capture the sadness my children feel because their father belongs to the City, and not to our family.

My children both cry every time their Dad walks out that door because they know they might not see him for a few days. At 5 years old, my oldest son already understands that, one day, it might be permanent. Someone might take his Dad away from him. And I understand, this is the same fear Black families feel when their Dads, Brothers, Sons walk out the door. The fear is a dark cloud that hovers whenever they are not present. None of us get to own it as our own. My fear does not cancel their fear, and theirs, mine.



Over the years, I have become acquainted with many police officers. I know, from the depths of my soul, that not one sets out to inflict harm. They fear should that day ever come. And if that horrible day comes, it forever alters their life.

We have asked so much of our police. The public treats police officers as subhuman, but, at the same time, they are supposed to be superhuman. They are neither. We, the people, need to decide what we want, because we cannot have it both ways.

Police already feel abandoned by our nation. Is it any wonder why police officers have higher divorce, alcoholism and suicide rates? If you actually want to understand, read "Emotional Survival for Law Enforcement" by Kevin M. Gilmartin, Ph.D.

Please remember these are the same police officers who protected our City after the Marathon Bombings. How quickly we forget. They were loved for a week, maybe a month at best. We Americans love to forget... are we not seeing this everyday with Covid?

If you want true reform, include Law Enforcement in the conversation. What good does anyone think will happen when a complete overhaul of the system has been made, behind closed doors, without them having a seat at the table? Honestly, in what world will this strengthen the trust and relations between Law Enforcement and an unforgiving public? Furthermore, as a citizen, I believe the Senate set a dangerous precedent passing this Bill without a public forum or review. Should citizens be concerned as to what other Constitutional rights are being revoked, as we sleep at 4:30 <x-apple-data-detectors://4> in the morning?

To be honest, these men and women in Law Enforcement are neither hero, nor villain - they are people trying to do their job. They need the public's support and recognition that oversimplifying a complex matter, does not simplify anything.

All they want is to have a voice in the reform that affects their jobs and lives. Include them in the conversation. And please, don't punish the many exemplary members of Massachusetts Law Enforcement for the actions of a few.

Regards,

Elizabeth Crosby

Sent from my iPhone

From: Ross Hayden <rss\_hayden@yahoo.com>  
Sent: Wednesday, July 15, 2020 10:29 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: OPPOSITION OF S.2800

To whom it may concern,

I would like to reach out to voice my STRONG opposition of this bill. This bill puts more lives at risk and can ruin honest public servants lives. Please, please, please do not vote in favor of this.

Regards,

Ross Hayden

Sent from Yahoo Mail for iPhone  
<[From: russell protentis <russellprotentis@gmail.com>  
Sent: Wednesday, July 15, 2020 10:25 PM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: S2820 Police Reform Bill](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=FSC3p_uhv7kuS2loTjPFRUuJJK3eDhhlwbNO7XbkNhM&s=ErF8G4zRzAK94SdILu8W0euuj_qsyiYmHKtA4UfzXGc&e=></a>></p></div><div data-bbox=)

Dear Aaron/Claire ,

First of all Claire thank you for your kind assistance to my elderly parents Sam and Inga Protentis.

I am a retired federal agent with 34 years of government service with the Bureau of Alcohol Tobacco and Firearms, US Immigration and Customs Enforcement formerly US Customs Service with details to the United States Secret Service and the Drug Enforcement Agency.

I spent my entire career based in the Commonwealth of Massachusetts. I arrested and prosecuted hundreds of felons in US District Court and various State district courts. In addition, I conducted hundreds of investigations with the assistance of numerous local police departments as well as the Massachusetts State Police. The men and women from those departments exhibited the utmost integrity and professionalism during the execution and the arrest of suspects often times under the most difficult of circumstances.

My 34 years of experience revealed urban minority communities had the highest incidence of violent crime and illegal firearms possession. My first year with ATF was spent with a senior agent who was black. During enforcement activities with this agent, he was treated more harshly by citizens of the same skin color. Young members of the black community hurled racist slurs at this outstanding agent and ex-marine. However, older members of the community applauded his service. Increased presence

of law enforcement in these communities resulted in sharp declines in violent crimes, gang activity and in particular homicide.

As we see across our great nation a cry for defunding police, especially in major cities we also witness a sharp increase in violent crime and homicides.

My 34 years experience clearly shows me that if we remove funding and resources from our great public servants who enforce the law without regard for their own lives we will see violent crimes savage our nation and the loss of life of many young innocent victims.

Thank you for your service.

From: Matthew M <manning677@gmail.com>  
Sent: Wednesday, July 15, 2020 10:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800 bill

?

?Dear Senators,

My name is Matthew Manning and I live at 7 Peters, Street, Apt 2, in South Boston. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law

enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Matthew Manning

South Boston Resident

781-267-6504

Sent from my iPhone

Sent from my iPhone  
From: Trevor E <trevor.eckhart@gmail.com>  
Sent: Wednesday, July 15, 2020 10:01 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please Support S.2800

My Name is Trevor Eckhart, a resident of Westfield, MA. I am writing this quick email in hopes that you will support Bill S.2800.

I am specifically a proponent of limiting qualified immunity. Doctors and nurses do not have qualified immunity and are not afraid to do their job. Police should not have this special privilege which is clearly being abused.

I am also a strong supporter of enforcing body worn cameras. There is no good reason why an officer, paid by public taxes, should not be recorded while performing the job, ESPECIALLY if a weapon is being brandished. This ensures that even if a citizen isn't there recording, police can be held accountable.

I believe this bill is in the public's best interest and would put Massachusetts as a role model to others. I sincerely hope that you will support this.

Regards,

Trevor Eckhart

M:860-485-8617  
From: Robert Schiffer <rschiffer72089@gmail.com>

Sent: Wednesday, July 15, 2020 9:59 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

To whom it may concern,

I have many concerns a with this bill. My main concern is the abolishment of qualified immunity in policing. As I hope you know already, this qualified immunity does not protect officers who act recklessly. Those officers are still held liable and can be personally sued.

The issue with this is ending qualified immunity. For instance, I, as a police officer have to perform CPR on someone and break one of patients ribs and bring them back to life. This allows them to personally sue me.

If this bill does go through, officers are not going to be proactive anymore because of the fear of being sued. It would be much more easier for an officer to sit back and answer calls to reduce the chances of being sued.

If this passes you will likely see a reactive police force across the board and crime drastically increase.

Rob Schiffer  
Lakeville Police Department  
508-947-4422 x129From: DJ Morgz <deejaymikemorgan@yahoo.com>  
Sent: Wednesday, July 15, 2020 9:47 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Mass Senate Police Reform Bill

I vehemently oppose the Mass Senate Police Reform Bill.

Michael Morgan  
Shoe City Champions  
Brockton, Ma 02302  
<http://www.shoecitychampions.com>  
Antiques / Collectibles  
<http://www.facebook.com/shoecitychampions>  
From: Robert Gaudette <robert.gaudette@uconn.edu>  
Sent: Wednesday, July 15, 2020 9:47 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 Testimony

Dear Chairs Michlewitz and Cronin:

My name is Robert Gaudette and I am a private citizen living in Dedham, MA. My phone number is (603) 490-0303.

I am writing to strongly encourage the complete repeal of qualified immunity for state and local police officers. The Senate's version of this bill is unacceptable. Victims of police misconduct must have the full

remedies of the law available to them for restitution. Additionally, the multiple State Police Superintendents, Governor Baker and Attorney General Healy have shown themselves incapable of curbing state police misconduct. A civilian review board—with full subpoena power and funding—must be authorized by the legislature to oversee state and local police departments. Additionally, funding for police should be reallocated to housing, health and education funding.

Thank you for considering my testimony.

Robert Gaudette, PharmD  
From: Caitlin Topping <cattopping@gmail.com>  
Sent: Wednesday, July 15, 2020 9:40 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform testimony

Hello I am writing regarding the Police Reform Bill passed by the Senate. I am writing to beg the House NOT to pass it.

Some initial reasons are the clear rush job this has been to appease the new narrative that all police are racists. The fact the Senate voted on this overnight with no public hearing shows they even know they are stepping out of line. The fact that they did not speak to any law enforcement official to get a perspective from a person on the job, shows the absolute disrespect they have for officers.

Here are my more specific reasons. We (the people of Massachusetts) need our police. We need them to be there for us. We need them to stop drunk drivers, investigate drug, gang, sex crimes and homicides and put a stop to them. We need them to help us if we are injured or in a predicament that we may become injured. In any of these instances the officer will need to make split second decisions and should not have to worry if they will get personally sued. Hesitation can and have gotten officers killed. As well as innocent bystanders.

We need officers to know that their employers, cities, towns and the state, have their back. They need to know if they defend themselves against an attacker or defend another citizen they will be supported. Removing Qualified Immunity from policing does NOT show them that they supported.

As I am sure you are aware there has been a lot of discussion all over social media regarding this bill. There are few things that I would like to bring to your attention to think about while deciding what action to take.

On the surface a police reform is a good idea if done properly and well thought out. I however would like to point out some facts that have contributed to how we got to this place in Massachusetts. There was once a Quinn bill that was an incentive for higher learning. Having officers educated can only be a plus, education is never a negative. Now officers are not going to school because why would they, it changes nothing for them on the job. In any field someone with a degree is almost always higher on the list for promotions or raises. In law enforcement it actually means nothing. The Quinn Bill no longer exists, for the most part.

I also would like to point out specifically that the Mass State Police Academy has been shortened for the last few classes (I am not including this last class affected by COVID). I am not aware if local academies have been shortened. This was put in place by our last governor. One can only surmise that by reducing weeks, from 25 weeks to 20 weeks certain education was pushed aside. What education did they cut short or remove all together?

Another less discussed part of the bill that needs to be removed is that schools no longer need a resource officer. I don't think I need to list every school shooting to tell you we do need them.

Now finally my personal plea as a proud wife of a Massachusetts State Trooper who will have been on the job 14 years in September. I have seen my husband come home from a fatal car crash, a gang shooting, he has seen the absolute worst of the human race but still goes out to protect everyone. He has done multiple details and overtime shifts (many protecting state officials as well and their homes). He walked in our home from one of those details and ran out 20 min later when the Boston Marathon Bombing happened. I didn't see him for four days after that. I didn't know for hours upon hours if he was ok until I got a quick text. When the gas explosion happened in Andover and Lawrence he was there everyday, not sleeping to do what was asked of him. My husband has sacrificed a lot of family time, events and memories to do a job he once loved. It is getting increasingly difficult to love this job. If Qualified Immunity is removed my husband now has to add the additional worry of

personal lawsuits. With everything that troopers have to deal with on any given shift that should not be one of them. I am proud of my husband, my children are proud of their father. They are 6 & 8 and I have to teach them not to talk about what their father does because some people don't like him. I do that out of fear. I ask you should that be how we have to live?

Please DO NOT Pass this bill

Thank you for you time.

Sincerely

Caitlin Topping

From: John Alers <jalers28616@gmail.com>  
Sent: Wednesday, July 15, 2020 9:34 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony Submission

John Alers  
Worcester Police Officer  
774-312-0700

To the House Committee on Ways and Means & Judiciary:

I have been a Worcester Police Officer for 7 years. It has been an honor to protect and serve in the Commonwealth. I present this testimony in light of the recent Police Reform Bill proposed by the Senate that has quite frankly left me to feel unprotected & abandoned.

To my understanding the proposed bill is an Anti-labor bill. The language of this bill supports the elimination of Collective Bargaining and the right to Due Process. It is also my understanding that the majority of whom proposed this bill have been Labor/Union supporters.

I am also concerned in regards to the POSAC Board makeup. It should be made up of solely individuals who have background, education, and experience in law enforcement. No other public employee has a Board that can investigate any allegation made without having the necessary background in the respective profession. Ex. Teacher, Nurse, Doctor, etc,. If a complaint is issued these professions all have an internal body that will first investigate the allegation. Police Officer's should be treated no differently.

I understand that there a lot of questions about qualified immunity. However, it should not be abolished. This has implications not just on Police but also other public servants in the Commonwealth. I feel it is



irrational to remove protections for those who serve and protect those who cannot protect themselves.

I would like to thank you all for allowing my voice to be heard. I respectfully request that the aforementioned concerns be reconsidered.

Respectfully,

John Alers From: Keyes, Paul A. <KeyesPA@worcesterma.gov>  
Sent: Wednesday, July 15, 2020 9:25 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Urgent

An Act to disregard the safety and well-being of police officers.and shift resources to build a more equitable, fair and just commonwealth For all others but not for the those that protect and serve the community "

This bill you have enacted is anti police and anti labor. This bill puts the voice of the mob 1st the same mob that disregard the safety of Public by failing to follow all safety guidelines that were established to protect the public's from a virus that has taken so many lives around the world.

Now you want to take away our protection which is qualified immunity. So you want us to risk our lives but don't want to protect us. Qualified immunity allows to act without be worried that we could lose are jobs, lively hood and no longer providing for our family. We work hard for what we have and what we provided for Our families. Now not only is this bill taking away Our legal protection but also our right to collective bargaining. This bill is anti labor this country was built by Unions. Law enforcement Officer put their life's on the line on doing what we do. We have shown that when we came to work every day while millions of Americans were in their home quarantined. You can say your gratefull by passing this bill has shown that you are not. This bill shows you chose to listen to the voices of those that chose to put all others at risk with their protest.

Sent from my iPhone

From: Mike Skinner <mikeskinner1111@hotmail.com>  
Sent: Wednesday, July 15, 2020 9:20 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

To the morons that think this is a good idea,

Vote NO on S2800, an act to reform police standards. The drafters of this are remarkably unintelligent. It's utter and complete political BS.

Mike

"Seat of the pants to the seat of the chair, it's amazing how brilliant you can become" ~Cagle~  
From: Sean Stockbridge <stockbridge.sean@gmail.com>  
Sent: Wednesday, July 15, 2020 9:15 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill No S2820

To whom it may concern:

I am writing this email in strong opposition to Bill No S2820. This will do much more harm than good. It will cause good people and workers to walk away from positions in fear of being sued for no real reason. It will prevent good candidates from applying for jobs for the same reason. Please do not pass this bill

From: Roisin Macioce <roisinpmt@yahoo.com>  
Sent: Wednesday, July 15, 2020 9:13 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800 Opposition

Dear Members of the house,

My name is Rosemary Macioce and I live at 33 Madeline St, Brighton MA. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee

lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Rosemary Macioce

From: Greg Post <postiel3@hotmail.com>

Sent: Wednesday, July 15, 2020 9:09 PM

To: Testimony HWM Judiciary (HOU)

Subject: S2820 Act to Reform Police

My name is Greg Post and I am assigned as a Detective with the Woburn Police Department, which I have been employed since 2000. I am writing to you tonight to express my staunch opposition to S.2820, a piece of hastily thrown together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my family, friends and colleagues, I am dismayed at the scarcity of respect and protections extended to police officers in these proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

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(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Our police officers and police departments are unfairly being judged and included in as those needing reform because of what has taken place in other states. The facts are the officers and departments in Massachusetts function at the highest levels compared to every other state. I again implore you dismiss this bill for what it is, a thrown together piece of legislation aimed at hurting police officers in the Commonwealth. This bill was thrown together with very little thought of the consequences this bill can have. It was done so simply to please certain members of the community who know nothing about policing. This bill needs to be amended and corrected so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully,

Greg Post  
Detective, Woburn Police Department  
781-953-5245

From: nicole ventolieri <nicoleventolieri90@gmail.com>  
Sent: Wednesday, July 15, 2020 9:07 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Oppose s2800

To whom this may concern,

My name is Nicole MacLean and I live at 244 River Street, Waltham, MA. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. My brother in-law, Jospeh Garcia, has been a law enforcement officer in Boston, MA for 25 years and has dedicated his life to the safety of others.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Nicole MacLean

From: Linda <londonahue0030@comcast.net>  
Sent: Wednesday, July 15, 2020 8:54 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: police reform

You should be embarrassed! This is some kind of joke these men and women put their lives on the line daily and this is how they are repaid! This bill need to be burned! Maybe people should be able to sue politicians for their disgusting behavior. I pray you or your family is never in need of help from the very people you are selling out. Stand up and do the right thing!

Sent from Mail <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_go.microsoft.com\\_fwlink\\_-3FLinkId-3D550986&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-](https://urldefense.proofpoint.com/v2/url?u=https-3A_go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-)

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OSFEhRMxoP\_jK9MnlJEC5yNkycuU29HVvk&e=> for Windows 10

From: Jacquelyne <jc02135@hotmail.com>  
Sent: Wednesday, July 15, 2020 8:51 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to Bill S.2800 on Police Reform

?

My name is Jacquelyne Garcia and I live at 206 Alder Rd in Westwood MA. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of

the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Jacquelyne Garcia

This email was sent to joemama02135@hotmail.com  
<mailto:joemama02135@hotmail.com>

why did I get this?

<<[BPPA · 295 Freeport St · Boston, MA 02122-3513 · USA](https://urldefense.proofpoint.com/v2/url?u=https-3A__gmail.us19.list-2Dmanage.com_profile-3Fu-3D5ab6704068161a0ab68277585-26id-3Dd4fbec16e7-26e-3Df915a2a438&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=jFDnNIGmoQp4u16OKiTuo8plGTC23GXqiupe5DP58gQ&s=hMnR8AeaN6YI70aTroNUdPl3RK3-vpMXjR7-GWLxX10&e=></a></p></div><div data-bbox=)

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From: Kevin Martin <kevin-lani@comcast.net>  
Sent: Wednesday, July 15, 2020 8:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

To Chair Arron Michlewitz : I am writing to you today to strongly oppose bill S2820. I am a career firefighter of 28 years and work the streets everyday with my fellow agencies " IE : police and EMS workers". I feel we are very well respected and trained to the upmost standards in

Massachusetts as professionals. We should not judge our state and emergency personnel to what has happened in other states around the country. Unfortunately, a few have made poor judgement calls and their departments/personnel are under review as they should be. I watched as our officers in Massachusetts got screamed at, provoked, abused, and assaulted by so called 'peaceful' protestors that have no solution other than to cause chaos and destruction in our Communities. These officers did not even flinch or hurt any protestors that were causing this mayhem here in our state. They all handle themselves with integrity and honor. We are in difficult times in Massachusetts with these protest groups that want to change everything in a few weeks by defunding our safety organizations. In my opinion, these groups have no real direction or solutions -they just want change. Please do not cave into their agendas, let the House form a commission to help the heads of these safety departments find the right fixes for Massachusetts. Do not make a hasty decision that will affect all our lives and families just to go along with protestor demands. These issues need to be thoroughly thought out and researched in order to make the proper decisions on change. Just remember when contemplating this bill of all the good our public servants have already done in this state. A few major examples are; the response at the Boston marathon bombing, The Worchestor Fire tragedies, and the current Pandemic we are all still working under. Please vote no to this bill S2820 and make it fair for all because ALL lives matter, no matter what! Be strong - Massachusetts Strong!

Thank You for your time and I hope you consider the safety and lives of first responders like myself.

Kevin Martin Dracut Ma.  
From: Caren Polillio <suburbaninsulation@gmail.com>  
Sent: Wednesday, July 15, 2020 8:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Bill#S2820

----- Forwarded message -----

From: Caren Polillio <suburbaninsulation@gmail.com>  
Date: Wed, Jul 15, 2020 at 8:28 PM  
Subject: Bill#S2820  
To: HWMJudiciary@mahouse.gov <HWMJudiciary@mahouse.gov>

\* I am asking you to not accept Police Reform bill #S2820  
\* We need our police officers  
\*

\*

\*

\* changes dozens of laws, creates and funds many new agencies and Commissions

\* eliminates collective bargaining rights of police officers



- \* removes authority from Cities and Towns to control their own employees
- \* removes the rights of police to monitor gang activity in schools
- \* removes the due process rights of public safety officers
- \* exposes police officers and their families to personal liability even when acting in good faith
- \* will open the floodgates for frivolous lawsuits against Municipalities and increase the cost to taxpayers to defend those cases
- \* puts the lives of police officers in danger unnecessarily
- \* creates a police licensing board that is staffed by organizations who sue our communities and advocate for the elimination of police services

Why are you considering passing such sweeping changes without a public hearing - what happened to transparency in Government? What happened to the voice of the citizens?

Thank you  
William Piazza  
76 south elm street  
West Bridgewater, Ma. 02379

From: lsfriesians@aol.com  
Sent: Wednesday, July 15, 2020 8:35 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Bill #S2820

Sent from AOL Mobile Mail  
Get the new AOL app: mail.mobile.aol.com  
<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_mail.mobile.aol.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIsl6rchf\\_GkGDD&m=s8o0xAF-IdzQvUXhgLulwa2p01ndtuC4PpZ3AlahfBw&s=d7tNZ0HTGZ\\_71nSGWaVcKhFiKRglFKadSBcH6nrS8wE&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=s8o0xAF-IdzQvUXhgLulwa2p01ndtuC4PpZ3AlahfBw&s=d7tNZ0HTGZ_71nSGWaVcKhFiKRglFKadSBcH6nrS8wE&e=>)>

On Wednesday, July 15, 2020, HWMJudiciary@mahouse.gov  
<HWMJudiciary@mahouse.gov> wrote:

Attention Chair Aaron Michlewitz and Rep. Clair Cronin

PLEASE DONT ACCEPT THIS BILL!!!!!!  
It's morally wrong!

- \* changes dozens of laws, creates and funds many new agencies and Commissions
- \* eliminates collective bargaining rights of police officers
- \* removes authority from Cities and Towns to control their own employees
- \* removes the rights of police to monitor gang activity in schools
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Sent from AOL Mobile Mail  
Get the new AOL app: mail.mobile.aol.com  
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From: Caren Polillio <suburbaninsulation@gmail.com>  
Sent: Wednesday, July 15, 2020 8:34 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Bill#S2820

----- Forwarded message -----  
From: Caren Polillio <suburbaninsulation@gmail.com>  
Date: Wed, Jul 15, 2020 at 8:28 PM  
Subject: Bill#S2820  
To: HWMJudiciary@mahouse.gov <HWMJudiciary@mahouse.gov>

- \* I am asking you to not accept Police Reform bill #S2820
- \* We need our police officers
- \*

\*

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- \* changes dozens of laws, creates and funds many new agencies and Commissions
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Why are you considering passing such sweeping changes without a public hearing - what happened to transparency in Government? What happened to the voice of the citizens?

Thank you  
William Piazza  
76 south elm street  
West Bridgewater, Ma. 02379

From: ilian.jano@gmail.com  
Sent: Wednesday, July 15, 2020 7:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please don't cancel the Police

Dear House Members,

My name is Ilian Jano and I live and work in the great City of Worcester as a Police Officer. I swore an oath to protect and serve the residents of this city with my life. It has come to my attention that you will be looking to remove my qualified immunity and as a result, I can get sued and loose my house and my family in the process just for acting in good faith and doing my job. If you pass this bill I will also be judged by biased anti police members of a board and also by criminals that my brothers and sisters have previously arrested. I can also be judged by a board that has no idea how police jobs are. This state does not appear to be broken yet so why try to break it and the Police that put their lives in the line on a daily basis. Why must you bow to the cancel culture when there is nothing wrong with the Police in Massachusetts? Please don't

cancel and Modify our police we are doing a good job day in and day out for the citizens we serve.

Thank you  
From: Nico Marulli <yensid11122@yahoo.com>  
Sent: Wednesday, July 15, 2020 7:31 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony

Dear Chairs Michlewitz and Cronin,

This bill is essential to creating a more equitable and just policing system in our state. Specifically, I call on both the House and Senate to include language in the bill that allows for the removal of qualified immunity for police officers. As many have heard from law enforcement in their own lives, "if you have nothing to hide, you have nothing to worry about." We should not be shielding criminals who hide behind the badge from civil scrutiny when they commit heinous acts of violence against the citizens they are sworn to protect and serve. While good and honest police officers will have nothing to fear from the removal of qualified immunity, this action will allow those harmed by officers who disregard their commitments to their communities to secure justice for themselves. Follow the will of your constituents and include the proper language in the final version of the bill. Thank you.

Best Regards,  
Nico Marulli  
From: James Simpson <jjsimp111@aol.com>  
Sent: Wednesday, July 15, 2020 7:10 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820

Honorable Members of the Massachusetts House of Representatives:

I, James Simpson of Rockland Massachusetts, respectfully ask for your attention to my written email  
In regards to Bill S. 2820.

I am currently a Sergeant with the Rockland Massachusetts Police Department. I'm also currently the Vice President of Rockland Police Supervisors Union Local 175 NEPBA.

Over my 26 years as a police Officer in the commonwealth I have held many instructor disciplines, I was a firearms instructor, use of force instructor, and taser instructor.

During this time the Commonwealth along with every officer I trained never learned choke holds, never skipped or took training as a joke, but took it very serious and continued the tradition of solid training and practical applications.

I ask you to reconsider the qualified immunity section of this bill. If a police Officer is acting within the law and policy we are protected when we're doing the best job we can. If there is any change it will leave an opportunity for an interpretation and possible liability on the officers

behalf. This could cause unbelievable stress and hardship on officers and supervisors, causing to change our mindset and possibly become injured.

There has never been an officer who is guilty of misdoings being protected by QI, as it is currently written and enforced. So a change is not needed.

My next issue is with due process, this is America and everyone deserves due process, just because a certain group doesn't like law enforcement should never be able to remove such protections of due process, this is the main reason for having due process due to the process we're facing at this moment.

I'm a father of three, married, have been committed to my profession for many years, please don't pass this legislation, it will harm the law abiding hard working people of the Commonwealth, reducing communication between officers and schools, limiting the many years of community relations.

I've lost many friends due to just being cops, Robert P. Dana, Metropolitan Police Officer who was killed March 25 1984 on Blue Hill Ave by an unarmed Male, doesn't matter his race, when Bob was murdered that's when at 12 years old I decided to become a cop, an honest hard working, dedicated cop based off a true hero of a cops sacrifices. This is what this profession is about.

I appreciate your attention to this matter and my email.

Please consider the hard working police officers, reflect on the highly motivated training schedules, the extremely low acts of misconduct.

Respectfully submitted

Sgt. James Simpson  
Rockland Police  
781-812-8077

Sent from my iPhone  
From: Dan Spencer <danspencer68@gmail.com>  
Sent: Wednesday, July 15, 2020 7:09 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Dan Spencer  
Bellingham Board of Selectmen  
617-615-1708

Since the Massachusetts Senate deem it mandatory to remove Qualified Immunity from Police, Fire and other Medical Professionals, I would hope that the House Ways and Means sees fit to remove Qualified Immunity from those who have actually caused the most harm in the Commonwealth, such as Judges, Parole board members, District Attorneys and Probation officers. You know.....In the spirit of Equality !

From: Keith Garlick <garlickkeith@yahoo.com>

Sent: Wednesday, July 15, 2020 7:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill

To whom it may concern,

I am writing to ask that bill S2800 NOT go through. This bill circumvented the legislative process, void of any public hearings, and lack the inclusion of dialogue from stakeholders, including communities of color and law enforcement. All law enforcement groups including the MA Law Enforcement Policy Group and the MA Association of Minority Law Enforcement Officers were not considered for input. This bill creates a dangerous environment, not only for law enforcement and their families but also for all public employees and their families and the general public. This bill will cause the crime rate to sky rocket in Massachusetts because the police won't be able to do their jobs without second guessing every move they make. The cost of this bill will be way over the projected 5 million. If you want to know who is rejoicing over this bill look closely. It is not the good citizens of Massachusetts I assure you. I beg you to reject this bill. Please consider all the good families that will be impacted by this. It won't just be police and their families effected.

Respectfully,

Keith Garlick

Sent from Yahoo Mail for iPhone  
<[From: Matthew Farnham <matthewfarnham081397@hotmail.com>  
Sent: Wednesday, July 15, 2020 6:38 PM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: S2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=7Vgz77pAfEX114yI7PI76aPxNILurdvYOSy47GuP5Xg&s=IP2n8LkfWL0A3VtO_5RJtgzDm_YPojevukUjK1lzjWPg&e=></a></p></div><div data-bbox=)

To whom it may concern,

My name is Matthew Farnham from the Abington Massachusetts Police Department. I have been a police officer for about a year. I am emailing you in regards to the new Amendment that is in consideration of being passed. I understand there are many different viewpoints and different mindsets on this Amendment. I would like to first thank you for your time in reading this email. Everyday we deal with different people. Everyday is a different challenge. That being said some of the people I deal with love the police, some hate the police. Some wish us success, and some wish us death and suffering. That being said, I serve each and every one of them. I serve them if they dislike police or if they love police. That is what my job entails. I am not allowed to pick sides on who I protect, and honestly that is something I love about this job. My department head, its administration, the officers, we all uphold the obligation to do the right

thing and to "protect and serve". I can speak on behalf of myself and on behalf of all the officers at the Abington Police Department, we strive to be the best we can be on each call we go to. That being said, I believe that eliminating qualified immunity would be a big mistake. I am saying this because most officers are not willing to lose their homes, families, and savings because someone we deal with decides they want to sue us for whatever reason they choose to. Having qualified immunity protects GOOD officers, doing the right thing. This is a punishment in my eyes and this will push away many of my coworkers and MANY officers on this job. How are we supposed to do a job when every call could escalate and now I/We are getting sued for trying to do the right thing? I am kindly asking on behalf of myself and all Massachusetts police officers that this Amendment gets more consideration on being denied.

Thank you for your time,  
Officer Matthew Farnham  
Abington Police Department  
781-878-3232  
From: Mary Bergeron <marybergeron1@yahoo.com>  
Sent: Wednesday, July 15, 2020 6:08 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2800

To whom it may concern,

The police reform bill is a reckless bill that will be coming before the house this week. This bill was rushed and not well thought out. There are far too many unknowns with this piece of legislation. The senators themselves had difficulty understanding and explaining qualified immunity. The Senators said that they were going into uncharted territory and didn't know what the ramifications would be for the people affected by this bill. It is obvious to the public that this bill was rushed, not properly put together and lacks important input from multiple members in the community. Please do not pass this police reform bill.

Mary Ford  
(Worcester county)

Sent from my iPhone  
From: Jenn <garlickjennifer@yahoo.com>  
Sent: Wednesday, July 15, 2020 6:03 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill S2800

Good Evening,

Being the wife to a city police officer as well as an RN brings many life experiences to our family. As an RN I have heard the screams of a mother when she was told her child didn't make it. I have held a child's hand while they were removed from life support. Even in my darkest hour as an RN my experiences don't come close to the events and trauma my husband experiences as a police officer. He has had his thumb nearly severed when a domestic abuser bit him. He has had a beer bottle smashed and stabbed

into his eye socket. He has seen child abuse and neglect that is unimaginable. He has seen children run over by cars, children that have drowned and so many other things that most people have never seen. He has been spit on, kicked, punched and berated by criminals daily. Imagine working in that type of environment everyday. I couldn't do it. My husband never complains. He loves his job more than any other person I know. I have to beg him to take a day off. He cares so much for the people in his community. I'm sure the bad days outweigh the good days but he will never say it. He continues to be as committed as the day he became an officer over 20 years ago. My husband is able to come home to me and our 6 children every day with a smile on his face. No matter what happened on his shift. This police reform bill has effected my husband. I have never seen him affected like this in the 15 years we have been married. As we watched the senate meeting into the wee hours of Tuesday morning <x-apple-data-detectors://0> I wept as the senators gave graphic, violent and one sided accounts of how terrible police officers are. Watching my husbands face as they spoke was like watching a candles flame dim. I could literally see how their words cut him to the core. Whoever coined the phrase that police do the unimaginable for the ungrateful couldn't have said it better. The way the senators spoke was like putting a nail in our police departments coffin. Right now the morale in police departments all over the country is low. They feel like the most hated profession in the world and yet they continue to go to work everyday to protect us. This bill is just another kick to our officers. Our officers didn't kill George Floyd. But the harshness of this bill seems to say they did. I have over 12 pages of notes on things wrong with this bill. This bill is far from where it needs to be and will do little to nothing to help combat racism. This bill takes away from the good citizens of Massachusetts and provides extra protection and financial gain for the criminals. The fact that the senate thought this bill was good enough for the commonwealth is concerning. If they want to develop a bill that really addresses systemic racism this isn't it. If you look closely the only people celebrating this bill are not the good citizens of Massachusetts. When I stated my dismay about this bill passing someone said to me "good now I can own that pigs house ACAB." This is the people who are celebrating this bill. Now more than ever when my husband leaves for work I fear he will be killed. This bill is seen as a punishment to police officers and the criminals are laughing. Let me be clear, I believe there is work to be done to combat racism in all municipalities including the police department but not with this bill. I agree bad officers should be held accountable for bad actions but this bill puts all officers at risk not just the bad ones. This bill also puts our good citizens at risk and makes are municipal employees liable. To all the senators that spoke so poorly about police, I encourage them to go on a ride along with an officer so they can see what it is like prior to writing the laws that govern them. I know that you will seriously consider the ramifications this bill will have on the citizens of Massachusetts. I urge you not to pass this bill.

Respectfully,  
Jennifer Garlick  
(Worcester county resident)



From: Janet Selcer <janetselcer@gmail.com>  
Sent: Thursday, July 16, 2020 2:23 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Re: policing bill

Dear Chairs Michlewitz and Cronin, and Members of the House Ways & Means and Judiciary Committees:

I'm writing because I feel strongly that now is the time to make all the progress we can in creating safe communities in MA for everyone, especially Brown and Black people for whom our current policing system is anything but safe.

You have in front of you a not perfect, but quite strong piece of legislation (S.2820), passed by the Senate. It is my hope that you will vote quickly to pass it. It could use some additions: eliminate "no knock" raids; create standards by which police officers not following rules can be decertified; no chokeholds or tear gas; and a real must - end qualified immunity, or none of this really works.

Please do the right thing at this critical point.

Sincerely,

Janet Selcer  
Brookline

From: Howitt, Steven - Rep. (HOU)  
Sent: Thursday, July 16, 2020 2:22 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Kirsch Mangu, Edda (HOU)  
Subject: Qualified immunity

Chairman, Madam Chairwoman and committee members,,

Without qualified immunity, why work in the public sector in such a litigious environment?  
Any bill that touches on elimination or lessens the protection of this benefit, in my eyes, makes this bill unacceptable.  
Thank you.  
Steven Howitt

Sent from my T-Mobile 4G LTE Device

From: Jeff Hnatio <jhnatio@gmail.com>  
Sent: Thursday, July 16, 2020 2:22 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on S.2800

Dear Honorable Committee Chairs,

I am writing to you with concerns about S.2800 which just passed the MA Senate.

The bill was passed with NO public hearing and NO input from police organizations. Thank you both for holding a virtual hearing on this bill, I appreciate your willingness to do so.

On to the bill: there are some good things in this bill about training, certification, etc. for police which make sense, but there are 3 aspects of this bill that are extremely concerning to me.

1. A complete ban on chokeholds by police, even in self defense.
2. Significant limitations on the use of tear gas in crowd control.
3. A limit on qualified immunity.

While I am concerned about accountability and police violence, I do not want to take away tools from the police. Education is the answer.

Here are further thoughts on the three areas that concern me.

1-The ban on chokeholds sounds good in principle, but in practice police officers need to use restraints such as these on occasion to subdue a hostile individual or to protect themselves.

2-The limitations on tear gas in crowd control. I strongly believe that police need this tool for large scale riots that get out of hand. Limiting this is a very bad idea.

3-The limit on qualified immunity is not just on state and local police, but all city and town workers, including firefighters, paramedics, EMTs and others. What this basically means is that all of these state and local first responders can be sued in civil court for all kinds of things. On a practical level this will decimate law enforcement. Within the current laws, police can be sued civilly if they break the law, which is fair. But, this would open the door to all kinds of frivolous lawsuits.

As the House debates police reform, I ask that any bill that emerges, do so without a complete ban on chokeholds or limitations on the use of tear gas by police. And finally, please do not limit qualified immunity for our police officers, firefighters and paramedics.

Sincerely,  
Jeff Hnatio

Jeff Hnatio  
268 Great Road  
Stow, MA 01775  
978-423-3977  
jhnatio@gmail.com  
From: Mike Wandell <mwandell@wilmingtonpoliceunion.com>  
Sent: Thursday, July 16, 2020 2:22 PM

To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill S.2800

Good Afternoon, I just wanted to send a reminder of how this Bill S.2800 truly affects policing in Massachusetts.

1. Qualified Immunity - do not accept the talking point that there is not much of a change here. Not only did they make it more difficult to get Qualified Immunity (essentially turning it into a fact issue to be decided at trial, as opposed to a legal issue a judge could weed out early) - but - the real sneaky part is that they removed an element from the State Civil Rights Act, and also provided a provision for attorneys fees to be awarded to plaintiffs. These two changes are huge - will create tons of new state law claims against public employees to be brought in the state courts - as opposed to Federal Courts - where they will cost employees and Cities and Towns so much.

CLICK HERE FOR THE OPINION OF ATTY. LEN KESTEN WHO FOR 3 DECADES HAS REPRESENTED MUNICIPALITIES IN THESE CASES - PLEASE READ AND SHARE THIS WITH YOUR STATE REPS AND ESPECIALLY YOUR CITY COUNCIL AND SELECTMEN. HE EXPLAINS THE LACK OF NEED FOR ANY CHANGE, AND THE DAMAGING IMPACTS TO OUR MUNICIPALITIES THAT WILL COME. ATTY KESTEN DOES NOT REPRESENT UNIONS - HE REPRESENTS OUR COMMUNITIES.

<[The Boston Police Patrolmen's Union worked with Atty Kesten to get out this important opinion.](https://urldefense.proofpoint.com/v2/url?u=https-3A__mcusercontent.com_fdb5064f10a7ad27e13aff127_files_dd411756-2Db62e-2D4388-2D8ecc-2D027d11e9bd90_Opinion-5Ffrom-5FMunicipal-5FCounsel-5Fon-5FQualified-5FImmunity-5FConsequences.pdf&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=RKTl3h_gvY6_9Bdw_OnAyDluVO2G4wor2s5dBSnoKNA&s=6HIEQj6y1_0XEt5SGn2FmE0SdCSJKlkoFJJiOt0Ocp4&e=></a></p></div><div data-bbox=)

2. Indemnification - Some legislators are pointing to the lack of changes in the State Indemnification Law (GL c. 258) as a reason that officers should just not worry - suggesting they will still be defended against all of this expected onslaught. DO NOT ACCEPT THAT. First - GL c. 258 discriminates against municipal officers. Indemnification for municipal employees (police, fire, local officials, etc.) is discretionary. They do not have to do it. On the other hand, people like legislators, and the State Executive branch enjoy mandatory defense and indemnification for up to \$1,000,000.00 if they violate the civil rights laws

Also - don't forget - the Massachusetts State Police have a special statute of their own - GL c. 258, Sec. 9A - that provides mandatory defense and indemnification for up to \$1,000,000.00 for civil rights violations as long as they are not willful or malicious. MUNICIPAL OFFICERS ARE THE ONLY ONES WORKING WITHOUT A NET.

3. Due Process Rights - Obviously there is so much wrong with this bill - but the idea that your careers may be put into the hands of an inherently political board, mostly non-law enforcement, many with anti-police

agendas, and of the law enforcement is mostly management, is alone disheartening enough. Here are some thoughts:

First - That board should be made up of a majority of law enforcement professionals, with representatives of management and labor, with appropriate and limited non-law enforcement representation. JUST LIKE EVERY OTHER PROFESSIONAL BOARD IN THE COMMONWEALTH.

Second - the way the bill defines a "sustained complaint" is that it views it as final once the City makes its decision. It does not allow for an unbiased review by an arbitrator or civil service - both rights which most have relied upon forever. This is shocking. In fact, both bargaining law and civil service law acknowledge that the city level process is biased - and more, even says that employees have no right to a disinterested or unbiased or even full hearing at the city level. THE REASON FOR THIS IS THAT THE LAW PROVIDES THESE APPEALS TO ARBITRATION AND CIVIL SERVICE. So - with this bill, officers will be stuck with only the permissibly biased, final decisions of local officials. This cannot stand. Just cause protects good officers - not bad officers. Every good public manager and Chie knows that if they follow correct process, they are able to remove unfit officers.

Third - the Governor's bill did not allow the Board to do its own investigations into complaints, and to be a place where people could complaint directly. The Senate changed this and now allows this political board to ignore local IA findings clearing officers, to ignore arbitrators and civil service officers, to ignore DA findings of justified force, etc - and simply do their own thing. This is wrong. This review board should be required to use the facts and findings of unbiased officials, should not be independently creating their own fact findings (which are insulated from appeal other than a legal "abuse of discretion" type appeal). This independent function should be removed and it should be consistent with the Governor's bill in that the board has a review function only.

Sincerely,  
Mike Wandell  
President  
NEPBA Local 1

Sent from my iPhone  
From: Rosemary Morel <mormmmr@verizon.net>  
Sent: Thursday, July 16, 2020 2:19 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

I am writing this email in response to the above mentioned bill.

The qualified immunity protection that police officers have under current law was replaced by a dubious provision. Firefighters and nurses would also fall under this new provision. You will find more police officers retiring, leaving the force for public sector jobs, and less prospective candidates

applying to the academy. These first responders put their lives on the line each and every day for the public.

I am also opposed to a civilian review board that has control over police certification and discipline. We have courts of law, such as they are, to handle illegal police behavior.

Please do not punish all for actions of a few. This bill was not thought out and rushed. Please vote no.

Rosemary Morel  
Methuen MA  
From: Susan Self <lilzmom@comcast.net>  
Sent: Thursday, July 16, 2020 2:19 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate bill S 2800

Dear Ladies & Gentlemen;

With all due respects, I am saddened to see such a knee jerk response by the MA Senators, to punish our LEO's by proposing this Bill. While the protesters that took part in the never ending protests, death & destruction, walked away free with no consequences, you have fallen into their trap of demands to Defund the Police.

With this bill, you lessen the ability for Officers to gain control of dangerous situations and to protect themselves, victims, and the Public. And sadly, by threatening to remove Qualified Immunity is Spiteful.

Respectfully;

S.C.Self

From: jimncinroy@yahoo.com  
Sent: Thursday, July 16, 2020 2:18 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity and redistribution of LEO nudge

Please do not remove qualified immunity from first responders and nurses. Retrain society!

Please eliminate the rent-free, eviction-free extension. You're going to turn MA into one big Detroit.

Please do not mandate mask wearing. Shut down the tattletale hotline. You're turning us all against each other.

What a bunch of garbage legislation you've cooked up lately.

Cynthia Roy  
508-341-0549

Sent from my iPhone  
From: Alisa Conner <alisaconner@gmail.com>  
Sent: Thursday, July 16, 2020 2:18 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Alisa Conner  
781-789-0796  
Arlington, MA

From: GERALYN PAGE <geralyn3075@comcast.net>  
Sent: Thursday, July 16, 2020 2:17 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S 2800

I implore you to amend S 2800 to make certain that this legislation will actually improve law enforcement in Massachusetts. As written, it does not.

All rational citizens support actions that will stop the use of excessive force and police brutality, however eliminating qualified immunity will not do that. Qualified immunity protects public employees who act reasonably and in compliance with the rules and regulations of their departments from false accusations and frivolous lawsuits. It does not protect bad cops. The murder of George Floyd has been condemned by law enforcement officials across the nation. The act clearly was "unreasonable" (in fact horrific) and there would be no protection afforded to this Minneapolis officer under qualified immunity; thus he is being tried for murder and most likely incarcerated for life.

Police and other public safety officials put their lives on the line to protect us. They never know each day when they go to work whether it will be the last day they hug their families; and now they not only have to worry about losing their lives, they need to worry about losing their homes and any financial stability they may have earned for their families. All just because they are trying to do their jobs and help us. You can't put a Police Officer in this untenable position when s/he is making life and death decisions - everyone will lose.

Yes, bad cops should be fired. But there are administrative and criminal processes already in place to prosecute any public employee who acts "unreasonably". Eliminating qualified immunity is not necessary and a disservice to the many fine men and women in law enforcement; do not make every Police Officer pay for the sins of a few.

Moreover, the proposed review/accreditation process will continually assess the integrity of the Police Officers; the board, if made up primarily of law enforcement officials along with qualified citizen representatives, will serve to identify and decertify/train those that dishonor the badge. I think it is important that law enforcement be amply represented here - like other boards where doctors evaluate doctors or lawyers assess lawyers. That only makes sense.

To be honest, since all of these riots and attacks on the law enforcement community began, I do not feel safe anymore. I have changed my lifestyle with respect to going out at night or going out alone. I need to know that law enforcement personnel have the resources and government support they need to do their jobs and protect all of us. Please don't make us another New York or Seattle by forsaking our Police Officers. Massachusetts is better than that.

Geralyn Page  
20 Langley Circle #2  
Quincy, MA 02170

From: Sadyra Martinez <smartinez@utecinc.org>  
Sent: Thursday, July 16, 2020 2:15 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

Our criminal justice system is not immune to structural racism and we join you and all members in the great work needed to set things right. The unfortunate reality is that people of color are far more likely to be subjected to stop and frisk and more likely to get arrested for the same crimes committed by whites. Black youth are three times more likely to get arrested than their white peers and Black residents are six times more likely to go to jail in Massachusetts. Other systems where people of color experience racism are exacerbated, and in many ways legitimized, by the presence of a criminal record. Criminal records are meant to be a tool for public safety but they're more often used as a tool to hold communities of color back from their full economic potential. Expungement can be an important tool to rectify the documented systemic racism at every point of a young person's journey through and past our justice system.

We also know that young adults have the highest recidivism rate of any age group, but that drops as they grow older and mature. The law, however, does not allow for anyone who recidivates but eventually desists from reoffending to benefit. Young people's circumstances and cases are unique and the law aptly gives the court the discretion to approve expungement petitions on a case by case basis, yet the law also categorically disqualifies over 150 charges. We also know that anyone who is innocent of a crime should not have a record, but the current law doesn't distinguish between a dismissal and a conviction. It's for these three main reasons we write to you to champion these clarifications and now is the time to do it.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due to a variety of circumstances and since the overwhelming number of those young people grow up and move on with their lives, we are hoping to make clarifying changes to the law. We respectfully ask the law be clarified to:



\* Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.

\* Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

\* Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case basis especially if the case is dismissed of the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Sadyra Martinez

UTEC, Lowell, MA, 01852

Mobile: (617)-233-6690

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Sadyra Martinez | Transitional Coach

UTEC | 978-856-3902 Ext: 769 | smartinez@utecinc.org  
Programs: 35 Warren St. | Café UTEC: 41 Warren St.  
Mailing: 15 Warren St., No. 3, Lowell, MA 01852

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From: Ginny Kot <[ginnyk97@aol.com](mailto:ginnyk97@aol.com)>  
Sent: Thursday, July 16, 2020 2:15 PM  
To: Testimony HWM Judiciary (HOU)

To whom it may concern,

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more.

Please DO NOT pass this bill.

Sincerely,  
A concerned citizen of Massachusetts

Sent from my iPhone  
From: Latoya Gayle <[mrsgayle03@gmail.com](mailto:mrsgayle03@gmail.com)>  
Sent: Thursday, July 16, 2020 2:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony in support of the Reform Shift Build

Dear MA house of representatives. I am a constituent of Dan Hunt in Dorchester.

I am writing to voice my wholehearted support for the Reform-Shift-Build Act. As a resident of Boston. Our State and Nation face a long-postponed reckoning with race., We must keep a stern dialogue with how we police one another as part of that reckoning. The Reform-Shift-Build Act opens that dialogue in unprecedented ways. Stringent certifications, inroads towards banning excessive force, review boards staffed by community, and a stronger stance against surveillance technology are just some of the impressive pieces we will be bringing to the state with this Act. Perhaps the most impressive piece to this is a focused reform to the doctrine known as "qualified immunity."

Passing this act while keeping the reform of qualified immunity attached to it would be historical. It would send the appropriate message to the Nation. If we as a people are to be policed, it must be under an entirely reimaged officer. There are glimpses of good in all of us. There are glimpses of good in our law enforcement. But there is also an unspeakable bad in all of us. As it permeates all of us by degrees, so too does it fester in our law enforcement.

I am terrified of Police Officers and I am terrified that my children or husband may be at worst murdered and at best harassed by an officer. I fear that if something happens there will no one held accountable for it. I should not have to live with that fear.

Thoughts are free but, Action is governed, and actions are rooted in those thoughts. The action to take another's life, to choke another out, to abuse another, to dominate another, to correct another, without impunity is what I believe qualified immunity too often permits.

Reform and regulation are necessities for police in Massachusetts and everywhere. But the protective mask of qualified immunity must fall. We face consequences as citizens. For too long has our police force acted without impartial thought when it comes to another's life and rights.

I am asking you to support the Reform-Shift-Build Act for my family, for Boston, for Massachusetts, and for the entire United States of America. I am asking you to share my voice with your fellow legislators, and amplify it yourself in your championing of this Act.

Thank you for your time.

Respectfully,

Latoya Gayle  
617-259-7565

"The cost of liberty is less than the price of repression."  
-W.E.B. Du Bois

From: Bill <flyboy3b2@gmail.com>  
Sent: Thursday, July 16, 2020 2:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity

Good afternoon,

I am a Quincy firefighter, and I am reaching out today regarding the police reform bill and how it will open people like myself up to litigation and possible charges for things that may happen through no fault of my own, or actions taken in self-defense while trying to administer medical aid to a citizen. I am 1000% for police reform, as I believe most people are, but to have such a knee-jerk reaction as to open up the door for action taken against someone who might slip on the ice while carrying a patient or have to act in self defense because a person is coming at you with a needle while you're trying to help them through a possible overdose is asinine. These are things that do and will continue to happen. It is not my job to take actions that may harm someone, even if it's in the public interest. My job is literally nothing but life safety and saving. Please think before passing ridiculous bills that will make life harder for people like myself. I'll tell you right now that if this bill passes as is, many of us, myself included, will not lay a hand on a patient for fear of being sued in the sue-happy country legislators like you have cultivated over the years. Do your damn job and write laws that make sense so I can do my job effectively.

Thanks,

Bill Eastwick  
Veteran, Firefighter  
From: Debbie Morgan Claire <dmorgan522@gmail.com>  
Sent: Thursday, July 16, 2020 2:12 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill No. 2820

Dear Rep. Aaron Michewitz, Chair of the House Committee on Ways and Means

In regards to Bill No. 2820 I have concerns on the following:

My understanding of the 3 detrimental issues (that I'm aware of- there may be more) are as follows:

1) Places further limits on Qualified immunity on Police, firefighters, state and local EMT's and Paramedics and other state or city workers. This would open the door for frivolous civil lawsuits against Police and others and would very significantly and negatively handcuff them for fear of being sued.

2) Restricts use of tear gas.

3) Complete ban on police utilizing chokeholds- even in cases of legitimate self-defense. So, if a Police Officer is in a physical fight for their lives against a larger and stronger criminal suspect, it would be against the law for them to utilize any type of choke hold, even to save their own lives or the lives of another citizen.

Because of these concerns I so not support Bill 2820.

Very Truly Yours,

Deborah Claire

Deborah Claire  
Hudson, MA  
508-783-4557

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From: alan@papscun.com  
Sent: Thursday, July 16, 2020 2:12 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony in Support of Police Accountability -- Use of Force Standards, Qualified Immunity Reform, and Prohibitions on Face Surveillance

The Honorable Rep. Aaron Michlewitz  
Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin  
Chair, Joint Committee on the Judiciary

Dear Chairs Michlewitz and Cronin,

I strongly support many provisions in S.2820 designed to increase police accountability. I urge you to:

- Adopt strict limits on police use of force,
- End qualified immunity, because it shields police from accountability and denies victims of police violence their day in court, and
- Prohibit government use of face surveillance technology, which threatens core civil liberties and racial justice.

We must address police violence and abuses, stop the disparate policing of and brutality against communities of color and Black people in particular, and hold police accountable for civil rights violations. These changes are essential for the health and safety of our communities here in the Commonwealth.

Massachusetts must establish strong standards limiting excessive force by police. When police interact with civilians, they should only use force when it is absolutely necessary, after attempting to de-escalate, when all other options have been exhausted. Police must use force that is proportional to the situation, and the minimum amount required to accomplish a lawful purpose. And several tactics commonly associated with death or serious injury, including the use of chokeholds, tear gas, rubber bullets, and no-knock warrants should be outlawed entirely.

**OF CRITICAL IMPORTANCE:** Massachusetts must abolish the dangerous doctrine of qualified immunity because it shields police from being held accountable to their victims. Limits on use of force are meaningless unless they are enforceable. Yet today, qualified immunity protects police even when they blatantly and seriously violate people's civil rights, including by excessive use of force resulting in permanent injury or even death. It denies victims of police violence their day in court. Ending or reforming qualified immunity is the most important police accountability measure in S2820. Maintaining Qualified Immunity ensures that Black Lives Don't Matter. I urge you to end immunity in order to end impunity.

Finally, I urge the House to prevent the expansion of police powers and budgets by prohibiting government entities, including police, from using face surveillance technologies. Specifically, I ask that you include H.1538 in your omnibus bill. "Face surveillance technologies" have serious racial bias flaws built into their systems. There are increasing numbers of cases in which Black people are wrongfully arrested due to errors with these technologies (as well as sloppy police work). We should not allow police in Massachusetts to use technology that supercharges racial bias and expands police powers to surveil everyone, every day and everywhere we go.

There is broad consensus that we must act swiftly and boldly to address police violence, strengthen accountability, and advance racial justice. I urge you to pass the strongest possible legislation without delay, and to ensure that it is signed into law this session.

Sincerely,  
Alan Papszun  
40 Glendale Rd.  
Stockbridge MA

From: TedN <novakows@gmail.com>  
Sent: Thursday, July 16, 2020 2:10 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Urging support for S.2820 passing in the House

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

Police reforms are urgently needed and long overdue in our state. We urge you to not let this unique period of general popular consensus for reform slip by and support S.2820 in the House, and indeed should be strengthened.

We believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor. Research has indicated that tear gas alone has been proven detrimental to human health.

Sincerely,

Ted and Frances Novakowski

9 King St

Middleton, MA 01949

From: Francellis Quinones <fquinones@utecinc.org>  
Sent: Thursday, July 16, 2020 2:09 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: My testimony for the Public Hearing for Expungement

Hi,

Please see my testimony attached. You have the power to change so many lives for the better. Choose yes! It can improve the trajectory of so many young people's lives who have been adversely affected by unjust laws and unjust application of the law in the past.

Thank you so much for choosing to reform and rejuvenate young adults' lives.

Francellis Quinones

Expungement Testimony <[--](https://urldefense.proofpoint.com/v2/url?u=https-3A__docs.google.com_document_d_1SdjQZDpNm8QTU8e72sBmfBa8g1HwwZDaU2W67F7wrI4_edit-3Fusp-3Ddrive-5Fweb&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=JqgxT33dFjqzB5N1rqbCgpn-jdS4yJXDIVleyVzRHV0&s=gVePW1WwB6D0CQq3zn-_dlTsK5FS1OizcjFv0aG7HQg&e=></a>></p></div><div data-bbox=)

"Washing one's hands of the conflict between the powerful and the powerless means to side with the powerful, not to be neutral. "  
? Paulo Freire

From: Lori Kenschaft <lori.kenschaft@gmail.com>  
Sent: Thursday, July 16, 2020 2:08 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has



not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Sincerely,

Lori Kenschaft

Former Coordinator of the Mass Incarceration Working Group of the First Parish Unitarian Universalist of Arlington

781-428-1770

From: kevan spoor <kspoor1843@gmail.com>

Sent: Thursday, July 16, 2020 2:07 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S. 2820

To whom it may concern,

My name is Kevan Spoor and I am a resident of Eastham, my phone number is 978-870-9378. I am employed as a police sergeant for a municipal police department on Cape Cod.

I am specifically writing to you about bill S2820 that passed in the Senate early Tuesday morning. It is my understanding that this bill now goes to the House of Representatives for your approval. I appreciate your leadership giving us the opportunity to have our voices heard, more than the Senate did for us. I have been reading, digesting and understanding all the changes and amendments that have been proposed. I must admit there are some unreasonable requests in this bill that will forever change the landscape of law enforcement, and not for the good. There are also some reasonable and well overdue changes to current police standards that will help improve this profession; however, I would like to specifically comment on and highlight for you some of the changes that I believe will be a detriment to law enforcement.

To provide some background, I have worked as a reserve police officer since 2007. I have been employed in a fulltime capacity for a municipal police department since 2011. I am currently a Patrol Sergeant within that department. I am a level 3 Defensive Tactics Instructor through the MPTC. I have been teaching Defensive Tactics since 2014. I specifically teach in the Plymouth Police Academy with the reserve and recruit officers. I work with other Defensive Tactics staff members in conducting annual in-service training within the Cape and South Shore. I recently oversaw the Defensive Tactics program for the Cape Cod Police Academy ROC #1 & #2. By no means do I claim to know everything about use of force and defensive tactics, but I do have a more-than-average education and experience in this field. I know that there are other police officers in this state with greater training, experience and expertise in defensive tactics, but I wanted to provide my perception of this new language, for what it's worth.

According to S2820 they are creating a new chapter, Chapter 147A, in this new chapter specifically, Section 2 subsection b, (lines 1302-1306) it states that officers may only use force that is necessary to

- i. Effect the lawful arrest of a person
- ii. Prevent the escape from custody of a person, or
- iii. Prevent imminent harm and the amount of force used is proportional to the threat of imminent harm

There are numerous problems with this language, first and foremost it is changing case law that has been established and has been challenged in court and withstood challenges throughout the years. Julian v. Randazzo (380 Mass. 391: 1980) says that police may use force that is reasonably necessary to:

1. Take someone into custody
2. Overcome resistance to arrest
3. Prevent an escape or recapture an escapee, or
4. Protect officers and others from harm before, during, and after the arrest

This new language created is narrowing when an officer may be able to use force. There are numerous instances that could be outlined for you when an officer may be taking someone into custody, but they may not be under arrest. Officers can detain individuals and conduct investigations based on reasonable suspicion. Officer's also take people into custody based on civil commitments, Protective Custody's due to alcohol or drugs, mental health protective custody, warrants of apprehension all of which are technically not arrests. If these individuals resisted or became assaultive it would be appropriate for an officer to use a reasonable amount of force to take them into custody, but now you are removing that option. Officers may also have to protect citizens who are being attacked and/or harmed but again you have removed this ability for officers to use force. Please let me explain in more detail.

In the new language subsection b (iii) says to "prevent imminent harm." It does not say who that imminent harm is directed toward. Additionally, this new language defines imminent harm as "serious physical injury or death." For example, if someone were fighting, punching an officer or another individual there is no likelihood of imminent harm, but there would be a

potential for harm. How should an officer control this individual's actions if they are not allowed to use a reasonable level of force to stop their violent behavior?

Additionally, it continues to state that "the amount of force used is proportional to the threat of imminent harm." Nothing a police officer does when it comes to use of force is evaluated as proportional. *Graham v. Connor*, 490 US 388 (1989.) states that an officer's force should be reasonable based on specific facts and circumstances known to the officer at the time force is used. This case created what is known as "the reasonableness standard" which has been used since 1989 to evaluate the reasonableness of an officer's use of force. Officers are often forced to make split second decisions based on the facts and circumstances known to them at the time force is used. Their decision is based on what another reasonably trained police officer would do given the same information. It all comes down to what is reasonable, not proportional. By using the word "proportional" it is attempting to remove a federal standard of reasonableness, by doing this you are undoubtedly going to cause harm to police officers and members of the public since they will not be able to safely protect themselves or the citizens of our community.

Also, throughout Chapter 147A it references officers' force to be "proportional to the threat of imminent harm". Again, an officer may not always be confronted with imminent harm, they may be confronted with a harmful individual or even a resistant individual. It would be appropriate for an officer to use a reasonable amount of force based on the facts and circumstances presented to them at the time of the encounter to defend themselves, or another individual, against the level of resistance being displayed by that individual. An example of this may be if an officer is trying to take someone into custody under a section 12 (M.G.L. Chapter 123 Section 12 Emergency restraint and hospitalization of persons posing risk of serious harm by reason of mental illness). By statute this is not an arrest but a civil seizure for the purpose of transporting this individual to a health care facility for a mental health evaluation. In the course of attempting to take this person into custody they become assaultive and start to fight with a police officer. It would be appropriate for an officer to use a reasonable level of force to gain immediate control of them and stop their violent behavior. Under *Randazzo* it would be reasonable for an officer to use force to take someone into custody, as outlined in this example. Under the new statute this is not an arrest, this person would not be attempting to escape custody, nor are they a threat of immediate physical harm. So how under the new statute would it be reasonable for an officer to use force to protect themselves or others that may be in the room?

What you will be forcing an officer to do is to apply criminal charges to this person, potentially assault and battery on a police officer, disorderly conduct etc., instead of immediately bringing them to a

hospital. This serves no purpose to someone in need of mental health services, the best place for them to be is a hospital. For an officer to comply with the law in using force this is what will have to happen. Instead of this person immediately going to a hospital they will go to jail and now enter the court system where they would have been best suited to get treatment and not have any criminal charges. If officers are restricted to only use force when there is a threat of imminent harm, then this bill is creating the potential for officers, as well as citizens, to be injured as a result of them not being able to safely protect themselves or the public.

Some of the changes presented in Chapter 147A make sense and are long overdue, for example banning chokeholds, requiring officers to intervene if they witness an officer using an excessive amount of force or report an officer, they know to use excessive force. These changes will better the law enforcement profession, but some requirements are creating the potential for an increase in officer injury, citizen injury and subject injury if they are implemented as written in this bill.

It is my hope that you do not just look at the national numbers but specifically look at what the numbers here, in Massachusetts will tell you. In Massachusetts we have one of the lowest annual rates for deadly use of force incidents in the Nation - in the last 5 years our rate is 0.5 incidents per million people where the national average is 1.5 incidents per million people. One of the main reasons for the low number of deadly use of force incidents is that we have well educated, well trained, professional police officers. Our officers are already using de-escalation tactics to gain compliance from individuals. On the flipside, with the low instances of deadly force encounters that officers are involved in, in the last five years we have had 4 officers killed in the line of duty while protecting their communities. Using the same analysis, the rate of officers feloniously killed in the line of duty in Massachusetts is 21.8 incidents per million officers. The national average is 38.1 incidents per million officers. Obviously, the numbers are higher because there is a lower number of police officers compared to the overall population. Even still this should show a clear indication that a police officer has a higher likelihood of being felonious killed in this profession than a citizen being involved in a deadly force incident.

I would also like to comment on the removal of some of the standards that apply to qualified immunity. I know that you, just like me, as government employees are also afforded the rights and protections of qualified immunity. I would assume that you understand the importance of having this in place. I have heard members in the Senate say that this will not have a negative effect on police officers and there will be no ill consequences from changing the standard, but I could not disagree more. This will open the door to numerous frivolous lawsuits that individuals will feel emboldened to file because of the language in this bill. Not only will

these lawsuits be filed against a specific officer who could possibly lose all they have worked for, but they will include Municipalities. This will ultimately increase the cost to taxpayers to defend the increase in cases. Now officers acting in good faith, trying to do the right thing can be held personally liable. This will unequivocally lead to police officers hesitating and unsure of how to respond in situations for fear of being sued. This could lead to increase in injury for officers, and members of the community, with officers fearing how to help in a situation.

In this bill it seems to create a lot of new committees and councils with mandates for specific training that officers must attend. Undoubtedly it will cost money to staff individuals on these committees, have people develop training and implement the training. It is my understanding that we are already in a deficit for the budget. Law Enforcement just recently received approximately \$10 million through the car rental tax, but this money is already earmarked for training in the MPTC. I am fearful of who will have to brunt the cost of these new mandates, will citizens see their taxes go up? Or will agencies have to fund these mandates on their own, I know in my department our budget is already tight, we are on a hiring freeze, and we are being asked to find ways to cut money from the budget. So how exactly do we pay for the members' time on these committees and the new training that must be created and implemented? I do not see anything in the bill that details this plan.

Passing this bill without considering how we are carrying out our duties and responsibilities here in Massachusetts, without considering the impact of this massive legislation, without even a thought of how it will impact the thousands of police officers and their families across the Commonwealth, is not only negligent, but will have a residual negative impact that our state and our families cannot afford. There has not been enough time vetting all the potential problems with the bill. There may be numerous unintended consequences from passing this bill that will not be realized until well after its implementation.

As a constituent of Massachusetts, I request and expect that you will do your due diligence. Please read and understand the bill. Please research how your own local police officers are carrying out their duties and realize we are doing what is expected and understand that what you are being told in regard to this bill, is not applicable to what is happening here in this state.

We, as law enforcement professionals, intend to hold ourselves accountable, and we trust that you will do the same. Please feel free to contact me with any comments or concerns you may have.

Respectfully,

Kevan Spoor

From: Paula <pkm0627@aol.com>  
Sent: Thursday, July 16, 2020 2:06 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform Bill

Hello:

I hope I am understanding this bill correctly and if I am you are putting public servants in a bad unsafe situation. No Public Servant should be allowed to be sued, punished if inappropriate behavior yes but sued!!

No excessive force should not be used, but not all police officers use excessive force, so why are the good ones being penalized by some Rogue police officers?

No! officers should not cover up for one another and should intervene if another office is using excessive force, if not yes be punished for this.

You are putting stipulations on a lot of public servants who don't deserve this, no one is going to want to be a public servant so now where does that put MASS?

MASS/lawmakers are bending over a little too far when these issues have not been an issue in MASS.

Show people where Police and the black/brown communities have had issues? If anything black/brown communities have caused their own issues. People need to take their blinders off too really see where the issue(s) lie and not make public servants the scapegoats.

Regards

Disappointed MASS resident

From: Natalie Johnson <njohnson@hria.org>  
Sent: Thursday, July 16, 2020 2:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please advocate for Expungement in Massachusetts in house bill focused on racial justice

Dear MA Judiciary,

My name is Natalie Penhale Johnson and I am from Somerville, MA. I am reaching out about the effort to expand the existing youth expungement law so that it is more accessible to young people in Massachusetts. As a public health professional, specifically working in community violence intervention and prevention, I want our state to commit to upstream solutions, such as financial investments in communities, housing first, and a robust social safety net, which all contribute to safer communities. I want to live in a society that prioritizes growth, not punishment.

Let's amend the expungement law applying our understanding of young adult recidivism rates (young adults have a 76% recidivism rate over three years), cognitive brain development (people are more risk averse before their mid-twenties), and the seven year expiration of a criminal record's effectiveness as a tool for public safety.

The current law is very exclusive and most young people cannot qualify. It doesn't even distinguish between a conviction versus a dismissed case. Race plays a central role in the problem with criminal records. Black youth are three times more likely to be arrested than their white peers. Black individuals are six times more likely to go to jail than whites despite being just 7.5% of the population. People of color are over-represented at every stage of the legal system and expungement will go a long way to undo the harm from this systemic racism. Criminal records stay with people forever and prevent many from getting good jobs and education which puts an unnecessary strain on our economy. Records also have a very negative impact on mental health and they particularly hurt communities of color.

We respectfully ask for an amendment that will:

?

- \* Allow for multiple offenses to be expunged (prior to age 21).
- \* Remove the list of 150+ charges that automatically disqualify and let the judge decide. Charges don't reflect the reality of an individual's character, guilt, likelihood of future risk, or ability to contribute to society in a positive way. Instead we should allow for judicial discretion. Since the 7 year felony and 3 year misdemeanor wait periods

only begin at the end of one's sentence, the most severe charges like murder and aggravated rape which come with life sentences will never be eligible.

\* Differentiate between convictions and dismissed cases. Not all charges are equal.

I know that the Legislature is planning to pass legislation to address police accountability and racial justice and I would really appreciate your support to make sure an expansion to the expungement law is included. As your constituent, I would appreciate your leadership on this issue.

Thank you for your consideration! This issue is very important to me, the young people in our community, and the entire Commonwealth of Massachusetts.

Sincerely,

Natalie Johnson, MPH

Natalie Penhale Johnson, MPH

Education and Training Manager, Gun Violence Prevention Training Center for Excellence

Pronouns: she/her/hers

2 Boylston Street, Boston, MA 02116

617-279-2219

Learn more about the TC4E: <https://hria.org/projects/gun-violence-prevention-training-center-for-excellence/>  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_hria.org\\_projects\\_gun-2Dviolence-2Dprevention-2Dtraining-2Dcenter-2Dfor-2Dexcellence\\_&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=DSXpZUA2dU4kwdbFZ0bS-0B9yzljYbCipE7pVWxKVsk&s=RZZloVMadMaxtpDqMu61Rd-0YnNnTzA9pWeNJ6S-Ic8&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__hria.org_projects_gun-2Dviolence-2Dprevention-2Dtraining-2Dcenter-2Dfor-2Dexcellence_&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=DSXpZUA2dU4kwdbFZ0bS-0B9yzljYbCipE7pVWxKVsk&s=RZZloVMadMaxtpDqMu61Rd-0YnNnTzA9pWeNJ6S-Ic8&e=>)

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From: Pamela S Lynch <pamela.giasson@gmail.com>  
Sent: Thursday, July 16, 2020 2:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 - Police Reform Bill Feedback

Hi MA House,

I would like to provide my feedback on S.2820 - Police Reform Bill. I am an active resident in the Dorchester community. Though my organizations are not affiliated with my input today, I am also on the Board of Directors of two non profits in Massachusetts. I care deeply about the safety of our greater Boston community.

On S.2820 - Police Reform Bill:

Please preserve language around:

?Creating an independent and civilian-majority police certification/decertification body

?Limiting qualified immunity so that victims of police brutality can sue for civil damages

?Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records

I would like to see us go further than the Senate bill with regard to:

?Strengthening use of force standards

?Fully prohibiting facial surveillance technology

?Lifting the cap on the Justice Reinvestment Fund

Sincerely,  
Pamela Lynch

--

Pamela S. (Giasson) Lynch  
Cell: 857-334-8474  
pamela.giasson@gmail.com

From: biged86@comcast.net  
Sent: Thursday, July 16, 2020 2:04 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 Police Reform bill

Good morning,

I write to you today in strong opposition to the most dangerous bill to ever be considered in the Commonwealth of Massachusetts, "An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color." I was able to read the entire 72 pages of this bill last week. While there are some positive merits of the bill, the negative aspects would have far reaching consequences that would negatively effect all residents of the Commonwealth, especially poorer communities. As a 22 year veteran police officer in the Commonwealth (4 as a municipal police officer, and the last 18 with the Massachusetts State Police), I wish to offer you a few examples of where police officers are currently indemnified but if this bill were approved, they would be opened up to liability.

Example 1:

Since police officers are usually "on the road" and an ambulance usually responds from a fire station or other fixed location, police officers are often the first person on scene with first aid training. In some places in the Commonwealth, like western Massachusetts, the police officer's arrival could be 15 to 20 minutes sooner than Fire/EMS.

Consider this scenario:

A State Trooper responds to a medical call on one of our interstates. A subject has had a heart attack and is in need of CPR. The trooper arrives well before the ambulance and performs CPR as trained. In the process the patient sustains broken ribs, but, they survive the heart attack. Currently, because the trooper acted in good faith and as trained, the trooper is immune from liability for any injuries sustained by the patient from the CPR. Under the negative consequences of this bill, the trooper is now open to liability and can be personally sued (for saving this person's life).

In my 22 year career, I have given CPR many times, sometimes it was successful, sometimes it wasn't. Even in the successful cases, the patient sustained injuries from the CPR.

Example 2:

A police officer responds to a call for a disturbance at a town-house condominium. Police officers arrive on scene and hear a woman screaming

and sounds of an obvious struggle. The officers check the doors but they are locked. The officers force entry, locate a male subject on top of a female and smashing her head off the floor. The officers use force to remove the male from the female and he is taken into custody. This scenario happens every single day in the Commonwealth.

Often times, several months down the road, the couple has reconciled. By the time this case gets to court, the victim denies the assault and the case is dismissed. With the removal of qualified immunity, the couple can now go after the officers civilly for any damage that may have been done to their door while making entry. With the "POSAC" in place as described and composed in the original bill, with members that have little/no law enforcement background, the couple files a use of force complaint with POSAC for excessive force, saying that the police entered their residence for no reason and assaulted the male. The officers involved are now sued civilly and criminally charged... for saving this woman's life

#### Example 3:

I apologize if this is graphic, but with the recent news of one of the suspects in the Jefferey Curley case eligible for parole, I think it makes a good example. Police receive a report of a child kidnapped, a weapon was reported to be involved, Mass registration 123ABC is the suspect vehicle. An Amber Alert is issued and a police officer locates the suspect vehicle parked in an area notorious for sexual activity. The officer exits his cruiser and checks the area where he locates 2 naked men, 1 holding a gun to the head of the naked child, the other is about to rape the child.

Today, the officer would be justified using lethal force on both male parties to save the life of the child... With the passing of this bill, the officer runs the risk of the following: The subsequent investigation reveals that the gun is non-functioning (one of the internal components has been removed and the gun does not fire). In Massachusetts, prior court decisions rule that this gun can not be considered a firearm. The POSAC investigates the case. The officer is accused of using excessive force because he has shot two "unarmed" men. The officer is sued by the families of the suspects and charged with 2 counts of murder... He saved the life of this child but now spends the rest of his life in jail for doing so...

In addition to the issues with qualified immunity, there are several other issues with this bill.

Copy and paste, directly from the bill:

1104 (e) A law enforcement officer shall not discharge any firearm into or at a fleeing motor

1105 vehicle unless, based on the totality of the circumstances, such discharge is necessary to prevent

1106 imminent harm to a person and the discharge is proportional to the threat of imminent harm to a

1107 person. For purposes of this subsection, use of the vehicle itself shall not constitute imminent

1108 harm

An example..

On August 12, 2017, James Alex Fields Jr. deliberately drove his car into a crowd of people who had been peacefully[12]  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_en.wikipedia.org\\_wiki\\_Charlottesville-5Fcar-5Fattack-23cite-5Fnote-2Dusatoday-2Dattack-2D12&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=yqAeKiAshsMXut-hxZwbUUuobOXcE\\_H1FkdfJw3Z6Hk&s=wLxQHdjawCBTL1afiTONIKONW3aNw6-WUi-ZO94N7ds&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__en.wikipedia.org_wiki_Charlottesville-5Fcar-5Fattack-23cite-5Fnote-2Dusatoday-2Dattack-2D12&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=yqAeKiAshsMXut-hxZwbUUuobOXcE_H1FkdfJw3Z6Hk&s=wLxQHdjawCBTL1afiTONIKONW3aNw6-WUi-ZO94N7ds&e=>) [13] <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_en.wikipedia.org\\_wiki\\_Charlottesville-5Fcar-5Fattack-23cite-5Fnote-2Dsnopes-2Dattack-2D13&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=yqAeKiAshsMXut-hxZwbUUuobOXcE\\_H1FkdfJw3Z6Hk&s=tFBgzhDIwTmUnxpowGlnIACJlyyD8ZevHP0bbcutv8M&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__en.wikipedia.org_wiki_Charlottesville-5Fcar-5Fattack-23cite-5Fnote-2Dsnopes-2Dattack-2D13&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=yqAeKiAshsMXut-hxZwbUUuobOXcE_H1FkdfJw3Z6Hk&s=tFBgzhDIwTmUnxpowGlnIACJlyyD8ZevHP0bbcutv8M&e=>) protesting the Unite the Right rally  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_en.wikipedia.org\\_wiki\\_Unite-5Fthe-5FRight-5Frally&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=yqAeKiAshsMXut-hxZwbUUuobOXcE\\_H1FkdfJw3Z6Hk&s=hujmFCsAmEn121ZiLG92aTwlQ9MG0Em1kFeQbl8lpBM&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__en.wikipedia.org_wiki_Unite-5Fthe-5FRight-5Frally&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=yqAeKiAshsMXut-hxZwbUUuobOXcE_H1FkdfJw3Z6Hk&s=hujmFCsAmEn121ZiLG92aTwlQ9MG0Em1kFeQbl8lpBM&e=>) in Charlottesville, Virginia  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_en.wikipedia.org\\_wiki\\_Charlottesville-2C-5FVirginia&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=yqAeKiAshsMXut-hxZwbUUuobOXcE\\_H1FkdfJw3Z6Hk&s=IfI7DySQvtvxHrE8JtrXQhCEFWlCFaizspmL8qJISGRo&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__en.wikipedia.org_wiki_Charlottesville-2C-5FVirginia&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=yqAeKiAshsMXut-hxZwbUUuobOXcE_H1FkdfJw3Z6Hk&s=IfI7DySQvtvxHrE8JtrXQhCEFWlCFaizspmL8qJISGRo&e=>) , killing one and injuring 28 (copied from Wikipedia).

This is a perfect example of how "use of a vehicle itself" actually did constitute imminent harm. If there was a police officer in a position to act, this tragedy could have been prevented. This proposed legislation prohibits law enforcement from acting in this instance.

Another issue with specific language from the bill, also copied directly from the bill:

941 (b) A law enforcement entity shall not engage in racial or other profiling.

We all know that racial profiling is wrong, however, "profiling" is good police work. Here is an example of "profiling":

You observe a man carrying a gun (not illegal,) put on a ski mask (not illegal) and walk into a bank. It is August. What do YOU think is about to happen? If you assume that he is about to rob the bank, you just "profiled" this subject. Under US Supreme Court case Terry v. Ohio, a police officer's reasonable suspicion, with the observed behavior, would allow a police officer to stop this armed and masked subject to investigate... This bill prohibits "other profiling" and would not allow the officer to intervene until the bank is actually robbed.

There are so many sections of proposed legislation throughout this bill that would have extremely negative consequences, not only to Law Enforcement, but to the general public, that I can not list them all. I strongly ask that the entire bill is defeated. There are reforms that need to be made throughout our Criminal Justice system, but this bill is not the answer. Please do not hesitate to contact me directly if you have any questions

Thank you for your time,

Edward F. Johnson III

50 Lowell Boulevard

Methuen, Ma. 01844

Biged86@comcast.net

978-815-4387.

From: Virginia <virginia.perez1234@gmail.com>  
Sent: Thursday, July 16, 2020 2:04 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Regarding S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees, I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor. Best,

Virginia Perez, Somerville Resident  
From: Kieran Sheldon <kieransheldon73@gmail.com>  
Sent: Thursday, July 16, 2020 2:03 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill (S.2820)

Hello,

My name is Kieran Sheldon, and I am a registered voter at 85 Highland St in Holden (01520). I am writing to provide testimony on the Senate's Police Reform Bill (S.2820).

I strongly approve of the reform measures put in place by the bill, such as the limitation of qualified immunity, the establishment of the Justice Reinvestment fund, and the banning of sexual relations between officers and individuals in custody.

However, I believe that the bill should take further steps, by fully banning chokeholds and facial recognition technology. I also believe that the cap on the Justice Reinvestment Fund is unnecessary.

Thank you for your time.

- Kieran Sheldon

From: Peg Adams <pegadams1078@gmail.com>  
Sent: Thursday, July 16, 2020 2:01 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to Bill S 2800

As your constituent, Margaret Adams from Roslindale, I write to you today to express my strong opposition to S.2800 which was passed in the dark of night by the Senate. I ask that you oppose this bill as constituted when it is debated in the House of Representatives.

We also ask that it be debated in the light day and not voted on in the dark of night.

The bill is ill conceived and politically driven. We agree that police reform is important and needs to be addressed but passing a poor bill for the sake of passing a bill based is not in the best interest of the Commonwealth.

This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. It will cause many good officers to leave due to the new burdens and make it harder to recruit individuals into law enforcement. To quote David DeCoste, 5th Plymouth District - "It eviscerates civil protections which are critical

for police and other public safety personnel to perform their duties without jeopardy to the well being of themselves and their families. This is bad law and I oppose it."

S 2800 establishes a review committee with overly broad powers, including the power of subpoena, in active investigations. The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment rights against self-incrimination (see Carney vs Springfield) and constitutional protections against "double-jeopardy."

Qualified immunity protections are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections essential for the police officers we send out on patrol in our communities and who often deal with some of the most dangerous of circumstances with little or no back-up. Removing qualified immunity protections in this way will open officers up to personal liabilities so they cannot purchase a home, a car, obtain a credit card, or other things for the benefit of them and their families. Good luck with police recruitment.

In addition S 2800 failed to follow the normal and appropriate legislative process of holding public hearings to accept testimony from citizens and experts. I ask that you vote NO when S.2800 comes to the House of Representatives for the reasons stated above, and others.

"We cannot support a measure which takes handcuffs off drug dealers and gang bangers and puts them on police, allows criminal records to disappear while tearing open police personnel files and allows criminals to appeal for monetary damages while denying police due process to appeal for their job," said James Machado, executive director of the Massachusetts Police Association.

Please plan on voting NO on this bill.

Thank you,

Sincerely,

Margaret Adams  
44 Aldrich Street  
Roslindale, MA 02131  
From: Lawrence Kolodney <kolodney@fr.com>  
Sent: Thursday, July 16, 2020 2:00 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820



Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Sincerely,

Lawrence Kolodney

4 Austin Park

Cambridge, MA 02139

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From: Phyllis Geany <marina815@me.com>  
Sent: Thursday, July 16, 2020 2:00 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Do Not Pass This Bill

To whom it may concern:

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more!!

Do NOT pass this bill!!!

Sent from my iPhoneFrom: Ofc Michael Pollock <pollockhpd@gmail.com>  
Sent: Thursday, July 16, 2020 1:55 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony for S2820

Good afternoon,

My name is Michael Pollock and I live in Plymouth MA, and as a taxpayer and citizen of the great state of Massachusetts I would like to see a Police Reform Bill S2820 that receives input and hearings that involve who this effects most, police officers. Working with other officers we don't see race, color, gender. We have taken a sworn oath and answer every call for every person, we protect everyone's constitutional rights, even if we don't agree with politics involved. The largest issue that we have with the Senate S2800 bill is the rush and push of legislation that does nothing to address what police reform needs to be. And every officer officer of every rank should be allowed to be heard and the bill should take as long as it takes to make it right. Most importantly if you want to keep the best trained, the most knowledgeable and experienced officer's, S2820 shall not include any language that interferes or redefines the definition of qualified immunity. Not only keeping the senates version of qualified immunity in the bill, it would single handily destroy all the good work that police officer's of this state has done and relationships the police have built with the community. There's always room for improvement but I ask that qualified immunity be left for public employees and that you have police officer's at the table to help craft a great bill. You have our ears, let's all work together or many good officers will leave the profession.

Respectfully submitted,

Michael Pollock  
Plymouth Ma

Sent from my iPhoneFrom: Liz Cardenas <lizpetty@gmail.com>  
Sent: Thursday, July 16, 2020 1:55 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 testimony

Esteemed members of the Massachusetts House:

I'm writing in full support of S.2820, the final version of the Senate police-reform bill passed this past week. I urge you to keep all the vital reforms in the Senate version of the bill. But I know you can do better, too. I demand you also include the following:

- \* Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas. Tear gas isn't allowed to be used in war; why would we allow police to use it against our own neighbors?
- \* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- \* Lifting the unnecessary cap on the Justice Reinvestment Fund

Massachusetts can lead on this. It's long past time we started investing in creating solutions in which people don't commit crime in the first place rather than focus most of our attention and funding on the often harmful ways we react to crime.

Thank you,

Elizabeth Cardenas  
North Billerica, MA

<Sent: Thursday, July 16, 2020 1:55 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: tacky.chan@mahouse.gov; DeLeo, Robert - Rep. (HOU); Ayers, Bruce - Rep. (HOU); Jonna Dondero  
Subject: \*\*\*\* OPPOSE BILL NO. S2820\*\*\*\*

<<mailto:Robert.deleo@mahouse.gov>> Dear Chairman Michlewitz and Chairwoman Cronin,

As a resident of the Commonwealth, I write to you today to express my staunch opposition to Bill #S2820, a piece of hastily-thrown-together legislation that will hamper law enforcement (fire, doctors, nurses, EMT's and teachers) efforts across the Commonwealth. It robs police officers of

the same Constitutional Rights extended to citizens across the nation. It is misguided and there are so many parts of this bill that are unjust.

This bill has immediate and long term detrimental ramifications on the men and women that serve our state, especially our police. This bill has not been transparent, vetted or had the full due diligence that it deserves. This bill, as written, is forcing far reaching changes that will impact every single resident of the Commonwealth and furthermore it is being done in a vacuum while only giving consideration to a small and loud group of people.

For lawmakers, representing the people of this state, engaging in back door politics, is unacceptable and despicable. The majority of people follow the rules, laws and do the right thing. We, those people, and the men and women in Blue deserve more than just a knee jerk reaction bill. We urge you to do the right thing.

I read through the bill, yes I actually did, and realize most people & most elected officials never do. Not only are there quite a few parts I disagree with, but I think it is absolutely disgraceful that changes of this magnitude, to a bill like this, are being rushed without thoughtful consideration as to both sides of the situation. This bill as proposed is reckless and this is a recipe for unintended consequences that will have a negative impact on this entire state and the residence of it. Your constituents should have a say and be heard. As elected politicians I urge you to represent all constituents and do what is morally and ethically right for all of the people and all communities you serve and not for personal political agenda and gain.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits. I am quite sure you understand the importance of immunity because as written in the current bill, elected officials made sure their immunity was preserved and not tampered with (seems a bit self serving).

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee

lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

Massachusetts has some of the most elite and world class police forces around. Your vote and the "going along with the herd" mentality, is going to destroy what has been built. Years of blood, sweat, and tears on the backs of officers that work hard every single day, to protect all of our families (including your own). The large majority of police officers do great things for their community, that go far above and beyond the call of duty and they do this because they love the job and believe in good.

That fact that legislation is being thrown together and hastily moved through the system to pacify a small group of people that are threatening and destructive to our communities, is very concerning. As an elected official, I ask that you represent the silent majority and DO NOT PASS THIS BILL in its current form.

Let's be very careful not to create a profession that will find no applicants or willing bodies to do the work very much needed. Lets not forget there are bad people in EVERY profession (Including politics), so let's not persecute an entire profession that a few bad apples find their way into, just as we don't persecute the masses of any other profession.

I know as elected officials you and all of your colleagues can do much better than this and we the people demand that of you and are looking to hold our House of Representatives accountable to fix the shortcomings of our Senate. Please remember to represent the great people of this state and not bow down to the people that don't care about our cities, town, flag, country. I would ask that you please remember who your constituents are and think long and hard before you vote.

My hopes are for you to be the leader you were voted in to be and stand behind and back the good men and women in our police forces throughout this state. The men and women in blue that go to work to protect and serve us. That put their life on the line every single day for us.....we all owe it to them.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they so deserve.

Respectfully,

Jonna Dondero  
25 Samoset Ave  
Quincy

From: Bob Fleischer <rjf@tiac.net>  
Sent: Thursday, July 16, 2020 1:55 PM  
To: Testimony HWM Judiciary (HOU)

Cc: Harrington, Sheila - Rep. (HOU)  
Subject: Please support S.2820

All the policing and criminal justice reforms in S.2820 are needed, and I ask for your support.

Robert Fleischer  
119 Nashua Rd  
Groton, MA 01450

Sent frlm Bob Fleischer's phone. Please pardon typos.

From: Ofc Michael Pollock <pollockhpd@gmail.com>  
Sent: Thursday, July 16, 2020 1:54 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony for Bill S2820

Good afternoon,

My name is Michael Pollock and I live in Plymouth MA, and as a taxpayer and citizen of the great state of Massachusetts I would like to see a Police Reform Bill S2820 that receives input and hearings that involve who this effects most, police officers. Working with other officers we don't see race, color, gender. We have taken a sworn oath and answer every call for every person, we protect everyone's constitutional rights, even if we don't agree with politics involved. The largest issue that we have with the Senate S2800 bill is the rush and push of legislation that does nothing to address what police reform needs to be. And every officer officer of every rank should be allowed to be heard and the bill should take as long as it takes to make it right. Most importantly if you want to keep the best trained, the most knowledgeable and experienced officer's, S2820 shall not include any language that interferes or redefines the definition of qualified immunity. Not only keeping the senates version of qualified immunity in the bill, it would single handily destroy all the good work that police officer's of this state has done and relationships the police have built with the community. There's always room for improvement but I ask that qualified immunity be left for public employees and that you have police officer's at the table to help craft a great bill. You have our ears, let's all work together or many good officers will leave the profession.

Respectfully submitted,

Michael Pollock  
Plymouth Ma

Sent from my iPhoneFrom: Micayla Grew <micaylagrew@yahoo.com>  
Sent: Thursday, July 16, 2020 1:53 PM  
To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,  
My name is Micayla Grew and I live at 620 Cohannet Street Taunton, MA. I work at Old Colony Correctional Center and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Micayla Grew

Sent from Yahoo Mail for iPhone  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_overview.mail.yahoo.com\\_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=s7uVFt2xvTJ6lKGRORrQUQEvKdphsh9ajXW-Ln9VUBM&s=4mUebtj117Tele30mwv00R63dKumdXMgbBkcP0-tqQ4&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=s7uVFt2xvTJ6lKGRORrQUQEvKdphsh9ajXW-Ln9VUBM&s=4mUebtj117Tele30mwv00R63dKumdXMgbBkcP0-tqQ4&e=>)>

From: joe kenneally <kenneallyj2@gmail.com>  
Sent: Thursday, July 16, 2020 1:53 PM

To: Testimony HWM Judiciary (HOU)  
Subject: Stop this bill

Look at how well it's working for New York City. As I convicted felon with many years in prison I do not support this bill and it will just lead to huge spike in crime and murder.

Thank you for your time.

Sent from my iPhoneFrom: Sarah Betancourt <Sbetancourt@massinc.org>  
Sent: Thursday, July 16, 2020 1:53 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Media inquiry for ASAP

Good afternoon,

Wondering if written testimony about the policing reform bill could be sent to us here at Commonwealth Magazine. We're working on an ongoing story.

Best,  
Sarah Betancourt  
Commonwealth Magazine  
From: Grenier & Weissman <joanjon@gogtt.net>  
Sent: Thursday, July 16, 2020 1:51 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Carey, Daniel - Rep. (HOU)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

We're writing in favor of S.2820, to bring badly needed reform to our criminal justice system. We urge you to work as swiftly as possible to pass this bill into law and strengthen it.

We believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Sincerely,

Jon Weissman & Joan Grenier

---

25 High Street

Granby MA 01033



From: Clifford Silva <csilva@iafflocal1478.org>  
Sent: Thursday, July 16, 2020 1:51 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

To whom it may concern,

I am against this bill being signed so quickly without proper research and discussion.

Thank you,  
Cliff Silva  
Lynnfield, MA

Cliff Silva

Vice President / Treasurer  
Wakefield Firefighters Union  
Local 1478 P.F.F.M. / I.A.F.F.

From: John Perodeau <johnperodeau@yahoo.com>  
Sent: Thursday, July 16, 2020 1:51 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 bill

Representatives,

I apologize for the length of this email, but thank you for taking the time to read it. I want to inform you of my views, both positives and negative that I have of the Senate bill #S.2800, which is now Bill S.2820.

I believe my experience is important as it shapes my views. I am a supervisor of Police Detectives and Student Resource Officers in a Commonwealth town. More importantly I am a resident and have family in the Commonwealth in Mr Linskys District. As a supervisor I see areas of law enforcement differently than a line patrol officer. Additionally, I am the housing liaison and pre-covid I was meeting regularly with the managers of the multi family residences to learn how the police department can better assist families who may be in need of additional assistance.

I used to attend regular meetings with DCF Trauma informed leaders team and worked with them to create the DCF Community Provider Forum which partners DCF, Schools and Police Officers to identify how we can address the needs of children in their system and work together to support them.

As the supervisor of both Detectives and School Resource Officers I see the awful trauma that children experience especially with sex related crimes, and I see the frequency of these complaints.

I am part of a team of officers, fire fighters, teachers, and councilors that will immediately respond to other schools in the state to enhance either security in a dangerous situation, or to provide social emotional assistance if a member of the school or community suddenly dies.

If Qualified Immunity were to be removed or remodeled, I may question whether it is appropriate to focus on all these areas because ultimately I am fearful of the potential liability to get involved in social areas that are generally considered outside the normal scope of policing.

As for the bill, I do see some positives, but I think that this is just a starting point and rushing this bill in a week has the potential to do more harm than good.

First I am greatly opposed to the Qualified Immunity portion (starting SECTION 10 lines 549 -573. Even with a great amount of experience in criminal justice, 13 years employed, 2 degrees, and multiple training opportunities, when I reasonably discuss this matter with colleagues and associates with greater law expertise. I find the concerning issue is that nobody can fully define what this change does, or how poorly it may impact public servants as they serve the public. It is well documented that officers/firefighters/ teachers can be sued for negligent or illegal acts, this is a longstanding ruling of both state and federal court systems. My opinion is why do we need anything else, the current system actually seems very good if not perfect.

This section which changes MGL Chapter 12 subsection 11I (letter I as in India) , first changes language to be more inclusive, a good change. The next area on line 553 it adds "or attempted to be interfered with" this is dangerous language because an attempt is often subjective, even in criminal law it can be difficult to prove without the combination of "specific intent" and "overt act". This is one area I find fault with the Bill, because this language can lead to many frivolous lawsuits, especially since in an "Attempt", there is not a violation of constitutional rights, by definition it did not happen.

Second, topic POSAC

I support POSAC (Police Officer Standards and Accreditation Committee) is important but currently it is written in a way that I fear begins to dismantle Civil Service. Civil service is designed with a mission of creating diverse public service agencies. I think this needs to be vetted. In lines 513-517 it discusses the side stepping of MGL Ch. 31 (Civil Service) for complaints. Not only is civil service designed to enhance diversity, it is also something many labor unions and citizens are

passionate about. Voting to remove the the Town where I work from Civil service was a long and well debated process that went to a town vote.

My other concern for POSAC is in the complaint process under Section 224 (a), starting on line 412. It is understandable that POSAC will hear some complaints, but this doesn't limit what complaints they will hear. Ultimately, this takes the ability to internally investigate our officers and brings it to POSAC , for instance, if a complaint is made (as there have been) about officers being outdoors, standing over 6ft away from others, without a mask. Does the agency have to report this to POSAC to be investigated, it seems that certain issues can be handled in the department. In my opinion police agencies should update policy and procedures for Internal Affair investigations and appropriate supervisory officers trained as such. These supervisors will investigate and if the complaint is sustained, then the chief should review and recommend a discipline, then send to POSAC for additional investigation and potential discipline review.

Third,

Motor Vehicle Stops and Data Collection

Section 52 of this bill deals with Motor Vehicle stops and Data Collection it starts on line 1132.

My concern is first with the removal of discretion to issue a verbal warning which is discussed on line 1180. If the law enforcement officer does not issue a citation they shall provide a receipt with certain information. Thus if I need to leave a stop for an actual emergency, I will be delayed so that I can write out a receipt. There needs to be language for situations where a receipt can not be provided.

Second, with regard to documenting Age, Gender, and Race, who identifies race, because it can be very difficult, we must be inclusive of all walks of life, we understand the importance of not assuming gender, and race can be just as difficult. As of now, the MA RMV lists both Age and Gender, but not Race. Police officers should not be placed in a position to assume a race, when the operator can identify their own race when applying for a license. Out of state and non licensed drivers represent a smaller portion of motor vehicle stops and some states do have this listed, as do some international drivers licenses. Ultimately, more correct data will be obtained, versus data that is subjected to a potential assumption based on physical characteristics. Data is important to monitor potential biases in policing, shouldn't we want the best data possible.

I have no disagreement with the banning of choke holds, but there could be a scenario where I am being strangled and my only option is to try and save my own life by placing my hands around the neck of my attacker. Granted very rare, but still something to consider for a very limited exemption.

Finally, there are a lot of good police officers, this bill has caused good experienced officers great concern. I know many who are considering a change in career. This would lead to many newly hired officers, who have little to no experience. I believe the current bill, as written, would do much more harm than good.

Thank you,

John Perodeau

9782650937

Organization: Though I am part of law enforcement, I write this on my family's behalf. If passed, I am concerned for them especially a time of medical need, as I feel we will have lesser quality and quantity of officers and firefighters.

Sent from Yahoo Mail on Android  
<[From: Michelle Roberts <mchllgeany@yahoo.com>  
Sent: Thursday, July 16, 2020 1:50 PM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: Do NOT pass bill](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Dnj-P3qvIbUCMxc7L4oFfi0Ns4XqL5nIfU0nzCS5L-w&s=yM0MS1HXg-Rxf63G0rxMx74Rtce56kQMF_DxJzaIIGE&e=></a>></p></div><div data-bbox=)

To whom it may concern:

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more!!

Do NOT pass this bill!!!

Sent from my iPhone  
From: Ed Conway <edconway@comcast.net>  
Sent: Thursday, July 16, 2020 1:50 PM  
To: Testimony HWM Judiciary (HOU)

Subject: Bill No. S2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin:

I think that Bill No. S2820 is a reactionary response to the current cultural turmoil and should be sent to committee for additional review.

I question the need for spending tax payer money on additional police training. My sense is that Massachusetts already has one of the most educated and trained police force in the country; thanks in part to the Quinn Bill.

To remove "qualified immunity" from police and other state and city workers will only expose these professionals to frivolous civil lawsuits. Police already can be held accountable for lawless acts.

The use of tear gas in Massachusetts is seldom used, and it just seems reactionary to remove an effective tool for crowd control.

A complete ban on self defense techniques such as a choke hold defy common sense when an officer is confronted with a larger or stronger suspect.

Massachusetts has done a fine job at educating and training its police force, and I would urge a less reactionary and more thoughtful approach.

Best regards,

Edward Conway

30 Settlers Way

Salem, MA 01970

978.604.0457

Edward Conway, D.Min.  
Senior Pastor  
Calvary Chapel Chelmsford/Manchester  
978.458.3392  
[www.chapelchelmsford.com](http://www.chapelchelmsford.com)

From: 7817187851@vzwpix.com  
Sent: Thursday, July 16, 2020 1:49 PM  
To: Testimony HWM Judiciary (HOU)

To whom it may concern:

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more!!

Do NOT pass this bill!!!From: Chris Claire  
<cclaire@harvardapparatus.com>  
Sent: Thursday, July 16, 2020 1:49 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: To whom it may concern, regrading senate bill S2820

From: Chris Claire  
Sent: Thursday, July 16, 2020 1:01 PM  
To: Testimony.HWMJudiciary@mahouse.gov  
Subject: To whom it may concern, regrading senate bill S2820

I do not support Bill S2820.

I have many friends who are amazing police officers and this bill is a slap in all who wear a police uniform

Please do not pass this bill and hurt our state of Massachusetts.

Sincerely,

Christopher Claire

Disclaimer, Please Note:

This email (and any associated files) may contain confidential and/or privileged information. If you are not the intended recipient or authorized to receive this for the intended recipient, you must not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by sending a reply e-mail and delete this message. Thank you for your cooperation.

From: Jane Matlaw <jane.matlaw@gmail.com>  
Sent: Thursday, July 16, 2020 1:48 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please vote in support

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Jane Matlaw

Newtonville MA

Sent from my iPhone  
Please forgive my brevity and any misspellings!  
From: Michelle Filleul <michelle.filleul@gmail.com>  
Sent: Thursday, July 16, 2020 1:46 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support the Bill S. 2820

Dear Chairs Michlewitz and Cronin,

Please support funding Bill S. 2820 and support resources to reform the police force in Massachusetts. Make them equitable and just for Black lives and all people of color.

Thank you.

Michelle Filleul  
277 Farnum St, North Andover, MA 01845  
508-982-2160

From: Femino, Amy <Amy\_Femino@DFCI.HARVARD.EDU>  
Sent: Thursday, July 16, 2020 1:46 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Do Not Pass Police Reform Bill!!!

To whom it may concern:

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more!!

DO NOT PASS THIS BILL!!

Amy Femino

Senior Radiation Therapist

Dana Farber Cancer Institute / Brigham and Women's Hospital

781-624-5759

The information in this e-mail is intended only for the person to whom it is addressed. If you believe this e-mail was sent to you in error and the e-mail contains patient information, please contact the Partners Compliance HelpLine at <http://www.partners.org/complianceline> . If the e-mail was sent to you in error but does not contain patient information, please contact the sender and properly dispose of the e-mail.

From: Lynn Rosenbaum <lynnarosenbaum@gmail.com>  
Sent: Thursday, July 16, 2020 1:45 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

To the House Ways and Means,

I strongly support S.2820, the police reform bill. I hope the House will enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I have been on the streets multiple times in the last months protesting along with so many others, calling on the legislator to make major changes to our police policies. I particularly support the creation of a state-wide certification board, the Senate bill's limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, and all of the provisions requested by the Black and Latino Legislative Caucus. Police also need significantly more training in deescalation practices.



I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities, such as my own town of Arlington, should be able to make this decision for themselves.

I would like to see the Senate bill's small modifications to qualified immunity for police officers be strengthened. Police officers should not, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Thank you for considering these point.

Respectfully,

Lynn Rosenbaum

11 Peirce St. #2

Arlington MA 02476

781-646-0313

From: John Bujalski <thebcats@comcast.net>

Sent: Thursday, July 16, 2020 1:46 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police support Attention Aaron Michlewitz

Good Afternoon Aaron,

I reached out my state representative, Ken Gordon. Per his suggestion I am also reaching out to you.

This the first time I have ever voiced my opinion but I feel that with all the recent events that everyone is rushing legislation without taking the time to reach out to the citizens of the Commonwealth to hear them.

Everyone agrees that what happened to George Floyd was a tragedy. The officers involved are being held accountable. As they should. The incident has sparked intense emotions among people. That is important because it makes us all re-evaluate if change is necessary.

It is also important not to make mass judgements for all because of the actions of a few. No one disagrees that a review of law enforcement procedures needs to be done. The police are an important part of all civilized society. The Boston PD is a great example of how the police can work with the community. I fear that there are parts of the bill that will make it harder for them to do their job. We need law enforcement who has the faith of the community they are there to protect. They have one of the most difficult jobs and put their lives on the line for us every day. Reform needs to be balanced with support.

Thank you for taking the time to listen to my opinion.

John Bujalski

Sent from my iPad

From: Jennifer Graham <jennifer.graham08@yahoo.com>

Sent: Thursday, July 16, 2020 1:45 PM

To: Testimony HWM Judiciary (HOU)

Subject: Fwd: S.2800 Testimony

?

I'm writing to you to express my concerns regarding S.2800: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

While I understand the desire to pass legislation to prevent police officer misconduct and excessive force I have serious concerns with many provisions of this bill including the removal of Qualified Immunity. The concept protects public servants from frivolous lawsuits brought for by anyone who didn't like the way they were treated during a police interaction. Anyone could sue their arresting officer at anytime for basically any either real or perceived wrongdoings. Everyday Americans abuse civil court with frivolous lawsuits, I can only imagine the sheer number filed if this concept is removed from law. I'm also deeply disturbed that the Senate chose to pass this flawed legislation on the anniversary of a police officers death at the hands of an "unarmed man". Weymouth Officer Michael Chesna was murdered by a 20 year old man after that man attacked him with a rock, stole his firearm and then used it to kill him and an elderly woman in her home. Just because someone doesn't have a weapon on them does not make them not dangerous. Had the officer fired sooner he might still be alive. But then he would have been attacked by the media and public for shooting an "unarmed" kid.

Removing qualified immunity from public servants will not make streets any safer. Had officer Chesna fired his weapon during this altercation and wounded or killed the suspect he could be sued for wrongful death by the family and a civil judgement could ruin his life. How many officers will be willing to risk their lives in this instance? How many dangerous criminals will remain on the streets cause police refuse to give chase and risk an altercation? Everyday Americans sue McDonalds when they're burned by their coffee; you don't think criminals will use this to their advantage anytime they're arrested to make a false complaint?

Yes, trying to push reform to limit excessive force is good. Yes we don't want rouge cops going around shooting completely innocent people, but lets be clear; this legislation is not the way to do it.

The MA Senate knows the bill is flawed. They passed it overnight with zero public hearing and zero public input. This is not the way we

make laws here in America makes laws. We are a government of the people,  
FOR the people.

Please, I urge you to vote "NO" on S.2800.

Respectfully,  
Jennifer Graham

Sent from my iPhone

From: Brad Rothrock <rothrockster@gmail.com>  
Sent: Thursday, July 16, 2020 1:44 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass and strengthen S. 2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means  
and Judiciary Committees,

I'm a resident of Brighton, MA and am writing to urge you to pass and  
strengthen S. 2820.

The House process stripped out several amendments that would strengthen  
this bill and create a safer community for everyone, but especially for  
Black, Latinx, and Native people.

I would like to see a final bill that would eliminate qualified immunity  
(a loophole which prevents holding police accountable), introduce strong  
standards for decertifying problem officers, and completely ban tear gas,  
chokeholds, and no knock raids.

Thank you for your consideration and I strongly urge you to do the right  
thing.

Sincerely,

Brad Rothrock  
36 Winship Street  
Brighton, MA 02135  
(857) 540-0586  
From: Eric Klose <ericklose@gmail.com>  
Sent: Thursday, July 16, 2020 1:44 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Constituent Support S.2820

Hi, I live at 42 Chauncy St, so I believe I'm a voting constituent of Rep  
Michlewitz. I called in yesterday to voice my support for criminal justice  
reform, and for ensuring robust oversight of our police officers. I think  
Massachusetts has done a much better job than most states, and that also

means that the burden of oversight rules should require less change than in other states. I would love to see funds shifted to staff that supports smooth functioning of society! That's become too encumbered into the police force, but simple things like ensuring cross walks are respected, or giving directions, or reminding people to not litter. This nominally falls under the police, but they have more important things to do, so in practice there's no one minding the shop.

Let's focus the police on what they're most capable at, give them a span of responsibilities they can succeed at, and ensure a zero tolerance policy for abuse of their authority. I understand the background on where qualified immunity came from, but it's totally broken in practice. It's shocking that we don't do more to certify police officers, and in general I'm a fan of "stop killing or harassing our own citizens".

Thanks!

-Eric Klose  
42 Chauncy Street  
Boston MA 02111  
m: 617-823-7030 From: jdamico06 <jdamico06@aol.com>  
Sent: Thursday, July 16, 2020 1:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Do not pass this bill, please!!!

To whom it may concern,

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more.

Please DO NOT pass this bill.

Sincerely,  
A concerned citizen of Massachusetts

Sent from my Verizon, Samsung Galaxy smartphone  
From: Bob Bell <rpbell61@gmail.com>  
Sent: Thursday, July 16, 2020 1:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Police reform bill

Dear Legislators,  
I'm hoping we can count on your support to fix S2800. If qualified immunity is changed from its current definition, the safety of the public will be severely jeopardized.  
It is unfair and immoral to change current collective bargaining agreements without negotiations

When you put these considerations along with other problems with the bill, no one will want to be a police officer. Look around the country and see what's happening. NYC officers are retiring in droves. Minneapolis officers are leaving on medical stress. Atlanta officers stopped answering calls for a shift.

Do you really want that for Massachusetts?

We try to recruit officers of color to no avail. No young people want to be cops any longer.

When cops are gone, there will be no one to protect innocent civilians of all colors from the evil that liberals refuse to acknowledge.

Please consider your actions on this issue carefully. Be aware of unintended consequences. You might find yourself living in a world without police officers.

Best regards,  
Bob Bell  
Quincy

From: Nicholas Hammond <hammondnsh@gmail.com>  
Sent: Thursday, July 16, 2020 1:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Police Accountability

From what I understand of the police reform bill as it passed the senate is that it takes great first steps, but I believe it can be enhanced by going even further. I support the points that the ACLU of Massachusetts are asking be added to the bill:

- \* Prohibiting violent police tactics
- \* imposing meaningful restrictions on qualified immunity
- \* banning facial recognition surveillance

I'm glad that Massachusetts is taking this crucial first step, but we should take this opportunity to be a leader in the nation on this movement to improve policing by raising the bar even higher.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing.

I thank you for your work on this important legislation and encourage you to push even further.

Nick Hammond

From: Elaine Silva <nana5550@yahoo.com>  
Sent: Thursday, July 16, 2020 1:41 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S28020

This bill was passed too quickly.  
There needs to be more research done before any bill like this is written and passed

Elaine Silva  
Wakefield

Sent from my iPhone  
From: Annabel Consilvio <annabel.consilvio@gmail.com>  
Sent: Thursday, July 16, 2020 1:41 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

My name is Annabel Consilvio, and I am a resident of Cambridge, MA. I am writing to ask you to support S.2820, which will bring incredibly needed reform to our criminal justice system here in Massachusetts.

Additionally, I would like to push you all to include the elimination of qualified immunity within this legislation. This loophole prevents holding police accountable for their actions, and leads to disproportionately Black and Brown members of our community to be killed or put in jail, with no justice. On top of this, I believe the final bill should also include introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

All of these things should already be part of our basic justice system, and is Massachusetts really wants to call itself a leader in civil justice, these things need to be implemented immediately.

Thank you for your consideration. I'm looking forward to seeing your support on this bill and watching you advocate for strengthening it further.

Annabel Consilvio, Cambridge MA From: James Hodgerney  
<jhodgerney@gmail.com>  
Sent: Thursday, July 16, 2020 1:41 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Hello,

My name is James Hodgerney and I live on Brintnal Drive in Rutland. I currently work for the Worcester Police Department. I am writing to you to express the serious concerns with bill S2820. Should this bill pass as written, Police Officers in Massachusetts will be stripped of Qualified Immunity, and will be able to be personally sued for anything and everything they do while on-duty. There is no doubt in my mind this will lead to Police Officers who make a lot of (lawful) arrests being targeted with frivolous lawsuits, in order to curtail their proactive policing. The change also includes a section where they removed an element from the State Civil Rights act, and allowed a provision for attorney fees to be awarded to plaintiffs. This will create a ton of new cases to be brought to the state courts, and will cost the cities and towns as well as all public service employees so much. I am asking that you stand up for us and help make this bill the right way. We are not asking to be protected while being "bad cops" only to protect the good cops who put their lives on the line to protect their communities, and see the bill for what it is: a way to destroy proactive policing.

Thank You,  
James Hodgerney  
Jhodgerney@gmail.com  
508-963-6897

From: Garret Whitney <garretwhitney@gmail.com>  
Sent: Thursday, July 16, 2020 1:40 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: please pass S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Garret Whitney

296 Heath's Bridge Rd, Concord

From: Joshua Pirl <joshua.d.pirl@gmail.com>  
Sent: Thursday, July 16, 2020 1:40 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony in Favor of S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, the criminal justice reform bill currently in the MA state house. Please do all you can to strengthen this bill and work to pass it before as soon as possible.

While there are attempts to amend and weaken the legislation, the final bill must eliminate qualified immunity, lay out strong standards for decertifying problem officers, and ban the use of tear gas, choke and strangleholds, and no knock warrants.

Please ensure that MA leads on criminal justice and enacts this legislation in the memory of George Floyd, Breanna Taylor, and too many more.

I will pay close attention to how the house acts on this matter,  
Joshua Pirl  
Cambridge, MA

From: Deborah Levenson <levendeb@aol.com>  
Sent: Thursday, July 16, 2020 1:40 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Carey, Daniel - Rep. (HOU)  
Subject: Police reform bill (S2820)

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I urge the Mass. House to support and improve Senate police reform bill S2820. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor. Please retain the language for these urgent and necessary provisions of the Senate bill:



- \* Creating an independent and civilian-majority police certification/decertification body
- \* Limiting qualified immunity so that victims of police brutality can sue for civil damages
- \* Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records

In addition, I ask that the House improve the Senate bill in these areas:

- \* Strengthening use of force standards
- \* Fully prohibiting facial surveillance technology
- \* Lifting the cap on the Justice Reinvestment Fund

These are urgent matters that cannot be postponed or watered down.

Submitted by:

Deborah Levenson

Hadley, Mass.

From: Melissa Johnson <melissa.johnson@lahey.org>

Sent: Thursday, July 16, 2020 1:40 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill

To whom it may concern,

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more.

Please DO NOT pass this bill.

Sincerely,

A concerned citizen of Massachusetts

---

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From: Kathleen Karanas <ksilva426@gmail.com>

Sent: Thursday, July 16, 2020 1:38 PM

To: Testimony HWM Judiciary (HOU)  
Subject: Bill S 2820

To whom it may concern,

I am writing to ask you to please take time to review the new bill S 2820. This is being signed too quickly and I believe there is more thought and research to be done before passing. As a lifelong resident of the state of Massachusetts, I am against the passing of this bill. Please take the time and listen to the voice of the citizens of the commonwealth.

Sincerely,  
Kathleen Karanas, Tewksbury MA  
From: Fran Muzyka <fmuzyka@outlook.com>  
Sent: Thursday, July 16, 2020 1:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

In response to Bill S.2820 I am urging you not to pass this bill with the qualified immunity being taken away from our police, fire and nurses. I believe their hands will be tied and it will be much harder for them to do their jobs. Potentially causing second guessing and delay in action which could effect the lives of people they are attending to. This will leave them open to frivolous law suits.

Respectfulluy,

Fran Muzyka  
Waltham, Ma.  
From: Wendy McDonald <politicalwendy@gmail.com>  
Sent: Thursday, July 16, 2020 1:37 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Dear Members of the Judiciary Committee,

I'm using text supplied by the ACLU of Massachusetts because, quite frankly, they cover everything I want to say, more clearly than I could say it.

As your constituent, I'm writing to ask that you include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is NOT immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.



is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Mathew Price

From: Andrew Gorlin <asgorlin@gmail.com>  
Sent: Thursday, July 16, 2020 1:35 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

My name is Andrew Gorlin, I live in Brookline, MA. I just learned about the passage of the bill in the Massachusetts senate to end qualified immunity for police officers. (The very fact that I, who closely follows the news, learned about the legislature of such importance from a friend, is truly appalling: there was no public hearing, or other discussions - just late night vote in the MA senate.)

The very idea that such a thing as removing qualified immunity from police can be seriously proposed, let alone voted for 30 to 7, seemed totally absurd just a few months ago. Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function - anybody, from public school teachers to senators, could find themselves frivolously sued for any action that made somebody unhappy. And policemen, due to the very nature of their work, are the most vulnerable group.

This shameful legislation is unfair, immoral, and harmful to the extreme, especially to the people of color, whom it's supposedly designed to help - this group needs strong law enforcement and police protection more than anybody. By taking away qualified immunity from police the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen will retire, which is already happening. And nobody will be interested in joining the police force - the group that not only is unjustly vilified, but now even deprived of any legislative protection.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Andrew Gorlin  
Brookline, MA  
asgorlin@gmail.com

From: Martha Smith-Blackmore, DVM <marthasmithdvm@gmail.com>  
Sent: Thursday, July 16, 2020 1:34 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fair and just policing for all communities

Dear Chairs Michlewitz and Cronin:

Please amend S.2820 to include Special State Police Officers' transparency. Currently, Massachusetts special state police officers are empowered with rights of policing without being accountable to the police, including BiPOC and other marginalized populations.

The lack of transparency around numbers of investigations, arrests, and arraignments means that private entities can continue with selective and unjust policing practices. My suggested language is below. Thank you for all that you do for people and animals in the Commonwealth.

An Act relative to transparency for special state police officers

SECTION 1. Chapter 66 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 21 the following section:-

Section 22. A document made or received by special state police officers as defined in Chapter 22C, including but not limited to, special state police officers as defined in sections 51, 56, 57, 58, and 63 shall be considered a public record under this chapter and under clause twenty-sixth of section 7 of chapter 4 and subject to all applicable exemptions.

--

Martha Smith-Blackmore, DVM  
<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.linkedin.com\\_in\\_marthasmithblackmore&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.linkedin.com_in_marthasmithblackmore&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk)>

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Yixh3D1vhAaF9qIxP1RPwc7L74YUCimYJQM&e=>

President

Forensic Veterinary Investigations, LLC  
<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.VetInvestigator.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=9RR6BWOLeoBFnriXS33G5R7d1TbC9mOtk8WKWAHE4KU&s=ZeMISE20OKQqocm6nlHbsqrP\\_zB41YPLG8aXPzd2n7k&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.VetInvestigator.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=9RR6BWOLeoBFnriXS33G5R7d1TbC9mOtk8WKWAHE4KU&s=ZeMISE20OKQqocm6nlHbsqrP_zB41YPLG8aXPzd2n7k&e=>)>

Cell: 617.293.8183

Consider following me on twitter @VetInvestigator (work)  
and @MarthaSmithDVM (play)

From: M+M <mmp232004@yahoo.com>  
Sent: Thursday, July 16, 2020 1:34 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Proposed Bill S.2820

To: The Chair of the House Committee on Ways and Means and Chair of the  
Joint Committee on the Judiciary

I am writing to you regarding the proposed Bill S.2820.

As being a law enforcement officer for approximately 12 years, I have seen a lot of change in this state that has brought good and bad to how we do our job daily.

I have served my country in the United States Air Force Reserve for thirteen years with multiple overseas deployments to Iraq, Afghanistan and Kuwait and also my community with the Wakefield Police Department because I care to serve and protect EVERYONE. I have worked hand and hand beside anyone to get the job done regardless of their race, color or origin.

My current position within the police department is being assigned as a School Resource Officer (SRO) for the past eight years to a twelve community technical high school with a diverse school culture and always treated everyone with the same respect.

After reading this proposed bill coming before you there are many things that need a lot more input from the everyday law enforcement representatives/officers in our great state.

This bill has been rushed through to your level based on the current movement going on throughout this country and it should not be the driving force to enact a bill like this that will negatively effect policing going forward for all citizens of the Commonwealth. Let's not forget the Commonwealth already has some of the strictest laws in the country that protects its citizens.

Currently in law enforcement we are already having trouble recruiting individuals into this job. If we continue to take away protections (ex. qualified immunity) that have been set in place to protect us from just doing our job no one will want to protect and serve our citizens. There is also the push in this bill to take away information sharing and tools we may need to do our jobs at certain times.

It is sad to see how all law enforcement officers are collectively being attacked based on the actions of the few who acted not appropriate in their position. Every profession or business sector has those few who do things not appropriate, but their actions should not discredit the whole body.

I can only hope you and your fellow House members do not pass this bill and stand behind the hardworking law enforcement officers in our state who serve and protect everyone everyday.

Respectfully,

Officer Michael Pietrantonio

Resident of Wakefield, Massachusetts

Employed by the Wakefield Police Department

781-621-8448

From: Renee Pierce <renee600@icloud.com>  
Sent: Thursday, July 16, 2020 1:32 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Public testimony - concern about Police reform act

Dear House Committees on Ways and Means and Judiciary Committee,

My name is Renee Pierce and I live at 15 Woodhaven Drive in Andover Massachusetts. I write to express my concern about and opposition to Bill 2820. This bill puts law enforcement and citizens in danger!

I respect the dedication of police who choose to protect the people of Massachusetts. I understand the dangers faced and what they are up against when they head to work each day, evening and overnight shift. Though well intentioned, I do not believe that many of my neighbors are aware of the crime that does happen every day. For these reasons, they cannot imagine the need for some police protections, training, or reactions. They are insulated from crime because our police protect communities. If we do not continue to offer our officers protection and support, as they do a job that most would not attempt, we jeopardize the safety of everyone.

I believe ones experiences shape their opinions and I am a proud member of a law enforcement family. My husband is a State Trooper who has served for more than 15 years. I am also the daughter of a retired Lawrence Police officer who served for 30 years. I have seen their struggles and I have learned how scary our world can be. In the years my family has served they have been put in unthinkable situations, but still make the choice - everyday- to protect those in need and run at evil for the benefit of others.

Our police officers do not make the laws, but they are tasked with enforcing them. If we, as citizens of Massachusetts want to be safe, we need to support the effort of our officers so they can do the best job possible. I strongly believe that the bill proposed to reform police standards has the intention to make situations better for our people, but falls short and will make things worse. As a state with quality policing in place, we need to make sure that this level of policing is upheld, not diminished. Defunded police, and limiting the ability to identify and act on crime before it happens, or stop crime in process will result in less safe environments. It is the responsibility of our state government to support police policies that ensure that we continue to have educated



officers that have quality training. We need to offer our law enforcement the respect they deserve and teach our community and our children to do the same.

This ultimately will result in professional officers who are skilled when interacting with the community.

Our police forces in Massachusetts are exceptional and should not be defunded or demoralized with policies that make their jobs even tougher. I restate my argument that more training and more support is what we need. It is the low income, crime-ridden cities that will first fall victim to more crime if the police presence and ability to maintain order is lessened. There will be no shortage of individuals looking to take advantage of unprotected communities because they know there are not enough police or police who cannot act with success because their power has been diminished. This bill will backfire and result in emboldened criminals, poorly staffed departments, poorly trained officers and police who may not act with conviction because they fear retaliation. This will create more problems than can be imagined. If being a police officer becomes more dangerous than it already is you will get more retirements sooner and less qualified applicants going forward.

Please do not put people at risk by passing this bill as is, which limits police response by removing qualified immunity and encourages criminals to fight back knowing police response has been stifled. Police deserve due process and access to defensive tactics that work in tough situations. Even though it is hard to imagine, bad things do happen. Criminals do exist and cause harm to innocent civilians. Finally, police oversight commissions need to include rank-and-file officers who know about the job. State police and local municipalities need to be included.

I ask that my representatives put themselves in the shoes of an officer. Go on a ride along in your city and in a city struggling with more crime than your community. I dare you to go out there and politely ask the bad guys to stop. Will that work? The good guys have to be able to do their job. It can be an ugly profession and the bad guys, in many cases, won't always listen to reason. Sometimes controlled force is necessary. Officers are asked to have countless negative interactions with the public we have to give them something positive rely on; our support, quality training and the benefit of protection when they have our best interests in mind.

The death of George Floyd was unnecessary and disgusting. His killer was wrong, his fellow officers were wrong, we are angry and upset at this ex-cop for what he did to that man and he is being brought to justice for his crime. He also might as well have pointed a gun at law enforcement. Police are now targets, officers will die and be hurt as a result, and their families will be afraid and possibly targeted.

I support funding, training and education for law enforcement and the public, I believe that those who patrol should be well informed and better prepared. We need mutual respect, quality policing and support for those men and women who go out there when bad things happen and bad people choose to hurt and hate. I hope that we get there someday.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 and treat the men and women in law enforcement with the respect and dignity they deserve.

I would be happy to speak with you about my concerns.

Sincerely,

Mrs. Renee Pierce

(978)490 9277

Renee600@me.com

A fact to consider taken from the Washington Post:

Based on the 2019 statistics -

In the United States, our nearly 700,000 police officers make 55,800,880 contacts with the public per year. Which, at the time of the last report, that led to 26,000 excessive force complaints against officers. That is 0.047% of all contacts. Only 8% of those complaints were sustained. That is 2,080 out of over 55 million contacts, or .0039%. The police are not a danger to our community!

From: Kimberly Barrett <kimberlybarrett8710@yahoo.com>

Sent: Thursday, July 16, 2020 1:33 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2800

Good Afternoon,

My name is Kimberly Barrett and I live in Reading. As your constituent, I write to you to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, one, in particular, stands out and demand immediate attention, modification and/or correction.

Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

The lawsuits resulting from this, whether they're won or not, will result in personal time away from the job to attend court hearings and money lost on legal fees. This would result in MANY officers leaving their positions.

I know it would not be totally eliminated under this bill, but the rephrasing leaves much room for interpretation. For example, if an officer were to do chest compressions on someone for CPR and accidentally break their rib, would they be protected? If someone was resisting arrest and they broke their wrist in the scuffle, would the police be protected? How does this distinguish between a smaller female officer feeling as though their life is being threatened or a larger male officer?

In a society where the media and politicians are clearly against GOOD officers who are doing their job well, many people have turned their backs on police. They would jump at the opportunity to file a lawsuit against the person who arrested them.

Why the rush to push this bill through so quickly? What about public forums? Why not find a way to rephrase this that wouldn't put so many of our police officers in harm's way? Massachusetts' police are the country's best, most educated officers. That doesn't mean they're not open to reform, but it they do not deserve the treatment of this rushed, imperfect, and dangerous reform.

As a Democrat, I am extremely disappointed in my party that none of my representatives are stepping forward to voice their support in the good men and women who are serving as police officers in this state and country. Expressing gratitude toward police in a private email, while appreciated, is not public it will not help protect these innocent officers who are encountering growing hatred on the streets of the communities they serve. I strongly believe this is directly influencing many of the violent acts against police, including murders. When will someone speak up? Hopefully before it's too late.

My husband is a proud police officer. He puts his life on the line daily for people who are turning their backs on him and other men and women in blue. He's highly educated with a bachelors and a masters on the way. He is the type of officer you would want to protect and serve your community, but he puts our family first. He's ready to leave a job he's worked his whole life for because of this bill and the recent hateful actions against police. I'm sure many others will follow.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve. They're absorbing most of the blame for systematic racism of our entire society. While I would assume that it is already going to become more difficult to fill police jobs with educated, qualified individuals, instituting this rewrite on qualified immunity would make it nearly impossible to fill these positions.

Thank you,  
Kimberly Barrett

Sent from my iPhone  
From: Christine Balmer <cbalmer2@gmail.com>  
Sent: Thursday, July 16, 2020 1:33 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Garlick, Denise - Rep. (HOU)  
Subject: Police Reform

To: Rep Claire Cronin & Rep Aaron Michlewitz:

We urge you to preserve and build upon the accomplishments of the Senate bill on police reform, especially the following:

- \* Creating an independent and civilian-majority police certification/decertification body
- \* Limiting qualified immunity so that victims of police brutality can sue for civil damages
- \* Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- \* Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- \* Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

We also urge you to go further than the Senate bill by:

- \* Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas

\* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)

\* Lifting the unnecessary cap on the Justice Reinvestment Fund  
\* Abolish, rather than limit, the doctrine of qualified immunity -- which permits law enforcement to violate people's constitutional rights with virtual impunity.

Thanks for your attention,

James & Christine Balmer  
76 Kimball Street, Needham MA 02492  
From: loislind@aol.com  
Sent: Thursday, July 16, 2020 1:32 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: It is important to include

language about Raise the Age in the Reform, Shift, + Build Act.

Thank you,  
Lois L.Lindauer  
Lois L Lindauer  
220 Boylston St  
Boston, MA 02116  
617-529-3334  
From: Daniel Sohn <danielmsohn1@gmail.com>  
Sent: Thursday, July 16, 2020 1:32 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform bill

To whom it may concern,

This police reform bill, if passed will change the commonwealth. Why would a police Officer risk his life without any protection? Qualified immunity is dangerous. Please think of the consequences before you vote!

Your constituent

Daniel M. Sohn  
781-308-8426  
From: KATHLEEN BROWN <katbrown480@verizon.net>  
Sent: Thursday, July 16, 2020 1:31 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2800

I am opposing S2800 in support for our law enforcement. Our police need qualified immunity, collective bargaining rights and having a fair certification board. They risk their lives everyday to protect us and we need to protect them This bill was very quickly approved without any public hearing and is unfair to our law enforcement.

Sincerely

Kathleen BrownFrom: Brendan Byrne <investbyrne@yahoo.com>  
Sent: Thursday, July 16, 2020 1:31 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified immunity

I am highly against dropping qualified immunity for first responders, they will not be able to do their jobs properly and it will cause hesitation to do their jobs and will cause more deaths of them and of the public.

Brendan Byrne

From: Brian Ayers <WBPD623@msn.com>  
Sent: Thursday, July 16, 2020 1:30 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

To whom it may concern;

I write to you today regarding the proposal for S2800.

First and foremost are you aware of the standards that are in place today with regards to Police Officers in the Commonwealth? Do you know the current standards are bias and racist? Example: Two candidates take the same exact entry exam for the State Police Academy, one candidate scores a 96 on the exam the other candidate scores an 84, which candidate is chosen for the State Police Academy? The answer is the person with the skin color of black, the gender of female, or the person who has been labeled by society as anything other than a Caucasian male. How is this ethical, and how does this not violate the racism / bias that society is trying to currently combat?

I have been a part-time police officer for 21 years for the Town of West Brookfield. I have worked alongside some of the finest people I have met with every skin color, gender, religious background that one could imagine. I have never witnessed any discrimination against any citizen in the Commonwealth while working in the capacity as a sworn police officer. What I ask is very simple, do not put onto others what you would not want done to yourself. You want to limit qualified immunity for police officers, then the bill should also include the limited immunity for Judges, and every other employee of the Commonwealth including State Senators, and Representative of the house.

I certainly agree that society as a whole need to continue to adapt to changes in our world around us. However, is this bill being rushed through to make a positive difference in our society or simply appease a crowd and protests for an event that occurred over 1,000 miles away? My concern is the bill you are putting forward will force many of the officers in the Commonwealth to find alternative careers and we will lose a lot of knowledge and experience on the front lines. This bill should

not be rushed through and done in haste but she be put before a study and verify what these changes will do for not only the society around us but the Police Officers who put on a uniform each and every day to make the Commonwealth a better place to live.

If you have any questions please don't hesitate to contact me.

Sincerely,

Brian J. Ayers  
508-277-5878

From: kzanard@yahoo.com  
Sent: Thursday, July 16, 2020 1:30 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: opposition to Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Kevin Zanardelli and I live at 18 Cardinal Circle, Weymouth, MA 02189. I work at Innovative Development, Inc. (Walpole, MA) and am a Director of Product Development. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Kevin Zanardelli

From: Wesley Cannon <wesleydcannon@gmail.com>  
Sent: Thursday, July 16, 2020 1:28 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform Shift Build MA Act

Hi there,

My name is Wes and I live in Essex, Massachussetts.

I wanted to day that I fully support the Reform, Shift, Build MA Act. I think that for myself and others to feel fully safe in Massachussetts', police officers must be certified. This level of accountability is incredibly important to me and many others.

Thank you,  
Wes Cannon

From: Mary Butler <maryjane041704@gmail.com>  
Sent: Thursday, July 16, 2020 1:28 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800 Police Reform Bill

I am writing in opposition to the police reform bill, specifically the limiting of qualified immunity for our police. I firmly believe these



limits will endanger our communities and our police by forcing good cops to second guess their instincts out of fear that a frivolous lawsuit will cost them their home or worse. Qualified immunity is not a get out of jail free card and does not mean our police are not held accountable as is being widely reported.

Please do not follow in the footsteps of New York and handicap our officers to the point where they are afraid to do their jobs. These reforms are not working in other states, and while there are parts of the bill that we all can agree with, rushing this through to quiet a mob that bases its ideas on feelings instead of facts is a mistake. I trust you to make the right decision for the safety of the people who elected you as well as the officers who protect us.

Thank you,  
Mary Butler  
508.272.1472  
Resident of Attleboro, MA  
From: John Davey <sgtdavey@gmail.com>  
Sent: Thursday, July 16, 2020 1:27 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: SB2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,  
My name is John Davey and I live at 258 Arlington st Dracut. I work at MCI CONCORD and am a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the

appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

John Davey

From: Gabriella Mazzie <gamazing29@gmail.com>

Sent: Thursday, July 16, 2020 1:27 PM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to S.2800/S.2820

Dear Massachusetts State Representatives,

I am writing to you today in opposition to S.2820 (2800). As a lifelong citizen of the Commonwealth of Massachusetts and the daughter of two police officers who have dedicated themselves to the safety and security of Massachusetts residents (for over 24 years and 28 years), I feel this bill has been hastily written and is unfair to my parents and all women and men that serve as Law Enforcement Officers in the Commonwealth.

Please take time and use a common sense approach before passing this legislation. I call for you & your colleagues to go "on patrol" for a month with your state & local police departments. See what they face and how they interact with the public. You the law makers stand protected while the law enforcement officers risk their lives every day. You protect yourself with immunity and want to take it away from police officers. I don't know a lot about qualified immunity but I do know the women and men in blue suit up for their shifts not knowing who or what they will face and have to make split second decisions to protect themselves and the public. I've heard plenty of awful stories over the years growing up. Yet my parents and their co-workers continue to protect the community and give of themselves by raising money for organizations like Cops for Kids with Cancer or serving the less fortunate at food pantries on Saturday mornings.

What happened in Minneapolis is a disgrace! Why are the Law Enforcement Officers in Massachusetts paying for the failures of officers halfway across the country? You feel the need to do something? That something should be well thought out. If not, you will see those that can retire will be gone ASAP. Some will quit and those that stay will only respond to an emergency. New recruits? There won't be any because it's a thankless job. Is that what you really want?

For the first time in my life, I do not feel my safety is a priority. My views do not align with the message to "defund the police" yet I can't vocalize that for fear of reprisal. You, your children, your husbands and wives, your mothers and fathers, your brothers and sisters...you're all at risk as I am, along with the rest of the law abiding citizens in the Commonwealth.

I pray you do not destroy law and order for your family or for the citizens of the Commonwealth or for my family and for generations to come. Please, I implore you to vote "no" on S.2820.

Thank you,

Gabriella Mazzie  
32 Rowley Road  
Boxford, MA 01921  
978-880-2459  
From: Roberto Rivera <titorivera375rr@gmail.com>  
Sent: Thursday, July 16, 2020 1:27 PM  
To: Testimony HWM Judiciary (HOU)

Hello I'm a armed guard working for national cinema security what's this about a testimonyIf it's wrong or right

Sent from my iPhone  
From: L Bonczek <bozls@hotmail.com>  
Sent: Thursday, July 16, 2020 1:27 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fw: Police Reform Package (s.2820)

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From: L Bonczek <bozls@hotmail.com>  
Sent: Monday, July 13, 2020 12:24 PM  
To: kimberly.ferguson@mahouse.gov <kimberly.ferguson@mahouse.gov>;  
william.galvin@mahouse.gov <william.galvin@mahouse.gov>;  
richard.haggerty@mahouse.gov <richard.haggerty@mahouse.gov>;  
john.mahoney@mahouse.gov <john.mahoney@mahouse.gov>;  
joseph.mckenna@mahouse.gov <joseph.mckenna@mahouse.gov>;  
michael.moran@mahouse.gov <michael.moran@mahouse.gov>;  
harold.naughton@mahouse.gov <harold.naughton@mahouse.gov>  
Subject: Police Reform

Dear distinguished members of the House of Representatives  
I am a 25 year veteran of the Worcester Police Department and member of the NEPBA local 911. I am contacting you today seeking your support in the issues of qualified immunity , due process, arbitration, and having members on the POSAC Board to contain people with a background and experience in law enforcement.  
This is not a time for knee jerk reactions but rather a time for well thought out plans. I feel that Massachusetts law enforcement has always been ahead of the curve in many of the issues facing our profession today. I ask that you don't make judgments on Massachusetts officers based on what's happening in other parts of the country.

Thank you for your time and look forward to your support.

Steven Bonczek

8 Spring St, Jefferson MA 01522

(508) 846-8115

From: Brigitte Deitz <hunthorse@aol.com>

Sent: Thursday, July 16, 2020 1:25 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony

To My Senate:

I am writing with great concern regarding MA House of Representatives Bill #5128. If your goal is to "build a more **EQUITABLE**, fair, and just commonwealth that values Black lives and communities of color" you are gravely mistaken that this is the solution.

While there are many elements to this bill that cause great concern and quite frankly shock, I will focus my effort in explaining what I feel would be most damaging.

SAY NO TO #8 No more tear gas, rubber bullets, pepper spray, or K9's against another person.

Unless you are prepared and desire a max exodus, you must seriously reconsider what you are proposing. K9's are never deployed for apprehensions unless they are absolutely necessary. MA has the best K9 trainer in the US, Troy Caisey, who has dedicated his life and career to training dogs and their handlers from all over NE. He leads each and every handler to value the rights of ALL and to utilize their K9's abilities in apprehension only when necessary. Our K9 teams are the BEST in the country, due to his work and dedication. When his students graduate and certify, they sign on to a continued monthly training education for the life of the team. He makes himself available for support 24/7, far exceeding his position's expectations.

How do I know? Why do I care? Do I have anything to lose? I have been working with Troy for over 10 years now, breeding, raising, and training German Shepherds and Malinois for the region. I have countless dogs working in the Northeast as certified department K9's who are saving lives every day. Who's lives are they saving? Sometimes they are saving our officers, sometimes they are saving civilians, and sometimes they are even saving criminals' lives. If **EQUITY** is what you are striving for, K9's are absolutely the most special tool that we must preserve. While no one likes force, sometimes it is absolutely necessary. A dog bite doesn't kill and the pain inflicted is temporary and benign when compared to that sustained by a bullet or a stun gun.

For anyone who questions my agenda in my opposition of this bill, supposing that I am writing in concern of protecting income, I will have you know that raising and training police dogs is not a profitable venture. We do it because we truly care about giving back to our community. K9's are an invaluable asset to everyone in the commonwealth.

Please, if nothing else, think hard about the key word "equitable" in this proposed MA bill. To rush such a bill, with how it is currently written,

will guarantee that that safety for all will NOT be equitable for our officers.

Thank you for your time and consideration,  
Brigitte Deitz  
Owner of Fox Hill Farm & K9 llc

Brigitte Deitz  
FOXHILLK9.com <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.foxhillk9.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=e7dZbq1114TEwFHCmicXZly6QHzzIdcjTLdLlt063FU&s=-OTMndf55bnZAHEz6Ny-vJ\\_x9dmWfhc812gNdcK9i-E&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.foxhillk9.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=e7dZbq1114TEwFHCmicXZly6QHzzIdcjTLdLlt063FU&s=-OTMndf55bnZAHEz6Ny-vJ_x9dmWfhc812gNdcK9i-E&e=>)>

(978) 270-9200

From: Matthew Anderson <[anderson50834@gmail.com](mailto:anderson50834@gmail.com)>  
Sent: Thursday, July 16, 2020 1:24 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: OPPOSE S.2820

To whom ever it may concern,

I am offering my testimony in regards to bill S.2820:

WHAT DOES THE PROPOSED POLICE REFORM BILL DO?

The proposed massive Police Reform Bill IS NOT BASED ON MASSACHUSETTS performance history and NOT BASED ON MASSACHUSETTS DATA.

The proposed bill will destroy the morale of our police departments, will put our officers' safety at great risk, and will expose them and their families to personal liability, will generate thousands of frivolous lawsuits to be paid for with taxpayer money, and even has provisions to pay the lawyer's fees for people who sue our communities.

For example - the legislation:

- ? Creates and funds at least 6 new Agencies, Commissions or Committees
- ? Eliminates Civil Service Protection only for Law Enforcement Officers; (Sections 41-43)
- ? Prohibits School Department Personnel from Providing Information to Law Enforcement regarding gang activity and affiliation; (Section 49)
- ? Expands the rights of individuals convicted of multiple crimes to expunge records of those crimes

? Requires that a lengthy record (receipt) be generated related to virtually any interaction between a police officer and a member of the public; (Section 52)

? Creates - but does not fund - mandates upon municipalities to gather, track, organize and report data, as well as unfunded training mandates; (Section 52)

? Creates a Police Officer Standards and Accreditation Committee to govern the conduct of police and judge police officer conduct but - unlike every other professional licensing board - is made up of individuals nominated by groups which openly advocate against law enforcement. It would be similar to staffing the Board of Pharmacy with anti-vaccine advocates or staffing a medical board with lawyers who sue doctors. The Board of Plumbers is made up by a majority of plumbers. The Board of Accountancy is made of by a majority of Accountants. Same goes for nurses, electricians, etc. Law Enforcement should be no different and the committee that can take away our careers should not be populated with nominees that include law firms who claim to have made millions suing cities and towns and their police departments (Lawyers for Civil Rights, Inc.) or the ACLU. (Section 6).

? This bill effectively eliminates collective bargaining rights for police officers - the employees that need it most given the difficulty of their job. This anti-labor, anti-employee bill essentially removes (only for police) the right to be disciplined only where there is just cause - a right enjoyed by virtually every other public employee in our state. (Section 6)

? This bill creates a cottage industry for lawyers and another unfunded mandate upon Cities and Towns by greatly expanding liability on municipalities and officers. Under this Bill, every time a Court grants a motion to suppress evidence - because of any technical violation of the Fourth Amendment for instance - a per se violation of the Massachusetts Civil Rights Act will be created. The proposed Bill even provides for attorney fees to prosecute these actions. (Section 9). Even officers acting in good faith will be liable.

? This bill purports to regulate the Use of Force by Law Enforcement Officers without any recognition that police officers often must make split second decisions, often under extreme stress. Good faith actions will result in lawsuits and can result in the loss of a career. Even if those actions were deemed appropriate by an internal or District Attorney's review, the new committee can decide on their own to end a career. Nowhere in the bill is there acknowledgement that the reasonableness or necessity of a particular use of force must be judged from the perspective of a reasonable officer on the scene and not from the perspective afforded by 20/20 hindsight. (Section 55). It is easy to make decisions in the comfort of a lawyer's office with the benefit of video, hindsight and knowledge of the actual outcome of an event. The law has recognized for years that hindsight judgment is unfair and not practical for the officer who may be faced with life or death situations in the heat of the moment.

The senate bill is an ANTI LABOR bill thats supporting the elimination of Collective Bargaining & the right to Due Process and is a major flaw and goes against the states platform as always being labor/union supporters.

DO NOT OVERLOOK THE SUCCESS OF MASSACHUSETTS  
POLICING

Don't believe the misinformation about the alleged need for emergency police reform here in Massachusetts - in reality, Massachusetts is a success story on Police Training and use of force results - even according those groups advocating national police reform. Our educated police force, competitive wages and mandatory training have produced excellent results.

For example, Massachusetts is among the very best in the nation when it comes to police use of deadly force:

? Massachusetts has one of the lowest annual rates for deadly use of force incidents in the Nation - at only 1.2 incidents per million people.

? Massachusetts Cities have excellent records when it comes to deadly force - In Worcester, there have been ZERO deaths caused by police since 2013 (excluding a taser related incident which was ruled a drug overdose) - in fact, Worcester has an annual citizen complaint rate of only .0002% out of 140,000 calls for service. In Lowell, there has been only one police related death (justified) in that same time period.

? During this span, the police have successfully handled many millions of calls for help, often involving, volatile and violent individuals, without incident.

? Most Massachusetts Towns have had no law enforcement related deaths during the tracked time period.

? When anti-police groups present data of people killed by police, they include people like the Boston Marathon Bomber, and others who murdered police officers during incidents.

Before passing a bill creating new state agencies and destroy the morale and success of our public safety officers - is it too much to ask that you first take a look at how police in Massachusetts are performing? Have you looked at your own constituencies - the Towns in your district to see what needs changing, and what is working?

Respectfully,  
Matthew Anderson  
Worcester Police Officer  
774-437-1542  
From: Alfred Jacques <aljacques@comcast.net>

Sent: Thursday, July 16, 2020 1:24 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Proposal

To All,

Stripping Law Enforcement of qualified immunity takes away their protection and due process.  
This State is in for some tough times if this happens.  
It would be safer for Police and Fire to do the bare minimum if this bill is passed.

The Public deserves more!

Regards

Al Jacques  
Whitman Ma.

From: Jenny McIntosh <jennymcintoshcellist@gmail.com>  
Sent: Thursday, July 16, 2020 1:23 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: I Support Bill S2820

Hi,

My name is Jenny McIntosh; I am a student and my phone number is 978-259-8532. I support bill S2820, and hope that you will too. Thank you.

Sincerely,  
Jenny McIntosh

From: M A <mca6095@gmail.com>  
Sent: Thursday, July 16, 2020 1:22 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

To whom it may concern,

You have probably received many emails similar to mine and I thank you for taking the time to read this.

My name is Michael C. Anderson and I have been employed as a Police Officer by the Town of Andover for 11 years. I moved to Andover in third grade from the City of Lawrence , graduated from Andover High School and decided to enter into public service. My wife, whom I met in college Fifteen years ago, decided two years ago to quit her private sector job and become a civil servant at the age of 34. Her decision to take the civil service exam to become a Police Officer was solely based on how she saw how the Andover Police Department truly cares, implements and impacts



the lives of people in the community. She has been a Police Officer in the Town Of North Andover for the past two years.

The amount of training along with standards from both state and individual departments, holding Officers to the highest standards is something that can only be experienced first hand. I can assure you that this new bill will completely eliminate the level of customer service, respect and professionalism that the public expects and demands from Police Officers.

This bill is turning away very qualified applicants who are dreaming of careers in Policing and others that have invested the majority of their life to a career that is for the greater good to retire prematurely.

Understand the passing of this bill is going to completely change Policing forever... for the worse.

Respectfully submitted,

Officer Michael C. Anderson  
Andover Police Department  
978-475-0411 <tel:978-475-0411;3041>  
X3041 <tel:978-475-0411;3041>  
Mand@andoverps.net  
From: Barbara Neenan <bneenan45@gmail.com>  
Sent: Thursday, July 16, 2020 1:20 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

To the members of this committee,

As a 75yo life long citizen of MA, I am respectfully requesting that you vote against the proposed removal of police immunity. I feel that they deserve a certain amount of respect and support. The majority of officers in MA, are college educated, many with advanced degrees. They take their jobs very seriously and put their lives in danger every time they leave their homes and families to report for duty. This is not Minneapolis. Even Pres. Obama related to the excellent manner in which our police depts. perform. I believe he was referring to Boston specifically. Training programs in our region are very rigorous. I feel that residents in the inner city will suffer more with a reduction of staff. New York is experiencing many murders as a result, a one year old baby was killed in the crossfire last night. I fear the changes that may come as a result of the passage of this bill, more than I do the Corona Virus!

Respectfully submitted,

Barbara Neenan  
781-648-1281

Sent from my iPadFrom: Jerald Jagers <jjagers@verizon.net>  
Sent: Thursday, July 16, 2020 1:19 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill No. S2820

Chairman Michlewitz and Chair Cronin,

Your act to reform police standards and shift resources is both irresponsible and reckless given the dangerous climate and number of police "executions" we have seen over the past six weeks. The fact that you would even consider such a shift in police policy, demonstrates how very little regard you have for their occupation and how little value you place on their lives and those of their families. The fact that they put their lives on the line each and every day to keep you and the rest of the community safe, regardless of the race of those they protect and serve, should certainly make you reevaluate your dangerous and feckless decision.

There is good and bad in every profession, but the oath taken by police officers to keep the community safe, cannot be upheld if resources are denied and protocols and training challenged which have up to this time been effective in keeping the population safe. You obviously feel the welfare of the citizens of the Commonwealth of Massachusetts is not important.

This bill is a big disappointment.

Mary Gail MacMaster Jagers  
5 Coolidge Dr.  
Tyngsborough, MA 01879  
From: David Holzman <DaveyTClown@comcast.net>  
Sent: Thursday, July 16, 2020 1:18 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S. 2820

My name is David Holzman. I live at 603 South Street, Apt. 1, Roslindale, MA 02131. I urge you to SUPPORT POLICE REFORM by: preserving and building on the accomplishments of Senate Bill 2820:

- \* Creating an independent and civilian-majority police certification/decertification body
- \* Limiting qualified immunity so that victims of police brutality can sue for civil damages
- \* Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- \* Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- \* Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

Go further than the Senate bill by

- \* Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
- \* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- \* Lifting the unnecessary cap on the Justice Reinvestment Fund

Thank you in advance,  
David Holzman

From: Annmarie Daly <run4angels@gmail.com>  
Sent: Thursday, July 16, 2020 1:18 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: S2820 Act to reform police standards

?

Dear Representative Michlewitz and Representative Claire Cronin,

I hope this email finds you both well. I am writing relative to S2820 An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color. The following is an outline of the issues I have concerning this Act.

\* 1. The senate version will seriously undermine public safety

The false narrative that Qualified Immunity (QI) prevents the public from suing Police Officers and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues.

Not only will the unintended and unnecessary changes to QI hamstring police officers in the course of their duties due the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools, organized retail theft and terrorists.

\* 2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent.

The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections, it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

\* 3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model to be used. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

\* 4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support.

Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

• 5. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

I would like to thank you for your consideration of my concerns.

Have a great day.

Anmarie Martini  
176 Main Street  
North Easton, MA. 02356

From: MARY FOUNTAIN <missmary87@verizon.net>  
Sent: Thursday, July 16, 2020 1:17 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Speliotis, Theodore - Rep. (HOU)  
Subject: S.2820

Good afternoon:

Please accept this correspondence as a plea to reconsider ending the qualified immunity as described in S.2820 for public servants including those of us who work in public safety and education.

I agree there needs to be constructive reforms that work for all people. By ending qualified immunity, From many will suffer the unforeseen consequences of this radical agenda.

Sincerely,

Mary Fountain  
Peabody resident & taxpayer  
Police Officer in Essex County.

From: Mark, Paul - Rep. (HOU)  
Sent: Thursday, July 16, 2020 1:16 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Constituent Testimony

Dear Committee Chairs and Members,

Please see the below correspondence from a Dalton constituent on S.2820. Feel free to be in touch if there are any questions or comments.

Best wishes,

Paul Mark

State Representative  
2nd Berkshire District  
Chair-House Committee on Redistricting

Representing 16 Communities in Berkshire and Franklin Counties.

Massachusetts State House  
Room 160  
Boston, MA 02133  
(617) 722-2304

District Office-  
(413) 464-5635  
<http://www.representativemark.com>

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From: Nicholas Leveque [NLeveque@dalton-ma.gov]  
Sent: Wednesday, July 15, 2020 12:45 PM  
To: Mark, Paul - Rep. (HOU)  
Subject: Re: [External]: qualified immunity

Thanks for responding. It is still very unclear what they did with qualified immunity. They actually stated they were worried about the nurses, teachers and firefighters. What that paints a picture of is that no one cares about us, we are all bigots, useless criminals in their eyes. I thought the meeting was shady and wrong. Here is an example that someone could now sue me for and take my home.

I respond to a patient having a heart attack, I do cpr, that person dies. The family thinks I didn't do it good enough because he was still breathing when I got there. They sue me.

A domestic violence call. Guy/girl is beating up their significant other. You intervene, the significant other is now mad you arrested them and that you came into their home without permission. They sue me

Anyone with enough money and hatred towards police can sue for anything. It will be a vicious cycle. They may not win in court but lawyers cost money and we don't get paid all that much money. My base salary to put on a Kevlar vest everyday, deal with today's media, work nights weekends and holidays is 50k. A teacher makes about 70k to work 9 months out of the year with weekends and holidays off.

Much more people die of medical malpractice every year then people killed by police. Guilty or innocent. We have a duty to act and taking away our qualified immunity in anyway, puts a real pause on what officers are going to do. Traffic accidents are going to skyrocket because cops are not going to want to pull cars over and be sued because someone thinks they got pulled over because of the color of their skin.

This is real and this is scary for us. Not one officer would tell you different. That's how I know Sen. hinds did not speak to any street cops.

Thank you for your time.

-----  
Respectfully,

Officer Nicholas Leveque

Dalton Police Department

462 Main Street Dalton MA 01226

(413)684-0300 Business

(413)684-6108 Fax

Nleveque@dalton-ma.gov

From: Joseph Lencki <josephlencki@yahoo.com>  
Sent: Thursday, July 16, 2020 1:16 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: opposition to police reform bill S2820

Joseph Lencki Quincy Police Dept. cell #617-827-7961

I am a 23 year veteran of the Quincy Police Dept and currently hold the rank of Sergeant. First off I condemn the actions of the Minneapolis Police Officers who killed George Floyd and their actions as I am sure most of you know are not representative of 99.9 percent of police officers in America today. Bill #S2820 as presently crafted will prevent good police officers from doing their jobs. To eliminate or change qualified immunity for police officers would cause a chilling effect on policing and the ability for our profession to protect the public when needed. I am not against POST licensing and increased transparency in policing as long as these as these new measures are implemented fairly to both the public and the police officer. Police Officers need to retain their due process rights just like any other citizen and should have a right of appeal if they are de-certified. A convicted first degree murderer has a right of appeal however under this bill a police officer will not. I have worked many of the protests in Boston and the surrounding communities and the vile / obscene language that has been yelled at me and my fellow officers is not being reported by the press and is described as "peaceful". I have also been spit at and had bottles thrown at me. I believe history will look back at this time of demonizing all police officers as disgraceful and comparable to when the Vietnam Veterans returned home and were vilified. As a supervisor in Quincy I am making daily decisions on a vast array of public safety incidents including Domestic Violence and Mental Illness. I shudder at the thought that me and my family could be financially ruined for any of these good faith decisions I make on a daily basis. With the increased scrutiny on police officers I think any police reform bill should mandate that all police officers in Massachusetts wear body cameras to protect them from false allegations. Body cameras would also provide a better picture to the public on what officers have to deal with on a day by day basis. Moral among Massachusetts police officers is at an all time low and I hope you

will listen to our concerns about this bill. My family, friends and neighbors will be watching closely on how our representatives will vote on this issue. I hope you will vote against this bill in it's present form. Please don't hesitate to call me if you want to discuss this issue further.

Thank-you Joseph Lencki

From: Steve Flaherty <svflaherty@gmail.com>  
Sent: Thursday, July 16, 2020 1:15 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public Safety is in jeopardy

? Dear Representatives :

My name is Steve Flaherty and I live in Burlington . I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a



vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31 <x-apple-data-detectors://8> st <x-apple-data-detectors://8> . <x-apple-data-detectors://8>

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration.

Stephen Flaherty

9R Mill street Burlington MA <x-apple-data-detectors://9/1>

Svflaherty@gmail.com

From: Mark, Paul - Rep. (HOU)  
Sent: Thursday, July 16, 2020 1:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Constituent Testimony

Dear Committee Chairs and Members,

Please see the below correspondence from a Dalton constituent on S.2820. Feel free to be in touch if there are any questions or comments.

Best wishes,

Paul Mark

State Representative  
2nd Berkshire District  
Chair-House Committee on Redistricting

Representing 16 Communities in Berkshire and Franklin Counties.

Massachusetts State House  
Room 160  
Boston, MA 02133  
(617) 722-2304  
District Office-  
(413) 464-5635  
<http://www.representativemark.com>

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From: Glenn Lagerwall [glagerwall@msn.com]  
Sent: Tuesday, July 14, 2020 11:23 PM  
To: Barrett, John - Rep. (HOU); Farley-Bouvier, Tricia - Rep. (HOU);  
Pignatelli, Smitty - Rep. (HOU); Mark, Paul - Rep. (HOU)  
Subject: [External]: Police Reform Bill

Rep. Mark, Rep. Barret, Rep. Farley-Bouvier, Rep. Pignatelli,

I am taking the time to write to each of you, the Berkshire County Delegation to our Massachusetts House of Representatives, because although I am a Dalton Resident, my 30+ years in law enforcement has been spent in all the towns in this county, to include each of which you all serve. From my time as a Massachusetts Environmental Police Officer covering South County to my time in both the Lee and Cheshire Barracks as well as in the Berkshire County District Attorney's Office, I have had the opportunity to work with each of you toward the betterment of the residents of this county. It is for this reason that I write to all of you regarding S.2800: The Police Reform Bill which will soon be presented to the House after its passage in the Senate. I implore each of you to take a long hard look at this bill and the provisions that were included in it. I am 100% in favor of change and feel we need it within our ranks. Unfortunately S.2800 fails to properly address these needs in a way that will benefit both the public and the officers themselves.

I have been in law enforcement since 1988, with the majority of my career being spent here in the Berkshires. I was a member of the U.S. Coast Guard, a local police officer, a member of the Massachusetts Environmental Police, and am currently a member of the Massachusetts State Police. I was the lead defensive tactics/use of force instructor at the Massachusetts Municipal Police Training Academy and at the Massachusetts State Police Academy for over 10 years and have been deemed an expert by the courts in its application and use. I have given opinion and testimony for both the prosecution and defense in cases involving officer use of force. I was a narcotics officer assigned to the Berkshire Narcotics Unit and have conducted hundreds of investigations with the county. As a patrol officer I have had tens of thousands of encounters with the citizen of the

Commonwealth. So I write to you from a position of experience and expertise in this specific area.

Police Training needs to be revamped. Police officers do not receive enough training in the use and application of force. Due to budget constraints, more and more information is being added to the basic training curriculum but the hours required is not changing. As the lead use of force instructor, I was dismayed as the hours dedicated to use of force training was continually cut back to accommodate other needs in both the academy and in service settings. Officers are currently trained in de-escalation techniques and in the application of proper force but are not given the time to properly become proficient in such techniques. This discipline requires practice and muscle memory. When someone is attacking, an officer does not have time to refer to a book to look up a proper response. It must be quick and instinctual. Think of how long it takes to acquire a black belt in martial arts...years. I was asked to make "black belts" of officers in less than 40 hours. This lack of knowledge is causing officers to react to situations with fear and emotion not confidence. When decisions are made out of fear and emotion, they are not usually good ones. We need to train officers better...now. I fully support mandated training, accreditation, and oversight.

I would apply this same thought process to S.2800. It is a bill that was hastily put together out of fear and emotion. While it's intent is a step in the right direction, its content has serious flaws that will have negative impacts on the future of Massachusetts; not just in policing but in the shape of the future of the entire Commonwealth.

What is Qualified Immunity and Why is it Important? One major part of S.2800, one that was fiercely debated in the Senate, centered around the limiting of Qualified Immunity for Police Officers. The Massachusetts Supreme Judicial Court addressed this issue in the case of *Rodrigues v. Furtado*, 410 Mass. 878: 575 N.E.2d 1124 (Mass. 1991). The Legislature, in enacting the SCRA, [State Civil Rights Act, G.L. c. 12, §§ 11H, 11I] intended to adopt the standard of immunity for public officials developed under 42 U.S.C. § 1983 (1988). *Duarte v. Healy*, 405 Mass. 43, 46, 537 N.E.2d 1230 (1989). The United States Supreme Court has held that most public officials who exercise [410 Mass. 882] discretionary functions are entitled to qualified immunity from liability for damages under § 1983. *Harlow v. Fitzgerald*, 457 U.S. 800, 818, 102 S.Ct. 2727 2738, 73 L.Ed.2d 396 (1982).<sup>5</sup> The Court in *Harlow* concluded that "government officials performing discretionary functions generally are shielded from liability for civil damages insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known." The Court explained that qualified immunity is a necessary compromise between the need to provide remedies to individuals whose constitutional rights have been violated and the necessity of protecting public officials from "[i]substantial lawsuits" which may deter them from carrying out their official responsibilities. *Id.* at 814, 102

S.Ct. at 2736. 6 Rodriques v. Furtado, 410 Mass. 878, 575 N.E.2d 1124 (Mass. 1991)

In Massachusetts, judges and prosecutors enjoy complete protection from liability for their official discretion under the principle of absolute immunity. So, even if completely wrong in bringing a case forward or in making a ruling on a motion or finding guilt or innocence, the judge or prosecutor cannot be sued for damages. Judges and prosecutors, in safe environments with hours, days, and weeks to make decisions enjoy complete immunity while police officers on the streets, in the midst of chaos, confusion, and violence with only seconds to decide, are now, if Senate Bill S.2800 passes, to be deprived of the limited immunity offered by qualified immunity. This immunity also covers many other public officials such as town clerks, selectmen, mayors, and various city and town board members. This provision of the bill is a knee-jerk reaction by some of your colleagues seeking political cover who, for their own political survival, are willing to endanger public safety and abandon loyal public servants by exposing them to financial and career ruin. Of note, private persons are entitled to qualified immunity when carrying out acts at the request of the police that would normally be executed by the police. In the Rodriques v. Furtado case above, the doctor who performed the body cavity search pursuant to a search warrant obtained by the police officer was granted qualified immunity along with the officer and was not held liable. So this provision in the bill does not just affect the police. Another point; the clerk-magistrate who issued the search warrant for the body cavity search enjoyed absolute immunity and was never even sued.

I honestly believe that any police officer must be held accountable for any violation of the public's trust. The officers involved in the George Floyd case were wrong and need to be prosecuted. What the public does not understand is that it is not qualified or absolute immunity that alleviates police officers from responsibility of wrongdoing. Police are criminally judged based on case law such as Graham vs. Connor 490 U.S. 386 (1989) that sets the standard for police conduct and use of force. Qualified immunity helps protect those officers that are doing it right and does not protect those that are doing it wrong.

I would like to bring up another point regarding this topic. Following the February 2018 shooting at Marjory Stoneman Douglas High School in Parkland, Florida, some students claimed local government officials were at fault for failing to provide protection to students. The students filed suit, naming six defendants, including the Broward school district and the Broward Sheriff's Office, as well as school deputy Scot Peterson and campus monitor Andrew Medina. Last year, a federal judge ruled that the government agencies "had no constitutional duty to protect students who were not in custody."

That decision adds to a growing body of case law establishing that government agencies – including police agencies – have no duty to provide protection to citizens in general. To quote Darren L. Hutchinson, a professor and associate dean at the University of Florida School of Law, "Neither the Constitution, nor state law, impose a general duty upon police officers or other governmental officials to protect individual persons from harm – even when they know the harm will occur. Police can watch someone attack you, refuse to intervene and not violate the Constitution."

The US Supreme Court has made it clear that law enforcement agencies are not required to provide protection to the citizens who are forced to pay the police for their "services." In the cases *DeShaney vs. Winnebago and Town of Castle Rock vs. Gonzales*, the Supreme Court has ruled that police agencies are not obligated to provide protection of citizens. In other words, police are well within their rights to pick and choose when to intervene to protect the lives and property of others – even when a threat is apparent. In both of these court cases, clear and repeated threats were made against the safety of children – but government agencies chose to take no action. So what happens when the protections provided by the law under doctrines such as qualified immunity are taken away and the courts have ruled that the police are actually more protected if they don't act than if they do act? Officers won't act. They won't put themselves in a position of personal liability if they believe that the action they take, although legal and justified at the time, may lead to frivolous litigation. It's a very dangerous slope we are staring down.

Another point to consider is that I firmly believe that no person should be appointed as a police officer until the age of 25. I have seen various forms of legislation where the request is to raise the age of criminal responsibility above the current age of 18, citing that most persons do not mature or obtain rational thought until the age of 25. Yet we are allowing them to make life altering decisions as a police officer at age 21. We are giving them a gun without the life experience needed to make these decisions. Raising the minimum age allows future candidate to complete college or military service before joining the law enforcement ranks. This gives them valuable knowledge to fall back on in the exercise of their powers.

For the last 30 years I have put on my uniform and protected the citizens of Berkshire County and now I am asking that you help protect me by carefully considering some of what I have discussed here when the Police Reform Bill comes before each of you in the House. Thank you for your time, consideration, and for your service in these trying times. Please do not hesitate to contact me with any questions regarding the above.

Glenn Lagerwall

168 East Housatonic St.

Dalton, Ma

413-207-4246

Sent from Mail <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_go.microsoft.com\\_fwlink\\_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=\\_nn0eYN5YdeE6MwxTH86Nbihg12YtBCxNuAvIj3bBoU&m=b07L-JoDICFX6207102psHEv6CW-aWdTKtmI6LazUiM&s=Vnur9Vl-5QhBw-rxKXA5rzI0UXOxKi61KUhhelneN8M&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=_nn0eYN5YdeE6MwxTH86Nbihg12YtBCxNuAvIj3bBoU&m=b07L-JoDICFX6207102psHEv6CW-aWdTKtmI6LazUiM&s=Vnur9Vl-5QhBw-rxKXA5rzI0UXOxKi61KUhhelneN8M&e=>) for Windows 10

From: Larissa Castro <[wrciaofficial@yahoo.com](mailto:wrciaofficial@yahoo.com)>  
Sent: Thursday, July 16, 2020 1:15 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform bill

Please do not pass this bill! It will turn our state into NYC!  
Please do not rush a bill to please a rage mob!  
We have families and have made lives here!  
We want a safe city and state!  
The BPD is not perfect but no where near other city departments!  
Stop all this anarchy!  
We voted for you because we trusted you to keep our families safe!  
We will move eventually over this or vote you all out!  
Please think of the safety of this state!  
Best,  
Kerry Castor  
100 Glenellen Road  
West Roxbury Ma  
617-435-1182

Sent from my iPhone  
From: AMY FEMINO <[amj1178@hotmail.com](mailto:amj1178@hotmail.com)>  
Sent: Thursday, July 16, 2020 1:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

To whom it may concern:

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more!!

Do NOT pass this bill!!!  
From: Mark, Paul - Rep. (HOU)  
Sent: Thursday, July 16, 2020 1:13 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Constituent Testimony

Dear Committee Chairs and Members,

Please see the below correspondence from a Dalton constituent on S.2820. Feel free to be in touch if there are any questions or comments.

Best wishes,

Paul Mark

State Representative  
2nd Berkshire District  
Chair-House Committee on Redistricting

Representing 16 Communities in Berkshire and Franklin Counties.

Massachusetts State House  
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District Office-  
(413) 464-5635  
<http://www.representativemark.com>

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From: Glenn Lagerwall [glagerwall@msn.com]  
Sent: Wednesday, July 15, 2020 11:01 PM  
To: Mark, Paul - Rep. (HOU)  
Subject: RE: [External]: Police Reform

Paul,

Thank you for taking the time to read over my emails and for your response.

Yes, the portion of S.2800 you referenced is a portion of the legislation that deals with the issue of qualified immunity. There are a couple of facets regarding this. First is the current statute under MGL Ch12 section 11H which reads:

Section 11H. Whenever any person or persons, whether or not acting under color of law, interfere by threats, intimidation or coercion, or attempt to interfere by threats, intimidation or coercion, with the exercise or enjoyment by any other person or persons of rights secured by the constitution or laws of the United States, or of rights secured by the constitution or laws of the commonwealth, the attorney general may bring a civil action for injunctive or other appropriate equitable relief in order to protect the peaceable exercise or enjoyment of the right or rights secured. Said civil action shall be brought in the name of the commonwealth and shall be instituted either in the superior court for the county in which the conduct complained of occurred or in the superior court for the county in which the person whose conduct complained of resides or has his principal place of business.

If the attorney general prevails in an action under this section, the attorney general shall be entitled to: (i) an award of compensatory damages for any aggrieved person or entity; and (ii) litigation costs and reasonable attorneys' fees in an amount to be determined by the court. In a matter involving the interference or attempted interference with any right protected by the constitution of the United States or of the commonwealth, the court may also award civil penalties against each defendant in an amount not exceeding \$5,000 for each violation.

So, the current civil rights protections as referenced in the above statute are written into S.2800 as referenced under Section 11I below. As noted, Section 11H calls for compensation for any litigation for which the attorney general prevails in a case of a violation of one's civil rights. I attached the above since it is referenced in the pending legislation.

As proposed in S.2800

Section 11I. (a) A person whose exercise or enjoyment of rights secured by the constitution or laws of the United States or the constitution or laws of the commonwealth has been interfered with, or attempted to be interfered with, as described in section 11H may institute and prosecute in their own name and on their own behalf a civil action for injunctive and other appropriate equitable relief as provided for in said section 11H, including the award of compensatory money damages. A person who



prevails in an action authorized by this subsection shall be entitled to an award of the costs of the litigation and reasonable attorneys' fees in an amount to be determined by the court.

(b) A person whose exercise or enjoyment of rights secured by the constitution or laws of the United States or the constitution or laws of the commonwealth has been interfered with by a person or entity acting under color of any statute, ordinance, regulation, custom or usage of the commonwealth or, or a subdivisions thereof, may institute and prosecute in their own name and on their own behalf a civil action for injunctive and other appropriate relief, including the award of compensatory monetary damages. An action under this subsection shall be instituted either in the superior court for the county in which the conduct complained of occurred or in the superior court for the county in which the person or entity whose conduct complained of resides or has a principal place of business. A person who prevails by obtaining significant relief after the filing of an action under this subsection shall be entitled to an award of the costs of litigation and reasonable attorneys' fees in an amount to be determined by the court.

(c) In an action under this section, qualified immunity shall not apply to claims for monetary damages except upon a finding that, at the time the conduct complained of occurred, no reasonable defendant could have had reason to believe that such conduct would violate the law.

Above lies the problem. In the wording of S.2800 it allows for the filing of civil and criminal legal action against any person that the plaintiff believes has interfered with their civil rights. I believe this dangerous wording begins to open the door to where any person who thinks that their rights have been violated can begin legal proceedings without an investigation or without just cause. In my many years, I wish I had kept a running count of the number of times I have heard, "I'm going to sue you" or "I'm going to have your job", not because I was wrong in my actions but because they were retaliatory statements made by people who simply did not like the fact that they had been arrested for the crime to which they committed. I read this statute as providing an avenue to such retaliation. We have had discussions before about how the courts are currently overwhelmed and with the COVID-19 issue, it will be even worse. Imagine now how this will affect the court system with the number of frivolous lawsuits that this could potentially generate.

In looking at section (c), I believe the key word to be "reasonable". Who will decide what conduct is reasonable and whether it applies to qualified immunity? This is a sticking point with many police officers in that the reasonableness standard for those in the profession is found under *Graham vs. Connor* 490 U.S. 386 (1989), where the Court determined that an

objective reasonableness standard should apply to a civilian's claim that law enforcement officials used excessive force in the course of making an arrest, investigatory stop, or other "seizure" of his person. This reasonable officer's standard is often misunderstood and misinterpreted. Even though it has been often tested, many do not agree with what is, through police policy, statute law, and case law, a reasonable officer's response to situations. Because of this, the reaction of officers in these situations will be subdued, knowing that if they take an action that they believe to be within their right as an officer of the law, that they will be brought into litigation based upon the wording of this statute. They will be sued in court and then will have to sweat through knowing that if, their actions are found unreasonable, that they then will be personally liable for monetary damages. As I mentioned in a previous email to you and the other members of the Berkshire Delegation, based upon the federal court rulings, officers will be protected more for not acting than to act. I have spoken with many officers regarding this and, in general, they are losing efficiency and enthusiasm because of the threat of frivolous lawsuits. They also feel that they are losing faith in their leaders to stand beside them and represent their interests. S.2800 has taken a toll on the morale of many in the ranks.

In my humble opinion, Section 11I was added to S.2800 as an attempt to appease those who want police to pay (both literally and figuratively) for their actions. It was drawn up out of emotion and put forth with little study or regard. While the original wording was disappointing, it was even more disappointing that the Senate refused to reverse this error by failing to adopt Amendment 137 which stated, "A special Commission will be convened to study qualified immunity, consisting of four (4) legal experts in the relevant areas of qualified immunity and its impacts on public safety appointed by the Governor, the Senate President, the Speaker of the House, the Chairs of the Ways and Means Committees, and the House and Senate minority leaders, and a designee of the Supreme Judicial Court is hereby created. The Commission shall study the issues of qualified immunity and file a report with the House and Senate Clerks within 180 days from its creation". This commission could have answered relative questions regarding this matter. Questions such as how often is the state sued and how often is qualified or absolute immunity used? Who benefits the most from qualified immunity? What case laws have addressed qualified immunity and is there already wording in place that provides better protection? I know other officers and I would welcome such a commission.

I once again thank you for taking the time out of your busy schedule to address this issue with me. We need change. We need to do things better, I agree. But we should not be taking away, we should be giving officers better training and more tools (knowledge) to properly serve the public.

Glenn

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From: Mark, Paul - Rep. (HOU) <<mailto:Paul.Mark@mahouse.gov>>  
Sent: Wednesday, July 15, 2020 12:45 PM  
To: Glenn Lagerwall <<mailto:glagerwall@msn.com>>  
Subject: RE: [External]: Police Reform

Thank you for this, I appreciate it and put a lot of weight into it. I know you have been an advocate to me for reform many times and I respect your service and concern for the community.

I do not think the Senate followed a great process, I don't like the rush and having votes overnight into 4am. That being said, I looked over the bill and this seems to be the relevant line on qualified immunity.

"(c) In an action under this section, qualified immunity shall not apply to claims for monetary damages except upon a finding that, at the time the conduct complained of occurred, no reasonable defendant could have had reason to believe that such conduct would violate the law..."

The House version, if there is one, may not contain any of this. But assuming that there is, what I am reading is that they are not trying to make a blanket end to qualified immunity. It seems more like they are adding a guideline in statute to clarify when it would not apply, and that seems to be in very limited cases where the defendant was clearly doing something they knew was illegal. If you have thoughts on that, if that seems reasonable or not, and if not what a better way to proceed is, I would greatly appreciate hearing them.

Thanks for the time. Hope you are staying safe during these crazy times.

Best wishes,

Paul Mark

State Representative

2nd Berkshire District  
Chair-House Committee on Redistricting

Representing 16 Communities in Berkshire and Franklin Counties.

Massachusetts State House  
Room 160  
Boston, MA 02133  
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District Office-  
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<http://www.representativemark.com>

From: Glenn Lagerwall [glagerwall@msn.com]  
Sent: Sunday, July 12, 2020 9:12 PM  
To: Mark, Paul - Rep. (HOU)  
Subject: [External]: Police Reform

Deal Paul,

Hope you are well in these crazy times. Although I know the Police Reform Bill is being debated in the Senate, it is my understanding that the House is drafting its own bill, which I assume will either be joined with the Senate version or debated within your own chambers. From our past conversations, you know that I am all for reform as it is needed on many levels. I fully support a change in the way police are trained, accredited, monitored, and are held accountable for their actions. I support an oversight committee, changes to laws that place minorities and those of low income at a distinct disadvantage (if you remember our conversation regarding the changing MGL Ch.90 sec 23 from criminal penalties to civil penalties), and better training for police officers, especially when it comes to dealing with de-escalation of confrontations. I recently emailed Senator Hines regarding the Senate Bill and cc'd you in that email.

What worries me in the Senate version of the Police Reform Bill is the removal of police officer's eligibility for qualified immunity. I would ask that you not support this if it were to come before the House. I am hearing that this push comes from citizens wanting police to be held accountable for their actions and the misinformation that qualified immunity takes away this accountability. This is false. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts, through numerous cases, have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

As you know, I honestly believe that any police officer must be held accountable for any violation of the public's trust. The officers involved in the George Floyd case were wrong and need to be prosecuted. What the public does not understand is that it is not qualified or absolute immunity that alleviates police officers from responsibility of wrongdoing. Police are criminally judged based on case law such as Graham vs. Connor, that sets the standard for police conduct and use of force. Qualified immunity helps protect those officers that are doing it right and does not protect those that are doing it wrong.

As we have spoken about, I have been a law enforcement officer in Massachusetts for over 30 years. Every day, I have proudly put on my uniform and served the citizens of Berkshire County to the best of my abilities. This is the scariest time of my career. I leave my home fearful of the attacks that we in law enforcement are continually facing; the physical and emotional attacks and now, with such a legislative move, the potential of an attack by frivolous litigation that will affect me and my ability to support my family. Again, I ask that you not support any portion of a bill that takes qualified immunity away from my profession. As always, please do not hesitate to contact me with any questions or comments regarding this or any other legislation.

Thank you,

Glenn Lagerwall

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From: Samantha Marchesi <marchesi.s@northeastern.edu>  
Sent: Thursday, July 16, 2020 1:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Action on Reform, Shift, + Build Act

Hello,

My name is Sam Marchesi. I am a resident of Boston, MA and I unequivocally support the Reform, Shift + Build Act (S.2800).

Massachusetts has always been on the forefront of states passing legislation to support its constituents, and we've never shied away from decisions that seemed radical at the time. I feel a great sense of pride to be a resident of Boston. I have always been proud of - and bragged about - MA being the first state to legalize gay marriage, and I hope to see us continue to make the right choices ahead of the curve and set the standard. It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments.

I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,  
Sam

From: Eric Prileson <prileson.e@gmail.com>  
Sent: Thursday, July 16, 2020 1:13 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Regarding S2820

Dear Massachusetts House of Representatives,

When voting or amending the Senate bill 2820, please consider the following for preserving what has already been placed in the bill:

- \* Creating an independent and civilian-majority police certification/decertification body
- \* Limiting qualified immunity so that victims of police brutality can sue for civil damages

- \* Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- \* Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- \* Banning racial profiling by law enforcement

Please go further than the Senate bill by proposing the following amendments:

- \* Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
- \* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- \* Lifting the unnecessary cap on the Justice Reinvestment Fund

These are important revisions to our vision of law enforcement in the Commonwealth to provide equal treatment, reduce systemic racism of the judicial system, and to fully support black and brown people and recognize their rights that for so long have been ignored or trampled on

Best,

Eric Prileson  
Medford, MA

--

Eric G. Prileson  
Pronouns: He/Him/His (What is this?)  
<[cell: 520-904-7465](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.mypronouns.org_what-2Dand-2Dwhy&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl16rchf_GkGDD&m=Apv4euNozW6dVLsAheF5xnlRcFV84734ticbHxHxVWk&s=tZN6a_pOH7nVRuTJIACnWcttFvMSRtr_FK1wDiC4sMM&e=> )<br/>prileson.e@gmail.com</p></div><div data-bbox=)

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History, Science, Reading, Writing, Sports, Outdoor Adventures!

From: Elaine Silva <nana5550@yahoo.com>  
Sent: Thursday, July 16, 2020 1:13 PM

To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

I

This bill was passed too quickly. There should have been more research and thought done before it was written and passed

Elaine Silva  
Wakefield, MA  
Sent from my iPhone  
From: Andrew Sluckis <Andrew.Sluckis@AuburnMassPolice.org>  
Sent: Thursday, July 16, 2020 1:13 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Hi my name is Andrew Sluckis I have been the Chief of Police in Auburn for the past 15 years, a position I still hold. First, let me say thank you for accepting written public comment it is very much appreciated.

Personally, I have no issue with most of the proposed legislation such as certification or banning choke holds. Officer certification is the norm in a lot of states I see no reason why Massachusetts can't do that as well. Regarding choke holds, we here in Massachusetts don't teach them and don't use them. In my 33 years in law enforcement I have never seen one used.

With respect to qualified immunity, that must remain in place. Even before Covid and the Mr. George Floyd incident in which the officer was completely wrong, recruitment and retention of police officers was a national problem. People don't want to become police officers any longer. Things are so bad, the Los Angeles Police Department had to change their hiring policy with respect to previous drug use. Before if you answered yes to questions like cocaine use you were passed over now, as long as you have not used heroine, cocaine or methanfetimine within the 3 years you are welcomed with open arms. Are you kidding me? This profession is going to be so dumbed down by lack of quality candidates it's not going to even be funny.

Can you imagine getting arrested for an offense that's not even arrestable by statute and the officer then saying oh I though you could arrest for that... there are going to be morons policing your neighborhoods. You are going to have corruption like we have never seen before.

I tell anyone who asks about becoming a police officer to choose another career. My own son just entered the Army to become a Combat Medic, he told me he may want to follow in my footsteps when he gets out. I told him don't it's simply not worth it. I have officers currently working for me who have already said as soon as I they are vested at ten years they are out of here. Make no mistake, the folks who make the laws not only Massachusetts but the entire country are going to get exactly what they want and the old saying is true, the only reason history repeats itself is because nobody listened the first time... Defunding police or elimination



of qualified immunity is going to lead to substandard unqualified candidates protecting the people who live and work here. I guarantee it and I don't say that lightly.

Listen, I have a short time left in my career and when I retire I am out of here heading south so whatever you guys and girls choose to do has no impact on me long term so I say do as you wish but please think of the people that will still live here, they deserve the best police officers we can create and train to stand up for and protect the people that live here and that includes all of you.

Laws are made to protect people so please protect the police so they are not afraid to do their jobs. I already see depolicing occurring in major cities and it will without question happen here. Don't let it.

Respectfully,  
Chief Andrew J. Sluckis JR

Sent from my iPad  
From: Bobby Nasson <bnasson@mtwyouth.org>  
Sent: Thursday, July 16, 2020 1:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: Raising The Age Legislation

Dear Chair Michlewitz and Chair Cronin,

Please see the email below for that I sent to Senator Rush last week. I am asking that language to raise the juvenile justice system age be included in the bill 2820. Thank you for your attention to this.

Regards,

Bobby

Bobby Nasson

Director of Strategic Initiatives

617-674-5559

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56 Felton St., Waltham, MA 02453

Shop our online bookstore!

<[From: Bobby Nasson \[mailto:\[bnasson@mtwyouth.org\]\(mailto:bnasson@mtwyouth.org\)\]  
Sent: Sunday, July 12, 2020 10:16 PM  
To: 'Mike.Rush@masenate.gov'  
Subject: Raising The Age Legislation](https://urldefense.proofpoint.com/v2/url?u=http-3A__mtwyouth.webstoreplace.com_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=-Xk_etVR-7QDHmfSd3nuRKMim3G2YYG_jhArGOgCYRk&s=0XPIXzFNPvgXPlrSAEAPJB23C5KE3K6wEpYQ3JHHKv4&e=></a></p></div><div data-bbox=)

Dear Senator Rush,

Thank you for committing to confront racial injustice in our communities. I am writing asking you to support youth-focused amendments to Senate Bill 2800 that addresses racial disparities in our justice system and holds law enforcement accountable when interacting with young people in our communities and in our schools. Please vote in YES on amendments #1, #3, #17, #25, #41, #80, and #108:

\* Amendment #3 (filed by Sen. Creem): We don't solve institutional racism by making the racial impact of the legal system's decisions invisible. This amendment would require law enforcement and other juvenile justice agencies to report data on young people at major decision points with the juvenile justice system to improve the state's policy and planning. For too long, we have waited for transparency on how our legal system responds to children and youth by collecting and reporting race and ethnicity data <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_r20.rs6.net\\_tn.jsp-3Ff-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_data-2Dcollection&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=-Xk_etVR-7QDHmfSd3nuRKMim3G2YYG_jhArGOgCYRk&s=XFW2W6ZR1GbomRdmPath8t79YqjVundvDy5qo2RQbPM&e=></a> to allow us to see disparities where they occur and to identify policies or practices to reduce these disparities. When some agencies shared data and found that some counties are up to 2.5 times <<a href=)

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U-FSMk&e=> more likely to incarcerate Black youth for the same behavior  
as their White counterparts, that data was pulled and the research was  
thwarted because it "made some decision makers look bad  
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\* Amendments #1 and #17 (filed by Sen. Boncore and Sen. Creem):  
Massachusetts' youth of color bear the harshest brunt of our legal system  
with their over-representation in the adult criminal justice system. Black  
and Latinx youth are 3.2 and 1.7 times, respectively, as likely to be  
imprisoned as their white peers. By raising the age at which a teenager  
can be automatically tried as an adult, we can hold young people  
accountable in a more developmentally appropriate setting, giving them a  
better chance to succeed and turn away from offending. Raising the age  
will reduce crime in our communities.

\* Amendment #108 (filed by Sen. Jehlen and Sen. Rausch): End  
surveillance of students in schools by prohibiting school police from  
sharing student information they gather through their interactions with  
students that would eventually be placed in shared law enforcement  
databases. This amendment prohibits information-sharing from school staff  
and school police to the Boston Regional Intelligence Center and the  
Commonwealth Fusion Centers, closing a dangerous loophole in the current  
version of S. 2800. The amendment captures the various ways in which this  
information is collected including seemingly innocuous observations and  
conversations with students which are the basis of entries in law  
enforcement databases.

\* Amendment #41 (filed by Sen. Friedman and Sen. Rausch): This  
amendment would create certain protections for children during  
interactions with law enforcement officials. It would prohibit restraining  
minor children in a prone or hog-tie position and requires that de-  
escalation techniques are developmentally appropriate, and requires law  
enforcement be trained in these techniques. The amendment also gives law  
enforcement the option to call parents/guardians to de-escalate. This  
amendment also corrects a significant gap by requiring SROs, constables  
and special service officers to also be subject to the use of force  
provisions of the bill.

\* Amendment #80 (filed by Sen. Jehlen): Schools and police are not  
complying with state laws and this amendments aims to hold school  
districts accountable for compliance with the data reporting required by  
the Criminal Justice Reform Act. This amendment gives the authority to

assign an SRO to the school committee, and requires that the district and police department comply with the reporting requirements of school-based arrests to qualify to have an SRO.

\* Amendment #25 (filed by Sen. Boncore): This amendment requires the Municipal Police Training Committee (MPTC) to establish an in-service program to train School Resource Officers (SROs) on topics that are important to interacting with children and that SROs document that they are trained in these topics, as required by the Criminal Justice Act of 2018.

Thank you and I look forward to hearing back from you about how you voted on these amendments!

Regards,

Bobby Nasson

87 Cobleigh St.

Westwood, MA 02090

From: Richard Vitale <richiev50@yahoo.com>  
Sent: Thursday, July 16, 2020 1:12 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Richard Vitale  
Subject: Bill S.2820

July 16, 2020

Representatives,

My name is Richard Vitale and I have been a police officer for nearly 30 years, half of which I have been a trainer in force related issues including, firearms, defensive tactics, TASER and use of force. I am asking you to take a moment and consider this legislation and ask, have we done our due diligence or are we making an emotional decision.

While there are many areas of concern that need our attention to ensure racial inequality and abuse of power are not tolerated in our society the focus is on law enforcement. This bill contains many positive aspects including the adoption of POST strategies and uniformity of training as well as oversight and development committees designed to broaden training and understanding of these issues. However, many aspects of the bill appear to have been put together without input from law enforcement professionals and without regard to the stresses that are inherent to police work and the decision making process.

The implementation of the POSAC as listed in this bill has several concerns. While we are looking to address the abuse of power it appears that this committee has absolute power to permanently revoke certification with no avenue to an independent appeal process. This is like the judicial system doing away with the appellate section and the appeal process being heard by the Judge that decided the conviction. As a legislator, I am sure you understand the absolute need for the checks and balance system that our government has been utilizing since its inception. This section eliminates the due process as it does not allow for an independent appeal process.

The section which addresses "Qualified Immunity" is of the utmost concern when it comes to the decision making process during times of extreme stress. The current concept of qualified immunity supplies officers with the confidence that decisions made in good faith will be supported. Not unlike medical malpractice insurance allows a doctor to make life and death decisions instantly knowing that if they are acting in good faith they have an umbrella of personal liability protection. The current concept has an avenue for damages through the municipality or overseeing entity and also holds the individual officer accountable for actions involving gross negligence or violations of the law. This proposed language is extremely vague stating, "...qualified immunity shall not apply to claims for monetary damages except upon a finding that, at the time the conduct complained of occurred, no reasonable defendant could have had reason to believe that such conduct would violate the law". The current qualified immunity statutes cover these areas and are more clearly developed. This language appears to have been worded in a particularly vague manner and included in the bill as a pacifying section instead of a thoughtful planned attempt at crafting logical and practical legislation.

Please take the time to consider this important legislation and to objectively look at the sections so that you may make an informed and logical decision. Reach out to those who perform these functions and ask if these are viable solutions or are they the result of an emotional outreach by the legislature during this time of civil unrest.

Take the time that the Senate refused to take and do your research so that you can make an informed decision. You should seek clarity where it is needed and input from stakeholders. You have an obligation to the people of Massachusetts to make objective decisions and to put forward bills developed by logic and debate not by an emotional response.

Thank you,  
Richard Vitale  
Bedford MA

From: Joseph Ryan <josephr68@gmail.com>  
Sent: Thursday, July 16, 2020 1:11 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Law enforcement reform

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Joseph Ryan and I live at 23 Stearns Street, Chelmsford, MA 01824. I work at MCI Concord in Concord, MA and am a Corrections Officer I. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the floodgates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Joseph Ryan  
From: Joe Keith <joekeith8654@gmail.com>  
Sent: Thursday, July 16, 2020 1:11 PM  
To: Testimony HWM Judiciary (HOU)

Subject: OPPOSE THE END OF QUALIFIED IMMUNITY

I STRONGLY OPPOSE AN END TO QUALIFIED IMMUNITY AS WRITTEN, AND NO PUBLIC SERVANT SHOULD BE HELD CIVILLY LIABLE WITHOUT DUE PROCESS! NO MORE BACK DOOR DEALS!

Mr. Joseph Keith

From: Cristina Silva <casilva62592@gmail.com>  
Sent: Thursday, July 16, 2020 1:11 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform, Shift + Build Act Testimony

Hi,

I am a resident of Medford, MA and I unequivocally support the Reform, Shift + Build Act (S.2800). It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments.

I've lived in Massachusetts nearly my entire life and have always been proud of how we were the first state to legalize gay marriage and for being at the forefront of passing legislation that supports all residents of the state. We've never shied away from decisions that seemed radical at the time and I hope to see us continue to make the right choices and set the standard for the rest of the country to follow.

I hope to see this legislation pass so I can continue to be a proud resident.

Thank you for your time,

Cristina Silva

From: jillian donnelly <xojillie09ox@gmail.com>  
Sent: Thursday, July 16, 2020 1:11 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill

Good afternoon;

My name is Jillian Donnelly. I am a police officer with the Everett Police Department. I currently work as the School Resource Officer for the Middle and Elementary Schools within my community. I have been an officer for the past four years. I have a Bachelor's and Master's Degree in Administration of Justice from Salve Regina University.

Prior to becoming a police officer I worked many years in human services such as the Department of Child and Family in Middletown Rhode Island, Riverside Community Care specializing in the treatment and rehabilitation of children suffering from mental and behavioral health issues as well as those who have been physically and sexually abused. I also worked at Riverside Community Care in Everett specializing in substance abuse and mental health. I then worked as a Public Safety Officer at Boston Medical Center before entering into the police academy.

The reform bill that has been proposed and passed by the Senate calling for "justice and reform" takes away justice from those of us who have dedicated our lives to protecting and serving our communities. This bill in and of itself is unconstitutional because it strips away our rights to Due Process which every American citizen has a right to.

This bill is a slap in the face to anyone who wears the badge. This bill single handedly strips away our ability to serve and protect because we are not protected! Our job requires us to go hands on in many different situations whether it is a use of force situation or saving a life. Without Qualified Immunity I cannot render aid or protect myself without facing civil litigation which I have to pay for. This bill has handcuffed me and placed me under arrest without even reading me my Miranda Rights.

This job in and of itself already puts a target on my back and because of the disgraceful display of media propoganda and now this "reform" bill I also have a monetary bounty on my back as well. I will be forced with the constant question any time I go into work, "if a kid has a cardiac arrest in front of me, if I render aid I could be sued and potentially fired if I break a rib and am found to use "excessive force" but if I don't do anything and let the kid die in front of me, I have to live with that as well as face the ramifications of being sued, being fired and potentially face federal prison time for failing to act.

It as a lose lose situation every single time and it truly disgusts me. I work in a school system where we have gang members who recruit within the schools. This bill will prevent me from getting information of these kids from school officials as well as not allow me to go hands on without facing serious consequences. When rival gang members start shooting and stabbing each other we will have another Sandyhook scene.

Society is in extremely grave danger because of this bill. The members of the Senate who voted to pass this bill will be responsible for the increase in crime, murders, deaths, lootings, rapes, robberies etc that have been going on in Seattle, New York and across the country with this bill. That will happened here!

Everyone will suffer. This is not why I became a police officer. I hold the line with members who have sacrificed their lives in Afghanistan to come home to be treated like this! This bill allows criminals to increase crime and prevents police from doing anything about it.

This bill allows a civilian counsel who knows absolutely nothing about the job I do be the judge, jury and verdict about my life. The members proposed in this civilian counsel represent the defendants that will be against me therefore creating a bias and verdict of guilty before I can even argue my case.

Any person with even a shred of intelligence would run for the hills from this job. The good cops like myself who actually do this job with pure motives will be forced to leave this profession because legislators have turned their backs on us who they expect to "hold the line." No one will want this job and without law there is no order. There will be civil



unrest across the Commonwealth and once you open up Pandora's box it cannot be closed.

I truly and whole heartedly hope this email does not fall on deaf ears. Peoples lives are at risk. I would plead with you to vote no on this bill and to let this bill be tabled completely until law enforcement officials as well as legislators can communicate and come up with common ground reform.

I thank you for taking the time to read this letter. I hope and pray you take into serious consideration. My name again is Jillian Donnelly, I reside at 18 Maplewood Avenue Everett Ma 02149 and can be reached via email here as well as phone 617-823-7575. Again, thank you!

Sent from my iPhone From: Jean P. Brazier <jpb9786@yahoo.com>  
Sent: Thursday, July 16, 2020 1:10 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Vote no on this bill

Sent from my iPhone  
From: AMY FEMINO <amj1178@hotmail.com>  
Sent: Thursday, July 16, 2020 1:09 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: STOP POLICE REFORM BILL

To whom it may concern:

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more!!

Thank you,  
Amy Femino From: Justin Moody <jstnmoody@gmail.com>  
Sent: Thursday, July 16, 2020 1:08 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: repblais@gmail.com; Blais, Natalie - Rep. (HOU)  
Subject: Testimony for S2820

?

To: Rep. Aaron Michlewitz, Rep. Claire Cronin, and Rep. Natalie Blais,

My name is Justin Moody. I am a resident and registered voter in the town of Montague. I am also a police officer in town and I hope that does not disqualify my voice or opinion from the start, please hear me out.

I do believe that it is necessary and important to have a conversation on police reform especially because it seems that is what the people of our community want. They should be heard and appreciated. However, knee jerk reactions and laws passed on feelings or emotions without examination of facts is dangerous and irresponsible. I also appreciate that the House is taking testimonies and hopefully examining facts.

I think any bill ending qualified immunity is a knee jerk reaction based on feelings and emotions not facts. Qualified immunity protects public servants who are doing their job and acting in good faith from civil litigation. It does not protect us when we act outside of our scope of training. Ending qualified immunity puts public servants careers, homes, and families at risk.

I've only been a police officer for about 6 years. I chose this career path because I want to help people, I want to protect those that can't protect themselves, and I want to be a good example in my community. However, recently I have been disheartened by the lack of support from elected officials for good police officers. But I have had residents stop while on road details to personally thank me and all law enforcement, I have had residents pull me aside in stores and while walking downtown to personally thank law enforcement and to tell us to keep going. They have been incredibly encouraging to me. However, every time they have done it they have spoken softly and quietly, as if what they were saying was wrong or offensive. I just want you to know there are people in our communities who do appreciate law enforcement and who are encouraging us but I fear that they are not being heard or listened to simply because they are not the loudest even if they may be the majority.

Thank you for your time and consideration of my testimony. I urge you all to please vote no for any bill ending qualified immunity.

Respectfully,

Justin Moody

23 I Street, Turners Falls, MA 01376

413-230-8885

From: Julie <jrembrandtseeley@charter.net>  
Sent: Thursday, July 16, 2020 1:07 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: OPPOSE SB2820

OPPOSE SB2820

SB2800 (now SB2820) is a bill that makes countless changes to our laws with no transparency in the development of the bill. To make matters worse, the bill circumvented the legislative process, void of any public hearings, and lacks the inclusion of dialogue from stakeholders, including communities of color and law enforcement. All law enforcement groups including the MA Law Enforcement Policy Group and the MA Association of Minority Law Enforcement Officers were not considered for input.

This is a divisive and politically driven piece of legislation.

We need to support police officers and make common sense decisions on police standards and training. Help protect our police and the public by working together for best practices and changes for all.

FMI: Sen. Dean Tran, Dean.Tran@masenate.gov  
Larry Calderone, President Boston Police Patrolmen's Assn.,  
lcalderone@bppa.org

Julie Rembrandt Seeley  
Harvard, MA 01451  
jrembrandtseeley@charter.net

From: Sophie Cash <sophielcash@gmail.com>  
Sent: Thursday, July 16, 2020 1:06 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public testimony for SB 2800

To whom it may concern,

I am a Massachusetts voter and have lived here my whole life. I write in support of the police reform bill. Though we need more dramatic measures to direct funding away from police departments statewide and towards community-based stability, safety, clean energy, and justice services, the reform measures in the bill, including reducing qualified immunity, are necessary for making our communities (especially Black and Brown ones) safer and more just. Please pass this bill and continue making MA a leader in our country for just legislation.

Thank you,  
Sophie Cash

From: pjgoldstein@gmail.com  
Sent: Thursday, July 16, 2020 1:06 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Police Reform

Dear Chair Michlewitz and Chair Cronin,

My name is Peter Goldstein and I live at 44 Bel Air Road, Hingham, MA. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????????????????????????????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ??????????????????????????????????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????????????????????????????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly.

Thank you for your time.

Sincerely,

Peter Goldstein

--

Peter Goldstein  
44 Bel Air Road | Hingham, MA 02043 | 781-413-1589 |  
pjgoldstein@gmail.com <mailto:pjgoldstein@gmail.com>  
From: Jonathan Rodrigues <jon.rodrigues23@gmail.com>  
Sent: Thursday, July 16, 2020 1:06 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Preserve the Strong Language in S. 2820

Hello,

My name is Jonathan Rodrigues, I live in Mattapan.

I am writing to please include the strong provisions out of the Senate bill, we can accept nothing less than:

- \* Creating an independent and civilian-majority police certification/decertification body
- \* Limiting qualified immunity so that victims of police brutality can sue for civil damages
- \* Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- \* Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- \* Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody

The house may actually strengthen this bill by:

- \* Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
- \* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- \* Lifting the unnecessary cap on the Justice Reinvestment Fund

Thank you.

From: Larissa Castro <wrciaofficial@yahoo.com>  
Sent: Thursday, July 16, 2020 1:04 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Police reform S2800

Sent from my iPhone

Begin forwarded message:

From: Larissa Castro <wrciaofficial@yahoo.com>  
Date: July 15, 2020 at 9:53:42 PM EDT  
To: HWMJudiciary@mahouse.gov  
Subject: Police reform S2800

As a wife of a Police Officer, I am disappointed in how this state has been gaslighted by these senators that passed a bill without a public hearing at 4am!

This bill is reckless and dangerous.

A few overlooked facts:

- Qualified immunity does NOT protect illegal actions by police officers.
- Abolishing or modifying qualified immunity will have severely negative unintended consequences for ALL Massachusetts citizens, courts, and public officials - NOT just police officers.
- Qualified immunity is NOT an absolute immunity from civil suit.
- The Massachusetts Civil Rights Act of 1979 (MCRA) allows civil actions against public officials who use force, intimidation or coercion to interfere with Constitutional or statutory rights.
- Current law - unchanged - still allows individuals to file suit against a police officer or other public official granted Qualified Immunity if they use force, intimidation or coercion to interfere with an individual's rights.

- The Senate bill approved at 4 a.m. on July 14 would dramatically lower the standards under which a civil action could be brought against a public official with qualified immunity.

- The use of force, intimidation or coercion would no longer be the standard under which such civil actions could be brought. Any simple disagreement, dispute or argument involving a public official could lead to a costly civil action. This would send a damaging chill through all areas of local government where public servants must deal directly with citizens:

- o Town managers
- o Selectmen
- o Fire chiefs
- o Commission appointees
- o Educators and school administrators
- o Police officers
- o Others

- Many, and possibly the majority, of MCRA complaints in the Commonwealth are brought against non-law enforcement personnel and do NOT involve allegations of police misconduct.

- The Senate bill passed at 4 a.m. on July 14 is a direct threat to the thousands of hard-working and dedicated municipal officials, commission appointees and employees in all 351 cities and towns across Massachusetts. It also threatens their households and their families.

- The consequences of the Senate bill would be damaging and disruptive to the Commonwealth.

- o State courts would be flooded with civil actions - as plaintiffs who would otherwise pursue civil actions in federal court seek an advantage in state courts.

- o Cities and towns across Massachusetts would be forced to absorb massive legal costs in defense of the municipality's role in the action - and almost certainly indemnify public employees against damages.

- o Municipalities will almost certainly incur burdensome legal costs - including plaintiff attorney fees - from litigation and settlement of meritless claims that would have been weeded out by QI.

- o The massive new financial burdens would come at the worst time possible: as cities and towns are bracing for devastating budget impacts from the COVID-19 pandemic and related economic shutdowns

- o Federal courts have a large body of case law on which to base interpretations and analysis of new QI cases. Under the proposed Senate bill changes, the state courts will have to develop a whole new body of case law to interpret the new language.

This will lead to uncertainty for municipalities, public employees and plaintiffs for years to come.

Thank you,  
Kerry Castor  
100 Glenellen Road  
West Roxbury, Ma 02132

Sent from AOL Mobile Mail

Sent from my iPhone

From: tef59@comcast.net  
Sent: Thursday, July 16, 2020 1:03 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity

Please do not take away qualified immunity. This will severely impact the willingness of our public service men and woman, from taking action in a situation that warrants their expertise and experience, but may result in lawsuits against them. Then what? They all leave their professions? Who would want their jobs, then. Noone!  
Tricia Flaherty

Sent from my iPad  
From: Philip Mahoney <philmahoney62@gmail.com>  
Sent: Thursday, July 16, 2020 1:03 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

I am writing for the purpose of offering my opinion of Bill S.2820. I will be direct.

I speak from 30 years experience as a public school teacher as well as 26 years as a Police Dispatcher. Like many teachers a part-time job was necessary. My Police "career" took on a life of its own and complete involvement including training, certifying, and recertifying was required in many facets of the job.

Still, I was a civilian. A civilian who lived and learned police policies, procedures, and protocol. On a personal level they became my brothers and sisters in Law Enforcement. As in many other vocations there are a few who step outside of the lines, some bring embarrassment to their departments and need to be disciplined within the perimeters of their collective bargaining code of conduct. I did not work or associate with any "rogue" officers. I did not work or associate with any officer who willingly broke public laws, broke public trust, or displayed abusive treatment of any citizen of any race, creed, or color. Nor would any officer have been supportive of any such abhorrent behavior. Nor would any fellow officers have been supportive of any form of misconduct .

With the full understanding that, as in all professions , there will always be those who deviate from standards. They and they alone must be dealt with. It is unfair, unjust, and a "systemic" failure of leadership to punish an entire states roster of police officers for the actions of a few in another state. This is one of my many arguments with Bill S.2820.

As a legislative body, you have failed to display trust, leadership, and transparency. This bill in its current state is slanted towards making "Serving and Protecting" a next to impossible task! This bill is an over reach, not to mention painting all LEO with a broad brush. I do not trust that you have looked at policy and procedures with an objective eye. You might consider the dangers that all officers face every shift. It has been stated many times that we are a nation of laws. All police officers are trying to work within that framework.



Of particular concern is the discussion of eliminating "qualified Indemnity" for police , Fire, and nurses. It was a very short time ago that first responders and front line workers were thanked and viewed as hero's. Indemnity will cause chaos, frivolous lawsuits, an exodus of good people from necessary public safety and nursing positions. I and my former acquaintances have multiple concerns about this bill. They range from make-up of the commissioners to the gathering and translating of data and information, to the watering down of police procedures. Actually this list is quite lengthy.

The senate has already failed in its attempt at police reform by passing this bill in the wee hours of the morning with no public debate. This bill was put together, hastily with no thought of leadership, transparency, and real concern for public safety or real reform with outcomes and expectations. Instead we have a document based on politics and misguided , vengeful policies.

My son is a police officer in a neighboring state. He is thoughtful, structural and with his rank is a leader in the station and out on the road. He assesses every situation carefully and avoids over reaction. Now, however, he may reassess his career. This is a shame, that a good officer like this has been put in this position. The real shame lies with any legislative body that could create such an unbalanced bill such as S.2820 over the horrific acts of a few roque officers! Please defeat, repeal, reject, turn away the cowardly passage of this bill by the Senate. Please provide real reform for all citizens of The commonwealth.

Sincerely,  
Philip E. Mahoney  
17 Daley Drive

West Newbury, MA 01985

Sent from my iPadFrom: Neal Barhight <nealb537@gmail.com>

Sent: Thursday, July 16, 2020 1:03 PM

To: Testimony HWM Judiciary (HOU)

Subject: Bill 2820

July 16, 2020  
Dear Chair Michlewitz and Chair Cronin,

My name is Neal Barhight and I live at 31 Bayview St Weymouth Ma. 02191. I work in Massachusetts and am a Union Pipefitter. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

?????????????????????????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or

constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ???????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Neal Barhight

From: Chris Claire <cclaire@harvardapparatus.com>  
Sent: Thursday, July 16, 2020 1:01 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: To whom it may concern, regrading senate bill S2800

I do not support Bill S2800.

I have many friends who are amazing police officers and this bill is a slap in all who wear a police uniform

Please do not pass this bill and hurt our state of Massachusetts.

Sincerely,

Christopher Claire

Disclaimer, Please Note:

This email (and any associated files) may contain confidential and/or privileged information. If you are not the intended recipient or authorized to receive this for the intended recipient, you must not use, copy, disclose or take any action based on this message or any information herein. If you have received this message in error, please advise the sender immediately by sending a reply e-mail and delete this message. Thank you for your cooperation.

From: Monika C <monika.chitre@gmail.com>  
Sent: Thursday, July 16, 2020 1:01 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Re: Writing in Support of S.2820

My phone number is 5088014750. I am a PhD student at UMass Medical School in Worcester, MA.

Sent from my iPhone

> On Jul 16, 2020, at 12:56 PM, Monika C <monika.chitre@gmail.com> wrote:  
>

> ?Hello House Committee on Ways and Means,  
>

> I am writing in support of S.2820 and want to see preservation of the Senate's reforms to qualified immunity, strengthened use of force standards, and a ban facial surveillance technology.

>  
> Best,

>  
> Monika Chitre  
> 80 Adams Street  
> BOYLSTON, MA 01505

From: Maddie Seraphin <maddieseraphin@gmail.com>  
Sent: Thursday, July 16, 2020 1:01 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820 Testimony

Dear Chair Michlewitz and Chair Cronin,

I would like to provide written testimony in support of the proposed Reform, Shift + Build Act. I have lived in Massachusetts all my life, and I've witnessed firsthand how law enforcement in this state can work in favor of upper-class white communities while working against communities of color.

I grew up in a predominantly white suburb with ample resources where my classmates could commit dangerous crimes like DUIs and be punished with just a slap on the wrist if their family had the right connections.

I then moved to Boston and started working with children in the Orchard Gardens neighborhood of Roxbury, where I learned that the police can put minorities in more danger than they will protect them from. The kids I work with are often afraid of the police, and rightfully so given events that have unfolded in recent years.

The current law enforcement system in Massachusetts is not fair, and I believe there is a lot of work to be done before we can claim that our state is just and equitable for all. I think the Reform, Shift + Build Act is a great step to get us onto the right path, but it is a step that we must take right now. If we don't act now, the police will continue to be overfunded while institutions that promote restorative healing are underfunded. Students of color will continue to face the risk of being funneled into the criminal justice system after being labeled problematic by officers in schools.

Inaction on these issues will continue to put people's lives at risk, so it is up to the Massachusetts House of Representatives to pass this bill and enact real statewide change to begin the process of dismantling systemic racism in the Commonwealth.

Thank you,  
Maddie Seraphin  
Boston, MA  
978-496-6368  
From: Alex Frenett <afrenett@g.harvard.edu>  
Sent: Thursday, July 16, 2020 1:00 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor. I also believe it should reduce the amount of public funding available to police and other security forces.

Thank you for your consideration,  
Alexander Frenett, Somerville From: Michal Zahler <mczahler@gmail.com>  
Sent: Thursday, July 16, 2020 12:58 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: testimony for S.2800: House version

I am calling on the House to preserve the vital reforms in the Senate bill, with emphasis on the following:

- \* Limiting qualified immunity so that victims of police brutality can sue for civil damages
- \* Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- \* Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities

\* Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

and please add amendments to go further than the Senate bill by

\* Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas

\* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)

\* Lifting the unnecessary cap on the Justice Reinvestment Fund

\* Removing state police from details at community pools

Thank you,  
Michal Zahler, Somerville

From: sarah joy <sadiemjoy@icloud.com>  
Sent: Thursday, July 16, 2020 12:58 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Mum Mum  
Subject: Immunity bill

Good afternoon,  
Please do what's right and end this bill. This bill will have a trickle effect that most aren't considering. Public service will no longer be a career that most intelligent/ passionate people will choose should they be at risk of losing everything because of others opinions of how they may have been treated. If this bill were to just uphold the rules of wrongdoing that are already established and in place, then we should not It. I predict hurt feelings and people's opinions will be the grounds of most the lawsuits headed our way. This bill, in my personal opinion, is a lobbying move. I feel that the politicians in favor of this bill are more focus on the profits that could be made than they are in improving the system. The rules are already in place along with progressive discipline. Instead of holding the public servants responsible for the liability, it should fall onto the municipality to make sure their rules in place are followed according.  
This will have dire consequences unless it's stopped. People need to be able to do their job without the fear of litigation based on someone's uneducated opinion on how the calls should've gone.  
Do the right thing. Shut this bill down and stop catering to lobbyists.  
Sincerely  
Sarah Joy

Sent from my iPhoneFrom: Brian D'Amico <bjice4@yahoo.com>  
Sent: Thursday, July 16, 2020 12:58 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Get BlueMail for Android <[bjice4@yahoo.com](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.bluemail.me_r-3Fb-3D15894&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=P5ykhBuGSzDnQ8FQdjWkkcKrc_k-XuST1-bDysayqkI&s=HsJIILyWD7qve38vonwmYOZZ_TbPLQEsBo80XWtdn8M&e=></a>><br/>On Jul 16, 2020, at 10:57 AM, Brian D'Amico <<a href=)> wrote:

To the members of the Legislature,

My name is Brian D'Amico and I am a Massachusetts State Police Trooper. Thank you for taking the time to read this and for having a public forum to discuss the topic of police reform unlike the Senate. I urge you not to accept the Senate bill, which was done without public input, and rushed. We at the State Police are not against police reform and believe like any profession there is always room for improvement. Most concerning from the bill from the Senate is the eroding of qualified immunity. Every government official in Massachusetts is covered by qualified or absolute immunity. To take this away from us in policing would be cruel. We are forced to make split second decisions to protect ourselves and others from violent criminals. We should not have to worry about our financial livelihood every time we go to work. Qualified immunity does not shield us from illegal acts. When someone in police breaks the law, we are held accountable. It does protect us from frivolous lawsuits and provides peace of mind when performing a dangerous job. Those of you in the Legislature are protected by absolute immunity, a higher level of protection than police, for actions you take over the course of weeks and months. To strip protection from police for actions we are forced to make in seconds is wrong.

Furthermore, the State Police Association of Massachusetts put forward a request for several common-sense amendments to the Senate Bill that would give law enforcement a voice in reforming policing. To reform policing you must include those of us doing the job. We only ask for a voice in this process so that the final product benefits everyone. I have included the State Police Associates recommendations below for you and urge you to consider them.

Again, thank you for taking the time to hear my voice and I trust that the Legislature will provide a more balanced and thoughtful bill than the one passed through the Senate.

Respectfully,

Brian D'Amico

Massachusetts State Police Trooper

617-943-2779

48 - State Police Colonel - Filed by Senator Rush

This amendment seeks to retain the rank of Colonel coming from within the ranks of the MSP. It states that the Colonel could also fill the dual role as a Superintendent (as is the case today), and if a civilian Superintendent was to be appointed, it greatly increases the requirements of a Superintendent, and retains the position of Colonel from within the ranks of the MSP. Further, if such an outside appointment was to be made, this amendment would ensure that the appointee would have the basic elements required to command and operate a diverse organization such as ours and would double the minimum years' experience required from 10 to 20 years.

74 - Qualified Immunity - Filed by Senator Tran

This amendment seeks to amend the bill in SECTION 10 by striking subsection (c) of section 11I. The following would be struck - "In an action under this section, qualified immunity shall not apply to claims for 431 monetary damages except upon a finding that, at the time the conduct complained of occurred, 432 no reasonable defendant could have had reason to believe that such conduct would violate the 433 law."

Complimentary to this amendment is #137 (filed by Senator Velis), which also strikes the Qualified Immunity section and adds a special commission to study Qualified Immunity.

"Qualified immunity balances two important interests—the need to hold public officials accountable when they exercise power irresponsibly and the need to shield officials from harassment, distraction, and liability when they perform their duties reasonably." Pearson v. Callahan.

77 - Discipline Changes - Filed by Senator Tarr

This amendment moves to amend the bill in SECTION 18 by striking in line 621 the words "1 year" and replacing therewith- "45 days". This would allow for our officers to seek an appeal of an administrative suspension without pay within 45 days, not the 1 year as drafted. This is an important Due Process piece for our officers and grants the Department of State Police more than the required 30 days to complete their investigation.

114 - Representation on POSAC - Filed by Senator Rush

This Amendment move to amend the bill in SECTION 6, by striking lines 164-192 in Section 221 and inserting in place thereof:-

"Section 221. There shall be an independent police officer standards and accreditation committee within the executive office of public safety and security consisting of: 13 members appointed by the governor, 1 of whom shall be the Attorney General or her nominee, 1 of whom shall be the Colonel the Massachusetts State Police (or a sworn Officer designated by the Colonel), 1 of whom shall be the Commissioner of

the Boston Police Department (or a sworn Officer designated by the Commissioner), 1 of whom shall be a chief of police of a mid-sized municipality who is a person of color to be nominated by the Massachusetts Chiefs of Police Association Incorporated, 1 of whom shall be the President of the Massachusetts Association of Minority Law Enforcement Officers, Inc., 1 of whom shall be the President of the State Police Association of Massachusetts, 1 of whom shall be the President of the Boston Police Patrolmen's Association, 1 of whom shall be a sworn Police Officer nominated by the Massachusetts Law Enforcement Policy Group, 1 of whom shall be a retired judge, 1 of whom shall be a Professor of Criminal Justice from a Massachusetts College or University; 1 of whom shall be an expert in the field of use of force, 1 of whom shall be an expert in the investigation of firearms discharge; and 1 other member; provided, however, that non-law enforcement members shall have experience with or expertise in law enforcement practice and training, criminal law, or the criminal justice system. Appointments to the police officer standards and accreditation committee shall be for terms of 3 years and until their successors are appointed. Vacancies in the membership of the committee shall be filled by the original appointing authority for the balance of the unexpired term. Members of the police officer standards and accreditation committee shall be compensated for work performed for the police officer standards and accreditation committee at such rate as the secretary of administration and finance shall determine and shall be reimbursed for their expenses necessarily incurred in the performance of their duties."

From: Gita Haddad <gwhaddad@gmail.com>  
Sent: Thursday, July 16, 2020 12:57 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S. 2820

I am writing to urge you to preserve the reforms in the Senate's police reform and to go even further in strengthening it. Now is the time!

Please preserve

- \* the creation of an independent and civilian-majority police certification/decertification body
- \* Limiting qualified immunity so that victims of police brutality can sue for civil damages
- \* Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records
- \* Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities
- \* Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal

Also, please ask the House to strengthen the Senate bill by



- \* Strengthening use of force standards, e.g., by outright banning chokeholds and tear gas
- \* Fully prohibiting facial surveillance technology (rather than imposing just a one-year moratorium)
- \* Lifting the unnecessary cap on the Justice Reinvestment Fund

Thank you,

Gita Haddad

Waltham, MA 02451

From: Lori Boghdan <l.boghdan@comcast.net>

Sent: Thursday, July 16, 2020 12:57 PM

To: Testimony HWM Judiciary (HOU)

Subject: opposition to Bill S.2820 (as written)

> ?To Whom May Concern:

>

> Thank you for seeking input on the important issue of police reform and specifically, Bill S.2820. What occurred in the senate last week, under the figurative and literal cover of darkness, was a travesty. The essential process for transparency, stakeholder involvement, and true deliberation was nonexistent. Allowing a mere 48 hours for something this IMPORTANT is a clear indicator of the motives. Some of our state senators chose knee-jerk, partisan politics to make scapegoats out of ALL law enforcement in an attempt to settle society's ills. The bill (with the elimination of Qualified Immunity (QI)) is the antithesis of meaningful and effective reform AND and it is DANGEROUS for society, as a whole. The senators who voted for this were either willingly ignorant, which is shameful, OR they were deliberately trying to further an anti-police agenda, which is disgusting!

>

> So thank you for seeking public input and for making an attempt to LISTEN (and not just using that term as an "on trend" slogan). Ironically, some of these very same people have been stressing the need to "listen" to improve our society (and I don't disagree)... but apparently, for some of them, that means only "listening" to CERTAIN groups, not truly trying to create informed, common sense, much-needed reforms. It's furthering ignorance and it's dangerous!

>

> We are a police family so we are quite accustomed to living with stress that others cannot even fathom. We seek to be socially-aware, civically-minded, contributing members of our community. We have honest and tough conversations "on the regular" with a desire to understand others' struggles and view points. It is because of these values that we DO want reforms and have advocated for many of them, especially updated training and education for law enforcement officials. MA has historically been among the best-trained, well-educated police forces in the country!

>

> Unfortunately now our police family has even MORE to be worried about right now with the attempts to end QI in Bill S.2820. This will have a devastatingly negative impact on our society as it does not apply ONLY to law enforcement; it affects teachers, firefighters, healthcare workers, and other vital civil servants.

>

> It is important to note this legal explanation from Yarmouth's town counsel - "QUALIFIED Immunity does NOT protect illegal actions by police officers. Rather it safeguards ALL public officials in situations where the law is unclear. The doctrine allows lawsuits to proceed if a government official had fair notice that conduct was unlawful, but acted anyway. This common sense and reasonable approach explains why those seeking to abolish or modify QI CANNOT point to ANY situations in MA where wrongful conduct by police officers has been protected by the doctrine. As written in Bill S.2800, abolishing or modifying qualified immunity will have important negative, unintended consequences for ALL MA citizens, courts, and public employees, not just police officers."

>

> Police officers are simply asking for TIME for meaningful deliberation and for law enforcement professionals to have a seat at the table when it comes to the important and necessary conversations regarding reforms and improvements. They have unparalleled perspective from the literal front lines of daily battle and from thousands of rank and file interactions with both good and bad cops. They can offer critical insight that bureaucrats and activists cannot possibly comprehend. Ironically, good police officers have been asking for measures like the POST accreditation system for YEARS (the MA legislature was not willing to fully address that previously because of FUNDING, despite the LEO pleas).

>

> As we are tragically aware, on a deeply personal level, our dedicated police officers are willing to stand between us and a bullet. I will be unapologetic for my passion and unrelenting with my messaging on this particular topic. I have a deep desire and a responsibility to educate those who seek reforms but don't fully understand the consequences related to some of the proposed measures.

> I hope the House will also be persuaded to reject the Bill or fix it to remove the QI portion, so that we can get back to the important conversations that need to happen to make EVERYONE safer.

>

> Kind Regards,

>

> Lori Potter Boghdan

> Yarmouth Port, MA

From: Monika C <monika.chitre@gmail.com>

Sent: Thursday, July 16, 2020 12:56 PM

To: Testimony HWM Judiciary (HOU)

Subject: Writing in Support of S.2820

Hello House Committee on Ways and Means,

I am writing in support of S.2820 and want to see preservation of the Senate's reforms to qualified immunity, strengthened use of force standards, and a ban facial surveillance technology.

Best,

Monika Chitre  
80 Adams Street  
BOYLSTON, MA 01505  
From: Todd Tigano <ttigano@verizon.net>  
Sent: Thursday, July 16, 2020 12:55 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to Bill

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Todd Tigano and I live at 764 Norton Avenue, Taunton, MA 02780. I work at MCI-Cedar Junction as a Correctional Officer II. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

?????????????????????????????????????????????????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

?????????????????????????????????????????????????????????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

?????????????????????????????????????????????????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-

trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Todd Tigano

From: Fredericks, Colin <colin\_fredericks@harvard.edu>  
Sent: Thursday, July 16, 2020 12:53 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Testimony

In your review of the Reform - Shift - Build act, please preserve the vital reforms that are made in the Senate bill, such as the following:

- \* Creating an independent and civilian-majority police certification/decertification body.
- \* Limiting qualified immunity so that victims of police brutality can sue for civil damages.
- \* Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records.
- \* Establishing a Justice Reinvestment Fund to move money away from policing prisons and into workforce development and education opportunities.
- \* Banning racial profiling by law enforcement and prohibiting police officers from having sex with those in custody, which can obviously never be consensual and is strikingly not yet illegal.

I also ask you to go further than the Senate bill:

- \* Strengthen use of force standards. Ban chokeholds and tear gas. Hold our police to the higher standards on use-of-force that already apply to our military.
- \* Fully prohibit facial surveillance technology (rather than imposing just a one-year moratorium)
- \* Lift the unnecessary cap on the Justice Reinvestment Fund

Thank you.

From: s.angelo0708@gmail.com

Sent: Thursday, July 16, 2020 12:52 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2800

I am so disappointed that the senate passed this bill without any input from we the people. Qualified Immunity should never be removed in any situation. Agree we need to make changes but our state is not like the rest of the country. We are strong, intelligent and very compassionate in Massachusetts. This state is from the beginning of this country and we can do better. Not put blame on one profession, our law enforcement. When we are in need of help the first thing we do is call 911. Stop and think do you really think someone will be there? I do not. Being a retired Registered Nurse who has stopped and save many addicts who have overdosed I cannot. I do not feel I am protect. Why are you protected, along with the Senate and Lt Governor and Governor? If you think this is so great then you should lose your Qualified Immunity.

I will always be on the side of Law Enforcement sad you are not.  
Sheila Angelo

Sent from my iPhoneFrom: Dee Williams <deejmwilliams@gmail.com>  
Sent: Thursday, July 16, 2020 12:51 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820

I urge you not only to preserve but to expand upon the police reform measures outlined in this bill. Police are nothing more than ordinary citizens who carry a grave and sometimes dangerous responsibility, and they are capable of making mistakes and doing great harm, as well as falling prey to the biases that plague our society--whether or not the individual officers themselves are consciously prejudiced--and disproportionately inflicting harm upon marginalized groups. Many Black people in particular grow up and spend their whole lives frightened by police. A police officer has pulled a gun on my father, a Black man who was unarmed and not a threat, after pulling him over for going a few miles over the speed limit on the highway. Nobody should have to live in fear of the people who are tasked with protecting them.

I agree with all of the reforms outlined in the Senate bill. Limiting qualified immunity to allow justice in cases of egregious misconduct and easing expungement on juvenile records are particularly important to me--the latter will go a long way to restricting the school-to-prison pipeline that tears apart marginalized communities and keeps people trapped in generational poverty. I would also urge you to strengthen use of force standards by disallowing chokeholds and tear gas except as absolute last resorts, prohibiting the use of face-recognition technology (which has been shown in studies to carry a racial and gender bias, misidentifying women and people of color more often than white men) by police, and lifting the cap on the Justice Reinvestment Fund.

These are the ways we can reforge the broken relationship between communities and the police, reinvest in our communities, and create a better Massachusetts.

- Dee Williams, 222 River St, Cambridge MA

From: Max Goldstein <maxngoldstein@gmail.com>  
Sent: Thursday, July 16, 2020 12:50 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Max Goldstein and I live at 44 Bel Air Road has n Hingham. I Am a police officer for the town of Hingham. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ???????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Max Goldstein From: Eileen D'Amico <eileendamico1@gmail.com>

Sent: Thursday, July 16, 2020 12:48 PM

To: Testimony HWM Judiciary (HOU)

To the members of the Legislature,

My name is Eileen D'Amico and I am the mother of a Massachusetts State Police Trooper. Thank you for taking the time to read this and for having a public forum to discuss the topic of police reform unlike the Senate. I urge you not to accept the Senate bill, which was done without public input, and rushed. Members of the State Police are not against police reform and believe like any profession there is always room for improvement. Most concerning from the bill from the Senate is the eroding of qualified immunity. Every government official in Massachusetts is covered by qualified or absolute immunity. To take this away from those in policing would be cruel. They are forced to make split second decisions to protect themselves and others from violent criminals. They should not have to worry about their financial livelihood every time they go to work. Qualified immunity does not shield them from illegal acts. When someone in the police breaks the law, they are held accountable. It does protect them from frivolous lawsuits and provides peace of mind when performing a dangerous job. Those of you in the Legislature are protected by absolute immunity, a higher level of protection than police, for actions you take over the course of weeks and months. To strip protection from police for actions they are forced to make in seconds is wrong.

Furthermore, the State Police Association of Massachusetts put forward a request for several common-sense amendments to the Senate Bill that would give law enforcement a voice in reforming policing. To reform policing you must include those doing the job. They only ask for a voice in this process so that the final product benefits everyone. I have included the State Police Associates recommendations below for you and urge you to consider them.

Again, thank you for taking the time to hear my voice and I trust that the Legislature will provide a more balanced and thoughtful bill than the one passed through the Senate.

Respectfully,

Eileen D'Amico

508-533-7824

This amendment seeks to retain the rank of Colonel coming from within the ranks of the MSP. It states that the Colonel could also fill the dual role as a Superintendent (as is the case today), and if a civilian Superintendent was to be appointed, it greatly increases the requirements of a Superintendent, and retains the position of Colonel from within the ranks of the MSP. Further, if such an outside appointment was to be made, this amendment would ensure that the appointee would have the basic elements required to command and operate a diverse organization such as ours and would double the minimum years' experience required from 10 to 20 years.

74 - Qualified Immunity - Filed by Senator Tran

This amendment seeks to amend the bill in SECTION 10 by striking subsection (c) of section 11I. The following would be struck - "In an action under this section, qualified immunity shall not apply to claims for 431 monetary damages except upon a finding that, at the time the conduct complained of occurred, 432 no reasonable defendant could have had reason to believe that such conduct would violate the 433 law."

Complimentary to this amendment is #137 (filed by Senator Velis), which also strikes the Qualified Immunity section and adds a special commission to study Qualified Immunity.

"Qualified immunity balances two important interests—the need to hold public officials accountable when they exercise power irresponsibly and the need to shield officials from harassment, distraction, and liability when they perform their duties reasonably." Pearson v. Callahan.

77 - Discipline Changes - Filed by Senator Tarr

This amendment moves to amend the bill in SECTION 18 by striking in line 621 the words "1 year" and replacing therewith- "45 days". This would allow for our officers to seek an appeal of an administrative suspension without pay within 45 days, not the 1 year as drafted. This is an important Due Process piece for our officers and grants the Department of State Police more than the required 30 days to complete their investigation.

114 - Representation on POSAC - Filed by Senator Rush

This Amendment move to amend the bill in SECTION 6, by striking lines 164-192 in Section 221 and inserting in place thereof:-

"Section 221. There shall be an independent police officer standards and accreditation committee within the executive office of public safety and security consisting of: 13 members appointed by the governor, 1 of whom shall be the Attorney General or her nominee, 1 of whom shall be the Colonel the Massachusetts State Police (or a sworn Officer designated by the Colonel), 1 of whom shall be the Commissioner of the Boston Police Department (or a sworn Officer designated by the Commissioner), 1 of whom shall be a chief of police of a mid-sized municipality who is a person of color to be nominated by the Massachusetts Chiefs of Police Association



Incorporated, 1 of whom shall be the President of the Massachusetts Association of Minority Law Enforcement Officers, Inc., 1 of whom shall be the President of the State Police Association of Massachusetts, 1 of whom shall be the President of the Boston Police Patrolmen's Association, 1 of whom shall be a sworn Police Officer nominated by the Massachusetts Law Enforcement Policy Group, 1 of whom shall be a retired judge, 1 of whom shall be a Professor of Criminal Justice from a Massachusetts College or University; 1 of whom shall be an expert in the field of use of force, 1 of whom shall be an expert in the investigation of firearms discharge; and 1 other member; provided, however, that non-law enforcement members shall have experience with or expertise in law enforcement practice and training, criminal law, or the criminal justice system. Appointments to the police officer standards and accreditation committee shall be for terms of 3 years and until their successors are appointed. Vacancies in the membership of the committee shall be filled by the original appointing authority for the balance of the unexpired term. Members of the police officer standards and accreditation committee shall be compensated for work performed for the police officer standards and accreditation committee at such rate as the secretary of administration and finance shall determine and shall be reimbursed for their expenses necessarily incurred in the performance of their duties."

From: Priscilla Giroux <pris1121@hotmail.com>  
Sent: Thursday, July 16, 2020 12:47 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 I strongly oppose

To whom it may concern,

?In the light of recent events, nobody will argue there is need for police reform. I do however take issue with removing Qualified Immunity (QI) for our officers. QI never protected Police Officers from suits over excessive use of force or malicious prosecution. It protected Officers from lawsuits; even if a ticket or case was thrown out, as long as it was in good faith an officer could not be held liable.

This bill as written, without QI opens the door for lawsuits when an Officer writes a ticket for speeding and it's thrown out of court for first offense, or an Officer makes an arrest for a crime and it's dismissed for the victim not showing up to court, which an officer has no control over.

Overnight the State Senate passed the police reform bill, so now it will hit the House, then Governor Baker's desk. Then it is law. "Police Reform" seems to be the new catch phrase, but I wouldn't say this was a reform. This is Police Impairment. Require body cams at every call, go back to two officers at every call. That's reform.

I'm literally disgusted, the non support from some of our senators is appalling and frightening. It serves to undermine police authority, to hinder their ability to do their job. What will happen when officers stop traffic enforcement, community protection and other aspects of their job for fear of being sued by criminals? Anarchy is what will happen!

If this law passes the House as written, it will remove our Officers' QI, resulting in many frivolous lawsuits against police officers and municipalities. All Officers will be at risk of personal lawsuits, more so the proactive Officers. So an Officer who goes out and actively seeks out criminals will face a greater likelihood of suits, but all Officers, just from their regular day to day call responses will be at risk as well.

Retirements will increase, proactive patrol will decrease, and high quality candidates will be in low supply resulting in lower quality candidates getting the job. I know many that already are going to retire, and the ones that aren't yet at retirement age will make their side jobs their full time ones.

Many police and firefighters have side jobs. They have to, especially here in MA, with the cost of living so high. We should be paying them enough so they don't have to work two jobs. Now on top of it all, if this gets passed, they are going to have to risk losing their homes, their freedom, their families-for what?

While there is room for improvement and reform is needed in many areas, this bill as written is not the answer. We need to back our Officers. We need to demand respect for our Officers who put their lives on the line every dam day!

I'm all for holding trainings and education as well as required re-certification but as written this is an attack against our Police Officers and I'm absolutely disgusted. We as tax paying citizens should have been given a say. Our Police should have been given a say.

Put this to the voters of the Commonwealth. Let the majority of the people speak for what we want, and you will see that this law is NOT what is wanted.

We owe our dedicated Officers something more than this ill conceived and politically driven bill. It certainly does not unite us or show any support. In my opinion the bill's main goal and objective was to attack and discredit law enforcement to appease certain groups.

Please do whatever possible to encourage Governor Baker NOT sign this bill into law. We the people and our incredible Officers should be able to have a vote.

Thank you,  
Priscilla Giroux  
781-223-5030  
Concerned Citizen

From: Gwen Pasch <gwen.pasch@gmail.com>  
Sent: Thursday, July 16, 2020 12:51 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support of S2820

To Chair Aaron Michlewitz and Chair Claire Cronin:

I am writing to express my support for S2820: The Reform, Shift and Build Act. This reform is long overdue and I am pleased to see the Massachusetts Legislature take these steps. It is essential that we reduce the use of force by law-enforcement in Massachusetts and I believe this bill will help us take those steps. I am also excited to see that the bill will establish dedicated funding streams for more community based organizations and initiatives.

This is our chance to create important change. Let's not screw it up.

Best,  
Gwen Pasch  
Cell: 202-689-9417  
From: Sonia Pereira <sonia0090@aol.com>  
Sent: Thursday, July 16, 2020 12:44 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Concerns regarding police reform bill

To whom it may concern,

I respectfully ask that you Carefully examine and consider one but not all aspects of this bill. In its entirety, this bill is dangerous to the public. It allows the Small percentage of criminals to become increasingly Comfortable with furthering crime as police will have to question all actions with fear of lawsuits, placing police at a increased risk for their safety, lives, and families well being. If your job was to curb criminal acts however be placed at a great risk for a lawsuit, by a stranger to be able to possibly take away your livelihood that you and your family have worked hard for, would you? Furthermore, it's very

disappointing to see the lack of support for officers who place their lives on the line, each and every day. If this bill passes, many will shy away from becoming officers, many will retire, crimes will increase. Who will protect us then? Please consider no chokeholds but qualified immunity should continue to exist.

Thank you,  
Sonia Pereira  
Sonia0090@aol.com

Sent from my iPhone  
From: Sheila Parks <dpandshe@gmail.com>  
Sent: Thursday, July 16, 2020 12:43 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill

To whom it may concern,

I am writing in support of the Police Reform bill. I have worked in education for years-- in K-6 education, special education and early childcare, often as a substitute teacher. Even as a substitute, I was required to have my Early Childcare Certification to work with young children. This required regular updates and ongoing training/continuing education. Why should police be any different? They are often working with our most vulnerable populations. They should be required to have regular training, specific to their job and certification or licensure should be required as well.

As a teacher, every accident small or large required documentation by the staff who witnessed the incident including any injuries and first aid given. Copies of these reports went to the child's parent and my supervisor. If there were questions regarding the incident, the director/principal or even DCF would be involved in investigating and speaking with the parties involved. I was expected to document injuries/incidents and of course give aid when necessary. I was held accountable for my actions by everyone involved. Why would police not be held to this same level of accountability?

I am no longer working in the education field, but am director of a library. Because myself and my staff interact with children and vulnerable populations, we have to be CORI checked. If we had any serious complaints or charges against us, it would be in our records and we could not work with the public. There should be a similar database for police officers. Disciplinary reports should be recorded and stay in their record regardless of changing jobs or duration of their tenure.

Obviously as a teacher, I could not do anything that physically endangered the children I worked with. Even when I worked with special needs children with serious (and sometimes violent) behaviors, I could only use de-escalation techniques and as a last resort, physical restraints which could protect staff in a way that would not injure the children in any way. We were trained regularly in safe physical restraints. Certainly choke holds were not part of our training. I realize police are dealing

with more dangerous situations, but increased training in de-escalation and non lethal restraints has to be the legal requirement.

Lastly, my daughter was assaulted by a Police officer last year. She was at a peaceful protest. She was not blocking a street or interacting with the police at all. Her friend was punched by a police officer (suffering a broken nose). My daughter shouted at the police officer (she yelled, "that's assault!") in defense of her friend and was shoved to the ground by the same officer. She suffered a concussion and leg injury. My daughter is 5'2" weighing 105 lbs. She was not a physical threat to the officer, but he knew he was a physical threat to her and used his size and authority to make that clear. Most of the police at this protest were good and hardworking people, doing their job. This police officer was a bully with a long history of disciplinary reports. I want police like this man to be held accountable and to be less powerful.

For my daughter and other victims of police brutality, and for all of the hardworking police who are just doing their job, please pass the Police Reform bill. They all deserve better.

Thank you,  
Sheila Parks  
Berkshire, MA 01224  
From: Elijah Romulus <romulus.elijah@gmail.com>  
Sent: Thursday, July 16, 2020 12:42 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support of s2820 Suggest one Ammendment

Name: Elijah Romulus  
Organization: Hyde Park SDA Churh  
Number: 774 274 9895

I am writing to applaud the senate on passing this bill and urge the house to do the same.

The one smendment I would make is to outright ban the use of tear gas. It is a chemical weapon of war. Those sworn to serve and protect should not be using weapons of war on civilians.

Thank you for your service and God bless you.

Best regards,  
Elijah  
From: Haley Rosenthal <haleyrosenthal22@gmail.com>  
Sent: Thursday, July 16, 2020 12:40 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: I Support the Reform, Shift, and Build Act

Dear Claire Cronin and Aaron Michlewitz,  
My name is Haley Rosenthal and I'm a resident of Roxbury, MA.  
I support the Reform, Shift, and Build Act (S.2800) and urge you you to accept this bill.  
Thank you!  
Best,

Haley Rosenthal  
From: Adam Beck <gus1070@verizon.net>  
Sent: Thursday, July 16, 2020 12:40 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony regarding Reform bill

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,  
My name is Adam Beck and I live at 153 Grove Street in Waltham, MA. I work at MCI-Framingham and am a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Adam Beck

Sent from my iPhone

From: Kathy Sullivan <kathysullivan830@gmail.com>

Sent: Thursday, July 16, 2020 12:39 PM

To: Testimony HWM Judiciary (HOU)

Subject: Re: Testimony for S.2820

On Jul 16, 2020, at 11:54 AM, Kathy Sullivan <kathysullivan830@gmail.com> wrote:

Dear Judiciary Committee,

Please accept this email as my testimony for changes to the current Police Reform Bill. First, I would like to take this opportunity to identify myself. My name is Kathleen Sullivan Warnken and I have been a lifelong resident of Worcester, Massachusetts. My phone number is 774-239-3035.

I would like to address several amendments included in this bill:

1) The first amendment that I find concerning is the changes to Qualified Immunity. Qualified Immunity is necessary in order to protect all public servants from frivolous civil law suits. By making changes to qualified immunity we are freeing the criminals and putting handcuffs on the police officers. In my opinion, the general public who support these changes don't understand that Qualified Immunity doesn't protect law enforcement officers who are incompetent or those officers who knowingly violate the law. I'm in fear of what will happen in the cities and towns of Massachusetts if Qualified Immunity is changed. Please keep Qualified Immunity in tact for the reasons it was put in place to begin with.

2) The next Amendment that is concerning to me is recommended changes to due process and collective bargaining. This reads as an Anti-labor bill. This goes against the political landscape on the Left side who are supporting to eliminate Collective Bargaining & the right to Due Process for the police. The democratic platform has always been labor/union supporters. It appears to me that they are targeting the police who serve and protect us.

3) The POSAC board is also of great concern to me. This appears to be a voluntary committee and doesn't appear to include any frontline police officers. The amendment reads that it is an independent state entity comprised of a committee includes 7 civilians and 7 police officials. I think this needs to be changed to include frontline police officers from cities.

Thank you for taking the time to read my testimony. I hope you will take it into consideration during the hearing tomorrow.

Sincerely,

Kathleen Sullivan Warnken  
58 Ridgewood Rd  
Worcester, MA. 01606  
774-239-3035

From: Mary Boeggeman <mboeggeman@beverlyschools.org>  
Sent: Thursday, July 16, 2020 12:39 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: police reform (?)

As a citizen of Massachusetts I object to the police reform bill as it stands. Foremost, the fact that it was passed under the clock of darkness holds it up to scrutiny. It appears as if it was motivated by the social climate of today and the up-coming election. This is disappointing. It is an important conversation and I don't feel as if it was given the breadth of discussion it should have been given. Furthermore, it paints every police department with the same brush stroke. Isn't this what we are supposed to be guarding against? Stereotyping. I don't believe the statistics for most Massachusetts police departments warrant this all allencompassing reaction. Police officers who abuse their power should be held accountable but for the public to be able to sue individual officers is a short sighted and dangerous solution. This appears to be a punitive and inappropriate reaction. These men and women put their lives in danger for us. Most of them are good people. They should not be put in the position, ever, to stop for a second to consider how their actions will look to an onlooker who does not have the whole picture. Money should be allocated for more education, training and efforts which would create mutual respect between the police and the public. This bill, as it stands, will further polarize people. For these reasons I do not support the police reform bill as it stands.

Mary Boeggeman  
2 Lincoln Street  
Beverly, Massachusetts  
maryboeggeman@gmail.com

From: Marc <ex.marc@gmail.com>



Sent: Thursday, July 16, 2020 12:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Marc Exarhopoulos  
978-618-1498  
71 Bradley Ln, Stow, MA 01775

House Representatives,

I am writing in opposition of bill S.2820 (formally S.2800).

This bill that limits protection for all public employees sets a terrible precedent, and limits protections for qualified immunity, due process, and limits collective bargaining. The collateral damage that this bill will do for the public employees of Massachusetts will not help recruit good candidates within public service, and will indirectly cost lives.

The Democratic party supported protections such as qualified immunity, and has been a staple for labor movement protections, and is now being attacked by the same Democratic party that union employees, like myself, have supported for years. I am a fulltime firefighter, and my wife is a full time police officer. We do our jobs with honor, and in good faith. We chose these occupations to help people, and to serve our communities, Limiting qualified immunity does not protect bad employees, it hinders good employees, and promotes second guessing. In our line of work, second guessing decisions can cost lives, including our own.

Attacking qualified immunity also attacks due process, and collective bargaining. Due process was implemented to ELIMINATE discrimination. Due process protects employees from being fired BECAUSE of actions that encompass discrimination. Collective bargaining promotes EQUALITY for all employees, and has been a Democratic supported initiative for over 100 years. Now, democrats are attacking the idea.

Any amendment that limits workers rights needs to be taken off this bill completely.

Respectively,

Marc Exarhopoulos

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From: Corey Scafidi <cscaf10@gmail.com>  
Sent: Thursday, July 16, 2020 12:38 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to S2800 / S2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Corey Scafidi and I live at 41 Hosmer Street in Watertown, Ma. I work currently as the Executive Secretary for MCOFU but I am also a Correction Officer on leave from MCI Concord while I work as a union executive. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

?????????????????????????????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

?????????? ??????????? ??????????????????????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

?????????????????????????????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need

to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Corey Scafidi  
Executive Secretary, MCOFU  
From: Carden, Andrew (SEN) <Andrew.Carden@masenate.gov>  
Sent: Thursday, July 16, 2020 12:36 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: Testimony from a constituent

Andrew Carden  
Chief of Staff  
Office of State Senator Diana DiZoglio  
State House Room 416-B  
(617) 722-1604

----- Forwarded message -----  
From: paul white <pw07195@gmail.com>  
Date: Thu, Jul 16, 2020 at 11:05 AM  
Subject: Police Reform Bill  
To: <Testimony.HVMJudiciary@mahou.gov>

The lack of a Public Hearing on this Bill is an affront to the citizens of the Commonwealth and an undisguised effort to deprive us of our voice.

The assault on qualified immunity legal protection for police and other public employees that shields them from civil lawsuits unless there was a clearly established violation of law is wrongheaded and insulting to people who put themselves and their lives in jeopardy. Without this protection who would want to be a Public Employee? What immunity do Senators have and why should they have any? It has always amused me that it is a crime for me to lie to Congress but ok for Congress to lie to me. Would you approve a Bill to deprive you of your immunity?

I support the ban on chokeholds and limits on the use of tear gas. I vehemently reject any requirement that police receive training in the history of racism. That, in itself, is blatantly racist and one more divisive element where there are already too many.

From: Barry Keezer <bkeezer33@gmail.com>  
Sent: Thursday, July 16, 2020 12:34 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Barry Keezer and I live at 18 funston st Leominster Ma. I work at MCI CONCORD and am a CORRECTION OFFICER. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ???????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ???????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Barry Keezer

From: Lauren Ciccia <laurenciccia@yahoo.com>  
Sent: Thursday, July 16, 2020 12:32 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800

Good Morning,

I am Lauren Ciccia and I am the fiancé of local Revere Police Officer. My fiancé and I have two children together and have been with one another for almost thirteen years. I didn't want to make this email solely about the politics of what is happening today. I wanted to make this email more personal. With everything going on in todays world my main purpose of this email, of course, is to politely request that the police department and all other public workers be protected by their amendments (#114, #134, and #137) to s.2800. It is VITAL to make this bill as just and fair as it can be. I am a full supporter of the black lives matter movement as is my fiancé and the rest of our family. We teach our children exactly what they're suppose to be taught which is every single person they come in contact with in life is to be treated the exact same. That is with honor and respect. The senate needs to take into consideration the vast majority of the police department that suit up every single day and honor their oath. The decision to take away qualified immunity is completely unjust and frivolous to the men and women who leave their families behind every day to protect the citizens and their families. Without qualified immunity you're leaving these officers second guessing themselves and putting them in harms way. You will be leaving their hands tied and not allowing them to perform the duties and requirements of their job to the best of their abilities. I strongly suggest taking this bill into serious consideration for the only people protecting the general public as well as for the community itself. How will situations be handled correctly with officers second guessing themselves during every call? It is becoming more and more terrifying to raise our children in this world. Please be the person that makes the change in making this world a better place for these kids to become something. They can not become something if they do not have people in their corner protecting them.

Respectful regards,

Lauren Ciccia  
857-201-1888

From: Stephen Germain <sg07248@gmail.com>  
Sent: Thursday, July 16, 2020 12:32 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820

?I am writing to request your assistance with the S.2820 (Formerly S.2800) Act to Reform Police Standards. I am a Worcester Police Officer and 15 year veteran of the United States Air Force. Since I was 18 years old, I made a decision to put on a uniform and serve my country. After I served my country, again I put on a uniform in order to serve my community. As a country we are facing unprecedented times in light of recent events, specifically in Minneapolis that has sparked controversy across the entire world. We are being fed a misleading national narrative by news media

outlets across the country about this idea of "systematic racism" that seems to only exist within law enforcement agencies. I am not denying the fact that racism doesn't exist nor that it is acceptable. What we must examine in the Commonwealth of Massachusetts is (1) does systematic racism exist, and (2) are the police within the Commonwealth engaged in it? I have heard this term being thrown around during the Senate hearings for this bill, but what I did not hear is one example or fact laid on the table from this state. Although what happened in Minneapolis is a tragedy, the good men and women who protect and serve the communities within the Commonwealth of Massachusetts should not be punished because of it. Massachusetts police and training standards are already far above that of the rest of the country, which is why we don't gain national attention. The police reforms sweeping the nation is what Massachusetts has had in place for years. Anything further is simply dismantling the police.

?The Senate Bill S.2820 is a toxic bill that effectively ties the hands of police officers across the state, which will result in an unjustified negative impact on the very communities we serve and protect. If this Bill passes, GOOD police officers will retire, GOOD police officers will walk off the job, GOOD police candidates will not take this job and we will be left with the very people this Bill is trying to prevent because there will be no choice but to hire anyone willing to work. This Bill was hastily thrown together without even consulting the community and aims to remove qualified immunity and Due Process from police officers who may make a mistake while acting in Good Faith. The Sixth Amendment to the Constitution of the United States grants all people the right to be judged by a jury of their peers. Bill S.2820 calls for police to be judged by a committee who have no experience in policing. If you needed emergency heart surgery, would you want it performed by a doctor who refuses and lets you die because he knows if he makes a mistake he will lose his house, retirement, savings, livelihood, or the doctor who knows even if he makes a mistake he will be covered and tries his hardest to save your life? Well the same holds true for police, why would we want to arrest any criminals when we know at any moment we can lose everything because of a split-second decision? Bill S.2820 is completely erasing Unites States Supreme Court case law such as Tennessee v. Garner and Graham v. Connor. Both cases are surrounding use of force by police and state that force shall be justified based on what a reasonable officer would do. How is a person that has never been a police officer, never made a split-second decision, never put their life on the line for another human being, supposed to know what a reasonable officer would do?

?I have never heard of an unarmed person in the Commonwealth of Massachusetts being killed by police, but when I read this reform bill the names Michael Chesna, Sean Gannon, and Ronald Tarentino come to mind. These are all police officers in Massachusetts that were shot and killed by violent criminals. If this Bill passes not only will the list of fallen police officers in the Commonwealth grow, but so will the list of citizens that die at the hands of violent criminals. If we look at the

number of murders across the nation and more specifically the Commonwealth of Massachusetts over the last month, they are up tenfold. The reason for this is because of Reform Bills like S.2820 that have handcuffed police. Police officers cannot and should not do anything other than the bare minimum because of the unnecessary dangers this Bill places them in. All of these Bills have been put together without consulting the community, specifically the minority community. Recently in New York City a Bill was passed that removed 1 Billion dollars from the budget, reduced the police force by 1,400 officers, canceled a police academy of 1,000 officers, and dismantled their Anti-Crime Unit (a unit designed to stop violent crimes and gun violence). All of this was done without consulting the community. Approximately, two weeks after getting rid of the Anti-Crime Unit murders and gun violence in the City is up 45% in just a matter of days. Leaders of the Black Community are now calling for Politicians to bring back the Anti-Crime Unit and stating they never asked for them to be dismantled to begin with. We have already had over 10 murders across the Commonwealth in the last two weeks so let's stop this before it's too late.

?We as police are not resistant to change and are open to make things safer for the communities we protect, but let's do it in a way that protects both the citizens and police in the Commonwealth. I am urging you to delay this Bill until we can work together as an entire community to come up with a plan that protects us all. We need to consult our communities and ask for their opinions, we need to consult our police and ask for their opinions, and most importantly we need to come up with a Bill that is reasonable for all. Please delay Bill S.2820 before crime in the Commonwealth of Massachusetts spirals out of control and cannot be stopped.

?Please feel free to reach out to me and discuss this matter further. Again, I thank you for time, dedication, and commitment to resolve the challenges we are facing in this extraordinary time.

Respectfully,

Stephen Germain

Worcester Police Department

(508) 612-9756 <tel:(508)%20612-9756>

Sg07248@gmail.com

Sent from my iPhone

From: Wendy Vaughan <mark@pandvhomeservices.com>

Sent: Thursday, July 16, 2020 12:30 PM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

This legislation is the worst idea in the history of bad ideas. How the hell many more people have to be subject to violent crimes or even worse!!!!??

It seems to most people as though our supposed leaders have an agenda and the public's safety is not part of it.

The police are not there to coddle idiotic protesters they are there to maintain the peace!!!

Before George Floyd lost his life due to the incompetence of ONE cop you would have all fallen over yourselves to praise our 1st responders.

Now, in the face of an angry mob with an agenda the police have been stabbed in the back by their so called leaders.

I'm disgusted.....

Let them do their job, it will only get worse otherwise.

Sincerely

Mark Pelland

From: Travis Perry <travisdperry@gmail.com>

Sent: Thursday, July 16, 2020 12:32 PM

To: Testimony HWM Judiciary (HOU)

Subject: Fwd: LE Legislation

My name is Travis Perry and I live in Sutton. I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine.



Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous.

Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31 <x-apple-data-detectors://5> st <x-apple-data-detectors://5> . <x-apple-data-detectors://5>

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration

Travis Perry

Putnam Hill Road

Sutton, Ma

From: Sam Haas <sam.charles.haas@gmail.com>  
Sent: Thursday, July 16, 2020 12:30 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800: Please pass this bill!

Dear Ways & Means Committee Members,

I unequivocally support the Reform, Shift + Build Act (S.2800) and strongly urge my representatives and the House as a whole to ensure that it passes.

I am a resident of Brookline, MA who grew up in Massachusetts and went to school at Northeastern University. I have lived here my whole life and care very much about our state. Massachusetts has always been on the

forefront of states passing legislation to support the people that live here and we've never shied away from decisions that seemed radical at the time, but which we now know to be correct, just, and necessary. This bill represents another chance to do just that.

I have always been proud of - and bragged about - MA being the first state to legalize gay marriage, to treat workers better in our own laws than federal law requires, to pass healthcare coverage laws before the country did as a whole. I hope to see us continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow.

Please build on the work that our Senators have done to pass this bill over to you, and bring the Reform + Shift + Build Act to fruition. Doing so would continue the legacy of this state that makes me a proud resident and has kept me around for my whole life; failing to do so would be a huge disappointment out of character for who I know us to be as a state and as a people.

Thank you,  
Sam

Sam Haas  
99 Beals St.  
Brookline, MA 02446  
From: Diana Wells <dianarwells@gmail.com>  
Sent: Thursday, July 16, 2020 12:28 PM  
To: Testimony HWM Judiciary (HOU)

Dear Representative Michlewitz,

I am writing to you in regards to the proposed bill S2820, currently up for consideration in the house. This bill is dangerous for police officers across Massachusetts, and all municipal employees that will inadvertently be negatively impacted as well.

S2820 proposes dangerous changes for police departments across the state: particularly in the areas of qualified immunity and due process. It doesn't just impact police officers, but all municipal employees. How is anybody supposed to do their jobs with a constant threat of frivolous lawsuits? The truth is, we won't be able to. This bill will paralyze good police officers, dispatchers, firefighters, DPW workers, etc. in so many ways.

Qualified immunity does not protect anybody who is acting outside the law or violating someone's civil rights. People are still able to bring suit in those situations. Why are we taking away the ability to vet complaints before they result in a lawsuit? This bill is clearly a backdoor attempt to strip police officers' protections in support of the latest anti-police movement. The consequences will impact far more than just police officers. This bill is bad for everyone in MA.

Please fight for police officers, municipal employees, and for the voices of your constituents to be heard.

Thank you,

Diana Wells

From: Stacey Cronin <cronin.stacey@yahoo.com>

Sent: Thursday, July 16, 2020 12:27 PM

To: Testimony HWM Judiciary (HOU)

Subject: S.2800

Good Afternoon,

My name is Stacey Craven and I live in Reading <x-apple-data-detectors://0> . As your constituent, I write to you to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, one, in particular, stands out and demand immediate attention, modification and/or correction.

Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

The lawsuits resulting from this, whether they're won or not, will result in personal time away from the job to attend court hearings and money lost on legal fees. This would result in MANY officers leaving their positions.

I know it would not be totally eliminated under this bill, but the rephrasing leaves much room for interpretation. For example, if an officer were to do chest compressions on someone for CPR and accidentally break their rib, would they be protected? If someone was resisting arrest and they broke their wrist in the scuffle, would the police be protected? How does this distinguish between a smaller female officer feeling as though their life is being threatened or a larger male officer?

In a society where the media and politicians are clearly against GOOD officers who are doing their job well, many people have turned their backs on police. They would jump at the opportunity to file a lawsuit against the person who arrested them.

Why the rush to push this bill through so quickly? What about public forums? Why not find a way to rephrase this that wouldn't put so many of our police officers in harm's way? Massachusetts' police are the country's best, most educated officers. That doesn't mean they're not open to

reform, but it they do not deserve the treatment of this rushed, imperfect, and dangerous reform.

As a Democrat, I am extremely disappointed in my party that none of my representatives are stepping forward to voice their support in the good men and women who are serving as police officers in this state and country. Expressing gratitude toward police in a private email, while appreciated, is not public it will not help protect these innocent officers who are encountering growing hatred on the streets of the communities they serve. I strongly believe this is directly influencing many of the violent acts against police, including murders. When will someone speak up? Hopefully before it's too late.

My husband is a proud police officer. He puts his life on the line daily for people who are turning their backs on him and other men and women in blue. He's highly educated with a bachelors, a masters, and a second masters on the way. He is the type of officer you would want to protect and serve your community, but he puts our family first. He's ready to leave a job he's worked his whole life for because of this bill and the recent hateful actions against police. I'm sure many others will follow.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve. They're absorbing most of the blame for systematic racism of our entire society. While I would assume that it is already going to become more difficult to fill police jobs with educated, qualified individuals, instituting this rewrite on qualified immunity would make it nearly impossible to fill these positions.

Thank you,  
Stacey Craven

From: JANET BROWN <janet.e.brown@comcast.net>  
Sent: Thursday, July 16, 2020 12:27 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Janet E. Brown and I live at 163 Packard St, Lancaster, MA 01523. I work at MCI Concord and am a CO1. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Janet E. Brown

From: John Annunziata <johnaannunziata@gmail.com>  
Sent: Thursday, July 16, 2020 12:27 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2800

Dear Representative,

While I understand the events that have occurred in different parts of the nation are disgraceful, categorizing all law enforcement officers as the problem is not the solution. Frankly, it is a lazy way to deal with a larger issue. I cannot help but wonder why Massachusetts is never in the spotlight for these tragedies. I know it is due to the fact that the

training in Massachusetts is significantly superior than those in most of the other states. In Massachusetts you have Officer's that attend a 26 week academy. Academies in other parts of the country can be only 14 weeks.

Does racism play a role in law enforcement? You bet it does, but I am here to tell you that it is not with the patrol officer. It is with the Massachusetts General Law. Changing the minimum mandatory sentencing or statues is difficult. So it is certainly easier to blame it on the cop who gets called to the scene of a crime, makes an arrest, files the appropriate charges then hands it off to the court house. A police department receives a report of a suspicious person. The officer is dispatched and responds to find a minority person. The officer has an interaction with this person and clears it out as unfounded. Now people hear about this and automatically blame the officer accusing him of being a racist. Is the cop a racist, or was he doing his job? What if the officer never responded, do you think the reporting party would have stopped calling?

You see, the officer is not racist, society is. The law is. The patrol officer is not. Yet the patrol officer is the easiest target to blame. There is always room for additional training for officers. I am not naive to the fact that not every police officer serves with integrity. But to take away basic protections and rights for the officers is absurd. Officers are willing to sacrifice their lives, but now they are being asked to sacrifice their family's wellbeing, all in the name of political pressure?

If you take away qualified immunity, you know what you are going to get? Less qualified police officers. Police departments nationwide are already scraping the bottom of the barrel to hire because the benefits of the job don't outweigh the risk. When good, honest officers walk off the job because they are not willing to risk their family's livelihood, you are only going to get less qualified people to do the job. Does that sound like the solution?

How about putting money back into the police departments for training. Police Officers have become social workers, marriage counselors, psychologists, teachers, parents and the list goes on. You will not find a police officer in the commonwealth who would be upset about having social workers respond to non-police related calls instead of them. But leave the police officer's protection with qualified immunity alone. The police officers rely on qualified immunity for the same reasons clerk magistrates, prosecutors and judges do; mistakes happen. Not due to maliciousness but due to the facts at hand. I strongly urge you to consider your position and ask yourself, if the majority of good and honest police officers walk off the job, who will you be left with?

This in combination with the portion of the bill encouraging private citizens to interfere in police business if they feel it is excessive is reckless. Have you ever been in a fight? If you have, then you know it never looks good. Ever. Now you are giving private citizens who have no knowledge of the use of force continuum officers abide by and courts rule on, the authority to assist the arrestee? You want officers to accept

this? How do you think this will end? This is going to get people hurt and or killed. We ask too much of our officers and frankly, I could not blame them for wanting to walk away from their profession and show these extremists and reactionaries just how lawless society will be. I will again reiterate, if this passes, we will become a lawless society. Maybe that is what some people want, I do not. I do not want it for my young family, and I know the silent majority does not.

Many politicians believe if they do not support this, it will be political suicide. I am here to tell you the silent majority is disgusted by the events that have transpired since the Minneapolis tragedy. If you do support this, this will be political suicide. Once lawlessness takes over, people will remember who supported these bills and it will affect their voting. I urge you to consult with experts in this matter, and not just give into political pressure.

Respectfully,

John Annunziata

From: pennyseeker@aol.com  
Sent: Thursday, July 16, 2020 12:20 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill number S2820 to defund the police.

To Chair Aaron Michiewitz and Chair Claire Cronin,

My name is Linda Harrington I live at 8 Esbjurn Drive, Rehoboth, Ma 02769 phone 774-203-3007.

I have concerns with a School Resouce officer answering to Superintendents. We had a terrible experience with our School District concerning our youngest daughter. Our case was brought to both the BSEA and Bristol County Probate Court. The District sent a signed Official Statement with Letterhead of all the Administrators names to the Probate Family Court to try to stop our daughter from obtaining a Protection Order against another student. We presented the Official letter signed by Judge Berman DOE contradicting what the District reported to Judge LaStaiti. We won both cases. Our family went through hell. My children were in that School District from 1980 with my first until our daughter was transferred to a private school by Judge Berman in 2006. Until then I was unaware of how difficult, expensive, and exhausting it can be when parents have a problem with a school tht has another agenda. I now know how often BSEA has to step in to correct these problems and that it's not uncommon to

find schools at fault. If you have any questions or would like to see paperwork on my case please contact me. I will be more than happy to provide you with anything you need. Below are my concerns when it comes to putting a School Resource Officer under the control of the District.

1 A good school resource officer does more to promote trust between young people and the police. 2. School Districts and School Unions do everything they can to protect the Districts reputation. I have great concerns with Superintendents overseeing the policing the School Districts when another School employee or a student they have reason to protect acts in an improper or illegal way?

Thank you,

Linda Harrington

From: Lillian Armstrong <armstrong.li@northeastern.edu>  
Sent: Thursday, July 16, 2020 12:18 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for Bill S2820

Good afternoon Chair Michlewitz and Chair Cronin,

My name is Lillian Armstrong. I am a recent graduate from Northeastern University, and I am writing today to express my support for the Reform, Shift and Build Act (S2820). There is an urgent need to reform policing in the commonwealth, and specifically to shift resources to communities of color that have disproportionately suffered at the hands of unjust police protocol. I hope that the House takes this opportunity to create a more equitable Massachusetts.

Best,  
Lillian Armstrong  
(423) 305-5680  
From: Joseph Corazzini <jmcorazzini@gmail.com>  
Sent: Thursday, July 16, 2020 12:18 PM



To: Testimony HWM Judiciary (HOU)  
Subject: House Bill 2820

I write in support of the legislation. The requirements as set in the Senate bill establish fair regulations and oversight to ensure a system of checks and balances consistent with practices that we hold doctors to. Yet again Massachusetts is leading the way in terms of progressive policies that work to ensure fairness and equality.

Best,

--

Joseph Corazzini [He/Him/His]

"The first revolution is when you change your mind" Gil Scott-Heron  
"What have you done today to make you feel proud?" Heather Small  
From: RICHARD HANNA <richhann@comcast.net>  
Sent: Thursday, July 16, 2020 12:16 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Hello

Just writing to tell you my concerns with getting rid of qualified immunity. I am concerned that this will turn away good, young men and women from applying for law enforcement jobs. I think if you take this out you will see more suits coming out of the woodwork suing our good law enforcement officers. Let's face it there is some responsibility for getting into these situations by the offenders, but everyone thinks they have the right to do illegal things and not get caught and arrested. Please reconsider this. If we continue on this path no one in this State will like the cops we will be left with.

Richard Hanna

143 Mill St.

Abington Ma. 02352

From: Theresa A Buonopane Buonopane <tandtbuono@gmail.com>  
Sent: Thursday, July 16, 2020 12:15 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Re: Police Reform Bill

Please find below my email to Speaker DeLeo with a copy to House Members outlining my concerns for the Police Reform Bill in its current state.

Mr. Speaker,

I am begging you to BE EVER SO THOUGHTFUL as you lead the house in a debate about the Police Reform Bill the Senate, I believe foolishly, passed in its current form. AND....I might add....STUCK IT TO FIREFIGHTERS AND NURSES by limiting and/or taking away their Qualified Immunity! OUR NURSES...?? REALLY....?? THE NURSES WHO SELFLESSLY MANNED

HOSPITAL EMERGENCY ROOMS, ICUs and COVID FLOORS during the COVID Pandemic.?? AND UNDER THE GUISE OF A POLICE REFORM BILL?

THIS IS A CLEAR MESSAGE THAT OUR ELECTED OFFICIALS TRULY HATE THEIR CONSTITUENTS!

Then why not take away Qualified Immunity from ALL who hold public office....senators, representatives, governors, mayors....?

One of the main reasons our country is unique and free is that at the very base of our freedoms is our Law and Order. IF WE LOSE OUR POLICE, WHICH WE WILL IF THIS BILL PASSES - POLICE OFFICERS WILL WALK OFF OF THE JOB (many have verbalized they will and many already have left). WE WILL HAVE NO LAW AND ORDER....WE WILL LIVE UNDER MOB RULE (criminals will be empowered)....WE WILL NOT HAVE A STATE or COUNTRY....

IS THIS WHAT YOU WANT FOR MASSACHUSETTS? IS THIS WHAT YOU WANT FOR OUR COUNTRY?

As I expressed to all Senate members before their final imposition of their overwhelming support of LAWLESSNESS onto the hard working, tax paying, law abiding Massachusetts citizens, my main concerns are as follows:

**\*\*DO NOT LIMIT OR TAKE AWAY QUALIFIED IMMUNITY FROM POLICE, FIREFIGHTERS AND NURSES! DOING SO WILL DIMINISH THEIR ABILITY TO DO THEIR JOB TO THE BEST OF THEIR ABILITY.**

**\*\*THIS BILL SUPPORTS ABOLISHING THE POLICE! IT WILL FORCE POLICE OFFICERS TO LEAVE THEIR PROFESSION; YOUNG PEOPLE WILL BE DETERRED FROM SEEKING THIS PROFESSION.**

We need our police to bridge the gap between our communities and law and order through relationship building, especially with our youth.

**\*\*CRIMINALS WILL BE EMPOWERED! THE PUBLIC WILL NOT BE SAFE! (especially the most vulnerable in low income communities)**

**\*\*WE NEED A PUBLIC HEARING! THERE ARE MANY STAKEHOLDERS WHO HAVE NOT BEEN INVOLVED IN THIS PROCESS!**

Supporting this Bill IS A STATEMENT IN SUPPORT OF LAWLESSNESS IN MASS AND IN THE UNITED STATES. Supporting this BILL TELLS THE hard working, tax paying, law abiding Massachusetts citizens OUR ELECTED OFFICIALS DO NOT CARE ABOUT US/OUR SAFETY AND SECURITY....SAFETY..Hmmm....Isn't this ONE REASON WHY WE PAY TAXES??

WE WILL NOT HAVE A STATE OR COUNTRY UNLESS WE HAVE LAW AND ORDER.

I AM BEGGING YOU....PLEASE DO NOT PASS THIS BILL....

EXTREMELY CONCERNED,  
Massachusetts Voter

From: Andrea Couvee <apcouvee@gmail.com>  
Sent: Thursday, July 16, 2020 12:14 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Dear Mr. Michlewitz and Ms. Cronin,

I am writing to ask you to vote no on the Police Reform bill. Although parts of this bill are good, there are some that are dangerous to our law enforcement and all public employees. I have many friends that are married to police officers. They are worried, scared and angry. We need to support the people that protect us as well as the citizens of our state.

We do not need to rush this reform bill. Please vote no.

Thank you,  
Andrea Couvee

From: Stephanie Jung <slynjung@yahoo.com>  
Sent: Thursday, July 16, 2020 12:12 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform, Shift + Build Act

Hi, I am a resident of Boston, MA and I unequivocally support the Reform, Shift + Build Act (S.2800). Massachusetts has always been on the forefront of states passing legislation to support the people that live here and we've never shied away from decisions that seemed radical at the time. I have always been proud of MA being the first state to legalize gay marriage, and I hope to see us continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow.

It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,  
Stephanie

From: maggie rodriguez <mrodriguez61298@gmail.com>  
Sent: Thursday, July 16, 2020 12:12 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform, Shift + Build Act (S.2800)

Hi,

I am a resident of Boston, MA and I unequivocally support the Reform, Shift + Build Act (S.2800).

Massachusetts has always been on the forefront of states passing legislation to support the people that live here and we've never shied away from decisions that seemed radical at the time. I have always been proud of - and bragged about - MA being the first state to legalize gay marriage, and I hope to see us continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow. It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,

Maggie

From: Michael Kane <kane.michaelr@gmail.com>  
Sent: Thursday, July 16, 2020 12:10 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified immunity

Good afternoon,

I am a state trooper in the Commonwealth and I urge you to relook at multiple parts of the s2800 bill specifically qualified immunity. Getting rid of QI will make many retire seek and seek other employment while the rest will be terrified to do their jobs in order to safeguard there families. You will lower the pool of applicants and make the issues that we are facing now, much worse.

Thank you.

--

Michael R. Kane

From: walshrph@aol.com  
Sent: Thursday, July 16, 2020 12:08 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

Good morning Ladies and Gentlemen;

As a pharmacist and community activist, I feel an obligation to express my opinion. If and only if, police reform is needed, I would hope you all took the proper time to debate this issue. A bill of this magnitude should be carefully studied and many people way in on, such as a citizens petition or whatever you call that.. These legislations being discussed throughout the country is being done in haste.

I for one can tell you my experiences with the police. As a pharmacist who graduated from Massachusetts College of Pharmacy in 1968 and the victim of holdups and robberies for controlled medications such as oxycontin and sometime money, with out the police I'm sure I would not be alive today. Defunding police departments etc could be the most important piece of legislation you will vote on this year. Police just don't serve in criminal matters, when I suspect a family member is abusing an elderly, I call Bristol Elder Services and the police department. When I am dealing

with a mentally ill patient who has gone off of their medication or they are self medicating, I call their physician and the police, I hope you get my drift. If you would prefer, I would be happy to collect all my thoughts and travel to Boston to testify before your committee. For the sake of all citizens of the Commonwealth, I would hope you would postpone your vote tomorrow, in order for more data. I would think the members of the House of representatives would appreciate your studying issue further and not putting themselves in balancing house leadership and constituents.

Respectfully yours;

Thomas Pasternak R.Ph.

Cell phone 508-837-1373

From: Noa Dalzell <ndalzell@climate-xchange.org>

Sent: Thursday, July 16, 2020 12:07 PM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony in Favor of the Reform, Shift, and Build Act

Hi,

My name is Noa Dalzell and I strongly support this act, which will help reform our very broken policy system, end qualified immunity, and limit the use of force. As a climate advocate, I understand the importance of ending police brutality and this bill takes a critical first step in that direction.

Best,  
Noa

--

<[https://docs.google.com/uc?export=download&id=1tJpx5w9QCFsg6wZAJ1lt95\\_06U7r27w-&revid=0B773atglQ6tsNzVDTHBrRWNXbGZhYTJQTm0wUXZhOVExc004PQ](https://docs.google.com/uc?export=download&id=1tJpx5w9QCFsg6wZAJ1lt95_06U7r27w-&revid=0B773atglQ6tsNzVDTHBrRWNXbGZhYTJQTm0wUXZhOVExc004PQ)>

NOA DALZELL | MANAGER OF THE STATE CARBON PRICING NETWORK

<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.climate-2Dxchange.org\\_network&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=vev7HNw\\_XlRzmeWRVDCfz5tdMOGSYgQlxePoxXdcgrE&s=YWs49jYLpuKRwb862IMEXeW4zed-in9eAshTXTQnunE&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.climate-2Dxchange.org_network&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=vev7HNw_XlRzmeWRVDCfz5tdMOGSYgQlxePoxXdcgrE&s=YWs49jYLpuKRwb862IMEXeW4zed-in9eAshTXTQnunE&e=>)>

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31 Saint James Ave, Boston MA 02114

857.472.2075 | Climate-XChange.org

NDalzell@Climate-XChange.org

From: Brian Guild <bguild@gmail.com>

Sent: Thursday, July 16, 2020 12:07 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to bill S2820

As a Massachusetts voter, I am opposed to Massachusetts Senate Bill 2820 (S.2820). This proposed legislation will hamper law enforcement efforts across the Commonwealth. S.2820 robs police officers of the very constitutional rights extended to citizens across the nation.

There is a scarcity of respect and protection extended to police officers in this proposed law. While there is always room for improvement in policing, S.2820 has far too many flaws. There are three concerns that stand out and demand immediate attention, modification, and/or correction.

Due process: Police officers deserve fair and equitable processes under the law. The appeal processes afforded to police officers have been in place for generations. Law enforcement deserves the right to appeal, the right given to all of our public servants.

Qualified immunity: Qualified immunity does not protect problem police officers. Qualified immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments. Qualified immunity protects all public employees from frivolous lawsuits.

Police Officers Standards Accreditation (POSA) Committee: The composition of the POSA Committee must include rank-and-file police officers. In order to regulate law enforcement, up to and including termination, one must understand law enforcement. In the same way that doctors oversee doctors, law enforcement must oversee law enforcement.

Finally, those who protect and serve communities across Massachusetts are among the most highly trained law enforcement officials in the nation. In 2015, President Obama commended the Boston Police Department for its community policing.

I implore you to amend and correct Senate Bill 2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Brian Guild  
Foxborough, MA  
781.589.8656

From: Amy McCarron <lotteromccarron@hotmail.com>

Sent: Thursday, July 16, 2020 12:07 PM

To: Testimony HWM Judiciary (HOU); Arciero, James - Rep. (HOU); Ashe, Brian - Rep. (HOU); Ayers, Bruce - Rep. (HOU); Balser, Ruth - Rep. (HOU); Barber, Christine - Rep. (HOU); Barrett, John - Rep. (HOU); Barrows, F. Jay - Rep. (HOU); Berthiaume, Donald - Rep. (HOU); Biele, David - Rep. (HOU); Blais, Natalie - Rep. (HOU); Boldyga, Nicholas - Rep. (HOU); Cabral, Antonio - Rep. (HOU); Cahill, Daniel - Rep. (HOU); Campbell, Linda D. - Rep. (HOU); Capano, Peter - Rep. (HOU); Carey, Daniel - Rep. (HOU); Cassidy, Gerard - Rep. (HOU); Chan, Tackey - Rep. (HOU); Ciccolo, Michelle

- Rep. (HOU); Connolly, Mike - Rep. (HOU); Coppinger, Edward - Rep. (HOU); Crocker, William - Rep. (HOU); Cronin, Claire - Rep. (HOU); Cullinane, Daniel - Rep. (HOU); Cusack, Mark - Rep. (HOU); Cutler, Josh - Rep. (HOU); D'Emilia, Angelo - Rep. (HOU); Day, Michael - Rep. (HOU); Decker, Marjorie - Rep. (HOU); DeCoste, David - Rep. (HOU); DeLeo, Robert - Rep. (HOU); Devers, Marcos - Rep. (HOU); Doherty, Carol - Rep. (HOU); Domb, Mindy - Rep. (HOU); Donahue, Daniel - Rep. (HOU); Donato, Paul - Rep. (HOU); Dooley, Shawn - Rep. (HOU); Driscoll, William - Rep. (HOU); Dubois, Michelle - Rep. (HOU); Durant, Peter - Rep. (HOU); Dykema, Carolyn - Rep. (HOU); Ehrlich, Lori - Rep. (HOU); Elugardo, Nika - Rep. (HOU); Farley-Bouvier, Tricia - Rep. (HOU); Ferguson, Kimberly - Rep. (HOU); Fernandes, Dylan - Rep. (HOU); Ferrante, Ann-Margaret - Rep. (HOU); Finn, Michael - Rep. (HOU); Fiola, Carole - Rep. (HOU); Frost, Paul - Rep. (HOU); Galvin, William - Rep. (HOU); Garballey, Sean - Rep. (HOU); Garlick, Denise - Rep. (HOU); Garry, Colleen - Rep. (HOU); Gentile, Carmine - Rep. (HOU); Gifford, Susan - Rep. (HOU); Golden, Thomas - Rep. (HOU); Gonzalez, Carlos - Rep. (HOU); Gordon, Kenneth - Rep. (HOU); Gouveia, Tami - Rep. (HOU); Gregoire, Danielle - Rep. (HOU); Haddad, Patricia - Rep. (HOU); Haggerty, Richard - Rep. (HOU); Harrington, Sheila - Rep. (HOU); Hawkins, James - Rep. (HOU); Hay, Stephan - Rep. (HOU); Hecht, Jonathan - Rep. (HOU); Hendricks, Christopher - Rep. (HOU); Higgins, Natalie - Rep. (HOU); Hill, Brad - Rep. (HOU); Hogan, Kate - Rep. (HOU); Holmes, Russell - Rep. (HOU); Honan, Kevin - Rep. (HOU); Howitt, Steven - Rep. (HOU); Hunt, Daniel - Rep. (HOU); Hunt, Randy - Rep. (HOU); Jones, Bradley - Rep. (HOU); Kafka, Louis - Rep. (HOU); Kane, Hannah - Rep. (HOU); Kearney, Patrick - Rep. (HOU); Keefe, Mary - Rep. (HOU); Kelcourse, James - Rep. (HOU); Khan, Kay - Rep. (HOU); LaNatra, Kathleen - Rep. (HOU); Lawn, John - Rep. (HOU); LeBoeuf, David - Rep. (HOU); Lewis, Jack - Rep. (HOU); Linsky, David - Rep. (HOU); Lipper-Garabedian, Kate - Rep. (HOU); Livingstone, Jay - Rep. (HOU); Lombardo, Marc - Rep. (HOU); Madaro, Adrian - Rep. (HOU); Mahoney, John - Rep. (HOU); Malia, Liz - Rep. (HOU); Mariano, Ronald - Rep. (HOU); Mark, Paul - Rep. (HOU); Markey, Christopher - Rep. (HOU); McGonagle, Joseph - Rep. (HOU); McKenna, Joseph - Rep. (HOU); McMurtry, Paul - Rep. (HOU); Meschino, Joan - Rep. (HOU); Michlewitz, Aaron - Rep. (HWM); Minicucci, Christina (HOU); Miranda, Liz - Rep. (HOU); Mirra, Leonard - Rep. (HOU); Mom, Rady - Rep. (HOU); Moran, Frank - Rep. (HOU); Moran, Michael - Rep. (HOU); Muradian, David - Rep. (HOU); Muratore, Mathew - Rep. (HOU); Murphy, James - Rep. (HOU); Murray, Brian - Rep. (HOU); Nangle, David - Rep. (HOU); Naughton, Harold - Rep. (HOU); Nguyen, Tram - Rep. (HOU); O'Day, James - Rep. (HOU); Orrall, Norman - Rep. (HOU); Parisella, Jerald - Rep. (HOU); Peake, Sarah - Rep. (HOU); Peisch, Alice - Rep. (HOU); Petrolati, Thomas - Rep. (HOU); Pignatelli, Smitty - Rep. (HOU); Poirier, Elizabeth - Rep. (HOU); Provost, Denise - Rep. (HOU); Puppolo, Angelo - Rep. (HOU); Robertson, David - Rep. (HOU); Robinson, Maria - Rep. (HOU); Rogers, Dave - Rep. (HOU); Rogers, John - Rep. (HOU); Roy, Jeff - Rep. (HOU); Ryan, Dan - Rep. (HOU); Sabadosa, Lindsay - Rep. (HOU); Santiago, Jon - Rep. (HOU); Scaccia, Angelo - Rep. (HOU); Schmid, Paul - Rep. (HOU); Sena, Danillo - Rep. (HOU); Silvia, Alan - Rep. (HOU); Smola, Todd - Rep. (HOU); Soter, Michael - Rep. (HOU); Speliotis, Theodore - Rep. (HOU); Stanley, Thomas - Rep. (HOU); Straus, William - Rep. (HOU); Sullivan, Alyson - Rep. (HOU); Tosado, Jose - Rep. (HOU); Tucker, Paul - Rep. (HOU); Tyler, Chynah - Rep. (HOU); Ultrino, Steven - Rep. (HOU); Vargas, Andy X. - Rep. (HOU); Vega, Aaron - Rep. (HOU); Vieira, David - Rep. (HOU); Vincent, RoseLee - Rep. (HOU); Vitolo, Tommy - Rep. (HOU);

Wagner, Joseph - Rep. (HOU); Walsh, Thomas - Rep. (HOU); Whelan, Timothy - Rep. (HOU); Whipps, Susannah - Rep. (HOU); Williams, Bud - Rep. (HOU); Wong, Donald - Rep. (HOU); Zlotnik, Jon - Rep. (HOU)  
Subject: please preserve qualified immunity

Dear House members,

I'm writing regarding the Senate's approval of Bill S.2800, specifically the part about qualified immunity. I understand you'll be taking this issue up next.

The removal of qualified immunity would not have prevented the murder of George Floyd. Currently, qualified immunity does not protect anyone against criminal prosecution, therefore, in its current state, it also won't prevent George Floyd's murderers from going to jail, where they should be.

Since the George Floyd tragedy is the catalyst to this bill, I assume those supporting it believe police officers, as a whole, are racist and therefore believe this bill will take significant steps toward stopping this racism. But if the intention is to stop racism, I ask how ending qualified immunity will do this? The racism allegedly occurs long before qualified immunity comes into play. Ending or curtailing qualified immunity will only open up the possibility of civil prosecution AFTER the racist act is committed.

Ironically those voting on this bill are protected by the very thing that's potentially being taken away from your fellow public servants. In addition to putting teachers, local selectmen and many other families at risk, removing qualified immunity will do nothing more than make a police officer fearful of doing his or her job due to the threat of frivolous litigation, which will create hesitation, similar to what killed Officer Chesna of Weymouth. It will decrease safety in the Commonwealth and make one of the most stressful jobs in the nation even more stressful. Officers will have to worry that something as simple as a traffic stop could now be cause for law suits and legal fees that could put them out of their home.

Did you ever arrive to work to have to direct traffic around remains of a human body left on a highway? Do you have doctors call you, asking for help in controlling their patient? When you go to work, do people scream in your face, nose-to-nose, calling you a racist pig? Do you strap on a bullet proof vest and chase someone down a street, who you know is armed and has just killed another human? Do people think you're a racist just because of your profession?

If you answered no to any of the questions above, I implore you to have deep conversations with someone in law enforcement before thinking that ending qualified immunity will do anything other than to increase frivolous litigation against - and the stress levels of - law enforcement officers. These men and women act in good faith with only split seconds to make decisions on how he or she may be able to save someone's life, perhaps even their own.



I'm the proud wife of a sergeant on the MA State Police. Prior to serving the state, my husband served on the Belmont Police Department, where we both grew up. My husband has dedicated his life to protecting you, the citizens of the Commonwealth, but if you chip away at qualified immunity, you'll be turning your back on protecting him, me and our three kids.

Every day, my husband and I teach our kids racism is a behavior, not a profession. We teach them to have compassion, love and caring for all skin colors, religions, political beliefs and professions. And now I'm asking you to do the same. Please consider focusing your bill on how to prevent the racist acts of a few before they occur. We will not stop racism by just redirecting hate - and ending qualified immunity for law enforcement is doing just that.

Thank you for your consideration.

Wishing you good health and safety,  
Amy McCarron  
2 Lawrence Rd.  
Wellesley, MA 02482

From: KAREN FURTADO <pastelebony@comcast.net>  
Sent: Thursday, July 16, 2020 12:07 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: Karen Furtado  
Subject: Police Reform

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,  
My name is Karen Furtado and I live at 301 High St, Somerset, MA. I work at MCI-Cedar Junction and I am a Sgt. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????????????????????????????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise. ?????????????????? ??????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely

Karen Furtado

From: Nikki Pollard, LICSW <pollardnikki@gmail.com>  
Sent: Thursday, July 16, 2020 12:05 PM  
To: DiDomenico, Sal (SEN); Decker, Marjorie - Rep. (HOU); Testimony HWM Judiciary (HOU); DeLeo, Robert - Rep. (HOU); Ron.Mariano@housema.gov; Gonzalez, Carlos - Rep. (HOU)  
Subject: Supporting Police Reform

Attention:  
Claire Cronin, Chair, House Judiciary Committee  
Aaron Michlewiz, Chair, House Ways and Means Committee

cc: Robert A DeLeo, Ron Marian, Carlos Gonzalez, Sal DiDomenico and Marjorie Decker

I grew up in Cambridge, MA and I have witnessed violent acts against people of color by police on numerous occasions over many decades. I am writing as a long-term resident and a member of the NAACP to ask that you

1. Pass a criminal justice bill that puts humanity first and protects Black lives.

2. Listen to the people who have marched in the street declaring Black Lives Matter! This is a human rights issue and Black lives are dehumanized by the current laws and policies.

We support the Massachusetts Black and Latino Legislative Caucus position and priorities.

Kindest Regards,

Nikki Pollard, LICSW  
she/her/hers

From: Crystal Brooks <crystal1411@hotmail.com>  
Sent: Thursday, July 16, 2020 12:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony regarding reform bill

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Crystal Beck and I live at 153 Grove St Waltham Ma 02453. I work at The Waltham 911 Center and am a 911 Telecommunicator/ Dispatcher. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Crystal Beck

Sent from my iPhone From: Patsnation <patsnation@aol.com>  
Sent: Thursday, July 16, 2020 12:05 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill & qualified immunity

To whom it may concern,

Although I do agree that police reform is needed I feel that the current police reform bill gets one thing wrong which will undoubtedly make the public at large and first responders far less safe. Qualified immunity must not be taken away from any first responder. Bad police officers that break the law are not ultimately protected by qualified immunity if they knowingly break the law. That should continue to be the case. Removing qualified immunity from police officers & first responders that do their job in a professional and moral manner must continue to be protected at least until they have had an opportunity to have their day in court. This is what the constitution allows for any private citizen and this right should certainly not be taken away from any first responder. Doing so will fundamentally change policing as we know it. Every city and town will lose quality police officers and first responders as they will no longer feel any form of protection for doing their job correctly. It will give more power to potential and current criminals as they will be able to frivolously sue police officers and first responders. Not only will good police officers and first responders leave employment but future hires will be far less qualified choices of hire. I implore you not to let this happen. We have already seen a scary uptick in violence in major cities like New York City, Seattle and St Louis. Defunding the police and removing qualified immunity will lead to more of this and make the public far less safe. Passing this bill as is will have long term ramifications that will ultimately cost the Commonwealth of Massachusetts far too many innocent lives.

Thank you,

John Crowley

Sent from my iPhone  
From: Sarah Lamodi <slamodi6@gmail.com>  
Sent: Thursday, July 16, 2020 12:04 PM  
To: Testimony HWM Judiciary (HOU)

Subject: In Support of the Reform, Shift + Build Act (S.2800)

To whom it may concern,

I would like to express my full support of the Reform, Shift + Build Act (S.2800). As we have seen time and time again in this country, the force meant to protect and serve has not been held accountable when they abuse their power. The police force as we know it is – quite ironically – above the law; it is time that the country begins to combat this problem, and I have faith that the state of Massachusetts will spearhead this movement through S.2800.

All of the bill's components are of great importance to me, but the most important may be its provisions restricting qualified immunity for police, as well as its inclusion of reallocating state funds to communities disproportionately affected by the criminal justice system. We should not live in a society where those who enforce the law are not held to it, especially not while certain communities are consistently negatively impacted by their actions.

It is my sincere hope that the Massachusetts House of Representatives will move forward with this bill. Doing so would be a move toward justice and making the state of Massachusetts safer for its minorities.

Sincerely,

Sarah Lamodi

slamodi6@gmail.com

Northeastern University From: rurys4boys <rurys4boys@comcast.net>

Sent: Thursday, July 16, 2020 11:59 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

Ruth Cronk

Public

7743812702

I disagree with this bill. Please dont pass it. Keep our officers safe.

Sent from my Verizon, Samsung Galaxy smartphone

From: Dave <davebotelho@comcast.net>

Sent: Thursday, July 16, 2020 11:58 AM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill 2020

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

From: Tim Herr <t.hl996@yahoo.com>

Sent: Thursday, July 16, 2020 11:57 AM

To: Testimony HWM Judiciary (HOU)

Subject: House bill 2820 / Senate Bill 2800

Greetings House Representatives:

This morning, I would like to take a moment to address future concerns of Massachusetts regarding Police Reform.

Speaking for myself, I agree with change and support the Police reform bill. Though, the qualified immunity & due process portion needs to be revisited.

It will make it hard for Police & Fire to response & aid domestic violence & child abuse calls of service with 100% heart & soul to help victims & arrest the abuser with the bill written currently.

I truly believe, law-enforcement & first responder individuals will think twice & continue to second-guess themselves which could lead to injury to themselves or members of the public.

For the most part, the Commonwealth is safe to walk and enjoy. My concern is in the years to follow, will Police & Fire be less likely to be proactive resulting in rise in crime affecting young families.

For example, in the last five or six years, I have heard & witnessed "I'm Police off duty, call 911" then observed Police Officers provide medical care to a child hit by a car, another occasion an elderly man robbed and knocked over, the off duty officer stood by him providing comfort until EMS arrived. Sadly, those type of "good deed" actions will probably go away if we continue to treat the Police & Fire in the manner we are today. Public servants will be more concerned about getting sued in court than helping the public.

Side note: Surprisingly, there is nothing related to body worn cameras for police officers listed in this reform bill. Not another day should pass until all Police Officers are wearing body cameras documenting their behavior & members of the Public.

I would like to end with this nobody likes a dirty cop, but to punish all the good cops is wrong & will result in poor results for communities it's happening two states over.

NYC news this morning perfect example. CNN: Several boroughs of New York requesting for NYPD to bring back Non-uniform officers to their communities due to rise in crime. Please don't let Massachusetts turn into New York City.

Sincerely,

Timothy Harrington  
19 Lancelot Drive,  
Paxton, MA  
01612

From: Kathryn Nutile <kathryn.nutile@gmail.com>  
Sent: Thursday, July 16, 2020 11:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

I am writing to you as a concerned citizen in regard to the unintended consequences that may arise from the passing of the police reform bill, S.2820. Massachusetts has always been a state where it's citizens and first responders have worked together in order to combat threats to our health and safety. This bill would strain the relationship between our police officers and the community. In the last several weeks to months, we have seen violence and crime increase in our city and across the country. Now is not the time to impose new laws and regulations without doing the proper due diligence, especially when the event that caused this debate was in a location very different from the state we all love.

Our police officers in the state of Massachusetts are some of the highest trained in the country. They need the support of their state and local government in order to perform their job duties to the highest degree possible. If this bill passes, I fear that many excellent police officers will retire early, or leave the profession altogether, which would have catastrophic consequences. This bill could drastically reduce the number of individuals who enter into professions of public service, not only police officers, but other essential public workers as well.

I agree that there are issues in our society such as systemic racism that need to be addressed. However, this bill will not help this issue and will most likely make it worse. I urge you to think about the unintended consequences of this bill and bring all involved parties to the table to discuss how to handle this issue such that it is done in a productive and positive manner. We need people to come together during this trying and stressful time and not divide our community more than it already has been.

Sincerely,

Kathryn Nutile

617-529-5642

47 Richardson Street

Winchester MA, 01890

From: DAWN STRAZZULLO <orca1431@aol.com>  
Sent: Thursday, July 16, 2020 11:55 AM

To: Testimony HWM Judiciary (HOU)  
Subject: Reform opposition

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Dawn Strazzullo and I live at 4 Meadow Lane Waltham, MA. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????????????????????????????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Dawn Strazzullo

Sent from my iPhone  
From: Kathy Sullivan <kathysullivan830@gmail.com>  
Sent: Thursday, July 16, 2020 11:54 AM



To: Testimony HWM Judiciary (HOU)  
Subject: Testimony for S.2820

Please accept this email as my testimony for changes to the current Police Reform Bill. First, I would like to take this opportunity to identify myself. My name is Kathleen Sullivan Warnken and I have been a lifelong resident of Worcester, Massachusetts. My phone number is 774-239-3035. I would like to address several amendments included in this bill.

1) The first amendment that I find concerning is the changes to Qualified Immunity. I think it is necessary to keep qualified immunity in tact in order to protect all public servants from frivolous law suits. By making a changes to qualified immunity you are freeing the criminals and putting handcuffs on the police officers.

From: Sean Pero <sean.pero@pd.boston.gov>  
Sent: Thursday, July 16, 2020 11:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill s2800

My name is Sean Pero and I am writing to you about this police reform bill that is being brought before you. I've been a Boston police officer for about 15 years now and after reading this bill, it is scary. The senators that jammed this bill through at 4am, just to appease a few, should be ashamed. This bill doesn't only affect police officers, but also the people living in the neighborhoods. This bill was hastily thrown together to please "the mob". This is a large bill and the public has a right to see what's in it before deciding if they are for it or not. We all believe that real change is needed, this is not real change. We need to stop this bill now, so that WE all can sit down and affect change the right way. Thank you for your time on this matter.

Sent from my iPhone  
From: DHDB 97 <dhd97@gmail.com>  
Sent: Thursday, July 16, 2020 11:52 AM  
To: Testimony HWM Judiciary (HOU)

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,  
My name is Daniel P Nagle and I live at 16 Deborah Dr, Walpole MA. I work at MCI Norfolk and am a Corrections Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

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I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Daniel P Nagle  
Walpole, MA

From: Ellen Burnett <eburnett1@comcast.net>  
Sent: Thursday, July 16, 2020 11:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

I am opposed to the language in this bill which is designed to punish the men and women of police departments who risk their lives every day for the citizens of MA. This is simply a too-fast knee jerk reaction to the BLM movement and needs to be much more carefully crafted.

Ellen Burnett  
Onset, MA

From: walshrph@aol.com  
Sent: Thursday, July 16, 2020 11:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: test

test  
From: Brandon Motta <bmotta2006@yahoo.com>  
Sent: Thursday, July 16, 2020 11:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,  
My name is Brandon Motta and I live at 3531 Acushnet ave New Bedford, MA. I work at Bristol County Sheriff's Office and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

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support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Brandon Motta

Sent from my iPhone  
From: Joseph Duca <joeysdukes25@gmail.com>  
Sent: Thursday, July 16, 2020 11:46 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Stop The Madness

To All,

My name is Joseph Duca. I am a police officer in this fine state. You need to know that this has been the biggest knee jerk reaction by our legislators, of all time. Bill S.2800 needs to be thought through. It CANNOT pass as it stands. This is not something that can be rushed. It is going to affect more professionals than just police officers. I agree there needs to be reform, but we need to take a deep breath and think this through. This bill has the potential to be detrimental to our society and may very well be the biggest mistake ever made by our legislators. I ask that you please slow down, ask questions, and get facts before making any rash decisions. The senate screwed up BIG TIME!! THE HOUSE NEEDS TO DO THE RIGHT THING!

Vote YES on:

Amendment # 114  
representation on POSAC

Amendment # 134  
Opportunity for appeal

Amendment # 137  
Qualified immunity

Lets be smart about this. I will be PAYING ATTENTION to the votes!

Regards,

Joe

From: James Loynd <jamesloynd@gmail.com>  
Sent: Thursday, July 16, 2020 11:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony regarding S.2820

Dear Chairs Michelewitz and Cronin,

Thank you for your efforts to solicit public testimony as you work towards developing language for this critical piece of legislation that is before you. I am employed as a police officer but am writing this more as a concerned citizen of the Commonwealth.

The citizens of our Commonwealth are, and rightfully should be protected against unreasonable seizures by the Fourth Amendment of the U.S. Constitution as well as the Massachusetts Civil Rights Act (M.G.L. ch.12, §§ 11H, 11I). Qualified Immunity ("QI"), as it is currently applied DOES NOT protect illegal actions committed by public servants. Rather, QI protects individual public servants from being found personally liable for a violation of civil rights unless the public servant was aware that the committed act violated "clearly established." law. The protections of QI rely on the reasonableness standard, which is determined by "whether a reasonable official could have believed his actions were lawful in light of clearly established law and the information that the official possessed at the time of his allegedly unlawful conduct." It is important to note that this does not refer to the subjective beliefs of that particular official at the time of the alleged wrongdoing, but of the objective belief of a reasonable officer.

In support of QI, the Supreme Court has stated that "by defining the limits of qualified immunity in objective terms, we provide no license to lawless conduct. Based on the current application of QI, if public servants are found to have committed lawless acts, they should be held accountable and face sanctions that are commensurate with the severity of that illegal act. I don't know of anyone who disputes that.

QI, as it is currently applied in the Commonwealth, is an effective balance between preventing police misconduct and frivolous lawsuits brought against those officers who act appropriately in the function of their duties. If this legislation intends to reduce acts of misconduct committed by public servants, diluting QI will not serve that end. Instead, legislation should focus on increases in education and training of public servants, greater transparency at all levels of government, and through the increased deployment of both body-worn and cruiser cameras by police.

I appreciate the efforts and best intentions of those who worked to craft the language found in this current legislation, S.2800 and now S.2820. But like many, I fear that the bill as written will have several unintended negative consequences including, but not limited to our already burdened state courts being overwhelmed with a flood of litigation brought forth by plaintiffs seeking an advantage, extreme fiscal burdens being placed on municipalities that will be forced to defend the actions of indemnified public officials, state courts being required to interpret new QI language without the aid of case law, and the impact that new QI language will have on all public employees (firefighters, EMS personnel, teachers, police and corrections officers, etc.).

I am all for any legislation that holds bad public servants accountable. But good legislation that will stand the test of time cannot be rushed. I respectfully request that no action be taken at this time to change the doctrine of Qualified Immunity. I request that special commission, comprised of stakeholders be formed, and be given ample time to give thoughtful consideration to what changes, if any are needed to the doctrine of Qualified Immunity, and to the potential effect those changes will have on the safety and welfare of the citizens of the Commonwealth.

Respectfully submitted,

James A. Loynd

413-522-3769

From: Mar <mcf1122@verizon.net>  
Sent: Thursday, July 16, 2020 11:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

Hello,

There is absolutely nothing about this bill that is necessary. It is reactionary and was pushed through to pacify activists who do not represent the majority law abiding citizens.

If only other public safety bills like Melissa's Law was passed in such break neck speed.

Maryann Flaherty  
22 Eddie St  
Quincy MA 02160  
857-526-3193

From: Boss, Kari <Kari.Boss@carverma.gov>  
Sent: Thursday, July 16, 2020 11:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: DO NOT PASS S2820

Hello,

I am writing you with major concerns for myself as an employee of a municipality in the Commonwealth, my fellow co-workers, and all police officers and Municipal workers. This bill cannot pass as written without bringing major detrimental consequences to the entire infrastructure of our statewide governmental operations and the personnel that provide those services. This bill puts all of us in a position for legal ramifications while performing our duties a civil servants. The current laws do not allow for anyone that breaks the law to get away with anything without consequences. The bill as proposed exposes all of us to frivolous lawsuits from anyone that chooses to bring a case against someone for their own

personal gains. Passing this bill only gives more leverage to citizens that already have the proper tools to legally pursue any injustice that they may have incurred.

Once again I urge and plead with you to NOT PASS this bill.

Thank you for your time and consideration.

Kari Boss

Town of Carver

Operations & Maintenance

108 Main Street

Carver, MA 02330

Kari.boss@carverma.gov

Public Records Disclaimer: All electronic mail messages which are sent to or received by this account are subject to Public Records Law and may be disclosed to third parties.

From: Cassidy Hart <cassidyhart4@gmail.com>

Sent: Thursday, July 16, 2020 11:38 AM

To: Testimony HWM Judiciary (HOU)

Subject: Support the Reform, Shift + Build Act

Hi,

I am a resident of Roxbury, MA and I support the Reform, Shift + Build Act (S.2800). I hope to see Massachusetts continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow. It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,  
Cassidy

From: JASON MOSLEY <JASONMOSLEY@bpsma.org>

Sent: Thursday, July 16, 2020 11:36 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

Good morning my name is Jason Mosley I'm a 46-year-old black Father of three. As a child I have experience racism growing up going to a Catholic school including my is going to college I want to school that was predominantly white College so I have experience racism

I find that this bill does not solve the problem of systematic racism do I believe that there should be some type of police reform yes I do but this is done hasty in without conversation with the other side it puts a lot of police officers in jeopardy of losing their homes and putting their lives in jeopardy because they have to second-guess whether or not they're going to get sued yes police should be held accountable for taking away qualified immunity is not a way of making please being accountable

I believe there should be some type of committee to oversee the police officer being held accountable for police officer see that another officer may be violating someone's constitutional right but as a police officer working for 20 years I can say That 90% probably even 95% of the police officers in the Commonwealth do a great job protecting those who can't protect themselves and those people that are making up this bill to take those and make sure that they can sleep In peace at night.

By passing this bill within a year you got to see a rise in violent crime is going to have a lot of peace officers retire in five years has a huge drop in people want to become police officers which means you have less police on the road you won't have to worry about the funding I really would hope that you would take the time to speak to the other side the police unions the minority police unions people like myself

I've been a defensive tactics instructor for eight years and I have taught the program aNd trained police officers not to use excessive force We are probably on the best train states in United States as far as police training yes if there's was more funding for training We would be better police officers we don't have a problem that a lot of the other states are having .Because we have such a good friend but by passing this bill you're going to take away the ability for police officers to police protect people that put you in office

I'm disappointed that this input was put in by a bunch of white liberal legislators did not take any consideration or ask or spoke to any people of color but his bill was made up by some liberal out westWho's not even a person of color I strongly suggest that you take in consideration this letter that I'm writing and do some due diligence and talking to the other side what you were talking to police Officers that work on the job enough color

Sent from my iPhone  
From: Wayne Thornhill <thornhill.wayne@yahoo.com>  
Sent: Thursday, July 16, 2020 11:36 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Hawkins, James - Rep. (HOU)  
Subject: Testimony Bill S2820



To the members of the House of Representatives.

My name is Wayne Thornhill. I am a citizen, veteran and police officer in the Commonwealth. I am twenty nine years old and have dedicated my life to serving and protecting this country and our communities. As a citizen I am deeply concerned with the process that occurred in the Massachusetts Senate early this week. However, I am grateful and hopeful that I can reach some of you during this time.

Let me be clear that as a police officer I along with my colleagues agree that change and reform is good and needed for the justice system as a whole. What happened in Minneapolis to Mr Floyd is an outrage and has been condemned by every law enforcement officer near and far. That being said how can a former officer now incarcerated inmate dictate how policing is conducted in Massachusetts 1400 miles away. In what other profession do we punish the many for the sins of a few ? Certainly not your profession, or any others I can think of.

Law enforcement officers in Massachusetts are not asking for any favors. We agree that accountability, transparency and trust are crucial elements in our profession. All we are asking for is for a seat at the table and a fair representation. To be involved in the solutions and not treated as an enemy of the people.

There has been a real hatred for law enforcement the past few years and simply put we are tired. Tired of being abused, physically assaulted, dragged through the mud and yes even murdered. This week two years ago we were mourning a murdered officer. Sergeant Michael Chesna of Weymouth PD. And three months prior to that Sergeant Sean Gannon of Yarmouth PD. How quickly people forget it seems. Below are some of the important issues in this bill that need to be addressed. These issues not only affect police officers but all labor unions and public employees. I'd also expect to see your own profession in the mix as well if these amendments are not fixed.

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

I firmly believe that Massachusetts has the best law enforcement officers in the nation. The highest educated, trained, hard working and honest professionals. Law enforcement is a tough profession and it takes a special person to work in this field. We see the good, great and horrific sides of humanity. We are called into situations most of the time chaotic and expected to solve an issue we may not have the answers for. We don't ask what race, gender, ethnicity or beliefs you are before we show up and give 100 percent to help you.

We are begging to be part of the solution not against it. What we need is support from our communities not division. We need more quality training and funding that allows us to provide the highest of professional service to our communities. We want our communities to be engaged with us. We want accountability but we also deserve to be respected and protected when doing the right thing without fear of losing everything.

I fear that if these above amendments are not discussed and debated then the citizens of the Commonwealth will suffer. To put it simply no one will want this job. Good, educated, kind hearted professionals will retire, leave for other state's, and other jobs. The type of applicant you will get will not be of the same caliber. Policing is a melting pot of society. Officers from all walks of life, races, ethnicities, genders, and religions. We are and should be an image of our communities. I am proud to be a police officer. I am proud to continue to serve this country and its

diverse communities. "The police are the public, and the public are the police"- Sir Robert Peel. Thank you for your consideration.

Respectfully,

Wayne R Thornhill Jr.

Attleboro MA

508-223-7082

Police Officer, Commonwealth of Massachusetts

"Blessed are the peacekeepers, for they shall be called the children of God" -Matthew 5:9

Sent from my iPhone

From: Francesca Brecha <francescabrecha@gmail.com>

Sent: Thursday, July 16, 2020 11:35 AM

To: Testimony HWM Judiciary (HOU)

Subject: Supporting Reform, Shift + Build Act

Dear Members of the House,

My name is Francesca Brecha and I am a resident of Mission Hill in Boston (02120) and former City of Boston employee. I am writing to you today to express my support for the Reform, Shift + Build Act (S2820).

When I read about the introduction of this bill by the State Senate, I felt incredibly proud to be a member of the second state in this country which will make progress toward ending qualified immunity and meaningful change to the way that policing works in this country. Of special significance to me is the "Shift" aspect of the bill, in which funding is reallocated from an over-militarized police force to communities that have long been in need. As a person who has volunteered in many different capacities in underserved Boston communities, I have seen firsthand the need for an increase in the financial resources going toward programs to help give hope to the next generation of Bostonians.

As I'm sure you are being overwhelmed with email testimonies I will keep this one brief, but I just want to mention again that this bill has given me and many others hope for the future of our state and country. Let Massachusetts pave the way for the country, and become an example of a

strong and meaningful response to the current uprising for Black lives and communities.

All the best,

Francesca

From: Lynn Romano <lcarroll7@yahoo.com>

Sent: Thursday, July 16, 2020 11:32 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2800

Please see the letter that I emailed to Speaker DeLeo's office yesterday.

Dear Speaker DeLeo,

I'm writing as a concerned citizen of the Commonwealth regarding the Policing Reform Bill.

First and foremost, the way in which this bill passed the Senate was disgraceful. I trust that the House, under your leadership, will have a much more open process so that the public will be aware of everything that is in this bill.

I find the bill as a whole to be irresponsible. As a resident of the Commonwealth I am concerned with the consequences of police officers, firefighters and nurses losing qualified immunity. We are expecting our front line workers to come to work every day knowing that they can be personally sued for performing their job? Recently there was a story on the news about an officer who saved an infant's life by giving her CPR. It's all caught on his dash cam. It's a great story, but had something tragically gone wrong the officer could be sued without qualified immunity. (It's not a MA case, but the same would apply).

Under this bill, how are police officers expected to arrest someone who doesn't want to be arrested? Police are being asked to subdue violent criminals without using any force whatsoever. How will they defend themselves and us?

I'm not opposed to a review board for police but I am opposed to it being made up entirely by civilians and feel very strongly that police should

have a seat at the table. I also think that any civilian on this board should be required to take the same use of force training that the police officers in the Commonwealth are required to take. Police officers, or any profession for that matter, being put under a microscope by people that have no idea what the job involves seem ludicrous to me.

Thank you for your time and I look forward to watching this bill as it makes its way through the House process.

Respectfully,

Lynn Romano

7 Hollywood Road

West Roxbury, MA 02132

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From: Dave Siedentopf <dsiedentopf@carverma.org>  
Sent: Thursday, July 16, 2020 11:34 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

Good morning,

As a municipal worker myself and on behalf of all Commonwealth Police Officers and Municipal workers I plead with you DO NOT PASS this bill. There are laws already in place to hold individuals accountable of any wrong doing in their professions. This bill if passed will expose all municipal workers to frivolous lawsuits endangering the loss of everything they have worked for their entire careers. This Bill will harm the Commonwealth of Massachusetts!

David B. Siedentopf, CFA  
Director of Operations & Maintenance  
Town of Carver  
Town Hall - 108 Main St.  
Carver MA 02330  
P: 508-465-9030  
Email: dsiedentopf@carverma.gov

From: Erin Woods <embaratta@aol.com>  
Sent: Thursday, July 16, 2020 11:33 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity

To whom it may concern:

As a resident of Massachusetts, I am against removing the qualified immunity defense from public employees. The language in section 7(a) already allows for an exemption from protection if the employees' action is intentional or willful misconduct. ("except that any such person shall not be protected from suit or liability for any damage, loss, injury or liability caused by the intentional or willful and wanton misconduct of any such person").

Please consider expanding the language to include a more definite exemption, but do not remove protections for public employees acting and performing their jobs in good faith.

Thank you,  
Erin Woods

Sent from my iPhone  
From: John Nunes <jfnunes1734@yahoo.com>  
Sent: Thursday, July 16, 2020 11:33 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2800

To whom it may concern,

My name is John Nunes, I am a citizen of the town of Berkley. I have read the bill you've passed and I find it disgraceful. It is a symbolic spit in face to every honest hard-working tax payer and law enforcement officer in the Commonwealth. Before I continue I know that not all of you have disdain and disrespect for the police. I know many of you are on the side of common sense and what is fair and just and I have no doubt you are as disgusted with your colleagues as I am.

You are going to destroy law and order and you will wonder why Police Officers refuse to do their jobs or why good, educated people will not

take the job. You are going to see young, educated people leave this job and in case you didn't know this, we kind of need them to stay. You are going to drive them out! We will be left with people who are only looking for a paycheck and don't belong on the job. Leaving all of us unsafe and wondering who to call-when we actually need the police.

It is interesting that many of you are attorneys and what your doing is offensive to the United States Constitution, the Massachusetts Declaration of Rights, common sense, fair play and what's right. What are you going to do when Law and Order falls apart in the Commonwealth and the crime rate explodes like it is in New York City? Police Officers there are falling over each other to retire, and if you think it will not happen here, you are sadly mistaken.

I do not support this Bill in any way shape or form.

John Nunes  
Berkley, MA 02779

Sent from Yahoo Mail for iPhone  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_overview.mail.yahoo.com\\_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=VL0bYVbOWZfqJNp6GlxG3trCRiC\\_tW-yj-iWS32vXT4&s=YNO2Q6ZN-JtdEWDtoRwGo4Uj2qX8p\\_nQZ73FamnwtxQ&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=VL0bYVbOWZfqJNp6GlxG3trCRiC_tW-yj-iWS32vXT4&s=YNO2Q6ZN-JtdEWDtoRwGo4Uj2qX8p_nQZ73FamnwtxQ&e=>)>

From: Pat Donnelly <[pdonnelly106@gmail.com](mailto:pdonnelly106@gmail.com)>  
Sent: Thursday, July 16, 2020 11:31 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to S.2800

Dear Representatives of the House,

My name is Patrick Donnelly and I am a proud citizen of Quincy Massachusetts. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. These are the men and women who put their lives on the line for us. We don't call on police officers when we are enjoying a day at the beach, we call on them when we are in our darkest times. It's time that our leaders stand up for what is right, not what is easy. We need to protect the men and women who dedicate their lives to protecting us. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Patrick Donnelly

Sent from my iPhone  
From: Nolan Griffiths <nolan.griffiths@gmail.com>  
Sent: Thursday, July 16, 2020 10:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: S2820 - Police Reform Package

Chair Michlewitz and Chair Cronin,

I am writing to express my opposition to Senate Bill 2820. This legislation will be detrimental to public and personal safety of all Massachusetts residents, and will undermine some of the best residents the Commonwealth has, its police, fire, and other public employees. As a



constituent I rely on the Senate and House to work to further enhance the safety and protection for my family and myself, not diminish. Passing this bill as currently drafted, would surely diminish and make it nearly impossible for public safety to perform their critical jobs in our society. We must also as a civilized society not turn our back on the Mothers, Fathers, Sisters, Brothers, Sons, and Daughters that don a uniform before every work day, and leave with the knowledge that if called upon they will sacrifice their own lives if needed to protect that public which they serve.

**Qualified Immunity:** Qualified immunity does not protect Officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who acted within the scope of their training and statutory authority. Furthermore, in its current draft form these protections would be eliminated from all public employees' (Public Health Nurses, Police, Fire, DPW Workers, School Teachers, Crossing Guards, etc.). This would open up the flood gates for frivolous lawsuits against our public workers.

**Less than Lethal Tools:** Use of force protocols as taught in Massachusetts begin with an Officer's Uniform Appearance and Presence, and continue through deadly force. The existence of these steps is critical, as with a subject's action the officer can scale up reasonably and appropriately. Taking away steps in this hierarchy of response will lead to MORE death, not less. You cannot take tools away from our Officers and expect better outcomes. If anything the focus should be on adding tactics or techniques to avoid lethal encounters.

**Civilian Oversight:** Law Enforcement and Corrections are currently held to a higher standard than almost any other profession. The nature of the job makes it one of the unique workplaces in America. To expect someone inexperienced with Law Enforcement and the job they perform every day to make judgment calls ("Monday Morning Quarterback") is ridiculous. Adding to this is the selection of a convicted felon to service on the committee. That is both insulting and dangerous. There also does not seem to be the right for due process, or clearly lined out appeal process.

**Training:** Why is the focus of this bill dismantling policing as we know it, and not enhancing training? Our state's Law Enforcement Officers have one of the most complex jobs in the world and need to make potentially life and death decisions in a moment's notice. The fact that they receive a majority of their training at the beginning of their careers, and they are fortunate if they have in-service training throughout their careers is ridiculous. I would like to see 20% of their career spent on training and equipping them with the tools to be able to make these life or death decisions. Instead of defunding police, further fund police training. This training needs to be focused on tactics, de-escalation, identifying co-worker stress/ in crisis, and operation.

It has never been more important to take a pause, not pass a bill solely to be one of the first in the country to do so, and enhance the public's safety. You are in a position to ensure the safety of your constituents. Few politicians have had such a tremendous task in front of them, but you do. Conversely, you could make a headline one time as a legislative body,

and propel the state into one of our darkest periods of crimes and loss of lives.

Please do the right thing, not the trending on Twitter thing.

Nolan Griffiths  
108 Indian Run Road  
Blackstone, MA 01504  
(c) 857-222-4506

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-Nolan Griffiths  
(c) 857-222-4506

From: Heathermcobrien <hobrien617@gmail.com>  
Sent: Thursday, July 16, 2020 11:29 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Support to End Qualified Immunity

Sent from my iPhone

Begin forwarded message:

From: Heathermcobrien <hobrien617@gmail.com>  
Date: July 16, 2020 at 11:19:40 AM EDT  
To: Testimony.HEMJudiciary@mahouse.gov  
Subject: Fwd: Support to End Qualified Immunity

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Sent from my iPhone

Begin forwarded message:

From: Heathermcobrien <hobrien617@gmail.com>  
Date: July 16, 2020 at 11:07:11 AM EDT  
To: Testimony.HWMJudiciary@mahouse.gov  
Subject: Support to End Qualified Immunity

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Dear Esteemed Members -

I am asking for your support to End Qualified Immunity for law enforcement personnel. As a society we need to hold our peace keepers and police to the highest level of excellence and hold each member accountable for their behavior.

Please take this step toward  
A better was to police .

Respectfully-

Heather OBrien  
Boston MA  
02128  
Sent from my iPhone

From: Ava Nordling <avanordling@gmail.com>  
Sent: Thursday, July 16, 2020 11:27 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support Bill s2820- BLACK LIVES MATTER

Honorable Chair Claire Cronin and Chair Aaron Michlewitz,

I am emailing in support of the passage of the Reform, Shift, Build + Act and urge you to ensure the qualified immunity and Redirection of funding language remain in the Reform. I cannot emphasize enough the critical opportunity here for MA to be a leading national example in action to end Police violence.

As a resident of Boston, I see the abuse of over-funded police force acting out racist and inhumane, over-militarized policy every day. Policy which can improve to Save lives with the passage of this bill.

From harrasment and racial profiling of young Black students trying to go to class, to ignoring CDC regulations and not wearing masks while standing less than 3 feet away from each other (I have photos), this is the Boston Police conduct I see. This ingrained Police apathy for Public Health and Community Care is the rule not the exception and is just the beginning of why Reform, Shift, Build + Act Bill must be passed for the immediate and urgent Health and Safety of your MA constituents, most urgently your Black community. I must call you to defend Black lives today and pass this Bill.

Thank you very much,

Ava Nordling (she.her.hers)  
Shah Family Foundation  
ava@shahfoundation.org  
Northeastern University

avanordling.com <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_avanordling.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=plZdnfG8dSG-](https://urldefense.proofpoint.com/v2/url?u=http-3A__avanordling.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=plZdnfG8dSG-)>

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dP0&e=>

From: Mike Barry <michaeljbarry@verizon.net>  
Sent: Thursday, July 16, 2020 11:27 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: RE: Bill S2820

My Name is Michael Barry (781-241-2339) I am retired and live in Lynn. I also have NO political party affiliations  
I am writing to urge you to vote NO on the above bill (S2820) as it would be a disaster for Massachusetts Law Enforcement. I take great exception to the term used "shift resources" as it means nothing more the Defund the police. Cities and States across our great nation that are currently or have already done this are seeing nothing but disastrous effects for their decision. The BLM movement is NOT what it has been made out to be in the media, it is an apparent Anarchist group that has seized the moment with the Covad-19 Pandemic to further their cause WORLDWIDE . Evidence to this being riots in every country they have infiltrated.  
If you look outside the state house right now you will see BLM groups demanding our state flag be changed and school mascots be changed. This proves if they are given an inch it will never stop. I will mention that Don Lemon of CNN has publicly stated (on air) the BLM ONLY concerns police brutality. Events of the last month or so have proven this to be true. All the innocent children and young adults that have been murdered by black on black crime has meant nothing to this group or it's alleged agenda. The unfortunate death of Mr Floyd and the covid-19 pandemic gave this group the perfect storm (so to speak) to cause as much havoc and insurrection as possible.  
Massachusetts has the best, well trained and diverse police forces in the nation we need to stand by them at this critical moment in history NOT turn our backs on them and feed them to the wolves (as it were) for something that happened in a different state than ours.  
Thank you for your time and again PLEASE support our brave men and women of Law Enforcement and defeat this bill.  
Michael J. Barry  
<x-apple-data-detectors://1/1> 26 Apple Street <x-apple-data-detectors://1/1>  
Lynn, Ma <x-apple-data-detectors://1/1>

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sent via I-Pad

From: Norah Dooley <norah.dooley@gmail.com>  
Sent: Thursday, July 16, 2020 11:31 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Vitolo, Tommy - Rep. (HOU)  
Subject: Reform, Shift + Build Act (S.2800)

Dear Chair Aaron Michlewitz & Chair Claire Cronin and  
Rep Tommy Vitolo:

Re: Reform, Shift + Build Act (S.2800)

This bill and an end to Qualified Immunity are key to a truly equitable and just policing of our communities. As a teacher and a mother I stand in complete solidarity with the move to demand police accountability and getting rid of QI.

My neighbors, friends and students of color will have no peace of mind until we address, once and for all, the issue of police brutality. It is not fair that my friends should fear for the well-being and lives of their children and grandchildren as they go about their daily lives.

The problem of police brutality is deeply embedded in department's culture. In 2016 this report showed that <https://www.pbs.org/newshour/nation/fbi-white-supremacists-in-law-enforcement> <[On June 8th, 2020 John Oliver documented police training that focused on police having a kill or be killed instinct and are exhorted to become predators or "... find another job". <https://www.youtube.com/watch?v=Wf4cea5oObY> <\[Detective Marie Clark and Sgt. Charmin Leon are on the Cleveland Police Department's public safety recruitment team. They say 40% of police officers are sociopaths compared to 8% in the general population. "Offending officers rarely get fired, even as the city pays millions to settle lawsuits related to police misconduct \\[sic - murder and mayhem\\] ...diversity is mostly symbolic, and has little effect on reducing a police department's use-of-force...The goal, therefore, is to recruit the types of officers who are less likely to be aggressive." Sgt. Charmin Leon, Cleveland Police Reform Recruitment to Build Community Connections - <https://www.cleveland.com/crime/2020/06/clevelands-police-force-has-a-diversity-problem-rooted-in-historic-mistrust-of-police-by-black-americans.html> <\\[Qualified Immunity is what made it possible for Derek Chauvin to still wear his uniform after facing 17 complaints one of which was a fatal shooting. It is eventually what allowed Derek to brutally murder George Floyd in broad daylight and remain free until the world started demanding\\]\\(https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.cleveland.com\\_crime\\_2020\\_06\\_clevelands-2Dpolice-2Dforce-2Dhas-2Da-2Ddiversity-2Dproblem-2Drooted-2Din-2Dhistoric-2Dmistrust-2Dof-2Dpolice-2Dby-2Dblack-2Damericans.html&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=x7n8lq\\_Jt68npUyVlZERX42krEvvBhZ\\_kZrOR-XPrr0&s=HD05YxDrwuAxo3aJZY1FjFF4VyrC8zKaZaa\\_QQINl0I&e=></a></p></div><div data-bbox=\\)\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_www.youtube.com\_watch-3Fv-3Dwf4cea5oObY&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=x7n8lq\_Jt68npUyVlZERX42krEvvBhZ\_kZrOR-XPrr0&s=TPoerRx2fOnP8k9knGHusF8XpiJAS8uquEpbvbxfeVug&e=></a></p></div><div data-bbox=\)](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.pbs.org_newshour_nation_fbi-2Dwhite-2Dsupremacists-2Din-2Dlaw-2Denforcement&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=x7n8lq_Jt68npUyVlZERX42krEvvBhZ_kZrOR-XPrr0&s=5jtpSfbsYsf6Mx9z0VAE7503G-_eDsU7B8BwfcNy3Hg&e=> white supremacists are infiltrating police forces everywhere.</p></div><div data-bbox=)

justice. It is what prevents victims and their families from having a day in court. It is what shields the racist officers and allows them to violate the civil liberty of Black and Brown lives. We cannot talk about dismantling systemic racism in policing without ending QI.

Police accountability starts with getting rid of QI and mitigates the deeper problems we still need to grapple with.

We have a real problem and Reform, Shift + Build Act (S.2800) is simply a good and necessary start. Please pass it without delay.

Sincerely,  
Norah Dooley  
4 Dwight Street  
Brookline MA  
02446

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Senior Lecturer, Storytelling  
Lesley University, GSOE  
Steward, SEIU 509  
Pronouns: she/her/hers

617.460.3544 <tel:(617)%20460-3544>  
norah.dooley@gmail.com  
ndooley@lesley.edu

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From: Christopher DeCarlo <cdecarlo@town.lynnfield.ma.us>  
Sent: Thursday, July 16, 2020 11:22 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Representative Michlewitz and Representative Cronin,

My name is Christopher DeCarlo. I am a Sergeant for the Lynnfield Police Department and am proud to say I am approaching my 10th year as a police officer. In that time, I have graduated law school, became a member of the Massachusetts Bar, become a certified MPTC instructor in legal updates/education and have earned a promotion.

During my time as a law enforcement officer, student and educator; I have learned the value in keeping an open and objective mindset when approaching an issue. This is required when one is looking to reach a positive and productive outcome.

As the bill stands right now, it is evident that people in the Senate have failed in being open and objective when approaching the issue of Law Enforcement Reform. The importance of Due Process, adequate representation on the POSA Committee and the need to maintain Qualified Immunity were lost on the majority of senators when voting on this bill.

I spoke to senators who admittedly did not know or understand what Qualified Immunity is, which is troubling. How can one make an educated decision on a subject that he or she does not have an understanding of? Still, the amendment asking for an independent study on Qualified Immunity was voted down almost unanimously.

If the making of this bill continues on its current path, the outcome will not be a positive one. Instead, you will leave Officers unprotected and unable to do their job. You will see good officers walk away and make it difficult if not impossible to hire quality candidates. The costs to the state and municipalities will be tremendous.

As it stands, this bill does not accomplish the goal of positive reform, but is instead an attack on Law Enforcement and only hurts the profession. I hope you can understand this and I hope you can be open and objective, listen to the voices of Law Enforcement Officers and come to a positive and productive solution.

Sincerely,

--

Chris DeCarlo  
Sergeant  
Lynnfield Police Department  
55 Summer Street  
Lynnfield MA 01940

Ph: 781-334-3131  
Dir: 781-463-1212

From: B.A. McGonagle <edbernadette@msn.com>  
Sent: Thursday, July 16, 2020 11:21 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Policing S.2820

As a resident of the State of MA I implore you to leave policing alone. I realize there are lots of things going on in the Country which are of great concern. I believe in the State of MA -Police organizations are doing an outstanding job in difficult situations. We can't have a knee jerk reaction to a horrible situation that occurred in another state.

Please allow Cities, Towns and Police leaders the ability to handle their departments as they have been doing so well.

We can't possibly legislate everything in this world. Please allow the training and procedures put in place by Police Departments to continue and and to manage their staff as they see fit.

Respectfully,



Bernadette McGonagle  
Arlington, MA

From: Yara Akkeh <akkehyara9@gmail.com>  
Sent: Thursday, July 16, 2020 11:19 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform, Shift + Build Act (S.2800)

Hello,

I am a resident of Belmont, MA and I unequivocally support the Reform, Shift + Build Act (S.2800).

Massachusetts has always been on the forefront of states passing legislation to support the people that live here and we've never shied away from decisions that seemed radical at the time. I have always been proud of - and bragged about - MA being the first state to legalize gay marriage, and I hope to see us continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow. It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,

Yara

From: Jonathan Ferris <jonathandavidferris@gmail.com>  
Sent: Thursday, July 16, 2020 11:18 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on the Reform, Shift, and Build Act

Hi! I am a constituent in Boston MA.

I am emailing to encourage you not to take anything out of the bill. If you were to make changes, I encourage you to expand on it. Qualified Immunity has got to go. If we don't pass this bill now, it may never happen.

Thank you!

- Jon Ferris

From: Carol Jolly <1jollycarol@gmail.com>  
Sent: Thursday, July 16, 2020 11:18 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Wallace, Lily N. (HOU)  
Subject: S. 2820 -- Police Reform

Dear Chair Michlewitz and Chair Cronin:

I am writing to urge you in the strongest possible terms to have your Committees and the full House adopt S. 2820, an Act to reform police

standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

It is long overdue for Massachusetts to recognize the inequalities that pervade our criminal justice system, and improving police practices and accountability are essential steps towards remedying that situation. One major component of such reform is ensuring there are consequences for abuse by police; that is why it is imperative that the House bill ensure that police are accountable to the public in part by modifying qualified immunity. The already adopted Senate bill does not eliminate qualified immunity. It provides that qualified immunity cannot be applied in civil matters where the public official behaved in a way that they should know is unlawful. This equates roughly to not having qualified immunity when "a reasonable defendant would believe that such conduct would violate the law." This construct is extremely close to existing doctrine – it still would allow early dismissal upon a showing of objective reasonableness.

I understand there is strong pressure on the House to weaken or even decline to act on this measure, but I would consider it unconscionable in light of all the evidence of inappropriate and criminal activity by police == frequently resulting in the death of persons of color -- if the House gives in to this pressure.

Please act swiftly and decisively to ensure Massachusetts residents can be proud of and confident in our police forces by adopting S 2820.

Thank you for considering my views.

Sincerely,

Carol Jolly

330 Main Road

Chesterfield, MA 01012

413-296-4254

From: Siedentopf, Maureen <siedentopf@carver.org>  
Sent: Thursday, July 16, 2020 11:15 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Do not pass

I urge you to not pass Bill No. S2820

Thank you.

--

Maureen Siedentopf  
Director of Transportation

Carver Public Schools  
508.866.9627 phone  
508.866.1143 fax  
From: cooktd78@comcast.net  
Sent: Thursday, July 16, 2020 11:06 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reforming Police Standards

Good morning -

I am writing in order to submit testimony on the proposed reform of police standards.

I am a life-long resident of Massachusetts, and I am presently employed as a police officer.

I would like to register my concerns about any proposal which would infringe on the well-established doctrine of qualified immunity.

Qualified immunity does NOT protect "bad cops". Qualified immunity protects police officers, and other government employees, from being held personally liable for suits which are brought against them for performing their duties.

Qualified immunity does NOT protect police officers that act outside of the scope of their duties and training.

I believe that any infringement on qualified immunity will result in disastrous consequences, not only for the police profession, but for the citizens of the Commonwealth.

Without qualified immunity, police officers will have to take on personal liability every time they make a decision on the street, interact with anyone, take enforcement actions, etc. This second-guessing is going to result in police officers being less pro-active, and thereby becoming completely reactionary.

Pro-active policing and community interaction have been proven to reduce crime and fear of crime in communities. Without qualified immunity, police officers may view pro-active policing as too much of a liability, and criminals will be emboldened, as they will recognize that the police will not actively seek to pursue them.

Furthermore, the removal of qualified immunity will result in a decrease of quality candidates for the law enforcement profession. As it is, the number of qualified candidates has been in steady decline over the past several years. Quality candidates will likely not be attracted to this profession if it continues to be vilified. Candidates will likely not be attracted to this profession if it requires them to take on personal liability for enforcing laws.

Conversely, the removal of qualified immunity will result in a mass exodus of currently employed, seasoned police officers. If faced with the prospect of assuming personal liability for the most mundane decisions and actions one makes in the course of their duties, a significant number of veteran officers can be expected to leave the profession. This will result in staffing shortages, inept supervision, and ultimately create a less effective and less efficient police force.

I recognize that as a free society, we should be continuously seeking to improve how we police ourselves. Removing qualified immunity and making police officers, and other governmental employees, personally liable for grievances which arise as a result of enforcing laws or policies of the Commonwealth is NOT the way to improve policing.

Thank you for your time and consideration.

Respectfully,  
Timothy Cook, Jr.  
19 Woodbine St.  
South Attleboro, MA  
From: Jim Staples <jim.b.staples@gmail.com>  
Sent: Thursday, July 16, 2020 11:04 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Good afternoon  
I am writing in regards to S2820 Reforming Police Standards  
Please insure the Police are properly represented in any decisions and  
Qualified Immunity remains in place to protect the men and women of Law  
Enforcement

Jim Staples  
Winthrop

Sent from my iPadFrom: Joyce <vinojoyceh@gmail.com>  
Sent: Thursday, July 16, 2020 11:02 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: DeLeo, Robert - Rep. (HOU); ron.mariano@mahouse.gov; Gonzalez,  
Carlos - Rep. (HOU); ron.mariano@housema.gov; Representative Seth Moulton  
Subject: Police Reform

To Claire Cronin,

I am a 60 year old white woman living in Amesbury MA.

I am writing to express my support to reform the behaviors allowed by the MA police in a way that limits the damage they can do to the health and well being of potential arrestees, particularly minorities.

I have a friend whose African American son goes to college in Boston. He suffered an incident in his dorm room that I prefer not to detail, but the result was a trip to the ER and multiple contusions. He was intoxicated, but in no way dangerous or belligerent. I realize this was not a Boston cop, but the message remains the same. If this had been a white kid, it never would have happened.

Please consider reforming the way police are trained to respond to incidents. Attitudes must change.

Thank you,

JOYCE HULMFrom: Ryan Duran <dodgedurango54@gmail.com>

Sent: Thursday, July 16, 2020 11:01 AM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to S2800

Hello,

Thank you for the opportunity to have our voices heard. I am in staunch opposition of this bill as it is written. I am a Police Officer in Bourne and have served the public as an EMT since I was 18 years old. I believe there are some good points relayed such as more training for police officers and different ways in which to recruit good candidates for the position, and best of all having social workers and other professionals work with police during mental health emergencies. On the Cape we are lucky enough to have an agency that has psych clinicians and social workers that will come to the scene and assist us. Having worked on an ambulance and in an Emergency Room, I know not all the people we interact with that are having psychiatric or substance abuse issues need to go to the hospital. Unfortunately the way our ENTIRE system works, we are limited in our options to keep these people safe and often wind up transferring them to a hospital.

This hastily crafted and sneaky bill shows that it is clear that many politicians are out of touch with what the public wants and how police are trained. Massachusetts does not teach choke holds in the academy and they would be out of the scope in which we are trained (open for civil suit). The public in general is not familiar with the way the police operate and why they operate in certain ways. I don't expect them to, but to Monday morning quarterback an officers split second decision with absolutely no basis of knowledge is dangerous, and as Sgt. Chesna showed, deadly. Officers can not do their jobs when they will be crucified immediately after. It is as almost becoming better to be killed in the line of duty and having your family benefit from it then do the right thing and still lose everything you own. There will be no proactive policing which will lead to more violence and an essential open air drug market which will lead to even more violence and overdoses. I am scared for our future.

Getting rid of qualified immunity will immediately destroy this State. Policing will be at the forefront of this because they are called to things that no one else can or wants to deal with. Soon, police will not want to deal with it either and will give the minimum amount of effort for every call. That is assuming anyone will ever want to be a police officer again. Most that can retire, will. Well qualified officers will quit (which includes me) and actually make money in the private sector. That leaves few people to do this job and I can guarantee the candidates that do, will not be what your looking for in a public servant. Removing qualified immunity also will place every other public employee, such a fire fighters, paramedics, nurses, doctors, and teachers in danger to lose everything they own to frivolous law suits. These people, who are your constituents, have chosen to dedicate their lives to others and to stab them in the back is pathetic and an affront to the oath you took when taking office.

I could give hundreds of examples of how life in the Commonwealth would change for the worst, and very few, if any, examples of how it would change for the better. But if this bill passes you will see how bad this bill was in real life and you will wish you made the correct decision when you voted.

Thank you for your time and please do not let this bill pass.

Ryan Duran

From: Wendy Haskell <haskellwendy@gmail.com>

Sent: Thursday, July 16, 2020 11:00 AM

To: Testimony HWM Judiciary (HOU)

Subject: Re: Bill no. S2820

I am writing to strongly support the passage of the Act to Reform Police Standards and Shift Resources toward equitable, fair and just valuing of communities of color! It is WAY past the time to look at the appropriate police tasks, skills and job descriptions - which DO NOT train or equip them to helpfully address the mental health needs of our communities of color. These needs so often get criminalized and the police get overburdened with issues they are not trained to handle. Social services, social community supports, education needs, health access and services -- these areas are where more funding is desperately needed !!! -- to build strong, emotionally and physically healthy families and communities that don't live in fear or in survival mode.

Wendy Haskell, PH.D. LICSW

Riverside Community Care

Newton, Ma.

617-633-8700

From: KWVAPND <kvamane@aol.com>

Sent: Thursday, July 16, 2020 10:57 AM

To: Testimony HWM Judiciary (HOU); Rep.CarloBasile@Hou.State.MA.US;

Rep.JohnRogers@Hou.State.MA.US

Cc: testimony.HWMJudiciary@ma.house.gov

I , Jeffrey J. Brodeur, of Hyannis Ma formerly Brookline and West Roxbury , am against Bill S2820. The main issue I have with the bill is its limited immunity of our police and first responders.

I also believe bill has excessive oversight of the police and will prevent them to properly to keep the citizens of Massachusetts safe.

I do believe several issues in the bill are needed :

- 1) Getting rid of no knock warrants.
- 2) No choke holds.
- 3) Any officer who witnesses another officer committing abuse must intervene.

There should be complete immunity of police. Otherwise a house of cards will happen.

- 1) No one will want to be in law enforcement.
- 2) Police will second guess whether the next arrest they conduct will cost them their lives , jobs or homes.
- 3) As a citizen of Massachusetts, after watching what has happened in other cities such as chaos , lawlessness and disrespect of law enforcement, there is a chance that citizens of Massachusetts would move out if they felt it was not safe to live in the state.
- 4) As a leader in the Veterans community locally and nationally , I would think twice about bringing members and their families to any Conventions if their safety would be compromised.

I am a US Army Veteran who served in the Pacific and Asia, worked in downtown Boston, born in Boston, and graduate of UMass- Boston. I am presently the National President of the Korean War Veterans Association. We have members of all races including Tuskegee Airman, Native Americans and Hispanic Veterans. Many of these Veterans serve on the National Board of Directors with me. We all respect and care for each other.

I don't know one law enforcement officer that wakes up everyday looking to harm citizens of color. There are some who are bad apples and must be weeded out. There must be some reforms but don't tie the hands of police behind their back . That is exactly what this bill would do.

Finally , I will give you a history lesson on race from the Korean War. Massachusetts own Tom Hudner , Medal of Honor recipient during the battle of Chosin Reservoir was over North Korea with his wing man Jesse Brown providing air support for US ground troops . Jesse's plane was hit and Tom purposely ditched his plane to save his brother Jesse. Surrounded by enemy forces and trying to extract Jesse from the cockpit with the night creeping in, Tom stayed with Jesse until he died. Even though he risked being killed or captured, Tom Hudner stayed with his brother Jesse until the end.

Jesse was black and Tom was white.

I guarantee color was a non factor in these two brothers who risked their lives for each other and America over 70 years ago.

We need to emulate these two heroes today in society and not divide each other.

Freedom is not Free,

Jeffrey J. Brodeur  
Hyannis Ma  
617-997-3148

From: Marie Matarese <marie.matarese@icloud.com>  
Sent: Thursday, July 16, 2020 10:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

I believe we need policing or we will  
Once again turn into the Wild West despite there being a few bad apples in the police department does not speak for the entire force. Respectfully  
Marie Matarese

Sent from my iPhoneFrom: kevinteves@comcast.net  
Sent: Thursday, July 16, 2020 10:53 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: police reform bill

Honorable members of the House Judiciary Committee,

Please accept this email as testimony regarding the police reform bill you are considering with regard to the issue of "qualified immunity". My brother in-law is a police officer it is concerning that he could potentially be sued for just trying to do his job. Being a police officer; in today's society is hard enough (many think it is the toughest job in the country). These officers chose a tough profession and the majority perform their duties admirably every day. They take an oath to protect and serve us. The Massachusetts Police Academies are among the best in the Country. This measure of weakening or eliminating the protections granted to Police Officers under "qualified immunity" seems to me will only make the job even more difficult. After 911 occurred the Country for many years held police in such high regard and in just a few months because of the actions of a cop in Minnesota the whole profession is being demonized. I think you will agree that most police officers are good people who want serve their community.

I that as the House takes up police reform that you consider the issue of "qualified immunity" and how this will have a negative impact on police officers. I believe that police officers truly wants to serve his community and help people.



Thank you

Kevin Teves

37 Oakland St

Fall River, MA 02720

From: Sam Gugliemotto <sam.rh.gug@gmail.com>  
Sent: Thursday, July 16, 2020 10:52 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

Hello,

I am writing to encourage the Commonwealth of Massachusetts to pass Bill S2820: Reform, Shift + Build.

The past few weeks have made it clear to me what has been know you Black and minority populations across the state. Policing is violent; a tool used to enforce discriminatory systems. Dramatic change is necessary to save lives and improve our communities. That change begins with Bill S2820.

Qualified immunity and oversight needs reform.

Community based crisis response teams need to be funded and that comes form shifting resources away form a militarized police force.

There's needs to be tools to examine Black lives in Massachusetts. We need to build these tools together.

Please help bring change.

Sam Gugliemotto

From: Laurie Elliott <miklyn34@yahoo.com>  
Sent: Thursday, July 16, 2020 10:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Dear Honorable Committee Chairs:

I am a resident of Lowell, MA and I oppose the Senate bill that was passed with regard to police reforms. It is not a reform bill it is a dismantling of law enforcement in our communities. It will make places like Lowell unsafe.

Unfortunately the vast majority of our judges and elected DA's act more like criminal advocates than part of the criminal justice system. There is no telling how damaging or far reaching this legislation could be. Below are some issues to consider related to actual Law Enforcement issues. Bills like this will result in more violence, lower quality policing, and greater divide between police and the community.

**BILL:**

Allows a person to institute and prosecute a civil action for injunctive and other appropriate relief for infringement upon their rights by a person acting under color of law.

Specifies that qualified immunity shall not apply to claims of monetary damages under the Massachusetts Civil Rights Act unless no reasonable defendant could have had reason to believe that such conduct would violate the law.

**Consequence:**

The consequences of this portion of the bill reach beyond our streets and into the court rooms. When someone envisions a civil rights violation they picture Rodney King being arrested in the street. They don't think of a gang member stopped for a legitimate reason. Having his vehicle towed because the registration is expired. Then subsequently being charged with the illegal large capacity firearm located under his seat during a motor vehicle inventory prior to towing.

Unfortunately when a judge decides that the towing of the vehicle may have violated department tow policy for some reason the inventory is invalid or dismissed. Now the firearm, which is still very real, is lost and the charge disappears. It used to end there....cops lose in court, the defendant is not punished, and the gun is off the street.

Under this new Bill however, it appears the Officer may be "per-se" guilty of a civil rights violation for search and seizure. That individual officer, back-up officer, or supervisor may now be liable for "appropriate relief" all because a judge disagrees with the towing of a vehicle. Further cops will now push ADA's for enhanced prosecution of formerly "dismissable" violations. Charges like resisting arrest, disorderly conduct, and A&B on a police officer were all likely to be dismissed based on the severity of the act or resulting injury. Now it is unlikely any officer will agree to have charges dismissed, especially when force was used, and potentially expose themselves to financial liability.

Unfortunately this will likely affect those members of the community this bill seeks to protect at a much higher rate.

BILL:

\*Clarifies that a person may petition for expungement of more than 1 record pertaining to certain charges or cases that occurred before the person's twenty-first birthday.

- Allows a person to re-file a petition for expungement if such petition was denied before the effective date of this act solely because the petitioner had more than 1 record as an adjudicated delinquent or adjudicated youthful offender or of a conviction.

But.....

- Requires the Police Officer Standards and Accreditation Committee to maintain a publicly available searchable database containing information about a law enforcement officer's appointing authority and certification status.

- Requires the Police Officer Standards and Accreditation Committee to maintain a publicly available searchable database containing de-identified information about complaints filed against individual law enforcement officers.

Consequence:

This is simply the concealment of criminal records and exposure of non-criminal complaints against officers. Cops are criminals and Criminals are

not. This is also a nice response to the likely outcome of the previously discussed portion of the bill. While now more likely to be charged with crimes those individuals can also have them expunged from their record. All it means is more court/overtime/waste and fundraising for the criminal justice system. All on the backs of minority communities. In addition if there is a database the likelihood of bad actors and paid activists to assert a complaint against individual police officers will skyrocket in an attempt to remove as many of them from serving the public as possible in this climate of defund the police. It is a back door way to accomplish that goal.

BILL :

- Requires law enforcement officers to record statistical data whenever a person is stopped and frisked or searched.
- Requires a law enforcement officer to provide a receipt after a stop of a vehicle or pedestrian that did not result in a citation.
- Requires a police department to do a quarterly review of each officer's stop and search documentation and the entire department's stop and search data.

Consequence:

Any legislation regarding motor-vehicle stops has a direct effect on proactive policing and the seizure of Drugs and Guns. Restrict or hamstring police in the use of interdiction stops and you will see an immediate rise of gun violence and violence specifically related to gangs and drugs. Increased liability and rumored "per-se" civil rights violations, if seizures/searches are dismissed in court, will destroy violent gang suppression and VICE Narcotic units.

For politicians and wealthy communities this rise in violence will only be seen on TV. For those, largely minority black/hispanic communities, the

violence will be in their neighborhoods taking their children. This is seemingly a simple concept but not the only unintended consequence for poor minority communities.

The legislature has also sought to eliminate the "verbal warning" from the tool belt of Officers. As the assault on officer discretion continues this is another element of the bill that is completely ill conceived.

-Minority Black/Hispanic communities account for some of the poorest areas in our State. Poor people drive older model vehicles.

-Those vehicles are more likely to have a broken windshield or rear view mirror, no blinker, headlight taillight out, no blue tooth capability. The people living in those communities are also struggling to pay for vehicle registration, inspection stickers, and license fees. All are reasons for potential stops.

-Now those stops under new legislation will require detailed paperwork and a receipt. The recourse for officers, to protect themselves from unfounded complaints, will be to issue a citation and allow the operator to fight it in court.

-As tickets pile up on drivers from poor communities they see their licenses suspended and are now subject to arrest while simply driving to work to pay their tickets.

How is this helping? It is a nice fundraiser for the state and Courts though.

You're seeing the direct effects of this in New York City as the city spirals into chaos, infants and children in minority neighborhoods shot and killed, all to further a political agenda. Now we're seeing leaders of the Black community asking for those units disbanded by the Mayor of NYC be reinstated so halt the bloodshed. Is that what we want for Massachusetts? I know it's not what I want to see as someone who resides in one of the poorer communities in Massachusetts.

Who will want to be a police officer if our lawmakers continually make them the scapegoats and villains? I have many friends who are officers and family members. They want out and they're the good ones. They're going to bide their time, avoid making any arrests, and retire or find a new career. Enough is enough. Every person with an ax to grind and those with political motives will sue cops indiscriminately.

If you pass this, which I plead you not to, include a database of those individuals that sue every police officer so that the officers know what they're dealing with. If you don't I can assure you one will be created by the officers themselves since these are personal civil lawsuits. I guarantee you it will be the same names over and over. This will also open up the ability of officers to sue the people they arrest if they are injured as well. It's a double edged sword.

Officers are acting on behalf of their communities i.e. "the state". They can't afford to pay for "malpractice" insurance like a doctor who can add it into the cost of doing business and pass that on to insurance companies. Officers do not make a lot of money. This bill also takes qualified immunity away from firefighters, EMT's and nurses. What a way to treat those individuals on the front lines of a pandemic. It's so disheartening.

I've lived in the City of Lowell my entire life and I love my community. But I'm very strongly considering moving to New Hampshire if this is the path we're heading down. I've heard this same sentiment from a number of friends and family members.

I ask that you reject this ill conceived bill and maintain qualified immunity for our police, fire, EMT's, nurses and all of those folks that are serving our community and trying to make it a better place to live for everyone.

Sincerely,  
Laurie A. Elliott  
978-937-8165  
Lowell, MA

From: dmack65@aol.com  
Sent: Thursday, July 16, 2020 10:48 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform bill

I am truly at a loss for words with this bill that is handcuffing police officers. 4:30am meeting to screw the police and people of Massachusetts!

You are not making this commonwealth a better place. You are actually becoming part of the problem. Less than 1% of police officers do something wrong while trying to handle a situation that has a response time of less than seconds!

Break it down.

Police officers retire and or quit. You don't care Ivory tower!

Crime escalates and why not NO COPS

Why are you protecting the criminals!! You don't care Ivory tower with private security!

Next you take our guns because why not this is the end game in a communistic state! Again, you don't care Ivory tower! You make the rules!

As it is Food and other commodities are being rationed due to this "pandemic"! Less than a 1% chance of death. When does it end Nov 4th if the other side (left) wins? Amazing right.

You do not care about this country, you do not care about it's people and you do not care about the safety of anyone! I have so much more to say and share on how ridiculous this is but as I type I know that this email will not be read by anyone in any position of authority.

Thanks for helping turn the Commonwealth of Massachusetts into the Socialistic Communistic State of Leftist Looneys.

From: Jeff Gilmore <jgilly39@yahoo.com>  
Sent: Thursday, July 16, 2020 10:48 AM  
To: Testimony HWM Judiciary (HOU); McGonagle, Joseph - Rep. (HOU)  
Subject: Opposition letter S.2820

Sent from Yahoo Mail for iPhone  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_overview.mail.yahoo.com\\_-3F.src-3DiOS&d=DwMcaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIsl6rchf\\_GkGDD&m=iE7EpNFG36BUiaF57EwxXIVbz621nZ1SB0wU5iTRp3k&s=IYR018-d9tyK4nfNCG3bE-\\_iDJ2ECgtwWAbdO3wJHUw&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMcaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=iE7EpNFG36BUiaF57EwxXIVbz621nZ1SB0wU5iTRp3k&s=IYR018-d9tyK4nfNCG3bE-_iDJ2ECgtwWAbdO3wJHUw&e=>)>

From: Katherine Parks <k.i.parks.1998@gmail.com>  
Sent: Thursday, July 16, 2020 10:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Dear MA Representatives,  
I'm writing to provide testimony to voice my support of the MA Police Reform Bill that passed the MA Senate recently. I am a 22 year old student who has lived in Massachusetts all my life and currently resides in Boston. I have witnessed instances of police misconduct at many many protests I have been a part of and also heard reports from friends and strangers alike of these sort of incidents. In August of 2019, I was brutally assaulted and maced by Boston Police while protesting the

"Straight Pride March", along with a lot of my fellow activists. Despite our best efforts, no officers were held accountable for the injuries they dealt us (I was out of school for a week with a concussion) and no acknowledgement of these events was ever given by Boston Police or Boston leadership. Nearly a year later, Boston Police indiscriminately tear gassed protestors and bystanders alike in downtown crossing during the Georgy Floyd protests. Massachusetts, though a "liberal" state, is not immune to police brutality or issues of racial profiling. According to metro data, 69% of stops conducted by Boston Police are of Black people despite Boston being only about one quarter Black. We need reform and accountability immediately as well as an end to qualified immunity and this bill is an important step in that direction.

Thank you for your time.

Katherine Parks

Northeastern University

From: Dan McDonald <danmcd@kebe.com>

Sent: Thursday, July 16, 2020 10:45 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform

To the Judiciary Committee,

I'm going to quote the ACLU of Massachusetts here because they have it down better than I can do on short notice.

As your constituent, I'm writing to ask you include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights. Banning violent police tactics is meaningless if there is no way for people to hold the police accountable when they break the rules. Victims of police brutality deserve justice.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process.

Sincerely,



Daniel L. McDonald  
29 Shakespeare St.  
Tyngsboro

From: marionk1027@verizon.net  
Sent: Thursday, July 16, 2020 10:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Massachusetts Police Reform Bill

Good morning:

My name is Marion Kaskiewicz and I am a resident of Scituate, MA. I can be reached at 781-545-6414.

I wanted to express the absolute horror I feel towards our elected officials for rushing this bill. The Governor should be ashamed of himself as well.....Have we learned nothing from that nightmare public records law that was rushed through???? You know, the sweeping reforms written in a manner that now requires municipalities to spend more of their precious tax dollars on lawyers just to figure out what the law says? It also allows for taxpayers to have to bear the brunt of the expenses associated with unscrupulous lawyers and reporters who seem to think that our tax dollars should be spent to pay the public servants who are now having to fend off these bottom feeders who will harass and browbeat public records employees to get what they want. By the way, the lawyers at Galvin's office who are supposed to help people decipher these poorly written laws are straight up useless. They will do nothing to help, but consider themselves worthy of passing judgement. Waste of public money if you ask me. This is the result of rushing through bills just to beat a deadline. We the public will be paying for that for years....so not necessary, and I would rather see that money re-directed to social programs that help people.

RUSHING THIS POLICE REFORM BILL IS A VERY BAD DECISION!!!! DO NOT DO THIS! There are more sensible ways to deal with bad cops instead of humiliating and spitting on all of the good ones, while simultaneously passing more "unfunded state mandates" on to the local taxpayers....We have had enough of this! The good cops FAR outweigh the bad, and you are going to make things much worse for law abiding citizens by pushing this through. You will be raiding our wallets, and providing us less protection from criminals....

I, as a survivor of domestic violence, demand that the Officers in Scituate be allowed to do what they need to do to keep my community safe. In no way do I want you to rush through this without fully realizing all of the implications. You are once again considering something that sounds like a good plan without discussing it with those who have an actual stake in the game. I fear that your plan is going to backfire, and you will be doing nothing but putting law abiding citizens at risk by pushing all of

the decent men and women who have dedicated their lives to public safety out the door, leaving only those who join the profession for the wrong reason.....A hard-working honest cop should not be dissected on a daily basis because of the bad ones.....DO SOMETHING TO PREVENT THE WRONG PEOPLE FROM DONNING THE TIGHTS TO BEGIN WITH.

More State oversight is NOT the answer. As a matter of fact, I believe that abolishing the State Civil Service Division would be the best place to start in improving policing standards. How foolish is it that Cities and Towns are only allowed to interview or promote potential police candidates based on test scores, seniority and state rules....Wouldn't it make more sense to allow those in charge of hiring the opportunity to offer authority and a gun to people who pass the "Integrity and hard work" test instead???? Wouldn't that save millions of tax payer dollars by preventing those in charge from having to answer to nonsense appeals that are filed by people who are by-passed simply because they don't think they have to actually earn the privileges or are entitled solely based on seniority???? Why not let the Chiefs of Police and the elected authorities in each city and town be in charge of hiring and promoting police officers. They are the people who are held accountable to their residents. The Civil Service Division accepts no responsibility for the actions of those that they insist on pushing onto cities and towns, and I find that problematic.

Additionally, NOTHING happens to those who file false or frivolous claims through Civil Service and MCAD.....BIG issue if you ask me. Let's do something about that. Maybe a HUGE prohibitive fine for those who seem to think these Boards are in place to exact revenge....put that money into social programs to assist all people in need. I bet it would make a big difference.

Let me close by saying that I do believe that bad, abusive, morally bankrupt cops need to be dealt with, and nobody but criminals should live in fear of a police officer, but in no way do I see a one size fits all rushed law as being the answer.

Thank you.

From: Derek LaFleur <derekhlaflleur92@gmail.com>  
Sent: Thursday, July 16, 2020 10:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Re: Police Reform Bill

On Thu, Jul 16, 2020 at 10:29 AM Derek LaFleur <derekhlafleur92@gmail.com> wrote:

Good morning, I am submitting this email regarding the police reform bill that the House of Representatives is discussing. There are major flaws with the current version of the bill.

My question is where is the due process for police officers? I feel that the current version of the bill opens up the door for frivolous lawsuits against them. I also don't understand the concept of non law enforcement civilians reviewing incidents and uses of force. Are they screened before being selected and how are they appointed. This would be equivalent of having me review a case of medical malpractice when I have no education, training or experience in the medical field.

I also don't understand why non lethal tools are being regulated by this legislation. The passage of this legislation will make it near impossible to do the job for Law Enforcement. It will also up the chances of more harm being done to a suspect or officer.

Former Officer Derek Chavin does not represent the 99 percent of law enforcement officers who do an incredible job in their community or behind the prison walls. This legislation in its current format is nothing but a "feel good" bill that would create numerous issues. Law enforcement officials should have a seat at the table with their legislators to craft a more efficient piece of legislation that could accomplish the objectives of this bill while also being practical and protect officers who act in good faith while performing their job duties.

Respectfully submitted,  
Derek Harrison LaFleur  
3122 Sharps Lot Road  
Swansea, MA, 02777  
(Cell Phone) 508 642 4437

From: Macaskill Ptl Leo <lmacaskill@reverepolice.org>  
Sent: Thursday, July 16, 2020 10:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Law enforcement standards

If this bill passes you will see a mass exodus from law enforcement.  
Officer Mac Askill rpd.

Sent from my iPhoneFrom: Michael SR Barry <ltmj@comcast.net>  
Sent: Thursday, July 16, 2020 10:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Legislation-Punitive if left as written

Representatives,

I am writing to you to respectfully ask you to vote NO on the so called police reform bill. I know you are quite busy so I will try to keep this brief and please forgive my informality.

I am not sending you a form letter.

I am writing from my heart.

I have spent over thirty years serving in local, state and federal law enforcement. I have lived and served on the south shore and south coast my entire life with my family and extended family of over thirty of your constituents.

Many of these constituents have served or presently are in public safety and law enforcement.

I am a former Massachusetts State Police Major and retired in 2010. I have been awarded the Trooper George Hanna Medal of Honor, the American Legion Medal of Valor and the State Police Medal of Merit. I was chosen as Commissioned Officer Of The Year as well. I also served as a local police officer, a patrol Trooper, a homicide and narcotics detective, one of the State Police Air Wing helicopter pilots for 10 years and performed many other assignments.

I was nearly killed early on in my career in a gun battle with a wanted murderer who was armed with a rifle and had to use my duty firearm to save my life and the lives of others.

I do know what split second decisions are all about. I wish I did not, but I do.

I was fortunate that both I and my assailant lived. I say this because the narrative that police officers want to harm or kill anyone is just plain outrageous and untrue. The emotional burden of taking another life, no matter what the circumstances, is a lifelong one that no human being ever gets over. The outrageous and untrue characterizations of our Massachusetts Officers being wildly thrown about today are simply not true and frankly a disgrace. The very worst kind of labeling and broad brush slander one can imagine.

I also do hold a degree in Criminal Justice from the University of Massachusetts. It is worth noting that Massachusetts has some of the most highly educated police officers in the nation.

I only say all of this to relate to you my basis of knowledge and veracity to speak to this issue (and I rarely if ever get involved in anything political...but this bill is an unwarranted attack I can not ignore).

Lastly, and perhaps most importantly, I am a simple family man, a father to five children and I am worried more than ever about their future.

I do not write for myself and my benefit.

I do write to support the men and women who followed me into taking the on risks of public service and who took the brave step to serve, despite the ingratitude and danger because they believe in their calling and their vocation; so much so they are willing to put their ballistic vest on every day to leave their loved ones and protect and serve.

Representatives, this bill is more punitive than productive for a situation that occurred nowhere near here.

It is a knee jerk reaction to satisfy activists who are myopic and are blind to the risks and concerns of police officers and their loved ones.

We all have barely begun to heal (some never will) from the brutal murders of Sergeant Michael Chesna, Vera Williams and Sergeant Sean Gannon and we now face this? Here? A full pivot from wide based public support to a full blown attack on Massachusetts Law Enforcement Officers who have done nothing wrong.

I ask you; what if Sergeant Chesna (a resident of my home town) did not hesitate? What if he did have the full confidence that he could defend himself without being the next poster child excoriated in the court of public opinion?

Might he be with us today?

Might his killer's second victim Vera Williams be alive as well?

Are police officers now to wait until they are shot or disarmed by a mob or beaten unconscious to defend themselves for their very lives? The implications of this bill are chilling in this regard.

These are valid questions and it bears noting that Sergeant Chesna's brutal murder came in the wake and climate of the false narrative Ferguson/Michael Brown matter.

Representatives, I respectfully ask you to carefully listen to the professionals who administer the police departments In your district and actually do the work daily you ask of them in our communities both day and night 24/7 and 365.

Please do not simply fold in the moment and approve this short sighted, reactionary, unnecessary in Massachusetts piece of legislation. We are your voters. We will stand by you in the face of criticism. Your courage in the face of a mob mentality is required now more than ever.

The unintended consequences of this bill are wide spread and grave. The downstream effects of passage will not help. They will harm.

Please, do no harm.

I and my family and my entire extended family and many many friends of all walks of life are counting on you to stand for law and order, for public safety and security in our communities and for the true greater good. No one is against any positive progression...but take a lot of time to examine the consequences of this pending legislation as written.

I cannot stress this enough. This bill is punitive in its present form. Do you want to be part of punitive action branding an entire profession as doing wrong for something they had nothing to do with?

If you feel you must do something as a result of a far away tragedy that has and had nothing to do with Massachusetts...then please do not allow the ripping of qualified immunity from police officers (only).

There will be 1000 law suits filed daily on just about every interaction, call and arrest. Again, imagine the effects of this for victims of crime, general safety and security, on recruiting on resignations and on retirements en masse. Imagine less experienced and educated officers taking the jobs. I know with just a little thought you can envision what will happen if this disaster piece of legislation passes.

This bill is so directed and bald faced in its discriminatory intent. Imagine if you were subject to personal law suits every time you did your job.

The unintended consequences (emphasis added) of this bill must be considered very very carefully. We are counting on you to carefully craft a meaningful law...not a punitive and dangerous one one.

Please vote NO.

I would be happy to speak with you or your staff at any time about this matter.

Thank you for your time Representatives, If I may help you in any way to further understand the potential downstream and unintended consequences of the bill as written, please do not hesitate to contact me.

Respectfully,

Michael Barry  
180 Pine Tree Drive  
Hanover, Ma 02339  
781-589-1433

Ltmjb@comcast.net

From: Gail Garinger <gail.garinger@gmail.com>

Sent: Thursday, July 16, 2020 10:37 AM

To: Testimony HWM Judiciary (HOU)

Subject: Support Amendments #1 and #17 to S.2820 – Raise the Age

Support Amendments #1 and #17 to S.2820 – Raise the Age

Testimony of Hon. Gail Garinger (ret.)

To the Members of the Joint Ways & Means and Judiciary Committee

I write to urge you to support Amendments #1 and #17 to S.2820 that would raise the age of juvenile court jurisdiction.

I have spent my entire career focusing on the issues affecting youth in the Commonwealth. I served as a juvenile court judge for 13 years, the state's Child Advocate for seven years, and the Director of the Attorney General's Child & Youth Protection Unit for two years. In all of these roles, I regularly came in contact with young people who had experienced far too many childhood traumas: abuse or neglect, poverty, exposure to domestic or community violence, mental health issues, foster care and school failures. Any one of these early adverse life experiences could have proved overwhelming and predictive of an inability to succeed in life; yet, I often witnessed first-hand the capacity of youth to achieve great change if given the right opportunities. Based on my experience, as well as recent research in adolescent brain science and adolescent psychology, I am convinced that extending the jurisdiction of the juvenile courts in Massachusetts to include 18 to 20 year-olds makes good sense.

Committing older adolescents to the adult criminal system ignores that they are not adults in any meaningful developmental sense, and it ignores their capacity for change. The juvenile courts and the Department of Youth Services (DYS) are far better equipped than the adult criminal system to understand and tailor their assessments and programs to address this age group. Juvenile Court judges and probation officers, juvenile court clinicians, and DHS staff know best how to address the myriad issues that have led to youths' negative involvement with law enforcement and how to help them avoid further involvement and become productive citizens.

In 2011, 76 percent of 18 to 24-year-olds released from county jails and adult prisons were brought back to court within three years, the highest recidivism rate <

rate for young people incarcerated in youth facilities was 26 percent, as opposed to 55 percent when they are jailed in adult facilities.

The juvenile justice system has the capacity: Case filings for all types of juvenile court cases have decreased by 56 percent since 2009. Since Massachusetts ended the automatic prosecution of 17-year-olds as adults in 2013, juvenile arraignments have dropped by 57 percent.??

Raising the age of juvenile court jurisdiction makes sense based on everything we know about youths' potential for change, recidivism rates and economics.? It's sound public policy; it's the right thing to do; and it's doable.?

I urge you to support Amendments #1 and #17 to S.2820 and raise the age of juvenile court jurisdiction.

Respectfully submitted,  
Hon. Gail Garinger (ret.)

July 16, 2020

From: Brenna Sorkin <brenna.sorkin@gmail.com>  
Sent: Thursday, July 16, 2020 10:37 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: I unequivocally support the Reform, Shift + Build Act (S.2800)

Hi,

I am a resident of Cambridge, MA and I unequivocally support the Reform, Shift + Build Act (S.2800).

Massachusetts has always been on the forefront of states passing legislation to support the people that live here and we've never shied away from decisions that seemed radical at the time. I have always been proud of - and bragged about - MA being the first state to legalize gay marriage, and I hope to see us continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow. It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,  
Brenna



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<<https://docs.google.com/uc?export=download&id=1Ywml-wwmiIMFfHapUqNsVJ4Y-xAAf2Ar&revid=0B4zWVwqg7BSBOExMSXJiM2xYTnc3b0FDWkxNLzJNRDJ6OWhBPQ>>  
From: Henry Gridley <henry.gridley@gmail.com>  
Sent: Thursday, July 16, 2020 10:35 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: The Reform, Shift + Build Act (S2820)

Dear Representatives,

The Reform, Shift + Build Act is currently on the House floor and it needs to be passed. This bill is the first step on the way towards the major changes that need to be made at every level of our government to protect everyone in our community. It is especially imperative for the Black and Brown members of our community who are disproportionately affected by police brutality and systemic oppression. None of us are safe until we're all safe, and it is time we hold our police officers accountable and time we invest in our communities.

Please ensure this bill gets passed because while it is only the first step, if we cannot lay the groundwork we have already begun to fail those who need it most.

Sincerely,

Henry Gridley  
(316) 648-2373  
62 Hillside St.  
Boston, MA 02120  
From: pthalloran@charter.net  
Sent: Thursday, July 16, 2020 10:35 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on Bill S.2820

Dear Honorable members of the House Ways and Means,

I am writing to ask that the Honorable members of the MA State Legislature take their time at reviewing the contents of Bill S.2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color. I believe the purpose of this Bill is important and long overdue, but the process that it puts forth appears extreme.

As the State has done in its response to the Covid-19 crisis, we should let the numbers (science) dictate the course of action. Massachusetts is not Minnesota and the Legislature should look at the numbers within our state of police complaints as a proportion of police interactions with the public. I believe the numbers will show that our police forces have a greater than 99.9% positive (no complaint) track record. I understand that the goal should always be 100%, but we know that is unachievable in any profession.

We need to ensure that the level of risk that that our police officers are under conducting their jobs is not so overly elevated by adding the risk of litigation and burdensome oversight that this Bill contains.

Best Regards,

Paul Halloran

508-832-2031

From: JAMES DALY <kimjimdaly@comcast.net>  
Sent: Thursday, July 16, 2020 10:35 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

To whom it may concern,

We are completely against the part of the the police reform bill regarding getting rid of qualified immunity for police and all public employees in civil suits.

Sincerely,

Kimberly and James Daly  
64 Westglow Street  
Dorchester, MA 02122

From: Ryan McCollum <ryan@rmc-strategies.com>  
Sent: Thursday, July 16, 2020 10:29 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Gonzalez, Carlos - Rep. (HOU); Ashe, Brian - Rep. (HOU); Lesser, Eric (SEN)  
Subject: Funding

H&W Committee:

Short and sweet; there MUST be real money connected to any mandates around new training and it must be enough to cover it completely. The Gateway Cities that need the training the most cannot bear to make even more difficult choices in their local budget and use this new mandated training as a scapegoat to make cuts in other places.

Please research and ask organizations like The Healing Racism Institute of Pioneer Valley out here in Springfield what costs would be so that you know.

The trainings are very necessary and you putting the dollars behind it would show that you believe so as well. Also be clear on what trainings

are and what simple education is. Learning the history of the plight of African Americans is not training. Training yourself to recognize implicit biases and how to react when those biases manifest themselves is much different.

-Ryan McCollum, Longmeadow, MA

--

Ryan McCollum

Principal, RMC Strategies

Marketing Consultant, Get Set Marketing

(413) 313-1475

ryan@rmc-strategies.com

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From: Karen Singer <crushford@comcast.net>  
Sent: Thursday, July 16, 2020 10:29 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

Chair Aaron Michlewitz and Chair Claire Cronin

My name is Karen Singer , a registered Democrat living in Marblehead, MA, phone number is 781- 820-1353.

I believe police reform is needed but I do not believe that Bill S2800 that passed in the Senate is the right answer.

I strongly feel that the ending of qualified immunity is a mistake with serious consequences .

I believe the fear of being sued will cause good police to second guess their actions which will lead to more police deaths. This reversal hurts police families that may lose their loved ones, their homes , or their hard earned savings .

I ask you to please vote against this bill as it stands.

Sincerely ,  
Karen Singer

Sent from my iPad

From: R J Hanson <puckcoach@gmail.com>  
Sent: Thursday, July 16, 2020 10:28 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: s.2800

Name: R J Hanson

Organization: None

781-680-5174

As a life long resident, and now senior citizen of Massachusetts, I am appalled by the rush to judgement, and knee jerk reaction to the protests of a few.

I agree that some changes are necessary.

But, careful thought and input from many sources, is the key to effective legislation and change.

I was active with coaching young men for many decades. While a few are legislators, there are probably a hundred serving careers in various law enforcement positions.

The people serving in these uniforms are mothers, fathers, and have responsibility to their families and children.

They serve in a very tough job. One I certainly never wanted.

Please stop reacting to the minority, screaming in the streets and a media that is always seeking attention.

Please, take the time to find the correct solutions, that those serving, and those that want to be protected, will also agree to.

Be assured, this is a subject, the silent majority is watching.

Slow down, listen, get it right. Two days to comment is absurd.

Take it up next session.

From: Ted Delano <fedthree@gmail.com>  
Sent: Thursday, July 16, 2020 10:15 AM

To: Testimony HWM Judiciary (HOU); Ehrlich, Lori - Rep. (HOU)  
Subject: From a Swampscott Detective

The Massachusetts Senate hastily passed a bill on police reform without doing their due diligence, having hearings and educating themselves to what the serious consequences will be to their actions.

Under Senate Bill 2800 (2820 final version), the elected officials have effectively tied the hands of not only the police but all public officials. This bill removed qualified immunity from all public employees (except themselves of course).

What does that mean? That means that even if myself or my brothers and sisters in blue and red act in good faith under rule/color of law we will now be responsible and open to civil lawsuits. This also opens the municipalities we work for up to frivolous lawsuits for anything, costing you the taxpayers even more.

An example of this is we respond to a medical call where you have a loved one who requires CPR, we arrive on scene do everything we can within the scope of our training and department policies for your loved one but they unfortunately don't make it, we are now open to civil lawsuits for damages.

This is just one major issue with this hastily drafted and passed bill.

It is also important to know that the elected officials who sold us a bill of goods and promises of things they would do or stand behind are nothing but wimps who succumb to the bullying of higher ranking elected officials to ensure they keep their positions on appointed committees. I know this is probably no great shock to some but this is the stuff that needs to get out to the masses!!

People are calling for police reform for systemic racism and other injustices that occur. Well reform needs to and should start from the top. If our elected officials are so influenced by bullying and pressure from higher ranking elected officials then maybe the reform needs to start with our elected officials and work its way down. Our representatives, at least in the State senate don't give a crap about the people who they serve and the people who voted them into those positions. What they also don't realize is how easily it is for them to lose the support of their constituents and be voted out next election.

I have been a officer for 30 years. I do not understand how something can be filed and passed that is so erroneous. We are told that TRUST is the backbone for rising above a problem. How does Law Enforcement TRUST that the politicians have our best interest? We put the uniform on to help. If we are open to lawsuits for helping, what do you think will happen. Why are so many police chiefs retiring? They know the road we are going down is full of problems. TRUST me.

Respectfully

Det Ted Delano

Swampscott PD

From: Liz Diamond <lrdiamond@comcast.net>  
Sent: Thursday, July 16, 2020 10:23 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Vincent, RoseLee - Rep. (HOU); DiDomenico, Sal (SEN)  
Subject: Wholehearted support for the Reform-Shift-Build Act

Dear HWM Judiary/Chair Aaron Michlewitz and Chair Claire Cronin:

I am writing to voice my wholehearted support for the Reform-Shift-Build Act. As a 32-year resident and condo owner in Chelsea, I get to see and celebrate diversity every day. We are a community made up of many cultures, representing the full spectrum of race that this globe offers. Right now, we are not safe. We have been unsafe for quite some time. We will remain unsafe as long as the current state of policing is maintained. We here in Chelsea are not the only ones.

Our State and Nation face a long postponed reckoning with race., We must keep a stern dialogue with how we police one another as part of that reckoning. The Reform-Shift-Build Act opens that dialogue in unprecedented ways. Stringent certifications, inroads towards banning excessive force, review boards staffed by community, and a stronger stance against surveillance technology are just some of the impressive pieces we will be bringing to the state with this Act. Perhaps the most impressive piece to this is a focused reform to the doctrine known as "qualified immunity."

Passing this act while keeping the reform of qualified immunity attached to it would be historical. It would send the appropriate message to the Nation. If we as a people are to be policed, it must be under an entirely reimagined officer. There are glimpses of good in all of us. There are glimpses of good in our law enforcement. But there is also an unspeakable bad in all of us. As it permeates all of us by degrees, so too does it fester in our law enforcement.

I have witnessed firsthand what can occur when unchecked racist thought and sentiment spills into human behavior. There is no thermometer check for hatred, dislike, annoyance, ambivalence. And that temperature rises and subsides throughout a life. Thoughts are truly free, and should not be governed. Action is governed. But actions are rooted in those thoughts. The action to take another's life, to choke another out, to abuse another, to dominate another, to correct another, without impunity is what I believe qualified immunity too often permits.

Reform, and regulation are necessities for police in Massachusetts and everywhere. But the protective mask of qualified immunity must fall. We face consequences as citizens. Those consequences do not police our thoughts, but they force us to think twice, or even just once before acting. For too long has our police force acted without impartial thought when it comes to another's life and rights.

I am asking you to support the Reform-Shift-Build Act for my myself and my neighbors, for Chelsea, for Massachusetts, and for the entire United States of America. I am asking you to share my voice with your fellow legislators, and amplify it yourself in your championing of this Act.

Thank you for your time.

Respectfully,

Lizabeth R. Diamond (32-year Chelsea resident/condo owner)

74 Springvale Ave, #18  
Chelsea MA 02150  
lrdiamond@comcast.net

617-835-3615

From: Lynn Holbein <lynnholbein@gmail.com>  
Sent: Thursday, July 16, 2020 10:22 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass the strongest possible bill to hold police accountable

We urge the overwhelming passage of the strongest possible bill to hold police accountable for their actions, and improve their training so that racism can be avoided.

Lynn Holbein, Social Action Co-Chair,  
on behalf of the 500 members from all over the Boston area of the  
First Unitarian Universalist Society in Newton  
From: Marcia Manong <marcia.manong@gmail.com>  
Sent: Thursday, July 16, 2020 10:19 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Ultrino, Steven  
- Rep. (HOU); Rivas, Gloribel (HOU)  
Subject: Reform, Shift + Build Act (S.2800)

Chair Aron Michlewitz & Chair Claire Cronin;

Please know as a citizen of Massachusetts and a BIPOC I support this bill and appeal to you to support it passing into law as well. The time is now for us to make significant change to hold our police services accountable for their actions. The qualified immunity aspect of the bill is most crucial and will return transparency, accountability, dignity and respect to the law enforcement agency of the Commonwealth.

Thank you,  
Marcia Manong  
From: Rosemarie DeStefano <tiredmal@comcast.net>  
Sent: Thursday, July 16, 2020 10:16 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified immunity

I am against the Qualified immunity bill

Thank you,

Sent from my iPhone  
From: Matthew Cregor <mcregor@mhlac.org>  
Sent: Thursday, July 16, 2020 10:16 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: RE: Testimony on school policing and S. 2800



To note it, we wish to submit the same testimony with additional signatories on Friday morning. If that presents any complications, please contact me at 857-488-5185.

My thanks and best,

Matt

Matthew Cregor

Staff Attorney

Mental Health Legal Advisors Committee

24 School St., 8th Floor

Boston, MA 02108

617-338-2345, ext. 133; mcregor@mhlac.org <mailto:mcregor@mhlac.org>

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From: Matthew Cregor  
Sent: Thursday, July 16, 2020 9:59 AM  
To: Testimony.HWMJudiciary@mahouse.gov  
Subject: Testimony on school policing and S. 2800

Thank you for the opportunity to submit written testimony. The attached is testimony on school policing on behalf of the Coalition for Smart Responses to Student Behavior and the following signatories, contact information below:

ACLU of Massachusetts

ADL New England

Boston Student Advisory Council (BSAC)

Center for Public Representation

Citizens for Juvenile Justice

Citizens for Public Schools

Committee for Public Counsel Services

CORI & Reentry Project of Greater Boston Legal Services

Disability Law Center

Framingham Families for Racial Equity in Education

Freitas & Freitas

Massachusetts Advocates for Children

Massachusetts Appleseed Center for Law & Justice

Massachusetts Attorneys for Special Education Rights (MASER)

Mental Health Advocacy Program for Kids at Health Law Advocates Mental Health Legal Advisors Committee

Parent/Professional Advocacy League (PPAL)

Power of Self-Education (POSE) Inc.

Strategies for Youth

Worcester Interfaith

Youth on Board

Honorable Jay D. Blitzman (Ret.)

Daniel J. Losen, Center for Civil Rights Remedies at UCLA's Civil Rights Project (Mass. resident, organization listed for affiliation purposes only)

Denise Wolk, Education Consultant

Thank you,

Matt Cregor, Mental Health Legal Advisors Committee

857-488-5185, mcregor@mhlac.org <mailto:mcregor@mhlac.org>

Dan French, Citizens for Public Schools

617-216-4154, danvfrench@gmail.com  
<mailto:danvfrench@gmail.com>

Lisa Hewitt, Committee for Public Counsel Services

617-512-1248, lhewitt@publiccounsel.net  
<mailto:lhewitt@publiccounsel.net>

Leon Smith, Citizens for Juvenile Justice

617-817-1488, leonsmith@cfjj.org <mailto:leonsmith@cfjj.org>

Lisa Thurau, Strategies for Youth

617-513-8366, lht@strategiesforyouth.org  
<mailto:lht@strategiesforyouth.org>

Matthew Cregor

Staff Attorney

Mental Health Legal Advisors Committee

24 School St., 8th Floor

Boston, MA 02108

617-338-2345, ext. 133; mcregor@mhlac.org

www.mhlac.org <

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From: Robert Swartz <rswartz335@yahoo.com>  
Sent: Thursday, July 16, 2020 10:16 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public Testimony on Section 28 House Bill 2820 Peer Support  
and Critical Incident Stress Management

07/16/2020

Robert A. Swartz

91 Pickens Street

Lakeville, MA 02347

(508) 962-5720

Massachusetts House of Representatives

Chairman of the Ways and Means Committee

Chairman of the Judiciary Committee

Dear Sir / Madam,

My name is Robert Swartz and I am a resident of Lakeville, Massachusetts. I am in my 31st year working in law enforcement. I have served as a patrolman, a K-9 handler, and currently am a Detective with the Taunton Police Department and the Director of the Southeastern Massachusetts Law Enforcement Councils (SEMLEC) Critical Incident Stress Management (CISM) / Peer Support Team. I am writing to you today to request your support of Section 78 of House Bill #2820 Critical Incident Stress Management and Peer Support Programs. To be transparent, I do not support this bill in its entirety, and have already seen the increasing stress it has caused on Law Enforcement. However, I do commend the Senate for introducing the topic of Police Stress Management as a vital part of reform and support for officers. The implementation of Critical Incident Stress Management and Peer Support Programs is very personal to me.

Eight years ago, I was involved in a shooting, while at work. I was forced to discharge my weapon in defense of my own life and the lives of my community members. Though I had been through countless tactical and professional training's on how to protect my life and others, nothing prepared me for the aftermath and impact this incident would have on me or my family. That day was life changing. Most, unless they too have been through an officer involved shooting, cannot comprehend the overwhelming stress and physiological changes your body and mind go through. I myself had not been prepared for what the days and weeks following would be like. Unfortunately, there was no Police Critical Incident Support Team in my area at that time, after all, officer involved shootings are not a daily event in our region. Fortunately, with the guidance of a fellow officer I was put in touch with the Boston Police Peer Support Unit. Within days I was connected to a group of Peers and Clinicians who helped me, my wife, and my children weed through our emotions and cope with our new norm. Have you ever had to explain to your child that you took another person's life? Or explain to your family your need to go back to work after nearly being killed yourself? Peer Support was instrumental in providing us the tools we needed to communicate effectively with our children, teach us how to navigate our emotions, and provide a stable environment both at home and at school to lessen the impact this would have on our lives.

Since that time it became important to me, along with the support of the Southeastern Massachusetts Law Enforcement Council, we establish a Critical Incident Peer Support Unit. Over the last few years our team has conducted over 115 one-on-one peer support sessions, debriefed 30 critical incidents, diffused 32 critical incidents, made 18 trips to mental health facilities that offer programs specific to law enforcement officers, and provided support at 3 officer suicide and 1 line of duty death funerals, as well as sponsored a 2 day wellness symposium attended by over 300 officers. Local agencies already have individual and regional Peer Support and Critical Incident Stress Management Units. The Massachusetts State Peer Support Network oversees several multi-discipline teams, Boston Police have an established Peer Support Unit, Massachusetts State Police have a Stress Unit and several of the Law Enforcement Councils (Southeastern Massachusetts Law Enforcement Council, Metro Law Enforcement Council...) have well established regional teams. These team members are officers from throughout the region and are well versed in assisting officers with mental wellness. And it is still not enough! Currently, there are departments not participating and therefore, their officers are not receiving services.

I feel it is important to get in front of these incidents in Law Enforcement by ensuring Mental Wellness Practices become part of the daily training's of officers. Training, that is not currently mandatory, should become a requirement. The National Institute of Justice states that an officer, on average nationwide, will be subjected to three traumatic events every six months. Put into perspective that just one critical incident could spiral a person into a lifetime of depression, substance

abuse and struggle, yet Police Officers deal with these traumas routinely. To illustrate the point, a police officer with marital problems and financial struggles, whose family stress is compounded by shift work and lack of ability to be present at home or assist in child care. The officer now copes with this real-life situation by drinking and isolating himself. One can see how the combination of all these stressors can significantly affect how an officer responds or behaves. Without a proper outlet, awareness, education, healthy coping mechanisms, and training to relieve the stress and grow through life events, the likelihood of a negative outcome with the community is inevitable.

In closing, I respectfully request that you recognize the importance of, and support support Section 78 of House Bill #2820 Critical Incident Stress Management and Peer Support Teams. Please feel free to reach out to me if I can be of any assistance.

Sincerely,

Robert A. Swartz

Robert A. Swartz

From: Jennifer Pederson <jpederson@masswaterworks.org>  
Sent: Thursday, July 16, 2020 10:16 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Written testimony - Senate Bill 2800

Chair Cronin and Members of the Committee:

I am writing on behalf of Massachusetts Water Works Association, a nonprofit membership organization representing public water supply professionals in Massachusetts. On behalf of our 1,300 members, I am submitting this written testimony to ask the House to preserve qualified immunity for municipal employees under Chapter 258 of the Massachusetts General Laws.

Our members are licensed drinking water operators who work hard to protect public health each and every day. The provision of drinking water is highly regulated and quite complex. Federal law, under the Safe Drinking Water Act, requires our members to provide safe drinking water to all customers served by the Public Water System.

Unfortunately, despite the best procedures and protocols to ensure safe delivery of water, accidents can occur. Qualified immunity is an important law that our municipal drinking water operators work under; they

need this important protection to ensure they are not held personally liable if a Civil suit were brought against them for incidents occurring in the course of carrying out their duties.

We respectfully ask you to ensure that the police reform legislation that you pass, not remove qualified immunity for other municipal workers.

Thank you,

Jennifer Pederson  
Executive Director  
Massachusetts Water Works Association  
PO Box 1064  
Acton, MA 01720  
978-844-2294  
jpederson@masswaterworks.org  
From: Liz Diamond <lrdiamond@comcast.net>  
Sent: Thursday, July 16, 2020 10:16 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Wholehearted support for the Reform-Shift-Build Act

Dear HWM Judiciary,

Representative Vincent has asked me to direct my concerns to you directly, rather than her office:

I am writing to voice my wholehearted support for the Reform-Shift-Build Act. As a 32-year resident and condo owner in Chelsea, I get to see and celebrate diversity every day. We are a community made up of many cultures, representing the full spectrum of race that this globe offers. Right now, we are not safe. We have been unsafe for quite some time. We will remain unsafe as long as the current state of policing is maintained. We here in Chelsea are not the only ones.

Our State and Nation face a long postponed reckoning with race., We must keep a stern dialogue with how we police one another as part of that reckoning. The Reform-Shift-Build Act opens that dialogue in unprecedented ways. Stringent certifications, inroads towards banning excessive force, review boards staffed by community, and a stronger stance against surveillance technology are just some of the impressive pieces we will be bringing to the state with this Act. Perhaps the most impressive piece to this is a focused reform to the doctrine known as "qualified immunity."

Passing this act while keeping the reform of qualified immunity attached to it would be historical. It would send the appropriate message to the Nation. If we as a people are to be policed, it must be under an entirely



reimagined officer. There are glimpses of good in all of us. There are glimpses of good in our law enforcement. But there is also an unspeakable bad in all of us. As it permeates all of us by degrees, so too does it fester in our law enforcement.

I have witnessed firsthand what can occur when unchecked racist thought and sentiment spills into human behavior. There is no thermometer check for hatred, dislike, annoyance, ambivalence. And that temperature rises and subsides throughout a life. Thoughts are truly free, and should not be governed. Action is governed. But actions are rooted in those thoughts. The action to take another's life, to choke another out, to abuse another, to dominate another, to correct another, without impunity is what I believe qualified immunity too often permits.

Reform, and regulation are necessities for police in Massachusetts and everywhere. But the protective mask of qualified immunity must fall. We face consequences as citizens. Those consequences do not police our thoughts, but they force us to think twice, or even just once before acting. For too long has our police force acted without impartial thought when it comes to another's life and rights.

I am asking you to support the Reform-Shift-Build Act for my myself and my neighbors, for Chelsea, for Massachusetts, and for the entire United States of America. I am asking you to share my voice with your fellow legislators, and amplify it yourself in your championing of this Act.

Thank you for your time.

Respectfully,

Liz Diamond (32-year Chelsea resident/condo owner)

74 Springvale Ave, #18  
Chelsea MA 02150  
lrdiamond@comcast.net

From: James Conway Jr <j2conway@yahoo.com>  
Sent: Thursday, July 16, 2020 10:15 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Good Morning,

My name is James Conway and I am writing this today with the hopes that the House of Representatives will reject the recently passed Senate Police Reform Bill/Anti Labor Bill S2820, formally S2800. I would like to start off by saying that I have read all pages of this bill and I am very familiar with its language.

I write this as an 8 year Police Officer who served with both the West Boylston and Boylston Police Departments and currently with the Worcester Police Department. This job is all I have ever want and worked extremely hard to get; I am proud to be a Cop. But, the recent Police Reform Bill will unfortunately make me and many other good Police Officers seriously consider walking away from the job we love, a job our families are proud of.

I will start by saying that recently I have to continuously hear how cops are racist. This truly infuriates me. I, along with every other Police Officer leave my house everyday, everyday not knowing if I will return to my wife and two daughters. Why? Because I am willing to place my life on the line to help others, no matter their race, sex or religion. I have to continuously hear that we, the Police kill unarmed black people. I have never hear of a Police Officer in the Commonwealth unjustifiably killing anyone in the last 30 years I have been alive. This is due to our excellent training on deescalation and use of force. What I have seen in my career this far is 3 police Officers from the Commonwealth and hundreds more across the country murdered for doing their job.

As you know, this bill was seriously rushed with no public hearing. This is due to the recent event that has happened in Minnesota and now legislators are making sweeping Police Reform across the country. I will tell you that Massachusetts is not Minnesota and that every Police Officer is disgusted with what happened to George Floyd. But, the actions of a former Minnesota Police Officer should not speak for the hard work of the Police Officers, including myself here in the Commonwealth.

This bill would take away qualified immunity. This leave us open to frivolous lawsuits, even if we do what we were trained to do, following policy and procedure. Not one of the thousands of good Police Officers agree with violating civil rights or excessive use of force but we need protection for doing our jobs. I cannot risk my families lively hood for do my job the right way. This will not only hurt us but the general public as well due to the fact that Police Officers will be afraid to do their job. I respectfully request that we keep Qualified Immunity.

This bill would also take away our due process and leave the outcome of the job we worked very hard for in the hands of people that have never been Police Officers. I, as a Police Officer would never be on a medical review board. This is because I have zero knowledge or training in the medical field. Why is it ok for us to be judged and possibly fired by people that have zero training or experience in Police Work? Why am I not entitled to the same due processes rights as a criminal that we arrest? I respectfully request that we are allowed to keep our due process which includes our Civil Service protection.

This bill would also take away our collective bargaining rights. On average, every three years Police Unions get together and negotiate with their City or Town on a contract. This contract includes many things such as pay increase, equipment purchase to better protect both us and the general public and a number of other things. If you were to get rid of collective bargaining this would make us all employees at will, practically robots, with no say on anything within the work place. I respectfully request we are allowed our collective bargaining and our Union can continue to have a legitimate purpose.

In closing I will say this "Courage is not the absence of fear, but rather the judgement that something is more important than fear". Outside of my family, nothing is more important to me than coming to work and protecting all citizens No matter my fears. I love this job and will continue to work tirelessly to be a symbol for great Police work. Please seriously consider rejecting this bill and do not fear repercussions from the minority of people who wish to pass this bill. It will not only hurt the Police but also the general public, this is important.

Respectfully,  
James Conway  
508-335-2943

From: Mark McKeown <umass95@hotmail.com>  
Sent: Thursday, July 16, 2020 10:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

To whom it may concern,

As a resident of Massachusetts I am vehemently against this bill. It is completely misguided and will make policing virtually impossible. You will hurt the communities it is supposed to help the most. Policing will become completely reactive. Proactive policing will become a thing of the past.

You will have officers retire in droves and no one to replace them. Why take a job where you can be sued civilly for just doing your job?

This bill will make a tough job all that much more difficult if not impossible.

I am a police officer as well. This bill has given me serious thoughts of retiring early and moving away from Massachusetts. The effects of this bill will be devastating and living in a society with those effect is frightening.

Sincerely,  
Mark McKeown  
19 Burrwood Rd  
West Roxbury MA 02132

From: curt nifsprotects.com <curt@nifsprotects.com>  
Sent: Thursday, July 16, 2020 10:01 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Fiola, Carole - Rep. (HOU); Haddad, Patricia - Rep. (HOU)  
Subject: police reform bill

Honorable members of the House Judiciary Committee,

Please accept this email as testimony regarding the police reform bill you are considering with regard to the issue of "qualified immunity". As the father of a police officer it is concerning that my son could potentially be sued for just trying to do his job. Being a police officer; in today's society is hard enough (many think it is the toughest job in the country). These men and woman choose a tough profession and the majority perform their duties admirably every day. They take an oath to protect and serve us. The Massachusetts Police Academies are among the best in the Country. Massachusetts Police Officers are well trained and are among the most professional officers in the Nation. This measure of weakening or eliminating the protections granted to Police Officers under "qualified immunity" seems to me will only make the job even more difficult and has the very real possibility of making them and the citizens they serve less safe. It's ironic that after 911 occurred the Country for many years held police in such high regard and in just a few months because of the actions of one bad cop in Minnesota the whole profession is being demonized. I think you will agree that most police officers are good people who want serve their community. Further; according to a recent Boston Herald article "the state's largest police union singled out that provision as one that would leave police officers second-guessing themselves on the job".

I ask that as the House takes up police reform that you consider the issue of "qualified immunity" and how this will have a negative impact on police officers. The law abiding citizens of the Commonwealth need our elected officials to support our police officers rather than enacting legislation that has the potential to put their futures in jeopardy. My son has chosen law enforcement for his career. He truly wants to serve his community and help people. He's just starting out his career and he shouldn't have serve the community for the next 30 years or so with the extreme uncertainty of what weakening or eliminating "qualified immunity" would put on him and his colleagues.

I hope that you agree with me that weakening or eliminating "qualified immunity" with regard to police reform is not a good thing and should not be part of any police reform bill.

Thank you for your time and consideration.

Curtis Nelson

Concerned Citizen

99 Lucille Lane

Fall River, MA 02720

I would like to weigh in on the bill that is currently in the House, S. 2820. I believe that the Senate did a disservice to the citizens AND police community of Massachusetts by keeping police officers wide open for frivolous law suits by eliminating QUALIFIED IMMUNITY.

Unlike the absolute immunity that you enjoy, qualified immunity is given to police officers who do their job the right way. It allows them to do their job without concerning themselves with how some detail of an arrest or traffic stop might play out in some future litigation. Qualified Immunity DOES NOT protect rogue officers who break the law. This bill contains language that will knee-cap the police community. I urge you not to pass this bill, but if you must, I ask you to keep QUALIFIED IMMUNITY.

DUE PROCESS is another ball dropped by the Senate. This is something that is rightfully given to all citizens of the commonwealth and this great country. Essentially, by eliminating due process in their bill, the Senate has deemed all police officers second class citizens. It seems immoral (if not illegal) for a political body in our country to strip a person of their livelihood without allowing that person the ability to defend themselves.

I ask that you do not pass this bill, but if you must, i ask that you keep DUE PROCESS.

Please do no be anti police.

Please do not open all cops in the commonwealth to the burden of undue litigation.

Please listen to the voices of your constituents and protect those that protect us.

Thank you.

Stephen Fitzgerald  
24 Richview Street  
Dorchester, MA 02124  
Dear Legislators,

I thank you for allowing me to voice my opinion on the proposed Senate Police Reform Bill. I think this bill was rushed and did not give the public time to give input.

I have been a volunteer most of my adult life in my suburban town. I have worked closely with our Town Administrator and all departments including Police and Fire. I have the utmost respect for the individuals who protect and serve our community. Having said that I know our suburban departments are not nearly as pressed with violent crime as the departments that protect and serve the urban areas/neighborhoods. I feel our Community Policing programs in Massachusetts have been effective and the unjustified horrible deaths by the hands of police in other areas of the USA have not and will not happen here. In my opinion racism is not a product of the police departments. Racism is a product of our society and I would argue it is mostly a financial and educational problem.

I feel that with the current proposed Senate bill you would be constraining police departments' ability to hire and retain the highly educated qualified police officers like those we currently employ. By allowing a perpetrator to civilly sue a police officer you would be taking away the officers' protection from erroneous accusations and create hesitation to perform their job to the best of their abilities in a violent situation. These are situations that take split second decisions with minimal background information. These are situations where the police officers are doing their jobs to protect the public.

I also worry that this is the tip of the iceberg. As a volunteer Town Councillor I was protected by the same Tort that currently protects the police officers, fire personal and EMT's. I hope you take my words in serious consideration and thank you.

Deb Bartlett, Franklin

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>

I support strengthening the police reform bill with respect to use of force standards, banning use of facial recognition technology and removing the cap on the Justice Reinvestment Fund. Fred Wolf, 1724 Washington Street.

From: Debra Falzoi <dfalzoi2@gmail.com>  
Sent: Friday, July 17, 2020 11:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support S2820

I'm writing in support of S2820. We cannot squander the chance to fix systemic inequities, and the Legislature is the only group that can do it in Massachusetts.

Blacks lives deserve SO MUCH better than what's happening.

Deb Falzoi

53 Morse St.

Westboro, MA. 01581

From: Tina Mazzie <kfroiomazzie@yahoo.com>  
Sent: Friday, July 17, 2020 11:38 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Representative Michlewitz & Representative Cronin,

I hope my email finds you both well during these unsettling times.

I have been a proud member of law enforcement in Massachusetts for over 24 years. I have lived in the Commonwealth for over 50 years receiving a Bachelors Degree in Criminal Justice at Northeastern University and a Masters Degree in Criminal Justice from Boston University. I became a police officer because I wanted to help people. I wanted to make a difference. When I attended the academy 24+ years ago I had no idea my career would take me down its current path. Most of the last 12 years of my career have been focused on protecting children from predators. I have helped people and I have made a difference. The men and women I work with have dedicated themselves as well to this noble cause. As you know, we in law enforcement have been demonized recently because of the actions of a very few in other parts of the country. Frankly, I find it beyond insulting to be targeted in this manner. I strongly believe there has been a rush to judgement on policing in Massachusetts. Policing is a local issue and each department has it's own leadership, demographics, culture, community norms and so much more. I believe it's a disservice to the people of Massachusetts to pass legislation based on the actions of a few in the Midwest.

I have personally observed and been part of the great work of the women and men (federal, state & local) I serve with on a daily basis. I believe some of the best policing in America happens right here in Massachusetts. The number with regards to use of force particularly deadly force are very low from the homework I have done. I ask that you take the time to learn more, ask questions and not rush to judgement.

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for myself and my co-workers, the women and men in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees

who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Katrina Froio-Mazzie

32 Rowley Road  
Boxford, MA 01921  
617-590-9303

From: frank farrow <frankfarrow@yahoo.com>

Sent: Friday, July 17, 2020 11:38 AM

To: Cronin, Claire - Rep. (HOU); Michlewitz, Aaron - Rep. (HWM);

Testimony HWM Judiciary (HOU)

Subject: Testimony on Reforming Police Standards and Racial Justice

?

Thank you Chairwoman Cronin, Chairman Michlewitz and the Honorable Members of the Committees on Judiciary and Ways and Means for the opportunity to submit testimony ok Reforming Police Standards and Racial Justice.

My name is Frank Farrow. I am testifying in support of the following priority recommendations.

1. Establish a Commission to Study and Develop Reparation Proposals for African Americans

2. H.4024- An Act Establishing a Commission on the Social Status of Black Men and Boys



3. H.581- An Act Concerning Education in Honor of Byron Rushing (Black History)

4. H.2142- An Act establishing a Massachusetts corrections oversight commission

5. H.2792- An Act relative to equity in public workforce

6. H.3721- An Act relative to the expungement of records of marijuana arrests?

7. H.3751-An Act to eliminate workplace drug testing for marijuana

Thank you for being progressive about addressing racial injustice and uplifting Black Lives in Massachusetts. It's essential that an economic empowerment plan for African Americans is prioritized and that the voices of Black Americans are at the forefront of every policy recommendation.

I respectfully urge that the above listed priority recommendations be included in the legislation put forth by this body to Reform Police Standards and Racial Justice.

Thanks,

Frank Farrow

From: Amie Tracia Geary <amie.t.geary@gmail.com>  
Sent: Friday, July 17, 2020 11:38 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Undeliverable: Police Reform Bill

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Amie Geary and I live at 16 Candlewood Road, Lynnfield, MA 01940. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. I am so sad that I even have to write this email.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Amie Geary

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Amie T. Geary  
(617) 529-7401

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Amie T. Geary  
(617) 529-7401

From: FRANK FARROW <elevatebostonfoundation@gmail.com>

Sent: Friday, July 17, 2020 11:36 AM

To: Cronin, Claire - Rep. (HOU); Michlewitz, Aaron - Rep. (HWM);

Testimony HWM Judiciary (HOU)

Subject: Testimony on Reforming Police Standards and Racial Justice

Thank you Chairwoman Cronin, Chairman Michlewitz and the Honorable Members of the Committees on Judiciary and Ways and Means for the opportunity to submit testimony on Reforming Police Standards and Racial Justice.

My name is Frank Farrow. I am testifying on behalf of Elevate Boston, a Black led community based non profit in support of our priority recommendations.

1. Establish a Commission to Study and Develop Reparation Proposals for African Americans

2. H.4024- An Act Establishing a Commission on the Social Status of Black Men and Boys

3. H.581- An Act Concerning Education in Honor of Byron Rushing (Black History)

4. H.2142- An Act establishing a Massachusetts corrections oversight commission

5. H.2792- An Act relative to equity in public workforce

6. H.3721- An Act relative to the expungement of records of marijuana arrests?

7. H.3751-An Act to eliminate workplace drug testing for marijuana

Thank you for being progressive about addressing racial injustice and uplifting Black Lives in Massachusetts. It's essential that an economic empowerment plan for African Americans is prioritized and that the voices of Black Americans are at the forefront of every policy recommendation.

Elevate Boston and our community partners respectfully urge that our priority recommendations be included in the legislation put forth by this body to Reform Police Standards and Racial Justice.

Thanks,

Frank Farrow

From: Carolyn Cronin <ccronin5@gmail.com>  
Sent: Friday, July 17, 2020 11:34 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: An act to Save Black Lives

Good day

i support S 2820 , an act to Save Black Lives. and urge the House to quickly pass an equally strong or stronger bill.  
in particular, i support;  
1. the banning of most violent police actions.  
2. strict liimits on qualified immunity  
3. a ban on use of facial recognition technology.

thank you

Carolyn Cronin  
22 Greenwood St  
Melrose, MA 02176  
978-397-9453

From: Aaron Butler <orlando351143@yahoo.com>  
Sent: Friday, July 17, 2020 11:34 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fairness

To whom this may concern,

My name is Aaron O. Butler, I am a black Police Lieutenant in the City of Springfield and I am assigned to the Internal Investigations Unit. I read the bill your trying to pass and I find it disgraceful and a symbolic spit in my face and the faces of every honest hard-working Police Officer in the Commonwealth. Before I continue I know that not all of you have

disdain and disrespect for us, I know many of you are on the side of common sense and what is fair and just and I have no doubt you are as disgusted with your colleagues as I am.

The idea that a person does not get due process in the United States before being deprived of their liberty and hard work is an absolute shame and is offensive to the principles that this country was founded on and what the court system is based on, being treated fairly and with respect, it's obvious some of you do not care about these things for the people who risk their lives to keep your cities and towns safe.

You obviously have a feverish need to do "something" because of this silly idea that black men are being hunted down by racist white cops. Nothing is further from the truth, you feel this need to do "something", only the something is disgraceful. I do not have any problem with a POST system, no Police Officer I have spoken to does it's the lack of common sense and fairness in the bill that we a problem with. And what happened to George Floyd, which obviously prompted this has nothing to do with any Police Officer in the Commonwealth, stop punishing us for what some filthy excuse for humans did on the other side of the country.

Let me tell you what is going to happen, first no Police Officer will do anything other than what is absolutely necessary because our supposed leaders have stabbed us in the back over pressure to do "something" even the something is reckless and disgusting, which I am sure is the reason why some of you tried to sneak this bill through when no one was looking.

I suspect a vast majority of Police Officers who can retire, will, others with less time will just quit and the ones who have to stay will be disgruntled and will not engage in any type of activity unless they get a call and they absolutely have to do something. At some point when the ranks gets drastically low, the only people foolish enough to take this miserable and thank less job will be the people you don't want and who had tried in the past to get on the job but were rejected. Chiefs will have no choice but to hire them because someone has to the job.

You are going to destroy law and order and you will wonder why Police Officers refuse to do their jobs or why good, educated people will not take the job. I have spoken to a few of the younger Officers who are

confused and very angry and have asked me what to do, I told them to get out now, why the hell would anyone do this job with political leaders stabbing them in the back. You are going to see young, educated people leave this job and in case you did not know this, we need them to stay and you are going to drive them out and like I said we will be left with people who are only looking for a paycheck and don't belong on the job.

It's clear that a lot of you have no idea what qualified immunity is, you seem to think cops just run around punching people, like the liars in the DOJ and the AG's office think of Springfield Police. It is far from that. It simply means without being too complicated that if a Police Officer is doing the right thing you cannot sue him/her. Which makes perfect sense, how are Police Officers supposed to do their job if they are getting sued every time they turn their head.

Maybe the flood gates should be open to sue Politicians for laws that are passed where someone gets falsely accused, you would not like that, would you? You need to ask yourselves why anyone would want to do this job with no protection. This bill is the exact type of discrimination you are complaining about, you want to penalize Police Officers, unjustly for what a few, and yes, a few bad apples have done, that are being dealt with. And please stop listening to NAACP, they have not been a civil rights organization in years, they are just a political action committee.

It is interesting that many of you are attorneys and what your doing is offensive to the United States Constitution, the Massachusetts Declaration of Rights, common sense, fair play and what's right. What are you going to do when Law and Order falls apart in the Commonwealth and the crime rate explodes like it is in New York City? Police Officers there are falling over each other to retire, and if you think it will not happen here, you are sadly, sadly mistaken.

Aaron O. Butler

Springfield, Ma

Sent from Yahoo Mail for iPhone

<

From: Angela <angelaz1023@comcast.net>  
Sent: Friday, July 17, 2020 11:34 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,  
Angela Zielinski  
9 Angelica Dr, Westfield, MA 01085  
Angelaz1023@comcast.net

413-454-5940

Sent from my iPhone  
From: Tyler Dow <tdow@provincetown-ma.gov>  
Sent: Friday, July 17, 2020 11:30 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820

? To the Chair,

My name is Tyler Dow. I am a resident of Harwich, MA and a police officer for the Town of Provincetown. I worked for the town in a part time capacity from 2012-2015, and in 2015 I was hired as a full time police officer. Along with my role as a patrol officer, I am also a Use of Force/Defensive Tactics instructor in the State of MA. I am also a Taser instructor and Field Training Officer for my department and am involved with planning and carrying out various trainings several times a year. One of my passions is training new recruits and fellow officers, as I believe keeping the public, as well as police officers safe is of utmost importance. The new bill which was made public this week and will be voted on shortly, produces concerns as a police officer and person of the commonwealth. While I do not claim to be an expert in the fields I mentioned, I wanted to write to you before this bill was voted on to voice some of these concerns. I understand there needs to be change in order to offer the best possible services for our communities, but I feel as though there needs to be further discussion with more law enforcement or criminal justice representatives.

The first portion of the proposed bill refers to a Police Officer Standards and Accreditation Committee which I can understand the rationale behind. However, if law enforcement is going to be regulated by a committee such as this, it should be done by more people who have a criminal justice background. I am not suggesting all members of the committee need to be active or retired law enforcement, however there are other professions or positions people hold which would offer a better understanding of law enforcement. If this committee is to be responsible for investigating complaints and possible revocation of officer's certifications, there needs to be a complete understanding of law enforcement, and the make up of the committee does not appear to lend itself to that. One of the concerns regarding investigations of complaints is one person could have a vendetta against a police officer, and make several complaints about the same officer directly to the committee. Even if these complaints were frivolous and unwarranted, the committee would now be directly investigating these complaints if they so choose, separate from the internal department investigation. The committee could now sustain complaints made against an officer and revoke said officer's certification regardless of department action (even though it could be taken into consideration). As proposed, the committee has been handed great power concerning an officer's livelihood and I feel as though there needs to be more refining to the actions the committee could take as well as the actual make up of the committee. The due process for an officer needs to remain in place for police just as there is due process for a civilian.



In regards to the use of force aspect of the proposed bill, I have an immense fear that if passed, this bill will get more police officers hurt, as well as civilians. The language currently used in training when it comes to use of force is based off the "reasonableness standard" which is directly from "Graham v Connor 490 U.S. 386 (1989)". This standard gives police officers the right the use force that is objectively reasonable, not "proportionate" given the facts and circumstances at the time. It also recognizes police officer need to make split second decisions in circumstances which are tense, uncertain and rapidly evolving. The language in the use of force chapter in the bill regarding "imminent harm" is alarming. By the definition of "imminent harm" provided, officers would need to believe they would suffer "serious physical injury or death". With this language, it presents as though I would need to be nearly rendered incapacitated by an assault in order to use force. Force is defined as physical effort used to compel, repel, or restrain. Therefore there are times when police officers need to use "force" in order to restrain someone who is trying to break from our control. They may not be trying to hurt us, but it could be dangerous for that person to be out of our control but I would not be able to restrain this person properly by the "imminent harm" definition. There are times when trying to speak with someone and de-escalate a situation just simply isn't feasible and the person needs to be restrained so they don't hurt themselves or others. There is a difference between serious physical injury and physical injury, which I teach through my trainings. Officers cannot predict whether a punch or push might result in serious physical injury or not. A punch could leave a simple red mark, or it could cause me to be unconscious and have my firearm or other items exposed to the subject. Also if officers cannot use force based on anything but an "immediate" assault resulting in serious physical injury, it could be too late for the officer to take measures to stay safe.

Officers needing to wait until there is an immediate threat of serious physical harm will cause a greater amount of force to be used on a person in all cases. Instead of being able to restrain a person the way we have been trained, officers will only be able to use force in the most dangerous circumstances where a higher level of force will be reasonable. As an example, if I am trying to escort someone to an area to speak with them, and they begin to pull away from me or push away from me, I would not be able to properly restrain that person using a reasonable amount of force. Now say that person is carrying a weapon on them and that is the reason he/she is pulling away from me, so I don't find it. Now because I can't use any force to restrain them, they access that weapon and use it against me. Force in this situation would not dictate me delivering any sort of strikes against the person, there are control tactics police can use in these situations which are still technically "force" by definition. Now that I fear "imminent harm", I will need to use a great amount of force, possibly resulting in that person's death. This could have been avoided with levels of force that are immensely lower, where the likelihood of injury is no where near as high as a lethal threat.

Another item which will result in officers or the public being injured is in section Of use of force, where it states "any person in the commonwealth shall have a right to the intervention of officers in the circumstances described in this section." In Commonwealth v Adams 416 MA

at. 565, it describes police officers having a duty to intervene when excessive force is being used. This is appropriate because other officers will have a better understanding of what is excessive and what is not excessive. The average citizen does not perceive actions, language or situations in the same way a police officer does during their course of duty, therefore there could be a justified use of force happening. However, if a citizen deems the officer's actions excessive, with their lack of law enforcement knowledge, they can intervene in a dangerous manner. A person may be walking by a scene in which an officer is on the ground with a subject trying to restrain them because the officer knows the subject has a weapon. The person walking would likely not know this and could legally intervene and stop the officer from restraining a dangerous person under this bill which puts everyone there at risk. The totality of circumstances begins from the time of the radio call to an officer and police officers are reacting to subjects on a split second basis, a person seeing an incident taking place may not see some subtle dangerous moves made by the subject leading to a use of force.

One of the most dangerous aspect of this bill is eliminating qualified immunity for police officers. Qualified immunity is a doctrine that shields police officers and all public employees (and other governmental officials) from personal liability in civil lawsuits unless they violate "clearly established" legal principles. In cases claiming excessive force, an officer's use of force must be reasonable under the Fourth Amendment in order to avoid liability. In cases alleging false arrest, an officer must have arguable probable cause for the arrest in order to escape liability. It is these police officers who are protected by qualified immunity. Qualified immunity is in place when officers act lawfully and in good faith, not when an intentional unlawful act was carried out. Being able to file actionable complaints against an officer is understandable, but to be able to file civil lawsuits against an officer for performing lawful duties will likely cause officers to hesitate in situations when action should be taken. If an officer arrives at a house for a report of someone screaming inside, glass breaking and there is a history of violence in the house, and there is no answer when the officer tries to contact someone inside, that officer may need to break a door or window to gain access and make sure everyone inside is ok. If the officer does so, and the screaming/breaking glass wasn't because of anything criminal, the people in the house may now want to sue that officer for property damage or whatever else they could think of, even though the officer was acting in good faith and lawfully there to stop a possible violent crime. Qualified immunity is not and should not be there to protect unlawful acts committed by officers, but when a decision is made to act lawfully and in good faith, officers don't want to worry about their home or livelihood taken from them time and time again.

Police officers are held accountable if there is misconduct. Police officers are routinely, and often times successfully, sued for their on-duty conduct. The City of Boston has paid millions of dollars to settle lawsuits and jury verdicts against police officers. The Chicago Tribune reported that in 2018, the City of Chicago paid \$97.9 million in settlements and judgments in cases involving police misconduct. In most cases, a municipality or a municipality's insurance company will bear the expense of settling a lawsuit against an officer or

paying a jury verdict against an officer. If the law is changed to make officers personally liable for wrongful conduct, this will likely result in some situations the person who was injured by an officer's wrongful conduct will not be able to recover if the officer is the one who has to personally pay.

I understand there needs to be changes in some of the language with which police operate regarding policies and procedures. In the commonwealth, our standards for use of force are not like other states and I strongly believe MA is ahead of the curve in use of force and policing as a whole. To radically make so many changes to law enforcement through this bill will not generate the reform people are seeking. We do need to get any and all people out of this profession who should not be, we do need more training, and we do need to have more discussions with leaders in the State, but passing this bill will be detrimental to public safety. I know we all want change for the better, so before this bill is passed, I feel there needs to be further discussion with law enforcement representatives so our stand point can be shown to those who might not understand yet. I want to thank you for your time and your dedication to this State.

Best regards,

Officer Tyler Dow  
Provincetown Police Department  
<x-apple-data-detectors://2/1> 26 Shankpainter Road <x-apple-data-detectors://1/1>  
Provincetown, MA 02657 <x-apple-data-detectors://1/1>  
(508) 487-1212 <tel:(508)%20487-1212>

#### Important Information

To help manage the spread of the Coronavirus, and as a precautionary measure, the Town of Provincetown has closed all Town buildings to public traffic, with the exception of the Police Department. Staff will continue to work regular business hours and are available by phone and email. If you need to drop off anything for a department, please use the drop boxes located outside Town buildings. We will continue to hold necessary public board and committee meetings virtually. Please see public notices for call-in information. For up-to-date information, visit our webpage <https://www.provincetown-ma.gov>  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.provincetown-2Dma.gov&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=ZJg0lMVbTDktW7838oG2w\\_DsWrBvbQwwxoRRY4L1LaQ&s=KQb01qhT FguRYgGcGcVPWFrReBxPhV8zI-9tsnu\\_Cz8&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.provincetown-2Dma.gov&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ZJg0lMVbTDktW7838oG2w_DsWrBvbQwwxoRRY4L1LaQ&s=KQb01qhT FguRYgGcGcVPWFrReBxPhV8zI-9tsnu_Cz8&e=>)> . If you have not already signed up for the Alert System, please do so at <https://alerts.provincetown-ma.gov> <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_alerts.provincetown-2Dma.gov&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=ZJg0lMVbTDktW7838oG2w\\_DsWrBvbQwwxoRRY4L1LaQ&s=98RRuPa08tHdbgZZGAXbfpvU8wCSJVM5Yn5PB7\\_30h4&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__alerts.provincetown-2Dma.gov&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ZJg0lMVbTDktW7838oG2w_DsWrBvbQwwxoRRY4L1LaQ&s=98RRuPa08tHdbgZZGAXbfpvU8wCSJVM5Yn5PB7_30h4&e=>)> . To streamline access, please call departments directly for Town business or call the Town Business Hotline at 508-413-9600 for general information.

From: Julie Dahlstrom <jadah@bu.edu>  
Sent: Friday, July 17, 2020 11:27 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass a Strong Police Accountability Bill with Key Provisions  
from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Julie Dahlstrom  
12 Norfolk Rd  
Arlington, MA 02476  
jadahl@bu.edu

From: eve paone <evopaone@outlook.com>  
Sent: Friday, July 17, 2020 11:29 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Eve Paone and I live at 6 Norris Rd, Lynnfield MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers

of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Eve Paone

Get Outlook for iOS <[ericamaanderson@gmail.com](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_o0ukef&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=oemzkFH6TYMXTF3jyNNDLknzrwrDFQKuYvb99dPmMg5w&s=e3np8IHIgfBagg4CEjCCQXxEy46J-sW9C1zsmYLqrHQ&e=></a>><br/>From: Erica Anderson <<a href=)>  
Sent: Friday, July 17, 2020 11:30 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chair Michelwitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing on favour of S.2820 to bring badly needed reform to our criminal justice system. I urge you to act as swiftly as possible to pass this bill into law AND strengthen it.

The final bill should:

- eliminate qualified immunity (loophole that prevents holding the police accountable)
- introduce robust standards for decertifying problem officers/ officers who pose a risk to any citizen (especially in terms of race, income, sexual orientation, gender identity, etc.)
- completely ban tear gas, chokeholds, and no knock raise (like the one that killed Breonna Taylor)

Feel free to call me for further discussion.

Thank you,

Erica Anderson

Tewksbury

781-439-0847From: Jake Maliel <jakemaliel@gmail.com>

Sent: Friday, July 17, 2020 11:29 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Jake Maliel with the Greater Boston Interfaith Organization (GBIO). I live at 3 Elm Lawn Street in Milton . I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Jake Maliel

From: L F <fowlkeslorraine@gmail.com>

Sent: Friday, July 17, 2020 11:28 AM

To: Testimony HWM Judiciary (HOU); Cronin, Claire - Rep. (HOU);

Michlewitz, Aaron - Rep. (HWM)

Subject: H.2820 REQUEST EXTEND DEADLINE FOR PUBIC TESTIMONY, Lorraine Fowlkes, NAACP, 617 283 2089

Dear Representatives Cronin and Micklewitz,

While appreciate the opportunity to have submitted testimony earlier this morning (within the deadline), I believe an unpublicized 24-hour timeframe is grossly inadequate given the political climate and the magnitude of the bill that the House is about to review and vote upon.

Please extend the deadline at least to Monday, July 20th at 11 am.  
Thank you in advance.

Lorraine Fowlkes

From: kathy concannon <kathyconcannon@hotmail.com>  
Sent: Friday, July 17, 2020 10:36 AM  
To: Testimony HWM Judiciary (HOU); O'Connor, Patrick (SEN); Meschino, Joan - Rep. (HOU)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Kathleen Concannon 4 Second St Hull, Ma kathyconcannon@hotmail.com  
<mailto:kathyconcannon@hotmail.com>

Sent from my iPhone  
From: Melissa Clifton <melissa.clifton@comcast.net>  
Sent: Friday, July 17, 2020 11:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: opposition to Bill S.2820

Good morning

I am writing to let you know I oppose Bill S.2820 !

I feel this needs more time to review by the citizens of Massachusetts. This is a sneak attack bill that does not provide enough time for proper consideration.

Thank you  
Melissa Clifton  
From: Sean McMahon <seanomac@gmail.com>  
Sent: Friday, July 17, 2020 11:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Sean McMahon  
17 Carter St, Hudson, MA 01749  
Seanomac@gmail.com

From: Linda Hannaford <lytea24@hotmail.com>  
Sent: Friday, July 17, 2020 11:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please think of us

Can you send this by 11 am via email :

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an

already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Name Linda Hannaford  
Address 124 Edgemere Rd  
City state Lynn Ma

Sent from my iPhone

Sent from my iPhoneFrom: Ilya Gersh <igersh@rocketsoftware.com>  
Sent: Friday, July 17, 2020 11:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police immunity

It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

The very idea that such a thing as removing qualified immunity from police can be seriously proposed, let alone voted for 30 to 7, seemed totally absurd just a few months ago. Qualified immunity of elected officials and

members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function. And policemen, due to the very nature of their work, are the most vulnerable group.

This shameful legislation is unfair, immoral, and harmful to the extreme, especially to the people of color, whom it's supposedly designed to help - this group needs strong law enforcement and police protection more than anybody. By taking away qualified immunity from police the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen will retire, which is already happening. And nobody will be interested in joining the police force - the group that not only is unjustly vilified but now even deprived of any legislative protection.

A horrible death happened in Minnesota and everybody condemned it. But why the whole profession of policemen is punished for that? I talked to Brookline police and there has been not a single incident of police brutality for the years of existence of Brookline police. Massachusetts police in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

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\*       ilya Gersh

39 Avondale Rd

Newton, MA 02459

+1 617.974.1345 c

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Rocket Software, Inc. and subsidiaries ? 77 Fourth Avenue, Waltham MA  
02451 ? Main Office Toll Free Number: +1 855.577.4323  
Contact Customer Support:  
<https://my.rocketsoftware.com/RocketCommunity/RCEmailSupport>  
Unsubscribe from Marketing Messages/Manage Your Subscription Preferences -  
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From: Tree <tkuharich@gmail.com>  
Sent: Friday, July 17, 2020 11:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support HD.5128

I am a resident of Massachusetts and I urge you to transform Public Safety by:

- \* banning chokeholds
- \* banning no knock warrants
- \* banning tear gas
- \* and firing abusive officers.

In addition, officers should have a duty to intervene and to de-escalate situations. And records of officer misconduct should be maintained and available to the public. .

In addition, Massachusetts should end the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights. Police officers have more power and with more power comes more responsibility. They are intended to protect civil rights, not violate them. The laws should reflect that.

Support HD.5128 and get rid of qualified immunity.

Sincerely,  
Theresa Kuharich  
5 Post Ct  
Kingston, MA 02364

From: Neenah Estrella-Luna <neenah@starluna.net>  
Sent: Friday, July 17, 2020 11:24 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Rivas, Gloribel (HOU)  
Subject: In Re S.2800

Judiciary Committee,

Hello and thank you for the opportunity to share my concerns about S.2800 (Reform, Shift + Build Act). There are a number of good provisions in this bill. I appreciate the data collection requirements on all stops. Although even this could be improved by requiring data collection on all protected classes, not just race and ethnicity. For example, Massachusetts law includes people living with disabilities among its protected classes but data collection on that is not currently required in this bill. Given that a significant number of police abuse of power incidents involve people living with mental health or cognitive challenges, this too is important to track.

However, there are several areas that need significant improvement if the Commonwealth is serious about addressing police abuse of power, creating mechanisms of accountability when police violate an individual's constitutional rights, and starting the process of de-militarizing our local police departments.

The easiest modification that should be made in this bill is the outright prohibition on the use of tear gas for any reason. The use of tear gas is already prohibited in international law during military conflicts. There is absolutely no reason for a local police force to be using tear gas, most especially if its use is prohibited by actual military personnel. This bill should be amended to explicitly prohibit the use of tear gas and other chemical weapons for any reason. If the Army can't use it, why should Boston Police be allowed to?

Critically important is strengthening the qualified immunity provisions. As passed, the bill does not meaningfully change the immunity from civil damages that have protected individual police officers from being held accountable for civil rights violations. There needs to be explicit language that directs the courts to allow litigation on civil rights violations. The current bill uses vague language and relies on the courts to divine the intent of the legislature. Given existing case law, anything short of explicit direction that specifies when qualified immunity does not apply (or even better - when it only applies) puts an unnecessary and irresponsible burden on the courts.

In terms of accountability, the bill raised the standard for decertification of police officers. This is clearly going backwards. Removing this provision should be easy.

Finally, the bill needs to provide greater consequences to police departments who have demonstrated by their own data to have engaged in patterns of racial profiling or patterns of abuse against protected

classes. I am one of those people who professionally does what you all call implicit bias training and similar education. I can tell you from my professional experience that implicit bias training cannot undo the deep cultural problems that tolerate of police abuse of power. Police officers and their leadership are so resistant to such training as to render it absolutely useless. Policy change that explicitly states what is not tolerated with material consequences for violating such standards can are needed to provide any chance for such learning and skill development to work. Both incentives and disincentives are needed to compel behavior change and to support the efforts of city/town governments in changing policing practices in the Commonwealth. Perhaps removing the accreditation status of police departments could be considered when there is documented patterns of police misconduct and patterns of illegal profiling against any protected class. T

I am happy to continue the conversation at any time. My contact information is below.

I thank you for trying to make consideration of this bill more transparent than was observed in the Senate process.

Dr. Neenah Estrella-Luna, MPH

143 Saratoga Street

Boston, MA 02128

(617) 271-9056

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Dr. Neenah Estrella-Luna, MPH

Twitter: @nstarluna <[Website: <https://starluna.net>  
<\[https://urldefense.proofpoint.com/v2/url?u=https-3A\\\_\\\_starluna.net\\\_&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\\_GkGDD&m=K3zjjFj2Vh3mQQDHJAqDjapRQanr7ehMffXRE599h-E&s=8mXlleQLUGc-tnJjsX8zq21T6NAZSGoz33blj94vqdc&e=>\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_starluna.net\_&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=K3zjjFj2Vh3mQQDHJAqDjapRQanr7ehMffXRE599h-E&s=8mXlleQLUGc-tnJjsX8zq21T6NAZSGoz33blj94vqdc&e=>\)>](https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_nstarluna&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=K3zjjFj2Vh3mQQDHJAqDjapRQanr7ehMffXRE599h-E&s=UoA_aQ5mHuh0lZ_J51ErTyLgw71TTjY6ynES0bmOb0A&e=></a>></p></div><div data-bbox=)

From: Timothy Sullivan <tjsull02@gmail.com>  
Sent: Friday, July 17, 2020 11:23 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill S2820 written testimony

A Letter regarding Bill S2820

I, Timothy Sullivan, as a member of The Peabody Police Department, am writing to express that I am opposed to Massachusetts Senate Bill (S2820). If passed, this bill would prohibit officers from effectively executing their duty each day.

The main areas of concern, among others, are the following:

**Due Process:** Under the law, Police officers deserve the same due process that are given to citizens and have been in place for years. All law enforcement employees deserve the right to an appeal, the same right given to other public servants.

**Qualified Immunity:** Contrary to what most think, qualified immunity does not protect bad police officers. What it does is keep officers, acting in good faith while making split second decisions, out of frivolous lawsuits that not only waste time, but millions of tax - payer dollars. All officers are bound to policy and procedures within their department and are subject to internal investigations.

**Police Officer Standards Accreditation Committee:** People have the right to be judged by their peers. It is difficult for any person to judge situations which they are not familiar with, or have never been involved in. In order to properly review Police conduct one must understand the role of being a police officer. Being tasked with regulating police action, including termination should be done by those who have an intimate knowledge of the profession.

At this time Massachusetts Police Officers are among the most trained Police Officers in the country. There have been no acts toward the public by any law enforcement officials that warrant such sweeping legislation. I urge you to reconsider the parameters of S2820. Please provide the men and women of Massachusetts law enforcement with the respect they deserve.  
Respectfully,

Timothy Sullivan  
6 Sycamore Circle.  
Peabody, MA 01960  
978.502.6806

From: Heather Thomas <hgallant85@gmail.com>  
Sent: Friday, July 17, 2020 11:21 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.



Thank you,

Heather Thomas

Hgallant85@gmail.com

From: Steven Hamilton <steven.hamilton.jr@gmail.com>  
Sent: Friday, July 17, 2020 11:18 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Dear Chairman Michlewitz and Chairwoman Cronin

I am writing to you in regards to the Police Reform Bill that is said to be heard at the House. Growing up as a son of a Police Officer, I began to understand how men and women of law enforcement put the lives of their communities before their own. Growing up in a small town (Easton), I quickly saw how law enforcement officers were a part of their communities and how police officers served the communities also as coaches, role models, and other roles where they interacted with the children of the communities. After seeing how involved police officers were with the members of their communities, I quickly decided that I wanted to be a police officer and here I am today. I have been a police officer for approximately 9 years (7 years with a municipality). I am writing to you today because I do not want to see the communities and police officers to spread further apart than continuing the idea of community policing. I loved knowing that my coaches were also members of law enforcement such as police officers I work and how they serve as coaches in their community. I feel that this bill will hinder the relationship that we have when we need to be getting closer together.

I understand we as a society need to work together and there needs to be progress but I have certain issues with the following:

**Qualified Immunity:** As we see in other states, police officers are already second guessing themselves and how they react to situations because of what issues they could face down the road. Police Officers have minutes to seconds to make a decision and then they will have the rest of their lives to be second guessed. I feel that if we get rid of qualified immunity then officers will THINK about reacting instead of reacting which could hinder the members of their communities.

**Review Board:** As I just stated, as a police officer we have seconds to make that decision. I feel that the members need to be trained as police officers and to work with police officers in the following areas: Defensive Tactics, Constitutional Law, and Psychology and how the officer perceives incidents. I feel that having a committee who is not trained in the same areas as us would hurt the decisions being made.

I understand we need to continue to make our Commonwealth better than how we started, but as how the bill stands today, I ask you to Vote NO on the Police Reform Bill S.2800.

Steven Hamilton Jr.  
From: Memory Holloway <mholloway@umassd.edu>  
Sent: Friday, July 17, 2020 11:12 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass a Strong Police Accountability Bill with Key Provisions  
from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Memory Holloway  
13 Grinnell St  
South Dartmouth, MA 02748  
mholloway@umassd.edu

From: Melissa Conklin <conklin.mel@gmail.com>  
Sent: Friday, July 17, 2020 11:19 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Melissa Wilson and I live at 14 Swan Pond Road in North Reading <x-apple-data-detectors://1> . As your constituent, I write to you today to express my staunch opposition to Bill 2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional

Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully,

Melissa Wilson

14 Swan Pond Road <x-apple-data-detectors://3/1>

North Reading, MA 01864 <x-apple-data-detectors://3/1>

From: Susan Nye <snye5@verizon.net>

Sent: Friday, July 17, 2020 11:18 AM

To: Testimony HWM Judiciary (HOU)

Cc: Hecht, Jonathan - Rep. (HOU)

Subject: Important reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Susan Nye with the Greater Boston Interfaith Organization (GBIO). I live at 42 Washburn Street; Watertown MA 02472 . I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Susan Nye  
snye5@verizon.net

617 923-0759

42 Washburtn Street; Watertown MA 02472

cc: Rep. Hecht

From: Karen Wilfrid <karen.wilfrid@gmail.com>  
Sent: Friday, July 17, 2020 11:17 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: police reform bill

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means; Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Karen Wilfrid with the Greater Boston Interfaith Organization (GBIO). I am a public school teacher, and I live at 92 Central Ave. in Newton. I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Karen Wilfrid  
Karen.Wilfrid@gmail.com  
508-868-5644

From: SHAWN PORTRAIT <nizwiz@comcast.net>  
Sent: Friday, July 17, 2020 11:17 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Vote NO to S.2820

----- Original Message -----  
From: Lorina Gjino <lorinagjino@yahoo.com>  
To: Shawn Portrait <nizwiz@comcast.net>  
Date: 07/17/2020 10:45 AM  
Subject: Fwd: Vote NO to S.2820

Can you please send this email to the address below by 11 am today?

Sent from my iPhone

Begin forwarded message:

From: Lorina Gjino <lorinagjino@yahoo.com>  
Date: July 17, 2020 at 10:43:40 AM EDT  
To: Testimony.HWMJudiciary@mahouse.gov  
Subject: Vote NO to S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

shawn portrait

From: Richard Wickenden <rwickenden@verizon.net>  
Sent: Friday, July 17, 2020 11:16 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should

specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,  
From: taylor brodersen <taylors11b@gmail.com>  
Sent: Friday, July 17, 2020 11:16 AM  
To: Testimony HWM Judiciary (HOU)

Committee on the Judiciary

House Committee on Ways and Means

The State House

Boston, MA 02133

Dear Chair Cronin, Chair Michlewitz, Vice-Chair Day, Vice-Chair Garlick and House members of the Judiciary and the House Ways and Means Committees,

Thank you for your commitment to racial justice and to the bright futures of young people in our

Commonwealth.

As a resident of the commonwealth, I urge you to support Juvenile Justice Data, Raise the Age, and Expungement.

- \* Require transparency in juvenile justice decisions by race and ethnicity (as filed by Rep. Tyler in H.2141)
- \* End the automatic prosecution of teenagers as adults (as filed by Rep. O'Day in H.3420)
- \* Expand expungement eligibility (as filed by Reps. Decker and Khan in H.1386 and as passed in S.2820 §§59-61)

Thank you for defending and protecting the students of Massachusetts. I look forward to hearing back from you about how you voted on this bill.

Sent from my iPhone  
From: Alan Furtado <ajjen7076@gmail.com>  
Sent: Friday, July 17, 2020 11:16 AM  
To: Testimony HWM Judiciary (HOU); Vieira, David - Rep. (HOU)  
Subject: Opposition to Parts of Bill S.2820

Good Day,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me

in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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(3)POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Alan Furtado, Jr.



3 Cranberry Rd. Buzzards Bay, Bourne, MA

781-857-0386

From: Rick Payne <rpayne@ligris.com>  
Sent: Friday, July 17, 2020 11:13 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

Good Morning;

I am writing to raise my concerns with the above-listed bill and the effect that it will have on police officers in the Commonwealth of Massachusetts, but I am also writing in support of my family, mainly my cousin, my uncle, my aunt and her whole family who represent at least 3 generations of "GOOD" police officers. In the little time I have had to review the bill, I do think that it addresses some necessary faults in our current system throughout the Commonwealth. However, I am concerned with the a few provisions, which I will address individually, but I am especially concerned with the hastiness in which this bill is being pushed through. There has not been enough research or debate and not nearly enough input from the law abiding officers within the Commonwealth. At one level, it seems as it is a panicked/rushed decision to a current problem and we all know how those usually work out. On another level, it looks as though it is a pandering to the masses or the mob. Which I hope is not the case because there are too many "good" police office within the Commonwealth of Massachusetts that are being hung out to dry here based on the actions of a few bad seeds.

As any sane and moral individual would agree, what happen to George Floyd was downright wrong and an act of murder, no matter how you look at it. There is no disputing that and there is no disputing that throughout this Country and even here in the Commonwealth of Massachusetts there are events and cases like George Floyd that should never happen and the perpetrators should be punished to the full extent of the law. However, and I stated before, the actions of some do not establish precedent for the whole. Like any profession, there are people who are good at their jobs and care about the work product or the people they come in contact with, but there are always, in EVERY profession, people who aren't good at their jobs or just don't care enough to abide by laws of the land or by the rules, regulations or codes of conduct of their profession.

As an Attorney, I can speak to this as well as anyone. My first internship was with one of the smartest people I had ever met and he was fantastic in the courtroom, however he did not think laws, rules, regulations or codes of ethic applied to him and he is still serving time in prison for a large scale mortgage fraud scheme. Before being brought

up on charges by the government, he was brought before the Board of Bar Overseers and was subject to discipline for his ethics violations. The Panel that revoked his license to practice was made up of lawyers and the same happens at medical review boards. The same should be done for Police Officers, but with some civilian input. The Bill addresses civilian review boards, but is not fair or just to police officers as there is not nearly enough representation of law enforcement professionals on these panels. Civilians are not trained to be police officers just as I am not qualified to sit in on a review board that addresses someone's right to practice medicine.

Secondly, I am concerned with the elimination of Qualified Immunity for police officers. This immunity is not there to protect the officers in the George Floyd case or any officer who violates the laws of this Country, the Commonwealth or the Municipality in which they serve. This Immunity is there to protect the "good" offices who are performing their duties in good faith and within the confines of the oath they swear to serve and protect.

As I stated earlier, I am in support of the idea of this bill and police reform throughout the Commonwealth, including standardized training for all of current and future officers. Unfortunately, I feel that this bill is being rushed through, but it needs to be discussed further to hone it to a more appropriate and more effective reaction/solution to the overall problem. Please consider bringing this bill back for more discussion and fine tuning because, in its current form, it is merely putting a Band-Aid on a gunshot wound and not a real solution to the problems within the system.

Sincerely,

Rick Payne

Needham, MA

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xEokXM41qx2ZI&s=X6J8QGN1dldqz-GwyfRaetq9Gt6uDo7dqcyN0Jfj2hw&e=> Rick  
Payne , Esquire  
Chief Legal Officer  
1188 Centre Street , Newton , MA 02459  
Phone 617-274-1500 <tel:617-274-1500>  
Fax 617-274-1515 <fax:617-274-1515>  
Email rpayne@ligris.com <https://urldefense.proofpoint.com/v2/url?u=http-  
3A\_\_rpayne-40ligris.com\_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-  
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From: Dave Fenichel <davefenichel@comcast.net>  
Sent: Friday, July 17, 2020 10:45 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Keep senate reforms in place, reject weakening amends

Hi,

I'm writing to urge the committee and full House to keep the Senate's \*critical\* Qualified Immunity reforms, the ban on facial surveillance, and to really ban chokeholds/tear gas/no-knock raids/other abusive tactics, rather than insert squishy and toothless recommendations. Citizens need real security. Not the worse-than-none false security which comes from ceding all personal authority to uniformed, pressure groups.

Thank you.

David Fenichel and Debra Pelletier-Fenichel  
Danvers

--

Sent from my Android device with K-9 Mail.

Please excuse my brevity.

From: Dave Fenichel <davefenichel@comcast.net>

Sent: Friday, July 17, 2020 11:13 AM

To: Testimony HWM Judiciary (HOU)

Subject: Re: Keep senate reforms in place, reject weakening amends

>Hi,

>

>I'm writing to urge the committee and full House to keep the Senate's

>\*critical\* Qualified Immunity reforms, the ban on facial surveillance,

>and to really ban chokeholds/tear gas/no-knock raids/other abusive

>tactics, rather than insert squishy and toothless recommendations.

>Citizens need real security. Not the worse-than-none false security

>which comes from ceding all personal authority to uniformed, pressure

>groups.

>

>Thank you.

>

>David Fenichel and Debra Pelletier-Fenichel

>Danvers

--

Sent from my Android device with K-9 Mail.

Please excuse my brevity.

From: Cristina Crawford <crawford.cris@gmail.com>

Sent: Friday, July 17, 2020 11:13 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

Hello,

I would like to urge the house to pass the police reform bill in the form that it was approved in the senate.

I am a college educated, retired, successful individual yet in my circle of friends and family, I know of three different cases of police misconduct. First was a friend of mine who was repeatedly beaten by Cambridge police in the 1980s because of his homosexuality. He was missing his front teeth because of these beatings.

Second was a friend of mine who was walking home in the wee hours of the morning and was followed to his home by police in Waltham. They broke into his home. One officer held him up against the wall and the other one searched the house. There was no warrant, no reason. These were two notorious cops referred to as "Mutt and Jeff" who were searching for drugs that they could plant on other suspects. My friend's wife wanted to do

something about this but was told by the niece of the chief of police in Waltham that there would be bad consequences if they did so.

The third case I know of was my sister's ex-husband, who during a messy divorce managed to get a judge to sign a court order and persuaded his friend to serve it to charge her with assault on a police officer (himself) in order to prevent her from going on vacation with their kids. While married he had never let her take a vacation.

Of course none of these cops were ever held accountable for their behavior. It was futile to even report it.

This has to change.

Thank-you

Cristina M Crawford  
Sherborn, MA  
508-647-4888

From: Kathy Tuffy <kathytuffy@gmail.com>  
Sent: Friday, July 17, 2020 11:13 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Cusack, Mark - Rep. (HOU)  
Subject: Support for S.2820

Dear Chairman Michlewitz and Chairwoman Cronin,

I am writing in support of S.2820, an act to reform police standards and shift resources to build a more equitable, fair and just Commonwealth that values Black lives and communities of color.

Massachusetts must protect the public by banning chokeholds, the use of tear gas, chemical weapons, and no-knock warrants. Accountability and transparency by law enforcement organizations is necessary. Certification of officers, an end to qualified immunity, strengthening use of force rules, establishing a "duty to intervene," and ensuring that police misconduct is public record must be part of this legislation.

I urge you to vote in favor of S.2820.

Kathleen Tuffy  
7 Prescott Lane  
Braintree, MA 02184  
From: Caitlyn McCourt <caitlyn.mccourt@gmail.com>  
Sent: Friday, July 17, 2020 11:11 AM  
To: Galvin, William - Rep. (HOU); Testimony HWM Judiciary (HOU)  
Subject: Opposition to S. 2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity

and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Caitlyn McCourt

caitlyn.mccourt@gmail.com

From: Jenna Furtado <jajfurtado@gmail.com>  
Sent: Friday, July 17, 2020 11:12 AM  
To: Testimony HWM Judiciary (HOU)

Subject: Opposition to Parts of Bill S.2820

Good Day,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Jenna Furtado

3 Cranberry Rd. Buzzards Bay, Bourne, MA

781-953-5441

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Jenna Furtado

From: Jamie Merrill <jcm57@bu.edu>  
Sent: Friday, July 17, 2020 11:09 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on S.2820

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means Representative & Claire Cronin, Chairperson, Joint Committee on the Judiciary

Good morning, my name is Jamie Merrill with the Greater Boston Interfaith Organization (GBIO). I live at 50 Boylston St, Jamaica Plain, 02130.

I am writing to plead with you and the House to pass without delay police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

I strongly implore you to adopt the Senate language to reform the legal doctrine of qualified immunity. This reform will allow the few applicable cases to be heard by a jury without being dismissed because the particular violation of 4th amendment rights by a public official, such as a police officer, has never been previously contemplated by a statute or a court precedent. Those cases deserve to be heard on their merits, not thrown out using a non-statutory legal doctrine. It is simply outrageous that those who have suffered from the egregious violations of police officers can not get their day in court. As the birthplace of this nation, the Commonwealth must lead in the quest for justice and fairness.

In addition, it is clear that qualified immunity reform will not have devastating financial impact on any police officers as they are



indemnified by the municipalities that employ them. Any such claims are not based on fact and should not be considered as you consider this reform.

Thank you very much for your thoughtful consideration.

Jamie C Merrill, MPH, CIP  
50 Boylston St, Apt 1L  
Jamaica Plain, MA 02130  
(617) 942-0312?  
jcm57@bu.edu  
From: Donna Pepicelli <pepi64@aol.com>  
Sent: Friday, July 17, 2020 11:11 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

I'm writing to address S2800 today being the wife of a police officer. What has happened in the last two weeks with the Senate is beyond me. My husband has been a officer for 24yrs. He has been spit, peed vomited on even exposed to HIV. Missed holidays, birthdays, anniversary's etc. that we all understood. But for me what finally broke me was when my husband asked me maybe we should take off any stickers on my car about police for my safety. I responded don't you dear. I'm very proud of my husband he has sacrificed a lot for his profession with family's support. I heard a Senator compare his profession to Doctors and lawyers not having immunity privileges why should they Really do I need to explain the difference. Many years ago when I was new to this special family a wife told me the best sound you will ever hear is the sound of the velcro at the end of his shift I hold that sound with me still to this day. As early as this week when he was called to a armed robbery. Please don't single out this profession because of few bad apples and at the end of the day my husband will put his uniform on for his shift I will kiss him goodbye tell him to stay safe and wait for that sound of Velcro at the end. Sincerely, The wife of a police officer. Donna Pepicelli 508/942-0491

Sent from my iPhone  
From: Dubois, Michelle - Rep. (HOU)  
Sent: Friday, July 17, 2020 11:10 AM  
To: Victor Flaherty; Testimony HWM Judiciary (HOU)  
Subject: RE: [External]: SB2820

Hi Chief,

Well I agree with you. I oppose dealing with QI in this bill that came up very quickly at the end of a session. I do support some elements but QI and the lack of respect for the collective barging on the creation of a certification program are troubling to me. We can and should respect collective bargaining in creation of the officer certification portion of this bill.

Best,  
Michelle

Michelle DuBois  
State Representative  
Brockton, West Bridgewater, East Bridgewater  
774-274-1344

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From: Victor Flaherty [vflaherty@wbpd.com]  
Sent: Friday, July 17, 2020 10:50 AM  
To: Testimony HWM Judiciary (HOU); Dubois, Michelle - Rep. (HOU)  
Subject: [External]: SB2820

Please see letter attached,

--

Victor R. Flaherty Jr.  
Chief of Police  
West Bridgewater Police Dept.  
508-894-1294

From: Chief Keith Pelletier <chiefpelletier@westport-ma.gov>  
Sent: Friday, July 17, 2020 11:10 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: house bill SB2820

----- Forwarded message -----

From: Chief Keith Pelletier <chiefpelletier@westport-ma.gov>  
Date: Fri, Jul 17, 2020 at 11:08 AM  
Subject: house bill SB2820  
To: <testimony.hvmjudiciary@mahouse.gov>, Schmid, Paul - Rep. (HOU)  
<Paul.Schmid@mahouse.gov>

Dear Chair Aarin Michlewitz and Chair Claire Cronin please accept the following testimony with regard to SB2820- an act to reform police standards.

I pen this letter to affirm my strong concurrence with the testimony submitted by Chief Brian Keyes on behalf of the Massachusetts Chiefs of Police Association.

In the vain of brevity, I will not regurgitate his salient points. I do offer this; however, what will this bill SB2820 accomplish? It will not improve the life of anyone of color not one bit. It is a bill laden with

bureaucracy, rhetoric and distraction from the real problems in this country which are poverty, homelessness and drug addiction.

Where is the data to support this bill : there is none. There is not one community in the Country that wants to have less Police Protection and involvement. This bill will not feed, educate or house one person of color. It will not stop one person from overdosing on illegal drugs.

What this bill will do is further divide the minority communities from the Police Officers that are sworn to protect them.

I strongly urge you to consider working with the stakeholders of this bill to carefully craft a bill that will accomplish a shared goal of providing a safe community for all the great citizens of this commonwealth.

Yours truly,

KEITH A. PELLETIER, Chief of Police  
Westport Police Department  
56 Hixbridge Road  
Westport, MA

From: Anne Concannon <anniec@verizon.net>  
Sent: Friday, July 17, 2020 11:09 AM  
To: Testimony HWM Judiciary (HOU); Cyr, Julian (SEN); Whelan, Timothy - Rep. (HOU)  
Subject: Opposition to recently passed S.2820

Dear State Representatives for Dennis Ma.

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Anne Concannon

21 Taunton Ave

Dennis Ma 02638

anniec@verizon.net

From: Matthews1926 <matthews1926@verizon.net>  
Sent: Friday, July 17, 2020 11:09 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

From: Anne Concannon <anniec@verizon.net>

Sent: Friday, July 17, 2020 11:09 AM

To: Testimony HWM Judiciary (HOU); Cyr, Julian (SEN); Whelan, Timothy - Rep. (HOU)

Subject: opposition to S 2820

Dear Representatives for the Town of Dennis Ma.

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thanks,

Martin Kevin Concannon

21 Taunton Ave

Dennis Ma 02638

kconcy@verizon.net

From: Deb McCourt <debbiemccourt@yahoo.com>  
Sent: Friday, July 17, 2020 11:09 AM  
To: Testimony HWM Judiciary (HOU)

Please vote against S2800

Sent from Yahoo Mail on Android  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_go.onelink.me\\_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-)

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OtaLRv3t0xsR6fDI4iQPjRMsO2AMbxcgpuo6xQ2t4E&e=>  
From: Kirchner <bolton88@comcast.net>  
Sent: Friday, July 17, 2020 11:08 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Hogan, Kate - Rep. (HOU)  
Subject: PLEASE PLEASE OPPOSE sb2820

I understand that the House is considering SB2820 now and some part of it are very troublesome and diminishes the tools that the police now have to keep us safe. There is a provision that removes protections for the law enforcement authorities, and installs an unelected commission with biased views to make policing recommendations. Please oppose SB2820.

Another example of making us less safe is the following. Reminds me of the Marathon bombers who had been identified, known to several law enforcement agencies, but no one put the pieces together, until after the terrorist attack. Collecting facts should not be prohibited.

SECTION 49. Section 37L of chapter 71 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after the third paragraph the following paragraph:-

School department personnel and school resource officers, as defined in section 37P, shall not disclose to a law enforcement officer or agency, including local, municipal, regional, county, state and federal law enforcement, through an official report or unofficial channels, including, but not limited to text, phone, email, database and in-person communication, or submit to a the Commonwealth Fusion Center, the Boston Regional Intelligence Center or any other database or system that tracks gang affiliation or involvement any information relating to a student or a student's family member from its databases or other record-keeping systems including, but not limited to: (i) immigration status; (ii) citizenship; (iii) neighborhood of residence; (iv) religion; (v) national origin; (vi) ethnicity; (vii) native or spoken language; (viii) suspected, alleged or confirmed gang affiliation, association or membership; (ix) participation in school activities, extracurricular activities both inside and outside of school, sports teams or school clubs or organizations; (x) degrees, honors or awards; and (xi) post-high school plans. Nothing in this paragraph shall prohibit the sharing of information for the purposes of completing a report pursuant to sections 51A or 57 of chapter 119 or filing a weapon report with the local chief of police pursuant to this section.

Thanks for your consideration,

Ted Kirchner

Bolton

From: Deb McCourt <debbiemccourt@yahoo.com>  
Sent: Friday, July 17, 2020 11:08 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please vote against S2800

Sent from Yahoo Mail on Android

<[From: Joe Vigliotti <vigliotti485@charter.net>  
Sent: Friday, July 17, 2020 11:08 AM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: Talking Points](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMcaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=1sza-nURv7WGFJNo5u1WfKNS80_E17SHWDreZmltfs&s=qXyBSvYvb22NfyrvdBEpd3ep919oTieCl ezEBPgWQ68&e=></a></p></div><div data-bbox=)

Sent from my iPhone

From: Ediss Gandelman <ediss.gandelman@gmail.com>  
Sent: Friday, July 17, 2020 11:07 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: support for critical police reform legislation

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

I am writing this morning to express my support for Police Reform Legislation pending before the House, and to urge you to pass a strong bill before July 31st. As co-chair of Temple Beth Elohim's Racial Justice Initiative, and a member of the Greater Boston Interfaith Organization, we have been deeply engaged with issues around criminal justice reform and most recently with the opportunity to enact police reform. Please help the House of Representatives pass these critically needed reforms including:

- \* Implementation of Peace Officer Standards & Training (POST) with certification
- \* Civil service access reform



- \* A commission on structural racism
- \* Clear statutory limits on police use of force, and
- \* Qualified immunity reform

Thank you for your leadership and support of this crucial legislation,

Ediss Gandelman

22 Palmer Road

Waban, MA 02468

ediss.gandelman@gmail.com

617-320-9217

From: Barbara Berke <bberke@gmail.com>  
Sent: Friday, July 17, 2020 11:07 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony: Police Licensure and Qualified Immunity in Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means,  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary  
cc: Representative Tommy Vitolo, 15th Norfolk

Hello, my name is Carl Berke and through Temple Israel in Boston, I am affiliated with the Greater Boston Interfaith Organization (GBIO). I live at 330 Clark Road, Brookline, MA 02445.

I am writing to urge you and the House to pass police reform that includes:

- \* Standards/training and accountability. Certification/decertification of police is necessary in any police reform package.
- \* Creating racial equity through civil service access reform is long overdue.
- \* Clear Statutory limits on police use of force.

\* Qualified Immunity reform

\* Commission for ongoing work around dismantling structural racism and racist procedures and policies.

Senate Bill S2820 is a good bill worthy of guiding you to put out a strong police reform bill.

I am strongly in favor of professionalizing the police force through licensure. I am a parent in a multi-racial blended family which has provided me with special insight into the differential treatment of citizens by our community and state police. The Black Lives Matter movement has given voice to what I have experienced and felt for a long time.

I further urge you to adopt the Senate language to reform the legal doctrine of qualified immunity. This reform will allow the few applicable cases to be heard by a jury without being dismissed because the particular violation of 4th amendment rights by a public official, such as a police officer, has never been previously contemplated by a statute or a court precedent. Those cases deserve to be heard on their merits, not thrown out using a non-statutory legal doctrine.

It is simply outrageous that those who have suffered from the egregious violations of police officers can not get their day in court. In addition, it is clear that qualified immunity reform will not have devastating financial impact on any police officers as they are indemnified by the municipalities that employ them. Any such claims are not based on fact and should not be considered as you consider this reform.

Thank you,

Carl Berke cberke@partners.org

From: Kyle Powers <kylepowers2013@gmail.com>  
Sent: Friday, July 17, 2020 11:07 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820

July 17, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Kyle Powers. I work at the Bristol County Sheriff's Office and am a Corrections Officer. As a constituent, I write to express my



My name is Latoya Gayle. I am a resident of Boston and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I am a mom and a Black women who is afraid for my children, my husband and my own safety from the threat of police violence. My son is a teenager with Austism and I fear his Blackness and disability combined make him a threat to officers. If officers have no personal accountability for their actions they will continue to harm us and our community.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Latoya Gayle

10 odonnel ter

Boston, MA 02122

March like a Mother: for Black Lives

Latoya Gayle

Co-founding Mom

March Like a Mother <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_marchlikeamother.org&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=NdB4TsHp61QFAyt8ZqqkbqiRKM4SiEePKXr0VkkeJY4&s=vaX2y3Ozb9PPMwTymgR49lwcYjV8C4yF7S3tHSJgu0Y&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__marchlikeamother.org&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=NdB4TsHp61QFAyt8ZqqkbqiRKM4SiEePKXr0VkkeJY4&s=vaX2y3Ozb9PPMwTymgR49lwcYjV8C4yF7S3tHSJgu0Y&e=>)>

From: John Maguire <[johnallpoints@gmail.com](mailto:johnallpoints@gmail.com)>

Sent: Friday, July 17, 2020 11:07 AM

To: Testimony HWM Judiciary (HOU)

Subject: s.2820 police reform bill

Dear Chair Aaron Michlewitz,

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I would like to express my deepest concern that

this bill will have a negative impact on the people of this Commonwealth please vote in opposition to S.2820.

Thank you

John maguire

Northfield MA

From: Alexander Zaretsky <pvmadv@comcast.net>

Sent: Friday, July 17, 2020 11:07 AM

To: Testimony HWM Judiciary (HOU)

Subject: To Support POLICE

Dear MA House of representatives!

It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

The very idea that such a thing as removing qualified immunity from police can be seriously proposed, let alone voted for 30 to 7, seemed totally absurd just a few months ago. Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function. And policemen, due to the very nature of their work, are the most vulnerable group.

This shameful legislation is unfair, immoral, and harmful to the extreme, especially to the people of color, whom it's supposedly designed to help - this group needs strong law enforcement and police protection more than anybody. By taking away qualified immunity from police the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen will retire, which is already happening. And nobody will be interested in joining the police force - the group that not only is unjustly vilified but now even deprived of any legislative protection.

A horrible death happened in Minnesota and everybody condemned it. But why the whole profession of policemen is punished for that? I talked to Brookline police and there has been not a single incident of police brutality for the years of existence of Brookline police. Massachusetts police in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Alexander Zaretsky

85 Walnut Court

Stoughton, MA

From: Donna Bogan <jbogan9667@aol.com>  
Sent: Friday, July 17, 2020 11:06 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Attn Clair Cronin

Regarding Bill # 2820

As the Senate passed a similar bill which seemed in undue haste, we are hoping that the House delay the vote on this bill, Until a review can be made on the effects of eliminating Qualified Immunity for SOME Public personnel. The Senate appears to not have included themselves in the bill that they passed. Eliminating qualified immunity for teachers , fire personnel, police will Open the door for Frivolous law suits, Many of which will be a waste of time and Money for everyone . Please take a step back and look at everything. Training is usually always an asset, but this bill seems to put our much needed teachers , firemen/women and police at a great disadvantage.

Studies and common sense needs to be used here in conjunction with racial training.

Thank you,

The Bogan family  
20 Pearl St  
Natick, Ma  
508 655 0126.

Sent from my iPhone

From: Nate Walker <natewalker576@yahoo.com>  
Sent: Friday, July 17, 2020 11:06 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

Qualified immunity never protected cops from suits over excessive use of force or malicious prosecution. It protected cops from suits where even if a ticket or case was thrown out, as long as it was in good faith.. you can't sue. Now this opens the door to a lawsuit if a cop writes a ticket for speeding and it's thrown out in court because it's your first one or a cop makes an arrest for a crime and it's dismissed for the victim not showing up to court, so even something not in their control.

This will result in loads of frivolous lawsuits against police officers and municipalities. All cops will be at risk of garbage lawsuits, more so the proactive cops. So a cop who goes out and actively seeks out criminals will face a greater likelihood of suits, but all cops, just from their regular day to day call responses will be at risk as well.

Retirements are going to increase, proactive patrol will decrease, and high quality candidates will be in low supply resulting in lower quality candidates getting the job.

You wanted reform, you got it. Lawlessness will prevail because cops aren't gonna lose their homes to protect anyone.

From: Katie Brogna <ktbrogna@gmail.com>  
Sent: Friday, July 17, 2020 11:06 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified immunity

Dear House of Representatives,

My name is [INSERT NAME] and I live at [INSERT ADDRESS]. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee

lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Katie Chambers

Sent from my iPhoneFrom: Ballou, Joseph (POL)  
<Joseph.Ballou@pol.state.ma.us>  
Sent: Friday, July 17, 2020 11:06 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Although I appreciate the good intentions of this police reform bill, I have found that it contains several troubling flaws that can result when all stake holders are not brought to the table. I ask that you not support the bill at this time, or at least carefully consider the important amendments proposed by the MPA and SPAM.

When I watched the video of the murder of George Floyd, I was horrified, but also proud to think of the great training I've received as a police officer in Massachusetts. Over the past few years, I've received, and embraced training on unintended bias, deescalation techniques, positional asphyxiation, and most importantly in this case, the duty to intervene if another officer behaves improperly. Police officers have a great deal of power and we need to be proactive in improving police procedures. But, frankly, the anti police rhetoric we've endured recently from the public and many members of the legislature for the abhorrent actions of a police officer from another state hundreds of miles away has been blatantly unfair. It has been a punch in the gut to those of us who have committed most of our lives to treating people fairly and constantly seeking self improvement.

This bill contains important reforms such as the licensing of police officers. However, even the wording of this reform was originally ill conceived as it sought to restrict due process for police officers with no right of appeal to civil service and did not allow for police representation on the licensing board. I have arrested people for committing horrific crimes over the years, but have never questioned their right to due process.

The bill also allows the public to intervene if they observe what they perceive to be an unlawful arrest. This measure is extremely dangerous as it encourages bystanders to fight with the police. The courtroom is the place to address these grievances, not a dark street.



The bill also seeks to stem the use of chemical agents for riot control. Police officers are always greatly outnumbered in cases where an unlawful crowd has assembled, and these agents have proven to be an effective way to disperse an unlawful crowd with minimal injury the rioters as well as the police.

The most troubling aspect of this bill is the attempt to eliminate qualified immunity for police officers. Police officers currently can be sued (and are sued routinely) under section 1983 of the US code for civil rights violations. Most public officials enjoy "absolute" immunity, whereas a police officers immunity is limited, or "qualified" to situations where they intentionally violate someone's civil rights based on clearly established law. This only protects officers from frivolous lawsuits. Police officers are duty bound to respond to all calls for service. They deserve to know that the people who recruited, selected and trained them have their back.

Thank you for your time.

Sincerely,

Joe Ballou

75 East Hill Road <x-apple-data-detectors://6/1>

Brimfield <x-apple-data-detectors://6/1>

From: Jack VanGraafeiland <jvangraaf@aol.com>

Sent: Friday, July 17, 2020 11:06 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their

respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

John VanGraafeiland

89 Massey Street

Westfield, MA 01085

860-819-6674

jvangraaf@aol.com

From: John Maguire <johnallpoints@gmail.com>

Sent: Friday, July 17, 2020 11:05 AM

To: Testimony HWM Judiciary (HOU)

Subject: s.2820 police reform bill

Dear Chair Cronin,

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I would like to express my deepest concern that this bill will have a negative impact on the people of this Commonwealth please vote in opposition to S.2820.

Thank you

John maguire

Northfield MA

From: christopher cole <debcole1023@icloud.com>

Sent: Friday, July 17, 2020 11:05 AM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Chris Cole and I live at 6 Baldwin Lane, Lynnfield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Chris Cole

Sent from my iPhoneFrom: Adriana Mason <adrianamason09@yahoo.com>  
Sent: Friday, July 17, 2020 11:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: House Bill/Law Enforcement

To Whom It May Concern:

I write to you today as the wife of a man who has dedicated his entire adult life to protecting and defending this country. My husband is a Lieutenant Colonel in the MA National Guard as well as MA State Trooper. There are many things about this bill I do actually agree with, for example POSA Committee. However, I do not support these components without further research, deliberation and changes, that are fair and allow for due process. As far as qualified immunity and fair due process what I would like to convey to you is this, as the family of a law enforcement officer we all took the oath together the day he was sworn in and we understand every day that we may all pay the ultimate price for his service and we make peace with that. What we didn't agree to was to have our family's livelihood and financial security come under attack should he have to make a split-second decision that no law enforcement officer wants to have to make. I realize that much of this bill will be put into place because there is a small percentage of officers that are not meant to be in the position that they are in and I can respect that; however, I implore you to do your due-diligence to understand that when you question the integrity of the "good guys" and when you make them have to stop to check in with their integrity and decision making skills you will inevitably find that a. law enforcement will be less likely to act and crime will go up and the law abiding citizens and their communities will suffer for that and/or b. you will have more law enforcement officers suffering the ultimate sacrifice because asking them to hesitate even for one second could cost them their lives. Another concern that I have is for the future of the quality of law enforcement officers. If we as a community are constantly questions the integrity of our officers and making it too difficult to do the job that they are tasks with I am concerned that the "good guys" will find other ways to make a positive impact of their communities and then what will the quality of our force look like. Sadly, it will take time to see the lasting and negative effects on the moral and the quality and by then what will we have lost? I ask you to consider what your integrity is worth and how often you would defend it in an arena before you would simply walk away.

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor

and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Adriana Mason, MSP Wife  
47 Fair Acres Dr.  
Hanover, MA 02339  
781-974-7726  
adrianamason09@yahoo.com

From: Barbara Berke <bberke@gmail.com>  
Sent: Friday, July 17, 2020 11:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means,  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary  
cc: Representative Tommy Vitolo, 15th Norfolk

Hello, my name is Barbara Berke and I am with the Greater Boston Interfaith Organization (GBIO). I live at 330 Clark Road, Brookline, MA 02445. I am writing to urge you and the House to pass police reform that includes:

- \* Standards/training, accountability, and certification/decertification of police
- \* Creating racial equity through civil service access reform is long overdue.
- \* Clear Statutory limits on police use of force.
- \* Qualified Immunity reform
- \* Commission for ongoing work around dismantling structural racism and racist procedures and policies.

Senate Bill S2820 is a good bill worthy of guiding you to put out a strong police reform bill.

Though I am white, I have personal experience with Police injustice and prejudice in the treatment of a Black immigrant. My family expanded in 2005 to include a South Sudanese "Lost Boy" resettled to the US after two years of being a child migrant in dangerous territory and eight years in a refugee camp. He is an upstanding citizen today, working full time at Beth Israel Hospital, and during the COVID crisis, he stepped up to stock grocery shelves as a second job for another 30 hours per week.

This young man has called 911 twice, both times when he felt he was in danger - the first time when he was attacked by someone and the second time when he found himself in a car with someone who proved to be not sober and who would not stop the car. Both times, he was arrested.

My son says that he "arrested himself" because he now believes that he was foolish as a Black man to have ever called 911. He says that no matter what the situation, he will never call 911 again.

Within the family, I am the person that has spent the most time with Samuel, teaching ESL at the kitchen table, tutoring him, preparing him for citizenship, helping him sort out life in a vastly different world. Samuel has made great strides in his communication, but he has a strong accent and a tendency to overtalk situations as he struggles to find the right words.

In the second situation, he was arrested with the great misfortune and humiliation to have had the State Police Officer refuse to allow him the opportunity to urinate despite his begging to do so. When nature overtook him in the cruiser, his pants and the seat were soaked. When asked to

leave the cramped back seat, this tall, skinny, immigrant struggled to exit. His heavy wet pants were falling to the ground, his hands were cuffed behind his back, and it was at this moment that Samuel's flailing legs may have been extended toward the officer, who rather than assisting him marched him pants down and handcuffed across the public parking lot, up stairs where he fell hitting his chin, and into the station. He was made to spend the night without pants and was only given dry clothing in the morning. It made me weep to hear of his humiliation. No man would invent such an embarrassing story.

It took me weeks to get the police report though we knew he was charged with assault on an officer with a dangerous weapon ("shod foot"). When I called asking for the report, the State Police officer said "What do you think we are - a paper factory?". When I got the report, it had little resemblance to the facts and included purported quotes in street language that I doubt Samuel has ever heard, nor would ever use. I was disgusted that they thought they could get away with a report so falsely constructed to cover their egregious behavior.

I was angry then and I remain angry. We need police reform now. Please pass a strong reform bill that includes the five points listed above.

Thank you, Barbara Berke

--

Barbara B. Berke  
330 Clark Road  
Brookline, MA 02445  
Telephone: 617-277-4047  
Cell: 617-877-5376  
From: eptcb4evr@aol.com  
Sent: Friday, July 17, 2020 11:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S 2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Marjorie Doto and I live at 314 Albion St Wakefield, MA . As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation

has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Marjorie Doto

From: Shawn Turner <shawn.p.turner@gmail.com>

Sent: Friday, July 17, 2020 11:05 AM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Shawn Turner and I live at 7 Eleanor Drive in Worcester. I work at MCI-Norfolk and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects



officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less Than Lethal Tools: The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,

Shawn Turner

From: Ralph Anderson <dejaview1960@gmail.com>

Sent: Friday, July 17, 2020 11:05 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill #S2820

My name is Ralph Anderson and reside on the South Shore. I am not affiliated with any group and am a registered independent that truly is a moderate. I do have a family member in Law Enforcement. What that officer and his family and coworkers are experiencing right now is reprehensible.

While I have concerns with several specific provision within the bill, it is the underlying impetus behind the introduction of the bill, and you unprecedented timeliness for the passing into law of these changes.

I find the language divisive and stability exclusionary from the title and throughout the content, and it is obvious it was written and acted upon to placate the vocal and the (justifiably so) segment of the population.

The bill does little to address many of the main issues that need to be addresses. Power and the need for personal responsibility and accountability.

We need a cultural change with Law Enforcement as well as a society. Uou are looking to sacrifice the safety and possible livelihoods of our policing community with little to guarantee the they will be treated with fairness and equality.

The current state of the cancel culture, with media, politicians, corporations and educational institutions running scared and afraid of of this organized opposition that resorts to threats and name calling instead of meaningful dialog. We are not moving forward as a society as long as you remain politicians and not the leaders we desperately need.

I urge you to put the breaks on the hasty urge to pass this bill through. The opportunity for progressive change has been there for years. Now it needs to be done in 2 weeks? To my knowledge there as not been any overt abuses or crimes ny Massachusetts Law Enforcement. With the overwhelming public scrutiny, I feel safe that none will occur under the current guidelines.

You have time to reach out to your constituents. Walk around your communities and find out concerns and solutions. Don't listen to community activists. Don't listen to Union leaders. Listen to the average person just trying to live their lives. Find out their experiences and desires. Same with police officers. Talk with them.

Lead. Do not follow. Be responsible with your power. Help move forward and not pander to the fals narratives.

Thank you

Ralph Anderson

From: Latoya Gayle <mrsgayle03@gmail.com>

Sent: Friday, July 17, 2020 11:04 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass Sb.2800 reform shift build act testimony

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Latoya Gayle. I am a resident of Boston and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I am a mom and a Black women who is afraid for my children, my husband and my own safety from the threat of police violence. My son is a teenager with Austism and I fear his Blackness and disability combined make him a threat to officers. If officers have no personal accountability for their actions they will continue to harm us and our community.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Latoya Gayle

10 odonnel ter

Boston, MA 02122

March like a Mother: for Black Lives

Latoya Gayle  
617-259-7565

"The cost of liberty is less than the price of repression."  
-W.E.B. Du Bois

From: Jennifer Waczkowski <jlwaczkowski@gmail.com>  
Sent: Friday, July 17, 2020 11:04 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: testimony s2820

?

Jennifer Waczkowski, LMHC

7/17/2020

To the Legislators on the Massachusetts House of Representatives:

I am writing as a citizen who resides in Middlesex County. I am also a Licensed Mental Health Counselor (LMHC) and one who works alongside law enforcement officers in both Middlesex and Essex County. As a citizen and

given my current occupation, I feel the need to express my strong disapproval for the recently passes Senate Bill S2800 which was just sent to the House under Bill S2820. I am against the bill for several reason, the first being that I was only informed yesterday that I could submit testimony, which did not allow me ample time to prepare this letter. Therefore, I apologize that it will not as thorough, well-written, or as comprehensive as I would have written had I been given more time. Massachusetts senate passed senate bill s2800 early Tuesday morning without a public hearing and without input from law enforcement officers, leaders, and agencies to whom the impact of this bill will directly impact. It is without input from the community too, whom will indirectly feel the impact if this suggested bill is pass into law.

I am against the Bill because I believe it is a rushed effort to appease members of the public who are upset and angry (and rightfully so) but these individuals also represent a group in our society whom are not fully aware nor educated regarding the current laws, regulation, and other safe-guards that exist in Massachusetts to hold officers accountable and ensure the safety of its citizens. They are also not aware of the realities that law enforcement officers face on a daily basis and the threats the general public will faces if this law were passed.

In particular I am against limiting the statute on Qualified Immunity allows officers to be protected from frivolous lawsuits while in the performance of their duties. Officers who follow the law and their department policies and procedures should not be subject to personal liability. We are in a "sue happy" society and everyone feels entitled or justified to complain and be compensated even if their complaints are unfounded. Currently officers can be charged civilly if they violate the department laws or act in an egregious manner however, if they are not citizens still have the opportunity to take charges out again the towns/cities if they feel compelled. If this were to be passed officers would retire early, many officers would leave their positions due to not being able to afford to remain in their role, and others will be less likely to act and perform their duties for fear of being sued.

I am in a unique position, one in which has changed my personal view as a citizen. I have always had respect for the police and the work that they do but I never truly understood the impact they have on communities, the impact that their jobs have on their physical, emotional, and interpersonal lives, nor the impact it has on their families. I would like to see how we can have more public forums to increase public awareness, have public forums where we create reasonable and incremental changes to help support our officers and better our communities.

I would love to have the opportunity to speak with someone in more detail and describe my personal experience surrounding this matter if given the opportunity because I know that I was unable to write what I had wanted to write about given the deadline.

Thank You for your time. I hope we can postpone making any drastic changes until we can have more public discussions.

Sincerely,

Jennifer Waczkowski, LMHC

From: Jeffrey Gillen <jgillen@grovelandpolice.com>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Reform Bill SB2820

Sent from my iPhone

Begin forwarded message:

From: Jeffrey Gillen <jgillen@grovelandpolice.com>  
Date: July 17, 2020 at 10:43:07 EDT  
To: Jeffrey Gillen <jgillen@grovelandpolice.com>  
Subject: Reform Bill SB2820

?

"Dear Chair Aaron Michlewitz and Chair Claire Cronin,

Please know I support the letter sent to you from Chief Brian Kyes with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color".

I have been a Police Officer for more than 35 years and I have never been more concerned with the future for the dedicated professional police

officers as I am today. I respectfully ask for your support and consider all the points made in Chief Kyes' letter.

I apologize my letter to you is not on a professional letter head. I am not able to make it to my office today and this is the only means I have to send you my sincere request. Thank you for anything you can do for us so we can continue to protect and serve everyone.

Sincerely,

Jeffrey T. Gillen

Chief of Police

Groveland Police Department

Sent from my iPhone

From: clare maguire <claremaguire181@gmail.com>  
Sent: Friday, July 17, 2020 11:03 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Police Reform Bill

Chair Aaron Michiewitz  
Chair Claire Cronin  
Good Morning,

I am writing to you in support of our police .....times are absolutely crazy!  
Our officers are being treated with such disrespect it's horrible and troubling .....these days right seems to be wrong and wrong is right....  
I pray for our United States that it becomes more united. There seems to be so much division it's very sad...scary times.  
During these troubling times all we need now is our police department getting more abuse.....not supporting them....taking away their rights.  
No one will want to be in law enforcement ...why would they? They are being treated unjustly.  
A world without law enforcement is basically telling the people we're on our own....defend yourselves.  
Please vote in support of our police ....or no one will want to be one.  
God be with you and guide you.  
Sincerely,

Clare Maguire

181 Old Wendell rd  
Northfield MA 01360  
413-498-5993  
From: McManus, Jay <j.mcmanus@clcm.org>  
Sent: Friday, July 17, 2020 11:03 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: Expanding Expungement Limits under S. 2800

7/17/20

Public Testimony on S.2800 to the House Ways and Means and Judiciary  
Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair  
Garlick,

I am Jay McManus and I direct the Children's Law Center of Massachusetts,  
based in Lynn. Our agency provides legal assistance to low-income children  
in a range of matters including juvenile justice. The overwhelming  
majority of our clients are of color.

I write to echo the request of scores of organizations from across the  
state who have urged you to expand the existing expungement law (MGL Ch  
276, Section 100E) as part of bill, S.2800. We agree that the protections  
provided under this expansion directly relate to the harm done by over-  
policing in communities of color and the over-representation of young  
people of color in the criminal legal system.

The issue is one with which the Children's Law Center is familiar as some  
of our clients through the years have been adversely affected by the  
limits of the existing law. Our agency has targeted those restrictions  
through individual court cases but c. 276, S. 100E has stymied those  
efforts. Still we have remained fully cognizant of the harms wrought by  
insufficient expungement safeguards for youth, and it is for this reason  
that we fully support the Expungement Movement's request to clarify the  
law.

Our clients fit the statistical and historical profiles cited by the  
Expungement Movement in its July 16 letter to your committee. It is beyond  
dispute that our justice system is, and has been, imbued with racism.

Data referenced in the letter and throughout local and national media clearly supports this point.

Data also supports the premise that the adolescent mind--that precipitated the actions of many of our clients and other youth which landed them in the justice system and with criminal records-- is ever-evolving, and maturing, up to at least age 25. That well-documented, now accepted, theory is the basis of several high profile court cases, including at the US Supreme Court level, touching upon several critical societal issues as serious as life sentences without parole for juveniles. Those decisions have argued, in essence, for more compassionate treatment of young offenders. We view the effort to modify c. 276, s. 100E as tied, at least in part, to the adolescent brain science issue and we ask that you consider it as you debate this important matter.

At the Children's Law Center we have seen or been made aware of youth who, having reached majority age and adulthood, have faced struggles associated with the restrictions imposed by c. 276, s. 100E. It is heartbreaking to see them start their work or academic careers with criminal records tethered to their ankles. As events of the past few months have shown, that symbolism is, sadly, no coincidence.

The Children's Law Center respectfully requests that you add its name to the list of organizations, advocacy and otherwise, that have endorsed the Expungement Movement's July 16 letter. For the reasons stated so articulately in that letter, and for those also referenced herein, I urge you to give your utmost consideration to expanding our state's expungement rule under 100E to include the three clarifications referenced below:

- Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.

- Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

- Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case basis especially if the case is dismissed of the young person is otherwise found "not guilty."



As the Expungement Movement has made clear, this is a defining moment in our state's and nation's history. We ask that you seize it on behalf of the many young people who will benefit from these clarifications.

Thank you for your consideration.

Sincerely,

Jay McManus

Children's Law Center of MA

298 Union Street

Lynn, MA 01901

781-244-1440 (W); 781-640-3847©

From: CINDY STORK <cjstork@comcast.net>  
Sent: Friday, July 17, 2020 11:03 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fear and Concern re: Current Proposed Changes to S2820

My name is Cynthia Stork. I am a life long resident of MA and last year retired from serving the Commonwealth as an early childhood educator for 25 years in Lakeville. I am proud to have immediate family members currently serving the Commonwealth in law enforcement, corrections, and child support enforcement.

I am in need of your assistance and continuation of my personal protection as you consider "Qualified Immunity" and the role it plays in our society. As you well know, it does not apply if the law is knowingly broken. This protects public servants that act in good faith in the course doing their jobs. Removal of Qualified Immunity, in my opinion, will foster hesitation in those serving this commonwealth and result in less safety than we currently exist with.

Should I ever need to call 911, I want/need those public servants who arrive to serve me (police, fire, EMT) to be confident as they do their

job. It will not benefit me to have one moment of hesitation during my crisis.

I have lived long enough to understand we live in a "lawsuit happy" society. My fear and concern is that removal of Qualified Immunity will result in the escalation of frivolous lawsuits, filed by those wanting to create monetary gains or 'get even'. The only ones who win in an environment like that, are the attorneys, hired by public servants who didn't hesitate and find themselves in need of defense for performing their duties in good faith.

Please! Let common sense prevail and keep the Commonwealth of MA safe for me and my family. Reject the removal of Qualified Immunity!

Thank you,  
Cynthia Stork  
East Freetown, MA  
(508)930-1585

From: Shaw, Rosalind H. <Rosalind.Shaw@tufts.edu>  
Sent: Friday, July 17, 2020 11:03 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony for S.2820: "An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color"

Testimony for S.2820: "An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color"

I am writing both as a concerned resident of Arlington, MA, and as an Associate Professor Emeritus at Tufts University. I am a specialist in justice and reconciliation after violence. I have studied this through first-hand field research since 2001, have taught it in my "After Violence" seminar for ten years, and have published a book (Localizing Transitional Justice [coedited], with Stanford University Press) and eleven journal articles and book chapters on this subject. I have received grants and fellowships from the United States Institute of Peace in DC, the John D. and Catherine T. MacArthur Foundation, the Carr Center for Human Rights Policy at Harvard, and the Harry Frank Guggenheim Foundation.

I am also concerned as an Arlington resident. In 2018, Lt. Richard Pedrini of the Arlington, MA, Police Department wrote three articles in the Massachusetts Police Association newsletter (The Sentinel 34/1:6-11). Pedrini railed against those who had killed two MA police officers in the line of duty, which is understandable. However, he went on to assign collective guilt to several marginalized groups: he called drug addicts "maggots" and "vicious animals" who "can only be 'rehabilitated' when they are put down." He compared "illegals...traveling up through Mexico" with Japanese planes in 1941 Hawaii, adding, "We shot at them." Black Lives Matter also came in for attack. "It's time we forget about 'restraint', 'measured responses', 'procedural justice', 'de-escalation', 'stigma-reduction'," he declared before issuing this challenge: "Let's meet violence with violence and get the job done."

These are classic characteristics of hate speech: dehumanize members of a group by describing them as animals or enemies of the state. And call for their deaths. Such words, often precursors of direct violence, explicitly incite police violence here. Nor did Pedrini limit himself to words alone: his record includes several restraining orders and a harassment complaint.

Police officers who use lethal violence against civilians—especially against African American, LatinX, and disabled civilians—often have a record of prior complaints. Derek Chauvin, who murdered George Floyd on May 25, had seventeen. Complaints are not trivial: when police misconduct is tolerated, minimized, and covered up, failures of accountability build up. A climate of impunity develops that fosters violence.

Arguing that it was not possible to terminate Pedrini's employment with the Arlington PD because of the many obstacles to police accountability, Arlington Town Manager Adam Chapdelaine instead embarked the town on a deeply flawed and inappropriate process of restorative justice (RJ). Arlington PD has never criticized his writings. As a result, many people of color, LGBTQ, and disabled residents of Arlington are afraid of the police, and of Lt Pedrini in particular,

S.2820 would go a long way toward correcting such failures of accountability for police misconduct. I ask for your votes.

Rosalind Shaw

106 Richfield Rd

Arlington MA 02474

781-316-09299

From: Kim Nicoll <nicoll.kimberley@gmail.com>  
Sent: Friday, July 17, 2020 11:03 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: SB.2800 the Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Kim Nicoll. I am a resident of Boston, MA and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I support this bill because it will help to create a safer, more just state of Massachusetts for all of our residents.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Kim Nicoll

42 Aldworth Street #2

Jamaica Plain, MA 02130

March like a Mother: for Black Lives

From: Jordyn Bonds <jbonds@gmail.com>  
Sent: Friday, July 17, 2020 11:03 AM  
To: Testimony HWM Judiciary (HOU)

To Whom It May Concern:

S.2820 represents minor progress. It leaves too much power in the hands of an excessively armed, largely unaccountable police force. I support the bill, but I'm not remotely satisfied by it. I expect more and will vote accordingly.

Jordyn Bonds  
Turning digital dreams into usable things.

(347) 746-7397 <tel:3477467397> | @skybondsor  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_twitter.com\\_skybondsor&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=rH\\_7pUhIwd85-gBufiInJ\\_Un5f1OD0Bmngjxr\\_QHAZI&s=hYnU7fatx-xSMQp343Ie1EVrrdy7Pdqb0gklR0Ig2Os&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__twitter.com_skybondsor&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=rH_7pUhIwd85-gBufiInJ_Un5f1OD0Bmngjxr_QHAZI&s=hYnU7fatx-xSMQp343Ie1EVrrdy7Pdqb0gklR0Ig2Os&e=>) | LinkedIn  
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« COVID-19 Situational Risk Calculator on Digg.com  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_digg.com\\_2020\\_covid-2D19-2Drisk-2Dcalculator&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=rH\\_7pUhIwd85-gBufiInJ\\_Un5f1OD0Bmngjxr\\_QHAZI&s=MogDj3JGz3En09ejilNNdNCZwJifT5HzgD0-WYIq-4&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__digg.com_2020_covid-2D19-2Drisk-2Dcalculator&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=rH_7pUhIwd85-gBufiInJ_Un5f1OD0Bmngjxr_QHAZI&s=MogDj3JGz3En09ejilNNdNCZwJifT5HzgD0-WYIq-4&e=>) »

From: Lyndas518@verizon.net  
Sent: Friday, July 17, 2020 11:03 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity

As a Registered Nurse, wife of a Suffolk Count Deputy Sheriff, and daughter of a former Commissioner of Public Safety for the Commonwealth of Massachusetts I am writing to express how appalled I am at the plan to limit the qualified immunity of our first responders! I ask that you vote against the passage of bill S.2800.

If you were in need of the assistance of a police officer or other first responder, would you want them to hesitate to help you based on the fact that they may get sued? I assume not! You would want them to do whatever they could for you. This bill will limit the ability of our first responders to fully perform all aspects of their jobs as they have been trained to do. I don't think that laws need to change in Massachusetts based on the acts of a few incompetent employees in other parts of this country. If anything, more resources should be put into the recruitment and training of first responders to be able to protect and serve this Commonwealth effectively.

I urge you to vote against the passage of this bill!

Thank you,

Lynda McCabe Stillman  
269 Bunker Hill Street  
Charlestown, MA 02129

Sent from my iPhone

From: Troy Gayle, I <tag289@gmail.com>

Sent: Friday, July 17, 2020 11:02 AM

To: Testimony HWM Judiciary (HOU)

Subject: pass sb.2800, reform shift build act (via March Like a Mother)

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Troy Gayle I am a resident of Dorchester and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Troy Gayle

10 odonnell ter,

Dorchester ma 02122

March like a Mother: for Black Lives

Why struggle alone when we can Succeed Together

-Troy, I

From: Joanne McMath <joanne.mcmath6@gmail.com>  
Sent: Friday, July 17, 2020 11:03 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: House bill S.2820

Dear House of Representatives,

My name is Joanne McMath and I live at 9 Drury Lane, Wakefield, MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Joanne McMath

From: Jean Murphy <murphy5family@ymail.com>  
Sent: Friday, July 17, 2020 11:03 AM  
To: Testimony HWM Judiciary (HOU)

Hello,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.



(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully Submitted,

Jean Murphy

Sent from Yahoo Mail for iPhone

<[From: Mike <mikehenn24@yahoo.com>  
Sent: Friday, July 17, 2020 11:03 AM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: Police reform bill](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=vG9hvxaLxagjMPakrvXnRKxvWQkVSNbSqnWDyBKvKog&s=5sSdlfpj-k-q99AwFEKfwt9y7KcSOs4l-Rd-nTVU6A&e=></a></p></div><div data-bbox=)

?Good morning,

I am a Massachusetts police officer serving for about 7 years.

The events that took place in Minneapolis were egregious and highly unjustified. Every officer I know- and I know a wide variety- has completely condemned the officers involved in the death of George Floyd.

The events led to a widespread cry for reform. This has been as wide ranging as simply more accountability and training for police to cries to disband police departments altogether.

I can say that Massachusetts police training is standardized. There is minimum and strict standards which must be met through the entry/academy level and proceeding through an officers career that he must have certain training hours every year. We are the example for the nation as far as use of force and other training measures for our officers. I have spoken to officers in other parts of the country- one for example a NC state trooper- and he informed me that up until recently, they were allowed to perform chokeholds. Chokeholds were never taught through MA police training standards- and would only be accepted to occur if that officer was in a fight for their life in a deadly force situation.

Some of the comments by politicians in our state has been incredibly offensive. This bill, which was created in an incredibly short period of time, does exactly not fix the issue of police brutality. Officer Chauvin for example was even wearing a body camera and operating under reforms. I believe that nothing could have prevented that incident- besides possibly a duty to intervene. The officer involved in the George Floyd death was just overall a bad person and did not seem to care. Unfortunately there will always be a bad cop somewhere out there, as we pull recruits from the human race. That being said the vast majority of police officers do their jobs honorably and are NOT racist.

What is concerning to me, as I have previously stated how well trained Massachusetts officers are- it has been brought to my attention speaking with numerous union officials and police officers all over the state, that some legislators did not even read the whole bill or even fully understand it. Even more concerning is that many of our state politicians who are involved in this bill did not even understand our training: how we are trained, even what the MPTC is and what it does. Some did not understand the true concepts and legal workings of qualified immunity, use of force etc- yet they are trying to change something that is not broken? Opinions and many false narratives have been put out there- but actual data and factual evidence tells a different story.

While some common sense things could be tweaked in law enforcement- I believe a duty to intervene act for example, and some other accountability measures. However that being said- this bill is overreaching and unrealistic brought by many individuals that do not understand the complexities of the criminal justice system, of law, policing or use of force.

Qualified immunity for example does not protect bad cops like Officer Chauvin. Part of it is set up to protect officers who are out in the field who may make a procedural mistake- but did not act malicious and were

operating in good faith- from frivolous lawsuits. Taking away qualified immunity is going to ensure many experienced officers leave the profession, go federal or apply for police jobs in neighboring states. It will also ensure that officers who remain in this state will completely reactive and just take their calls and hide. Proactive policing will come to an end- and communities, especially in urban areas will suffer a great deal because of this. Baltimore, Chicago and other areas can be good examples as seen through the last 7 years or so.

Reasonable people expect police to go out and do their jobs. They expect police to target high crime areas and work to catch criminal offenders doing bad deeds. They also demand police do not overstep their bounds, do not racially profile or use excessive force. I believe, while there may be rare and isolated incidents here or anywhere else in the country- the vast majority of Mass law enforcement officers perform honorably and to a standard of excellence.

With the loss of qualified immunity- if I pull a person out of a burning vehicle and they break their neck in the process- I could be liable for a lawsuit- even though with a mistake being made, maybe I didn't properly support their head enough because I was trying my best to ensure they don't blow up and burn to death- I was acting in good faith and did what I could to help that person. In real life situations, especially with the types of encounters police deal with- not everything goes as planned, hoped for or predicted.

If I pull over a vehicle and observe several men inside acting nervous and I observe flashlights, a knife, ski masks and rope in plain view- if I question them about it, or inquire further into that suspicious activity- I should be only and most concerned about being sued? In the real world that could be a situation where those individuals then go off and commit a home invasion and end up murdering a family. If you put police officers in a position where they cannot operate in good faith without fear of being sued or losing their job- be prepared to have officers that do nothing. As we saw in NYC after the crime rate has skyrocketed after disbanding the anti crime unit- many in the community have made cries to bring back the recently disbanded anti crime unit- which was a group of proactive officers targeting high crime areas and high impact criminal offenders.

If there was a serial killer roaming the streets in a particular city at nighttime- you would not want officers going out and proactively trying to deter and locate this offender to prevent more homicides? You would rather have them hiding for fear of being in a situation where they are sued, or can't take reasonable steps for their safety if the situation is going wrong? The list of examples could be endless, and people need to be very careful with what they think they may be doing out of concern and goodness- but do not comprehend or understand what exactly they are changing.

Some other bad points about this bill:

-If a police officer today loses a motion to suppress evidence the case will get dismissed and the officer is not in trouble as long as he was

acting in good faith. Sometimes cases get dismissed due to a small procedural mistake, bad report writing etc. Law can often be interpreted by judges through case law and it is sometimes through opinion and interpretation of laws and of what occurred during the incident. If an officer loses a motion to suppress- an automatic civil rights case would be opened and the state will pay for the defendant to sue the officer. What officer would arrest anyone unless they truly had to? What kind of society would we turn into? There is language in this bill that I believe people do not fully grasp or see the unintended consequences.

- We also lose our collective bargaining rights. Police officers should have rights as well.

- On the proposed committees there is little to no law enforcement that would lend their opinion and ultimately decide the fate of officers working in the field if a case of alleged wrongdoing was brought forward. These officers working the streets make split second decisions in often tense circumstances. We do not get 20/20 hindsight during situations. We have to deal with it in the moment and use our best judgement. That's why cases go to motions to suppress for example- judges and lawyers get ample time to analyze cases and then interpret them through careful study of the law. That's why it is essential police performing their duties are given benefit of the doubt and only IF they are working in good faith. It is a complex situation that few understand or even care to. As already stated- it has come out that political leaders do not understand many portions of this bill, and many also do not understand Massachusetts police training and use of force policies. This rushed legislation proposes that incidents will be judged by people with no law enforcement experience. This is absurd. If a lawyer or doctor will be disbarred- their case will be brought by and decided by SUBJECT MATTER EXPERTS. I believe it is common sense and an explanation for that is not really necessary. If you do not understand the complexities of both law or use of force situations as you have not been in law enforcement- you are essentially saying that someone as myself could be placed to disrupt and change the policies and operations of doctors or medical personnel in the field for surgeries and practice. Or that I could be placed in NASA to decide how astronauts or scientists operate- it simply does not make sense. We are dealing with both public safety and officer safety- much is at stake here when changes like this are both rushed, NOT understood by lawmakers, and with little to no input from those in law enforcement whom are actually in the field.

- There is also safety frisk and use of force changes and language in this bill that is concerning. There also needs to be careful studies of this as well. I point to the killing of Officer Michael Chesna of Weymouth. If officers are expected and asked to run into dangerous situations- such as home invasions, active shooter incidents, etc- we also should be given the tools needed to take steps to ensure our safety when dealing with violent people or hostile, uncertain and rapidly evolving circumstances. Use of force is based off the Graham VS Connor case. I'm sure most have not read this case. But use of force standards are based off an objective reasonable officer standard. If political leaders would like to change use of force I believe they themselves should go through police use of force classes and trainings. I'd feel that not only would they have a different

perspective, they probably wouldn't rush to change standards that are both reasonable, and that many of them do not understand.

We were told there would be a public hearing on this bill. We were also only given two days to skim 89 pages of the bill before the 11 a.m. deadline on July 17th. I sincerely hope that this process is slowed down. Officer safety, as well as public safety is at risk with this. We are human beings as well and only want the best for everyone in our communities. We are not against oversight or common sense reform. This bill however lacks common sense and logic.

Thank you,

Michael Hennessy  
978-771-6760

\*The opinions expressed in this letter are my own.

Sent from my iPhone  
From: Claire Barker <Claire@barker.net>  
Sent: Friday, July 17, 2020 11:02 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Malia, Liz - Rep. (HOU); Chang-Diaz, Sonia (SEN)  
Subject: Testimony re. SB2820

This email comes from a citizen with years of involvement in our Commonwealth's criminal legal system, including mentoring prisoner scholars through Partakers, observing court sessions, and advocating for CORI reforms and the recent criminal justice reform package.

I want to register support for S.2820, the Senate's police reform bill, and I urge the House to enact a similar bill. All this needs to happen with concentrated effort in order to get it through a conference committee and signed by Governor Baker by the end of July.

First, changes in qualified immunity for police officers are key to a successful reform bill. Police officers should not be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious. Under SB2820, police officers would continue to have qualified immunity if they act reasonably, and they would continue to be financially indemnified by the tax-payers in their municipalities.

Second, the provisions requested by the Black and Latino Legislative Caucus are also important, and I ask the House to pay close attention to them. These are the communities that have suffered the most from over policing; we must collectively hear their voices and act on their recommendations.

I also support the Senate bill's approach to these reforms:

- \* State-wide certification and training standards. Massachusetts needs to get off the list of states that lack this set of standards.
- \* Limits on use of force.
  
- \* Duty to intervene when officers witness misconduct by another officer.
  
- \* Ban on racial profiling and mandate on the collection and public access to racial data for police stops. It should not take a lawsuit to obtain this data from police departments.
  
- \* Civilian approval for the purchase of military equipment.
- \* Prohibition of nondisclosure agreements in police misconduct cases.
- \* Ability to select a colonel from outside the state police, an organization that desperately needs house-cleaning from the outside.

Your constituents are asking much of you in these final days of the 2020 session. We count on you to pursue the enactment of a good police reform bill by the end of July. Thank you for giving attention to this important priority.

Claire I Barker  
617-372-3307

Activist and co-convenor, Racial Justice Task Force, Theodore Parker UU Church

Boston, Massachusetts

From: Arnold Clickstein <aclickstein@gmail.com>  
Sent: Friday, July 17, 2020 11:02 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: The Reform, Shift + Build Act

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Good morning. My name is Arnold CLickstein with the Greater Boston Interfaith Organization (GBIO). I live at 19 Drummer Boy Way, Lexington. I urge you and the House to pass police reform that includes:

- \* Implementing Peace Officer Standards and Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you.

Arnold Clickstein

Arnold Clickstein  
aclickstein@gmail.com  
781-721-0356  
19 Drummer Boy Way, Lexington 02420

Mentor, Confidant, Life Coach  
Occasional journalist, Author, Writer  
Believer in the importance of repairing planet Earth

We are a nation of immigrants. Let us welcome them;  
bring economic justice for all: blacks, Latinos, Asians  
and all indigenous Americans.

Contact him at telephone 617.834.2612  
Skype: Arnold.Clickstein. Email: aclickstein@gmail.com  
Linkedin: [www.linkedin.com/in/arnoldclickstein](http://www.linkedin.com/in/arnoldclickstein)  
<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.linkedin.com\\_in\\_arnoldclickstein&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=ZD3ZN6HZ-r5RgJYv6QB9omEdBFW3RyiHoSxqHrMG2rg&s=EZXZoZv8wL-WgYI7s4i9k4XWaBSd3CxBORyh7M-cpQM&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.linkedin.com_in_arnoldclickstein&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ZD3ZN6HZ-r5RgJYv6QB9omEdBFW3RyiHoSxqHrMG2rg&s=EZXZoZv8wL-WgYI7s4i9k4XWaBSd3CxBORyh7M-cpQM&e=>)>

Current nonfiction Book: Cardinal Principles of Governance: Strengthening  
The Governance of Nonprofit Organizations in America's Communities  
Current short stories: being reviewed by various periodicals  
Twitter: @arnieclickstein

From: TeLisa Daughtry <telisadaughtry@gmail.com>  
Sent: Friday, July 17, 2020 11:02 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Re: In support of: Black Lives Matter Act

Dear Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in  
policing by passing S. 2820, An Act to reform police standards and shift  
resources to build a more equitable, fair and just commonwealth that  
values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

TeLisa Daughtry

90 Lyndhurst Street, Apt 2

Dorchester, MA 02124

From: Patient, Dyan D. <PatientD@worcesterma.gov>

Sent: Friday, July 17, 2020 11:02 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform bill

My name is Dyan Patient. I am a detective with the special crimes division of the Worcester Police Department. I am a Latina, who grew up in the Main South are of Worcester. First and foremost I would like to thank you for the opportunity to voice my opinion for this bill, since I feel that I was not allowed to have an opinion when this bill was held by the senate. Consequently, leaving me to feel disenfranchised and ostracized by my own city government. A government which is put in place to represent me as a resident of the city of Worcester.

In listening to the media you would think that growing up as a person of color in the inner city, my interactions with police were abundant and overreaching. However in all of the years prior to me being a police officer, I had two interactions with the Worcester Police Department, both as a teenager. Once when I was walking barefoot along Maywood Street and happened upon a freshly poured concrete sidewalk, where I stopped to think with a juvenile mind about how I would leave my mark on the world. Then just as I lifted my foot to leave that mark, a male officer in a cruiser happened upon me and yelled, "Don't even think about it".

The second time was in my high school with the gang unit.

This was because a small number of the young men in my school thought that it would be fun to start a gang, as a way to deal with the pressures of the street gangs that surrounding our school. Our principal at the time, decided to call the gang unit of the Worcester Police Department and



needless to say, the entire gang unit showed up. To this day, I have no idea what the gang unit said to those young men. However I can tell you that after that interaction, there was never a mention of gangs with them ever again. Today, those young men have gone on to become business owners, doctors, relators, bankers, and over all upstanding citizens in society.

Since becoming a Police Officer, and having firsthand knowledge of the practices, and training of a Worcester Police Officer, the examples I could give of Worcester Police Officers being exemplary at their jobs is innumerable.

That is my Worcester Police Department. That is who I proudly work for. Men and women who care for this city. So I hope you understand how I must feel in reading this bill for the "reform" of a Police Department that I believe to be the example for others to follow.

The forms of "reform" suggested in this bill, which is proposed as a way to better the relations between people of color and the police department, is the type of change that has the potential to turn an exemplary police department, into a deplorable one.

The senate bill that was passed was anti-labor legislation. Essentially removes our rights as police officers to due process, collective bargaining & inserts a board that has no training, experience or background in law enforcement. I graduated high school, graduated college, am working towards my masters, I attended a rigorous 6 month long Police Academy, attend yearly in-service training, not to mention the countless number of trainings I attend on my own to further develop myself as a law enforcement professional. So I have to ask, what kind of training will this board have to be able to dictate what my training should be? Doctors are not overseen by civilians because they have not attended medical school, Attorneys are not overseen by civilian because they have not attended law school so why do think that Police Officers should be treated differently.

We police are merely foot soldiers to the laws that you create. I urge you to do what is right by the city and the police department that I love.

Respectfully,

Dyan Patient

From: Gray Watson <256.com@gmail.com>  
Sent: Friday, July 17, 2020 11:02 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: in support of HD.5128 and HB.3277

Please add my support to these important pieces of legislation.

Gray Watson  
Lexington, MA

From: Paul Lombardo <paul.lombardo@simmons.edu>  
Sent: Friday, July 17, 2020 11:02 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Brownsberger, William (SEN); Tyler, Chynah - Rep. (HOU); Joseph Wilson  
Subject: Police Officer Standards and Accreditation Committee

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

Please accept the following testimony with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color".

MACLEA seeks to include a representative of the Association to serve on the Police Officer Standards and Accreditation Committee created by section 6 of Senate Bill 2820. MACLEA's member departments are responsible for the safety and wellbeing of the hundreds of thousands who live, learn, work, and visit our member institutions. We are in favor of the creation of a Police Officer Standards and Accreditation Committee (POSAC) and our representation on this committee would add valuable insight and information. It would also ensure that the safety and security of all of those on campuses across the Commonwealth are the highest priority.

Sincerely yours,

Paul Lombardo

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Paul Lombardo  
Chief of Police  
Simmons University Police Department  
One Palace Road Suite P-106  
Boston, MA 02115  
Telephone: (617) 521-2226

<[https://docs.google.com/uc?export=download&id=1uVigX5BDqPAEltPjk9K8-VltEaBi\\_ZpP&revid=0B83futQWHBpAclI0bXFMaHVWQjU2a1h6OFdEd2VRQXJzVXhBPQ](https://docs.google.com/uc?export=download&id=1uVigX5BDqPAEltPjk9K8-VltEaBi_ZpP&revid=0B83futQWHBpAclI0bXFMaHVWQjU2a1h6OFdEd2VRQXJzVXhBPQ)>

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From: Clara Stefanov-Wagner <cjsw.02139@gmail.com>  
Sent: Friday, July 17, 2020 11:02 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: In support of the House police reform bill

Dear Massachusetts state representative,  
I'm a Massachusetts resident submitting testimony for the House hearing on the police reform bill. I strongly support many provisions of the Senate bill and it is imperative that the House include these provisions in their version of the bill:

- The same limits to qualified immunity that the Senate included. This is vitally important to protect the constitutional rights of Massachusetts residents.
- Amendment 80, which gives superintendents and school committees the ability to authorize a school resource officer, rather than the current unfunded mandate for every district to have SROs. Districts should have local control over their own budgets and policies.
- Amendment 108, which prevents schools from sharing personal information about students into local, state, and federal databases.
- Amendment 65, which bans tear gas, a chemical weapon banned in warfare. Please enact these vital protections for MA residents and to ensure that police are held to ethical standards of behavior.

Sincerely,  
Clara Stefanov-Wagner

Somerville, MA  
617-308-9771

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<[https://700d23d5-a-62cb3a1a-s-sites.googlegroups.com/site/cjsw02139/clara/monogram2\\_xs.jpg?attachauth=ANoY7cpLT7iuXab\\_LmDsdGnzKPxYiyYWbnZWt0vrkrd5HsfRQ2MM-baoL-Nj6PZq-7mBd3nkHPnB5im\\_vdvOfzi7T0TWMkXZBiMz4vAsu3BC-YBY5Uw6lCVmBcyCM3PQPLBHz8HAF-BXJjGpCzM\\_Akudaav7c9xBye-ODE\\_-1vQXFVwJcYys9FaQK\\_i5ufxpd9saLunpGukW48tFR5mcmUwR2vb5XGaoUvKonQIEZvUyok0XSkj9FDQ%3D&attredirects=0](https://700d23d5-a-62cb3a1a-s-sites.googlegroups.com/site/cjsw02139/clara/monogram2_xs.jpg?attachauth=ANoY7cpLT7iuXab_LmDsdGnzKPxYiyYWbnZWt0vrkrd5HsfRQ2MM-baoL-Nj6PZq-7mBd3nkHPnB5im_vdvOfzi7T0TWMkXZBiMz4vAsu3BC-YBY5Uw6lCVmBcyCM3PQPLBHz8HAF-BXJjGpCzM_Akudaav7c9xBye-ODE_-1vQXFVwJcYys9FaQK_i5ufxpd9saLunpGukW48tFR5mcmUwR2vb5XGaoUvKonQIEZvUyok0XSkj9FDQ%3D&attredirects=0)>

Clara J Stefanov-Wagner  
(she/her/hers)

cjsw@alum.mit.edu  
cjsw.02139@gmail.com

From: Lori <hopelma@comcast.net>  
Sent: Friday, July 17, 2020 11:02 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Sanctuary bill

Another anti-American, unconstitutional bill you want to push through.

Lorraine Masi, Beverly

Sent from Xfinity Connect ApplicationFrom: Janet Mahoney  
<jmm6389@gmail.com>  
Sent: Friday, July 17, 2020 11:02 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

Good morning,

I am opposed to this bill as there have been no public hearings and it feels rushed, particularly the changes to qualified immunity and the impact that would have on municipalities, cities, towns and taxpayers, not to mention police officers. Does this open the way for changes against firefighters, emergency medical persons and other public workers. More time is needed to explore the impact.

Thank you

J.M. Mahoney

Sent from my iPadFrom: Dana Del Vecchio <dana.delvecchio@gmail.com>  
Sent: Friday, July 17, 2020 11:02 AM

To: Galvin, William - Rep. (HOU); Timilty, Walter (SEN); Testimony HWM  
Judiciary (HOU)  
Subject: Public Testimony - Police Reform

Hello Representative Galvin and Senator Timilty,

My name is Dana Del Vecchio with the Greater Boston Interfaith  
Organization (GBIO). I live at 87 Chapman Street in Canton. I am writing  
to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you very much.

Dana Del Vecchio

dana.delvecchio@gmail.com

781-562-9949

87 Chapman St, Canton, MA 02021

--

Dana Del Vecchio

Program Officer, World Education

M. Ed , Harvard Graduate School of Education

Cell: 781 562 9949

From: JOSHUA ULRICH <ulrichjm@hotmail.com>

Sent: Friday, July 17, 2020 11:02 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

I am Joshua M. Ulrich, Mass. State Police Trooper/ (978) 210-5307.

I am a resident of Gloucester, MA

I am troubled by this bill for a number of reasons. The police are presently under attack for reasons manufactured by radical Marxists flying under the flags of black peoples' rights. One of the best-performing government agencies, in fact, that deals well with minority and poor communities everyday are the various police organizations. They serve those communities. 99% of the time, they do it admirably.

I strongly suggest that you spend some time speaking to some of the muted voices on this issue. Talk to families of the victims of gang violence and homicide who live in Lawrence, Lynn, Dorchester, etc. Find out how they feel the police treated them. Talk to the Boston PD commissioner and non-white police officers. Listen to some of the thoughtful national voices--Candace Owens, Sheriff David Clarke, Pastor Tony Evans.

In passing this bill, you will be cowing to a knee-jerk, media-agenda-driven hysteria. You will hurt disadvantaged communities more than the police, themselves. Trying to appease the bullies perpetrating this myth on all of us will eventually bring the monster to your very doors.

Please reject this bill. Vote against it.

Thank you,

Joshua M. Ulrich

Sent from Outlook <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_aka.ms\\_weboutlook&d=DwMFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIsl6rchf\\_GkGDD&m=SAV-v939bBcLrElspJRsls3XCbP6Ac056YeJZkpFeaw&s=zyRPHH7rzpkLWAJ4sBHpwPQe7uzGdusMHktKlkkEsYg&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__aka.ms_weboutlook&d=DwMFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=SAV-v939bBcLrElspJRsls3XCbP6Ac056YeJZkpFeaw&s=zyRPHH7rzpkLWAJ4sBHpwPQe7uzGdusMHktKlkkEsYg&e=>)>

From: Elaine Donovan <Elaine.Donovan@comcast.net>  
Sent: Friday, July 17, 2020 11:01 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Ryan, Dan - Rep. (HOU)  
Subject: Opposed to bill s2800

To whom it may concern,

I am a resident of Charlestown who is vehemently opposed to bill s2800. Two months ago I felt the most hopeless ever, or so I thought. In hearing

about bill s2800 I now feel even more hopeless. I fear for my country, my city, but more importantly for my children. I fear for your children as well. My concern is that most aren't thinking about the consequences of this bill.

Please consider the harm this bill will cause your constituents.

Elaine Donovan

617-755-2763

From: PAUL POWELL <440rr@comcast.net>  
Sent: Friday, July 17, 2020 11:02 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Paul Powell

11 Westbrook Lane

Attleboro MA 02703

Email: 440rr@comcast.net

From: Maura Bigelow <maurabigelow@yahoo.com>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820

I have family members and friends who are proud to serve in law enforcement, some retired and others still serving, and none of them ever wished they chose a different career path. None of them have a single blemish on their record of service and I believe this is true of the majority of those who serve the public. The nature of the jobs these men and women perform put them at risk of harm and liability that those of us working in the private sector could never imagine and I do not believe that the protections they are afforded should be taken away from them. Rather than condemning all because of the actions of a small percentage, I would like to see greater effort placed on proper and ongoing training and identifying and removing those who do not perform their jobs as required and expected. I also believe pressure should be brought upon unions to stop protecting habitual offenders...everyone should be afforded the opportunity to learn and redeem themselves but there should be limits on the number of times a union will stand behind such behavior. Please, please, please focus on strengthening training, community outreach, positive changes and less on penalizing and attacking the integrity of those who serve proudly and honorably.

Regards,  
Maura Bigelow  
West Dennis, MA  
508-335-5932



From: Jaime Barnard Wallerce <jaimebarn@gmail.com>  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Jaime Wallerce with the Greater Boston Interfaith Organization (GBIO). I live at 37 Cottage St. #2 in East Boston. I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Jaime Wallerce  
jaimebarn@gmail.com  
646-712-3308  
37 Cottage St. #2 Boston, MA 02128

From: Inna Tunkel <itunkel@hotmail.com>  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill to end qualified immunity for police officers

It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

The very idea that such a thing as removing qualified immunity from police can be seriously proposed, let alone voted for 30 to 7, seemed totally absurd just a few months ago. Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function. And policemen, due to the very nature of their work, are the most vulnerable group.

This shameful legislation is unfair, immoral, and harmful to the extreme, especially to the people of color, whom it's supposedly designed to help - this group needs strong law enforcement and police protection more than anybody. By taking away qualified immunity from police the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores

of policemen will retire, which is already happening. And nobody will be interested in joining the police force - the group that not only is unjustly vilified but now even deprived of any legislative protection.

A horrible death happened in Minnesota and everybody condemned it. But why the whole profession of policemen is punished for that? I talked to Brookline police and there has been not a single incident of police brutality for the years of existence of Brookline police. Massachusetts police in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Inna Zarkhin

59Laconia street

Lexington, MA 02420

Sent from Mail <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_go.microsoft.com\\_fwlink\\_-3FLinkId-3D550986&d=DwMF-g&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=5L5B7Pw8oGA\\_21OzKjF0TNp\\_k82WVa4Cju9tHUxcCtw&s=Kfboc8RWBqKhis5p6En0Lr3lrjdAydD5d\\_70gs\\_z7qE&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-g&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=5L5B7Pw8oGA_21OzKjF0TNp_k82WVa4Cju9tHUxcCtw&s=Kfboc8RWBqKhis5p6En0Lr3lrjdAydD5d_70gs_z7qE&e=>)> for Windows 10

From: Kelly Regan <kregan10987@gmail.com>  
Sent: Friday, July 17, 2020 10:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Kelly Regan and I live In Mansfield and I also work at MCI-Norfolk and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through

reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less Than Lethal Tools:** The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,  
Kelly Regan

Sent from my iPhone From: maru4mail@yahoo.com  
Sent: Friday, July 17, 2020 10:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Making My Voice Heard

To: Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello,

I am Dr. Maru Colbert with the Greater Boston Interfaith Organization (GBIO). I am a Jamaica Plain resident, writing to urge you and the House to pass police reform that includes: Implementing Peace Officer Standards and training with certification; civil service access reform; commission on structural racism; clear statutory limits on police use of force and qualified immunity reform.

Thank you,

Dr. Maru Colbert  
maru4mail@yahoo.com  
617-681-9900  
179 Boylston Street, Jamaica Plain, MA (Temporary)  
From: Elizabeth Young <titlemama@gmail.com>  
Sent: Friday, July 17, 2020 10:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Elizabeth J Young with the Greater Boston Interfaith Organization (GBIO). I live at 11 Whittier Road Ext., Natick MA. I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much,

Beth Young  
11 Whittier Road Ext  
Natick, MA 01760

781-726-2827  
From: jdegrace83 <jdegrace83@aol.com>  
Sent: Friday, July 17, 2020 10:55 AM  
To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is Jennifer DeGrace and I live in Brockton, Ma. I work at MCI-Norfolk and am a Sergeant. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the

hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

**Qualified Immunity:** Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system costing the Commonwealth millions of dollars to process such frivolous lawsuits.

**Less Than Lethal Tools:** The fact that you want to take away an Officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from yelling "Stop", to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

**Civilian Oversight:** While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, while we are not opposed to getting better, it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask that you think about the correction officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed, that you do it responsibly. Thank you for your time.

Sincerely,  
Jennifer DeGrace

Sent from my Verizon, Samsung Galaxy smartphone

From: ColinLeitch <colinleitch@unionboatclub.org>  
Sent: Friday, July 17, 2020 10:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Reverend Colin Leitch  
Church on the Hill Boston  
617-227-0756

On May 31, there was a riot in the Back Bay and Beacon Hill. Some 28 members of the Boston Police Department were injured, eight treated in hospital. Some 20 police vehicles were vandalized, one torched. The police were pelted with debris and harrassed with obscenities. Their restraint was remarkable.

Since May 31, the police have been attacked by the media, particularly newspapers, and some elected officials. Misleading information has been trumpeted as fact.

One of the great stories in this town over the past 25 years has been the transformation of the Boston Police into a progressive, community responsive force. There is more work to be done. Is there an institution where that is not true?

Morale and recruiting in the BPD have been severely damaged. Their reputation has been unfairly tarnished. S2820 has been rushed forward. In this delicate moment in our city, please table this bill. Then the true work of evaluation and accountability can begin. Thank you.

Colin Leitch  
From: Damien <damien.erik@gmail.com>  
Sent: Friday, July 17, 2020 10:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 Testimony

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Damien Smith  
34 Buffum Rd  
Hanover MA 02339

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From: Amy McElman <[amymcelman@gmail.com](mailto:amymcelman@gmail.com)>  
Sent: Friday, July 17, 2020 10:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Acceptance of Written Testimony Only

Dear Senators,

My name is Amy McElman and I live in Sagamore Beach, MA. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and

correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Amy McElman

Sent from my iPhoneFrom: Sean MacLeod <seanmacleodp@gmail.com>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Boncore, Joseph (SEN); Madaro, Adrian - Rep. (HOU)  
Subject: MA Police Reform Legislation - Bill S.2820 Written Testimony

Hi All,

I write to you today as a concerned citizen of East Boston. I would like to voice my support for the Massachusetts Police Association's written testimony submitted for consideration in regards to Bill S.2820.

I support the association's willingness and desire to work with the state legislature to remove bias, racism, and prejudice from policing. I also believe further training and education for law enforcement would benefit all citizens of the state - law enforcement included. However, I am very concerned about the decertification process, makeup of the board, and qualified immunity as discussed in the current version of Bill S.2820. We should not allow the actions of the few bad officers to drive legislation that infringes on the rights of the many good officers who protect and serve the citizens of their respective jurisdictions every day.

As you consider further amendments and edits to the bill, I would ask you to strongly consider the written testimony of the Massachusetts Police Association and my unaffiliated support of the association's concerns. Thank you.

Regards,  
Sean MacLeod

From: Ann Fleck-Henderson <afleckh@gmail.com>  
Sent: Friday, July 17, 2020 10:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: SB2820

I am writing in support of this important bill. I am a Cambridge resident and retired social work professor. I have worked in the public health system (Cambridge Health Alliance) and in domestic violence prevention (Cambridge's Domestic and Gender-based Violence Prevention Initiative) in Cambridge. I have seen in this town two progressive Commissioners work to shift police culture toward a public safety (guardian) approach from the old warrior approach -- against heavy odds. The police unions, the difficulty of holding officers accountable for bad behavior, the civil service requirements, the preference to veterans, and the Academy training are all obstacles. This bill addresses some, but not



all, of those obstacles, and I am very hopeful that will make the culture change more possible.

I have also seen more and more functions that belong in public health or human services move into the domain of the police. Even if they do a decent job, this is a mistake. Other people have better training, and the possibility of lethal escalation is much less with unarmed intervention. However, the public sector services in mental health and substance abuse and housing services are often not currently ready to retake responsibility -- even in Cambridge. I particularly support this provision of this bill:

\* Create a Community Policing and Behavioral Health Advisory Council on which NASW-MA, NAMI, MOAR, and other groups would have a seat. The Council's charge is to review and evaluate current and potential crisis intervention models that delivers non-police alternative emergency services and programs.

I hope such a state board would facilitate the local collaborations necessary to shift responsibility for social service needs back to the social service/public health sector. I also particularly support this provision, for which our Commissioner has argued:

\* Require the use of racial data for all police stops

Thank you for your attention  
Ann Fleck-Henderson  
(professor emerita, Simmons College)  
resident of Cambridge

From: Paula Mason <paula\_mason@comcast.net>  
Sent: Friday, July 17, 2020 10:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation

of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,  
From: Keri Bouthiller <keribout@gmail.com>  
Sent: Friday, July 17, 2020 10:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

S 2820

I'm not in support of this bill. Allowing our police to be civil sued and taking money away is not the answer. I back our police and do not support this bill.

Respectfully, Keri Bouthiller

From: Allison C <allisonchow12@gmail.com>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony submission to the House Ways and Means Committee in favor of policing reform

To Chair Michlewitz, and honorable members of the Committee,

I'm writing today in support of the S. 2820 the Reform, Shift, and Build Act. Please support a strong bill that improves police accountability, including:

- \* A ban on racial profiling and racial data collection on all traffic and pedestrian stops, including ones that do not result in a citation;
- \* Creation of the Police Officer Standards and Accreditation Committee to certify and decertify police officers, and to ensure that police officers who commit misconduct cannot simply move from town to town and remain officers;
- \* A moratorium on the use of facial recognition technology;
- \* Restrictions on the use of tear gas (which the Geneva Convention holds to be a chemical weapon, the use of which is banned in warfare) and other use of force policies; and
- \* Reform of qualified immunity so that officers are no longer immune from violating our basic constitutional rights.

Most importantly, please retain the qualified immunity reform in Section 10 of S. 2820!!! Under current law, a plaintiff virtually cannot sue unless a previous court has found that the exact same conduct, in the exact same circumstances—no matter how egregious—was a constitutional violation. This includes situations such as the one Senator Brownsberger described in detail on the Senate floor in which officers in Massachusetts forced a woman to have her vagina searched. Civilians deserve the ability to hold police officers accountable for egregious violations of their rights - no one should be above the law, including and especially those charged with upholding it!

Best,

Allison Chow  
30 Evergreen Ave #1  
Somerville, MA 02145  
From: Matt Applegate <matthew.b.applegate@gmail.com>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I write in support of S.2820. I urge you to pass an even stronger version of this bill into law. In particular, I would like to see the final bill completely ban tear gas, chokeholds, and no-knock raids; these militarized police tactics have no place in our commonwealth.

We also need clear legal standards for police behavior and employment: the final bill should set standards for decertifying officers that behave badly on the job, as well as eliminating qualified immunity.

People want to see that officers can be held accountable for their actions. This is the right moment to have Massachusetts law reflect those concerns.

Sincerely,

Matthew Applegate  
11 Hinckley Street

Somerville, MA

From: Nicholas Morganelli <Nicholas.Morganelli@cityofwestfield.org>  
Sent: Friday, July 17, 2020 10:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820 Testimony

To Whom it may concern:

Many have been outspoken in protest to police brutality through the black lives matter marches across the nation. This has obviously been a catalyst in drafting legislation like this bill and other similar bills. As a city councilor for 4 terms over the last 12 years, I have come to appreciate our local law enforcement personnel and have had conversations with commissioners, chiefs, captains, sergeants, and officers. I fully rely on their expertise to manage the police department. They live here and know the community and the management and commissioners know the department well. Well enough to train and operate effectively and without bigotry towards any group.

This bill, although having good intentions to reform our law enforcement, is managing local police on a state level. This is once again state government overreach and micromanaging. I implore you to let the local police departments continue to train and manage their teams. I encourage you to perhaps form a task force consisting of a mix of local police and experts in law enforcement that will take the next year or so to improve our system. This will bring real change if needed in the departments across the commonwealth instead of creating more legislation that is redundant and frankly a disrespect to the hard work that each local law enforcement entity carries out on a daily, weekly, and monthly basis. They know how to enforce the law effectively and fairly, train the team, discipline, watch for injustice, promote their staff, etc. Let's not allow a few incompetent cops amongst nearly 700,000 across the nation to drive overreaching legislation. Stop reinventing the wheel that is driving our law enforcement system very well in our commonwealth and instead give local departments a platform on how to improve on an already successful system. I oppose this bill wholeheartedly and speak for several residents and other elected officials who have spoken to me.

Respectfully Yours,

Nick Morganelli  
City Councilor

From: Elaine Brancato <etbrancato@gmail.com>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not

be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank- and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you

Elaine Brancato  
etbrancato@gmail.com  
93 Adams St.  
Dedham, MA 02026  
From: L F <fowlkeslorraine@gmail.com>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Cronin, Claire - Rep. (HOU)  
Subject: h.2820, Lorraine Fowlkes, NAACP, 617 283 2089

Dear Representatives Cronin and Micklewitz,

I submit the following testimony into the official record in support of re H.2820.

1. Stand for accountability and human life by STRENGTHENING THE LICENSING BOARD with majority representation from non-law enforcement (current or former).

2. Prioritize humanity by strengthening the USE OF FORCE language. BAN choke-holds. BAN tear gas. BAN the dogs. Excuses for murder and intimidation are what we have now. We need outright BANS on these tactics.
3. Value diversity and inclusion by REFORMING CIVIL SERVICE.
4. Stand with families and protect innocent life- END QUALIFIED IMMUNITY in MA. Simply put: The law currently values the protection of material items OVER the protection of human life. Humanity first.
5. Support the AFRICAN AMERICAN EQUITY COMMISSION.

THANK YOU IN ADVANCE FOR YOUR SUPPORTING THIS BILL.

LORRAINE FOWLKES

From: carrie burke <carrierebeccaburke@gmail.com>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony in support of S2820

To Rep. Aaron Michlewitz and Rep. Cronin:

I am writing to you to provide testimony in support of the passage of S2820, concerning police reform in Massachusetts. Though I do not write as a representative of my employer, it is important to establish what I do professionally as it relates to my support of this bill. I am the Director of Social Services Advocacy for the Committee for Public Counsel Services Public Defender Division. I have worked for CPCS first as a Social Services Advocate in the Boston Trial Unit, then as a regional supervisor in both Central/ Western MA and Eastern MA for 10 years prior to my current position, which I began last fall. Social Services Advocates function as integral members of the defense team - we work with the attorney and with the client to secure necessary treatment services, and to give voice to our clients' life experiences in mitigation and sentencing advocacy, with the hope that they will be treated with fairness in the criminal legal system. In our role, we are privy to the most traumatic and painful moments of our clients' lives, past and present. A theme that has been consistent throughout my work with clients over my years with CPCS has been the trauma and violence experienced at the hands of police - particularly within our Black and Brown communities. While some experience direct incidences of traumatic police violence, the kind that can result in a diagnosis of PTSD, many many more experience the environmental trauma of the constant threat of police violence. Police loom in these communities - not as protectors, but as intimidators - their presence resulting in hypervigilance and distrust. This distrust, founded in very real and measurable abuses by the police towards their communities, results in exactly the opposite of what police exist for; communities who are overpoliced are much less likely to seek police intervention when it is actually needed.

This is not to say that people who live in over-policed want police to cease to exist. People who are over-policed tend to want what everyone wants - to feel safe, and to know that if they call the police due to a threat to their safety that they themselves will not be put at risk in doing so.

This bill is woefully overdue, and is a first step in the right direction to ensure that ALL residents of the commonwealth will be treated equitably by the police, and particular attention will be paid to the inequities, biases, and policies that have led to the over-policing and police violence targeting Black and Brown communities.

Police interaction and police reporting is the gateway to the criminal legal system - it sets the tone for the treatment of the individual as they move into the court system and beyond. Bringing more equity, and more attention to the treatment of Black and Brown people by police could change the course of their interfacing with the criminal legal system, which as we all know is a system that disproportionately affects Black people and People of Color and negatively impacts communities of color.

Thank you for your consideration, and thank you for voting to pass this bill.

Sincerely,

Carrie Burke, LICSW

111 B Inman St. Cambridge, MA

From: Sarah Foster <sarahclundell@gmail.com>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for expungement in S.2820

Dear Committee Chairman Aaron Michlewicz, Committee Chairwoman Claire Cronin, Committee Vice Chair Desnise Garlick, and Committee Vice Chair Michael Day,

Please update the Massachusetts expungement law in Ch 276 Section 100 to allow for multiple offenses to be eligible and to distinguish between dismissed cases and guilty cases. Innocent kids who get into trouble more than once go on to live normal positive lives and they shouldn't be denied jobs, school, or housing opportunities.

Police standards and accountability fix one problem, but the harm done to so many kids of color needs to be addressed as well. This is the time to do it.

Please support updating expungement in your bill. Our kids deserve it!

Sincerely,  
Sarah C. (Lundell) Foster

From: Davis, Christian <davisc@worcesterschools.net>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reconsider senate bill

Please reconsider the senate bill that was passed, it was anti labor legislation. It removes police rights to due process, collective bargaining & inserts a board that has no training, experience or background in law enforcement.

From: Miriam Niedergang <mimnied@gmail.com>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform, Shift, and Build Act

Dear Chair Michlewitz, and honorable members of the Committee,

I write today in support of the S. 2820 the Reform, Shift, and Build Act. Please support a strong bill that improves police accountability, including:

- \* A ban on racial profiling and racial data collection on all traffic and pedestrian stops, including ones that do not result in a citation;
- \* Creation of the Police Officer Standards and Accreditation Committee to certify and decertify police officers, and to ensure that police officers who commit misconduct cannot simply move from town to town and remain officers;
- \* A moratorium on the use of facial recognition technology;
- \* Restrictions on the use of tear gas (which the Geneva Convention holds to be a chemical weapon, the use of which is banned in warfare) and other use of force policies; and
- \* Reform of qualified immunity so that officers are no longer immune from violating our basic constitutional rights.

Most importantly, please retain the qualified immunity reform in Section 10 of S. 2820. Under current law, a plaintiff virtually cannot sue unless a previous court has found that the exact same conduct, in the exact same circumstances—no matter how egregious—was a constitutional violation. This includes situations such as the one Senator Brownsberger described in detail on the Senate floor in which officers in Massachusetts forced a woman to have her vagina searched. Civilians deserve the ability to hold police officers accountable for egregious violations of their rights.



Sincerely,

Miriam Niedergang  
30 Evergreen Ave, Somerville, MA  
From: Anne Crane <craneal46@gmail.com>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform legislation

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Anne Crane, and I'm with the Greater Boston Interfaith Organization (GBIO). I live at 89 Jamaica Street in Jamaica Plain. I am writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you very much.

Anne Crane

craneal46@gmail.com

617-522-6831

89 Jamaica St., Unit 1

Jamaica Plain, MA 02130

From: Gail Del Rosso <grdelrosso19@gmail.com>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony S.2820

Gail Del Rosso  
12 Billow Street  
Worcester, Ma. 01604  
508-954-9687

Hi,

I'm writing this testimony today to express my concerns about the legislation on Police Reform, S.2820. My husband is a retired (35 years) Police Officer. My daughter is on the Police force, and has been for approximately 7 years. We have 3 other Police Officers in the family.

We acknowledge that no Police department is perfect, but we are proud of the Worcester Police Department. In the last 30 years we have strived towards great communication and listen to the needs of the community and continue with essential community programs and partnerships.

I feel this bill is being rushed. I feel it's prohibiting people from having their voices heard, not being able to be there in person.

The Senate bill that passed was anti labor legislation. It removes our rights to due process, collective bargaining and inserts a board that has no training experience in law enforcement. This bill can not pass as written; it destroys protections that police need to properly do their jobs.

I'm asking that you listen to the people of this community. Reevaluate and adopt. Quality Immunity, Due process/collective bargaining, Make up POSAC board.

Thank You,  
Sincerely,  
Gail Del Rosso

From: Dave Moore <dav.m.moore@gmail.com>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Dear Representatives Michlewitz and Cronin,

My name is David Moore and I live in Ipswich MA. I am writing to you today to express my opposition to S.2820 as it is written which will hamper law enforcement efforts across the Commonwealth and have dire unintended consequences that will trickle down to every town and city in the Commonwealth. As it is this bill robs Police Officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

I, along with most of the silent majority, are dismayed at the utter lack of respect and protections extended to Police Officers in this proposed

bill. While there is always room for improvement in policing and I agree with a majority of the bill, the proposed legislation has far too many flaws that can't be overlooked. I am all for more training and higher standards for Police Officers but there are many major concerns I have with this proposed bill. The following three major issues stand out and demand immediate attention, modification and/or correction. Those three issues are:

(1) Due Process for all Police Officers: Fair and equitable process under the law. The appeal processes afforded to Police Officers has been in place for generations. We deserve to maintain the right to appeal given to all of our public servants. The killers of Sgt Gannon, Officer Chesna and Officer Tarentino all are being afforded their due process protections so how is it fair to strip them from the people sworn to protect the public?

(2) Qualified Immunity: Qualified Immunity does not protect problem Police Officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just Police Officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits. Getting rid of qualified Immunity will also open up frivolous lawsuits to any and all town and city workers. What if my towns planning borad approves a plan and someone gets hurt? They'll be sued. The same goes for my towns Fire Department and all other departments. The financial costs to towns and cities to have liability insurance for every department would be astronomical and cripple budgets.

(3) POSA Committee: The composition of the POSA Committee NEEDS to include and be a majority of rank-and-file Police Officers either retired or current. This is of absolute necessity! If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement. The general public has no idea the intense and unique training and demands of Police Officers. Our training and job is beyond unique and always ever changing. It is so complex and ever changing that the US Supreme Court has time and time again upheld the use of force/excessive force standards in Graham vs Conner stating that the life and death split second decisions made by Police Officers in regards to use of force scenarios should be "judged from the perspective of a reasonable Officer on the scene, rather than with 20/20 vision of hindsight." How can you have a committee who doesn't know what the job of a Police Officer entails? Have a committee that has never experienced a life and death scenario where you have to make a split second decision? How can you judge the actions of a Police Officer never having experienced the physiological and psychological aspects of tunnel vision, auditory shut down and the total break down of fine motor skills due to the overwhelming stress the body goes through during such a scenario? Police training is geared specifically around these very unique physiological and psychological changes.

There are also some legislative developments of late that the citizens of Massachusetts and the House should be paying attention to as well in

regards to this proposed bill. Recently in the wake of the Parkland shootings in 2018 the US Supreme Court ruled that Police Officers are under no legal obligation to assist someone in a life threatening situation.

With the Commonwealth trying to pass legislation that would end qualified immunity for Police Officers and the fact that the US Supreme Court ruled that Police Officers have no legal obligation to assist the public creates a scary recipe of a Police force that would be so reactionary and afraid to act that it would lead to a more dangerous Commonwealth with higher crime rates. Look at NYC the minority groups that the so called restrictions and reforms placed on law enforcement to protect their communities are pleading to get rid of some of those restrictions due to their huge uptick in crime. Again to be clear, qualified immunity does not offer legal protection to Officers who willingly break the law. It protects Officers who act in good faith to assist the public by shielding Officers from frivolous civil actions.

The Police force that protects and serves communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Again this bill will create a Police force in MA that has the potential to have better protection by not doing anything and being completely reactionary inevitably leading to an increase in crime across the Commonwealth. The idea of this hastily not fully thought out knee jerk reaction legislation that was thrown together based on the misguided notion that due to the infinitesimally small actions of bad Police Officers out there that all Police Officers are bad sickens my stomach. There are bad sections of every profession, bad doctors, bad teachers, bad mechanics and so forth. The aspects of Qualified Immunity, due process for Police Officers and a proper oversight committee are so complex and detailed there is no humanly way it can be properly discussed and voted on and passed this quickly. It takes months and months if not years for most bills/laws to be passed and this bill should be no different.

I dreamed about being a Police Officer since I saw my first set of flashing blue lights as a small child. I get to go to work everyday doing something I love. I go to work everyday knowing I could give the ultimate sacrifice and lay down my life to protect a complete stranger and I do it without hesitation each and everyday. If S.2820 passes as it was presented I will have to seriously have to think about giving up my lifelong dream job as it would cause me to unnecessarily hesitate in a life or death scenario which puts my life, the public's life and my coworker's lives in danger. I am more than willing to risk my life to protect and serve as that is how I've been trained and that is how I am wired but I am not willing to protect and serve unsafely and I fear the passing of this bill would create an unsafe Policing environment causing myself and fellow Officers to hesitate.

The other unintended consequence of this bill is the mass exodus of good veteran Officers across the Commonwealth which would further add to the complete uptick in crime do to a severely understaffed Police force.

I again implore you to fight for Police Officers in the Commonwealth that protect the public without hesitation day in and day out and amend and

correct S.2820 so as to treat myself and my brothers and sisters in law enforcement with the respect and dignity we deserve. In today's Policing environment which already shuns and despises Police Officers more and more each day the passing of S.2820 would further be another possibly unrecoverable slap in the face to law enforcement. If society can't take care of and respect the very people that are tasked with protecting it what kind of society are we living in?

I would like to close out this email by saying the silent majority do appreciate the Police and never in my career have I been thanked for what I do for a living than these past few months. The amount of people that send the station food and gift cards is amazing. I get thanked constantly everyday even after pulling over cars and giving out tickets. I would hate to not be there for the silent majority who do appreciate Police Officers and the rest of society who either are unwilling or unable to protect themselves from the evil in the world.

I hope I can count on your opposition and the rest of the House on the current version of S.2820 and continued support of law enforcement. Again I agree with most of the points and aspects of the bill and at a bare minimum this bill should be tabled so it can be properly studied and have Law Enforcement involved in future discussions and the bill.

Sincerely,  
Dave Moore  
Ipswich Police Officer  
Ipswich MA  
978-238-8844

\*\*\*This email does not represent the Ipswich Police Department in anyway and it is my own personal views and opinions as a citizen of the Commonwealth\*\*\*

From: Haley Havens <hjhavens@gmail.com>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for Reform, Shift, + Build Act

Hello,

I would like to submit my support for the Reform, Shift, + Build Act. I ask that it be passed in its entirety.

My name is Haley Havens  
My phone number is (608) 279-7761  
I do not have an affiliated organization.

Best,

Haley Havens  
From: Kathryn <majorclarkkate@comcast.net>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)

Subject: Opposition to Bill No. S.2820

Dear Representative Michlewitz and Representative Cronin,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed Bill S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I would like to reiterate that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again entreat you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Kathryn Major-Clark

68 Apple Tree Lane

Weymouth, MA

Sent from my iPhone

From: Jessica Farrell <jess.aileen.farrell@gmail.com>

Sent: Friday, July 17, 2020 10:54 AM

To: Testimony HWM Judiciary (HOU)

Subject: Please pass S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Sincerely,

Jessica Farrell

29 Martin St.

Medford, MA

From: Christina Heacock <neener011@hotmail.com>

Sent: Friday, July 17, 2020 10:54 AM

To: Michlewitz, Aaron - Rep. (HWM); Cronin, Claire - Rep. (HOU);

Testimony HWM Judiciary (HOU)

Cc: Tarr, Bruce E. (SEN)

Subject: Objections to S.2800

Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street

Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Christina Heacock and I live at 615 Boxford Street in North Andover, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The



gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Christina Heacock

From: Gregory Nolan <gnolan4242@gmail.com>  
Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)

I would like to weigh in on the bill that is currently in the House, S. 2820. As it stands, I am deeply concerned with the way the bill is in the Senate by keeping police wide open for frivolous law suits by eliminating qualified immunity. As you know, unlike absolute immunity which is something you all are given and enjoy, qualified immunity is given to police officers who do their job the right way. Not rogue officers or cops who break the law. Because of that, I urge you not to pass this bill, but if you must, I ask you to keep qualified immunity.

Another concern in the Senate bill was something that is rightfully given to all citizens of the commonwealth and this great country, and that is due process. Please allow for police to receive due process. Anything short is Un-American, and history will judge you and the body harshly

Please do not pass this bill, but if you must keep all due process in. The job of law enforcement is difficult as it is. Don't make it harder.

Please do not be anti police, please do not open all cops in the Commonwealth to frivolous law suits, please be a leader and hear the voices of your constituents and do the right thing.

Thank you.

Respectfully,

Greg Nolan

42 Hounds Ditch Lane

Duxbury MA

From: karen assad <karenassad81@gmail.com>

Sent: Friday, July 17, 2020 10:53 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

Dear Senator,

My name is Karen Assad and I live at 94 Meadowbrook Road, Mashpee, MA 02649. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

My husband has been a police officer for 17 years with the town of Mashpee. Prior to this service, he was a police officer with the city of

Laconia, New Hampshire. During this time, he has done tremendous work building strong connections/relationships with the Mashpee community (including with residents, businesses and schools). He has served his community with honor and integrity at all times and this proposed bill is quite frankly a kick in the teeth to police officers like my husband all over the Commonwealth. To speak honestly, I am not quite sure how you claim to support the law enforcement officers in your constituency whilst also pushing this bill forward so hastily. As the wife of a law enforcement officer, I am concerned for the future of our elected leaders feel that this justified.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Karen Assad  
Mashpee, MA

From: stacey cook <staceydaltoncook@icloud.com>  
Sent: Friday, July 17, 2020 10:53 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Stacey Cook and I live at 5 Alderney Way, Lynnfield, MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Stacey Cook

Sent from my iPhoneFrom: matt062910@yahoo.com

Sent: Friday, July 17, 2020 10:53 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Matthew Covino

590 Washington St #6

Pembroke

From: Erica Thomas <ethomas24@icloud.com>  
Sent: Friday, July 17, 2020 10:53 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2800

Dear Representative Dooley,

My name is Erica Thomas and I live in Norfolk, MA. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to QI will have a serious impact on critical public safety issues.

Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The

15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Erica Thomas

Sent from my iPhone  
From: Denis Sheahan <ds.djs@verizon.net>  
Sent: Friday, July 17, 2020 10:53 AM

To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to House Bill 2820

I am writing to express my opposition to House Bill 2820. I am a taxpayer and resident of Mansfield Ma. I do not want to see my taxes increase to pay for unnecessary lawsuits should Qualified Immunity for police and other public servants be eliminated. I also oppose the removal of school resource officers from the public schools. These officers know the students and the students know the officers. This is a very successful program in Mansfield. As a parent it provides peace of mind, knowing officers are on site. It also provides peace of mind for teachers and students. In this time of negative stories regarding the police why are we removing them from schools. Isn't this an opportunity to strengthen the public's interaction with police, which should start with the children being comfortable around law enforcement, not fearing officers. I also oppose banning facial recognition. Isn't this how the Marathon bombers were identified? What happens next time there's an attack? How will the suspects be identified? If there are flaws in the system I am sure they can be fixed with all of the new technology available. I also feel these police reform bills should be put on the ballot for all citizens to vote on. I hope that all public comments are read and acknowledged.  
Thank You,

Denise Sheahan

Denis Sheahan  
ds.djs@verizon.net

From: Barry Lawton <barrylawton2@gmail.com>  
Sent: Friday, July 17, 2020 10:52 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

I first want to state that I appreciate the sacrifice law enforcement contributes to our state. Reform of law enforcement is an innate doctrine of democracy. It's mantra of "protect and serve" is a necessary guideline to insure the purpose of law enforcement is unobscured. I my city, Boston, real "community policing" is needed. Tantamount to that goal is a police force that reflects the population it serves. It is evident a the multiple crime scenes in the communities of color, this is not the case. Police have and continue to maintain a non-diverse force, hierarchy and deployment of resources. Policing is simply better when the police are from or live in a neighborhood. Police who live in the community have a greater stake in the effectiveness of law enforcement and clearly create a greater deterrence to crime. Public hearings/interviews should occur for command staff. Areas predominantly occupied by people of color should be led by people of color. It would have natural link and greater credibility in deterring and resolving crime. This would by no means insure success in policing, but increases chances for success.  
Barry O. Lawton

From: Katrina Thompson <thompson\_katrina@wheatoncollege.edu>  
Sent: Friday, July 17, 2020 10:52 AM  
To: Testimony HWM Judiciary (HOU)



Cc: Feeney, Paul (SEN); Barrows, F. Jay - Rep. (HOU)  
Subject: Senate Bill 2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

Please accept the following testimony with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

MACLEA seeks to include a representative of the Association to serve on the Police Officer Standards and Accreditation Committee created by section 6 of Senate Bill 2820. MACLEA's member departments are responsible for the safety and wellbeing of the hundreds of thousands who live, learn, work, and visit our member institutions.

We are in favor of the creation of a Police Officer Standards and Accreditation Committee (POSAC) and our representation on this committee would add valuable insight and information. It would also ensure that the safety and security of all of those on campuses across the Commonwealth are the highest priority. Thank you for your service, time and consideration.

Respectfully,

Captain Katrina L. Thompson

Assistant Director of Public Safety  
(She, Her, Hers)

Wheaton College  
26 E. Main Street  
Norton, MA 02766  
P- (508) 286-3903 <tel:(508)%20286-3903>  
F- (508) 286-3904 <tel:(508)%20286-3904>  
E-Mail- thompson\_katrina@wheatoncollege.edu  
<https://wheatoncollege.edu/public-safety>  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_wheatoncollege.edu\\_public-2Dsafety&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=1KVgAT6n\\_jB-N1mOz1zAfCrIdXblwsBp8qDGSEIS-VI&s=90jTlnFY7HJiDMJEkYEiQg2W2ogztAnHSR2RH1\\_6fvE&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__wheatoncollege.edu_public-2Dsafety&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=1KVgAT6n_jB-N1mOz1zAfCrIdXblwsBp8qDGSEIS-VI&s=90jTlnFY7HJiDMJEkYEiQg2W2ogztAnHSR2RH1_6fvE&e=>)>

From: Meghan Fogarty <meghan.morris87@gmail.com>  
Sent: Friday, July 17, 2020 10:52 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Good Morning,

My name is Meghan Fogarty. I live at 23 Brantwood Road in Norwell. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Officer and the daughter of a retired Boston Police Officer. As the wife of a Police Officer in today's world things are different. Like all police wives, I watch my husband leave every night and hope and pray that he comes home safely every morning. My last words to him every time he leaves are "be careful". For Father's Day last year our children had a coffee mug inscribed with the words "Be careful dad, we love you". In our world this is "normal" but not everyone lives in the same world we do, not all wives need to say "be careful" and not all children have to be concerned about the safety of their parent when they leave for work.

I also write to you as a proud member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered. I will never forget where I was when my husband got the initial call about Mike - packing for a trip to Story Land, one that we never made it to. I will never forget attending Mike's wake and funeral with my husband, my Blue Family and the Chesna Family. Having the feeling that this could have happened to any of us. Knowing their children will never see their father again, that if it had happened to my children, they would not only never see their father, but have very little memories of him as they are so young. Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will never forget. A police wake and funeral are things NONE of us EVER want to attend again.

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform.

Like many, my husband included, I support enhanced training and appropriate certification standards that apply to individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. Qualified Immunity, as I understand it, does not excuse criminal conduct. It is, instead, a legal protection offered to all public employees and serves as a protection against losing one's home or life savings in a civil suit. As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform. If they don't make those decisions quickly enough, they face the very real chance of death or injury. Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried about liability. They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in. They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones. Is there a chance that Sergeant Michael Chesna chose not to use his weapon on the morning of July 15, 2018 because he was worried that such use would have been viewed as use of excessive force? Was he worried that if he used his weapon, he could potentially lose his family's home? The answers to those questions we will never know. It does seem reasonable to assume, however, that had Sergeant Michael Chesna chosen to use his weapon to shoot Emanuel Lopes he would still be here today. He would still be here with his family who miss him every single day. Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them. Police Officers who are forced to stop, pause, and think about potential liability before they act are Police officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. The bill as it currently stands before you is NOT acceptable as a total package. If Legislation such as that tied to S.2820 is to be effective, appropriate and just for all citizens of our Commonwealth it takes time along with careful thought and consideration. Reactive and rash decision making do not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill and to not study pieces like Qualified Immunity further have been extremely disheartening. I appreciated those Senators who called for more time and for a closer look at the bill in order to produce a product that was fair and just for all citizens of our Commonwealth. I also appreciate the willingness of the House to hear from the citizens of the Commonwealth. Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way. My husband has taken an oath to serve and protect his community. As our elected representative, I implore you to please do your duty to protect

and serve the Police Departments. I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Meghan Fogarty

23 Brantwood Road

Norwell, MA 02061

(617)-827-5455

From: Rebecca Shoaf Kozak <shoafrebecca@gmail.com>  
Sent: Friday, July 17, 2020 10:52 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Rivas, Gloribel (HOU); Paul G Kozak  
Subject: Bill S.2800

Hello,

I am writing in support of the Reform-Shift-Build Act (S.2800). I am an East Boston resident who has serious concerns with the current state of policing, especially considering the negative consequences of qualified immunity such as continued use of excessive force, primarily used on people of color, and a rise in distrust of police due to these un-checked actions.

The time is now to make change, and I trust in you, as the people who represent our communities' best interests, to endorse this act as well.

Thank you,

Rebecca Shoaf Kozak

From: Gia Coccoluto <g\_coccoluto@hotmail.com>  
Sent: Friday, July 17, 2020 10:52 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Oppose Bill 2820

Good morning,

You do not know me, but my name is Gia Johnson and I am the wife of Michael Johnson who has been a police officer with the Wilmington Police department for 8 years. I know that you are getting inundated with calls and emails for and against this new bill, but I was wondering if I could steal a moment of your time and to bear with me.

You see there is nothing special about me, I am just your average run of the mill 30 something year old woman. I am able to go to work without

having to fear for my life. I go out in public with my family and do not think about checking my surroundings. I am even able to enjoy a dinner at a restaurant with my back to the door. All things I take for granted. You see I am able to do these things, while my husband along with his brothers and sisters in blue are not.

Every day they put on their uniform and pray that it is not the last time. Every day they kiss their wives, husbands, sons, and daughters good-bye not knowing if or when they will see them again. These BRAVE (yes I said it), these brave men and women suit up everyday and protect the VERY people who are against them.

Is it not bad enough that there are songs written about how corrupt they are, is it not enough that social media has crucified them for their chosen profession. Is it not cruel enough that they had to attend rally's and protest and were forced to hold their composure while they were spat on, threatened, and had feces thrown at them. ALL things that they could arrest citizens for, but couldn't even touch them because these "protesters" were just expressing their first amendment. The answer to the question is No none of those things was bad enough. None of it was bad enough for those men and women to stop protecting and upholding the oath they took the day they put their badge on.

These are good men and women, and I am not naive to the fact that not every single one of them has the purest intentions. But no profession has a 100% when it comes to having good people. Some may say it's a "cop out," but it's not. Think of it. When a teacher gets in trouble for being inappropriate with a student, society doesn't condemn the whole teaching profession. They condemn that ONE person. When a doctor takes advantage of their title, there isn't an outcry from the public demanding all doctors need to be defunded. That one particular doctor loses his or her license. When a politician is found lying or having an extramarital affair there is no mutiny planned from the civilians for all politicians, they just want that particular politician to be outted and held accountable. All three of these professions hold some sort of authority, all three professions have to answer to the "everyman." So why are all cops called into question and punished, when one does something wrong? It doesn't make sense.

It's truly one thing if the citizens they protect are against them, they are use to having insults thrown at them about themselves, about their families and about their professions. THAT is what they signed up for. They signed up to do a job that NO ONE wants to do. They signed up for a job to protect all not just some.

What they didn't sign up for, is for their own state to turn on them for the actions of a few. A few may I remind you that are hundreds of miles away. This new bill that the state wants to pass is absolutely appalling. We as a society deserve to have good men and women protecting us. The state wants to license them, have at it. The state wants to revoke their license, because they made an egregious error or lapse in judgment, that is understandable. What is not understandable is to have civilians, the SAME civilians who hold a deep seeded disdain for these police officers, prosecute them. When a defendant goes on trial they are awarded due process and a jury of their peers. Putting an officer on "trial" and not

allowing the same and just treatment as a criminal is absolutely repugnant. Why can no one else see that?

Why can no one who passed this bill see what they are doing to these men and women. I have watched my husband who IS a GOOD man consider giving up his dream job. I have seen the light slowly dim in his eyes. I have watched him scroll through social media and read hate comment after hate comment. I was there yesterday when he found out that the bill passed. I could hear his mind turning, I could see it on his face: he was defeated. He was defeated because those who could give these men and women a voice during this trying time, decided to mute them.

My question is what is this bill going to do, except make good men and women afraid to do their job. People could argue that those men and women if they were actually "good" they would continue to do their job regardless of the bill. But would you? Would you want to do your job if everyone was against you and now they held the power to take your job, your house, your family with JUST a few simple words. Did anyone think about what would happen when they gave civilians this type of power? Why is no one caring about these officers? Why is no one realizing that catering to these nay sayers is destroying the very country that they claim to care so much about. Why is no one seeing the hypocrisy in any of this. Those in the state house who agreed to pass this bill are the same people who call the police to be their security detail, they are the same people who would call the police if something tragic was happening to them. They are the same people who would beg a near by police officer to help them if their loved one was dying. Yet, they want to take qualified immunity away from those officers. The very doctrine that states those officers can do what needs to be done to help those in need. Those in the state house could say, "I would never fault an officer for doing their job," and they may be right. But those in the Statehouse can't speak for society as a whole. There are people out there who would try to persecute the same officer who helped them for doing his or her "job." Why? Because there are bad people EVERYWHERE, not just in policing. There will always going be people who take advantage of the system.

I agree that more should be done, but this isn't the way. Stripping these men and women of any authority, will not help the problem it will only pacify it. Because that is what then State house is doing, they are stripping these men and women of any authority they have if this bill makes it's way through the house. This profession as a whole is not respected, imagine what giving civilians power over LEOs will do. I do not want to find out, do you?

So, I leave you with this quote from an anonymous source: "Bravery is not the absence of fear, but action in the face of fear," and that is why these men and women are the epitome of brave. They face their fears head on, with no hesitation. Something that should be commended and not punished.

Sincerely,  
Gia Johnson

Sent from my iPhoneFrom: Meredith Paige <Meredith.Paige@sunlife.com>  
Sent: Friday, July 17, 2020 10:52 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Meredith Paige  
Subject: FW: house representatives bill

Attn: Rep. Aaron Michlewitz and Rep. Clair Cronin,

I am glad that you are addressing police standards but disagree with everything else. As a white person, I do not appreciate being discriminated against by the government that I pay taxes into. When you right bills that are specifically worded for one or more races or colors while excluding one race or color, you are automatically discriminating against the one excluded race. In fact, this bill specifically states to me that perhaps the author needs to take a good long look in the mirror to realize that he/she is the actual racist and not the rest of society. I have traveled all over this country for work and pleasure for over 25 years and never had an incident with anyone in a store, restaurant, gas station, hotel, etc by any race. It is abhorrent that the government representatives are behaving like racists and prejudice people under the guise of helping communities of color while tossing aside the Constitution that states "all men are created equal". How is this bill, discriminating against one race, supposed to fix anything while treating people unequally? This bill and bills like it are the cause of racism and further discourse in this state among its citizens of all colors.

The police issue is not a race issue, for how can a white community experience police brutality with so few colored people when the representatives are saying it only happens to colored people? I know for a fact as a personal witness to a police brutality incident, that was a white officer on white citizen, that this issue affects every race and should be treated as an equal issue for all. If the Representatives true intention is to help all citizens while upholding the Constitution that they are supposed to be adhering to, then they would not be sending the message to all citizens that we are not all equal.

One incident was an officer that I called to the scene because 2 men were exchanging fists in the middle of an intersection. By the time the police arrived, both men were back in their vehicles but were still sitting in the intersection. The white officer went over to one of the vehicles and commanded the white male out of his vehicle in which the white male complied with his hands raised in the air. The white officer then proceeded to throw his chest against the white males chest in a clear attempt to re-escalate a situation that had de-escalated on its own. I

don't know how the white male kept his head cool enough to keep his hands clearly in the air the entire time and not fight the officer that was clearly trying to provoke him but he did while I was on the phone with the 911 dispatcher, I even stated, "what is that officer doing". The officer must have realized he was on full display in the intersection or realized that he wasn't going to provoke the white male and finally stepped back. What I witnessed prior to the police arriving was that the other male was the aggressor in the situation as he was the one to exit his vehicle and go after that male that the officer was trying to provoke. That poor young, white male, was brutalized twice during this incident. Once by the perpetrator and once by the police. There were no people of color involved so I guess this police brutality incident isn't good enough to be rectified.

A second incident is online involving a Chelmsford white police officer that lives in Tyngsboro and is revered by many but I watched him bully a 22 year old white male online because the young man was asking questions on how things worked. He called him stupid and other names and all because he was asking for information in a forum. I pray at night that he stays on the Chelmsford police force as their liability and does not end up transferring to the Tyngsboro police department because I know he is a lawsuit liability waiting to happen and as a taxpayer, I do not want to pay for it. This is a deep issue because his friends on the force won't do anything about it because they have to know he has their back in violent situations so the answer is that the oversight board of the police departments has to be a board that is completely removed from police officers and comprised of people with the ability to investigate and stand up to these officers that are nothing but bullies with badges and don't belong in the police department.

A third incident was my rights being violated and I was discriminated against based on my gender ON MY OWN property by the animal control officer who as I understand reports to the police department. I have called the animal control office in the past for a feral of 4 cats that moved into my husband's car engine one night only to have my call go unanswered. No phone call back, nothing. Luckily after 4 or 5 days, the cats moved on but that is derelict of duty and I am not the only complaining that he doesn't call people back. On the flip side, when there is something in it for him, like valuable venison meat, he shows up and yells at everyone there so he can take the meat. There was a deer hit and it was laying on my front lawn, its back legs were mangled so it had to be put down. I did not know people were outside the front of my house and when I went to take my dog out pee in the morning, I saw a NH plate car parked in my driveway. I went out with my dog to see what they were doing since I am a MA resident, and the animal control officer barreled across my front lawn yelling at me that I couldn't be out there with my dog. I turned and saw the deer and even though my dog is used to seeing the deer in the yard and doesn't usually bark at the deer, I put him in the house anyway without having had his morning bathroom trip. I came back outside to watch and see when the officer was done shooting the deer



so I could take my dog out and start getting ready for work and was met again with the animal control officer (not the police officer who appeared to just want to get on with his day also) yelling at me that I shouldn't be out in my yard because the officer was going to shoot the deer. I yelled back at him that I know he is going to shoot the deer, he can't leave the deer like that, get on with it. I waited a few seconds and decided to go in and watch from the window so I could get on with my day, and again the animal control officer ran across my front yard about 30 feet to my window to yell at me again to which I threw open my window and told him again to get on with it. I don't know who this animal control officer thinks he is but he clearly is uneducated to realize that he has gender discriminated against me on my own property, he does not deserve to work for the Town of Tyngsboro. I know that if I was a man, he would not have been chasing me around my own yard like that as he didn't chase away any of them men that stopped to ask if they could have the meat, he just simply told them no. My guess, based on the animal control officers historical behavior and comments from fellow citizens that he took the venison for himself and that is the only reason he showed up. If the intestines were disturbed thus making the meat no good, he probably would have had the office put the deer down, and leave the carcass for me to bury or dispose of. There was no need for the animal control office to waste all that time chasing me around my own yard and in my own house, when the first time I acknowledged that I knew that the officer was going to shoot the deer should have been the end of our interactions. This animal control officer was running around in a panic about me, you will never be able to convince me that he can handle any kind of pressure situations. He can't even handle not violating someone's rights as an animal control officer.

My thought is that you need real and in depth psychological profiles of police officers to determine if they are of an aggressive personality which does not work and if they can handle pressure so taking money away from the police departments is not the answer....putting the money to better use is the answer.

I also don't understand why they are retiring at young ages with full pensions so they don't have to ever work again. That sends the message that you only have to put in your time and get out, not that you have to care about the job that you are doing. They should be under the same retirement age of 67 to get full pension like everyone else. Perhaps then, that will stem the "I am superior" to the citizens that I protect from surfacing from the few.

I don't believe all cops are bad but I do believe that there are several that need to be removed. The way we revere an officer needs to change. We need to shine lights on the ones that understand about racism, bias, and prejudice and remove the ones that cannot model that behavior.

Over the course of my life, I have had my own experiences with officers that I knew the officer was being a jerk but luckily I kept my cool and let it go so since they couldn't provoke me, I was no fun for them and they either ticketed me or moved on. I had one officer while reading my license say to me "what kind name is this", I thought he was referring to my maiden last name that no one ever pronounced correctly but he was referring to my first name "Meredith". How sad is this officer that he couldn't even make a guess on a phonetically spelled name.

I have had both good and bad experiences with officers and I am not jaded by the few that are ignorant. There are still good officers out there, the good officers and the citizens NEED a valid place to report such incidents where they will be investigated objectively.

The language in the proposed bill where this is written to build a more equitable, fair and just commonwealth that values black lives and communities of color as it is discriminatory language and redundant. We already have laws about equality, fairness and being just, the laws on the books need to be enforced, which a lot of them are not, and they need to be written in language that does not discriminate against one race.

Defunding the police or taking any money away from the police is the worst thing that can be done with irreparable consequences. Even with all my experiences with the police over the years, I am an adult that knows that not all officers are bad and when I need help, I still call the police! Going forward, I still expect them to show up.

Thank you,

Meredith Paige

Tyngsboro, MA

978-987-7235

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From: Paul Halas <halaskids2@aol.com>  
Sent: Friday, July 17, 2020 10:52 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Can you send this by 11 am via email :

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law

enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Paul Halas  
21 Martin Road  
Lynn, MA

Sent from my iPhone

Sent from AOL Mobile Mail  
Get the new AOL app: mail.mobile.aol.com  
<[Dear Chairman Michlewitz and Chairwoman Cronin:](https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=1EglzfEcq-dFSnWUsvpQAJvCwGj-1cbWhG2pDdfAhoI&s=JOgFqmrKwYqm7F-rgE60xyKNDNeP5auH2EPhasaF07Y&e=></a><br/>From: DAVE MORRIS <ratdetunnel@yahoo.com><br/>Sent: Friday, July 17, 2020 10:51 AM<br/>To: Testimony HWM Judiciary (HOU)<br/>Subject: Reform Bill- testimony</p></div><div data-bbox=)

My name is Michael Livingston. I have been a police officer for over 21 years. I am African American and I am a patrol sergeant working for the city of Brockton. I am in agreement that a reform or an improvement in standardized training and education will place all Massachusetts law enforcement officers in better position to serve the public.

I stand with my brothers in the Massachusetts Police Association in that the subjects of decertification process, qualified immunity, and allowing civilians without experience or expertise to decertify officers are so convoluted and complex that they can not be decided on in such haste, potentially yielding to the political climate of today. I implore, any decision must be thoroughly deliberated over in a sufficient, thoughtful, and appropriate period of time in the interest of the entire commonwealth.

Sincerely,

Michael Livingston

Sent from Yahoo Mail for iPhone  
<[From: Matthew Terrill <terrill.matthew@gmail.com>  
Sent: Friday, July 17, 2020 10:51 AM](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=3d8NnjPMAEGTtAKY0btEZGlpK5uyZT2vKxL8ztbcix8&s=D0dnY0oVouUfyh1ooSKvl8I65g8zely5C6hQbYkHe4FU&e=></a></p></div><div data-bbox=)

To: Testimony HWM Judiciary (HOU)  
Cc: Vitolo, Tommy - Rep. (HOU)  
Subject: Please pass a strong omnibus bill to increase police accountability

Dear Rep Vitolo and House Judiciary Committee-  
As your constituent, I'm writing to ask you to include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics (especially chokeholds and tear gas), impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity (QI) to ensure that police can be held accountable when they violate people's rights. Banning violent police tactics is meaningless if there is no way for people to hold the police accountable when they break the rules. Victims of police brutality deserve justice. This is the provision I am most strongly in support of. QI has defined away police responsibility for violating citizens' rights on a flimsy and logically-flawed basis that leaves us as citizens without recourse. QI must be legislatively revoked and police must be held accountable.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to do the right thing. We need to deliver racial justice to Black and Brown people in our state, and that starts with baseline police accountability through robust legislation. Please work to include the above provisions in the final version of this bill.

Sincerely,

Matthew Terrill  
1454 Beacon St, #742  
Brookline, MA 02446  
From: Jenna Lamusta <jenna.lamusta@gmail.com>  
Sent: Friday, July 17, 2020 10:51 AM

To: Testimony HWM Judiciary (HOU)  
Subject: MA Police Officers and MSP Troopers Deserve our Support

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Jenna Lamusta and I live at 9 Carol Ann Road in Lynnfield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Jenna Lamusta

From: Kathryn Rucker <krucker73@gmail.com>  
Sent: Friday, July 17, 2020 10:51 AM  
To: Testimony HWM Judiciary (HOU)

Subject: Pass Critical Policing Reforms

July 17, 2020

The Honorable Rep. Aaron Michlewitz

Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin

Chair, Joint Committee on the Judiciary

Re: Testimony in Support of Police Accountability

Dear Chairs Michlewitz and Cronin,

I write as a concerned citizen to offer my support for the many provisions in S.2820 designed to increase police accountability and safety for our broader community.

In particular, I want to urge you to: 1) adopt strict limits on police use of force, including the prohibition of methods more likely to result in serious injury and death, like chokeholds and no knock warrants; and 2) alter qualified immunity standards which shield police misconduct from civil accountability and deny victims of police violence an avenue for legal redress for their injuries.

Massachusetts can and should be a leader in remedying the kinds of structural racism that causes communities of color to fear violence and death at the hands of police. We are not immune from these systemic problems. Indeed, the Department of Justice recently reported that a unit of the Springfield Police Department routinely uses brutal, excessive violence against residents of that city.

We must address police violence and abuses, and hold police accountable for civil rights violations. These changes are essential for the health and safety of our communities here in the Commonwealth, and the credibility of our law enforcement agencies.

Thank you for your consideration of these critical reforms.

Kathryn Rucker

Dedham, MA

From: Mary Crisafi <mcrisafi@town.winthrop.ma.us>  
Sent: Friday, July 17, 2020 10:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Winthrop Police Department response to Senate Bill 2820

July 17, 2020

Chairwoman Cronin

Chairman Michlewitz

RE: Concerns to Senate 2820 as Amended

Honorable Chairpersons:

The Union Body of Winthrop Police Department is writing to express our outrage over the potential stripping of necessary police protections offered through Qualified Immunity.

We respectfully ask that you do not give in to the misinformed perception of many who are the loudest in the public arena and stand strong with good



police officers across the Commonwealth who put our lives on the line daily as we try to maintain order. Society as a whole has become litigious and without qualified immunity police officers and municipalities will find themselves defending frivolous lawsuits which will ultimately send the message to police officers not to be proactive within their community. Qualified Immunity is here to protect good proactive police officers who are only interested in using reasonable means to exercise their police discretion.

Respectfully,

Winthrop Police Union

Mass Cop Local 421

Michael Connelly

President

Winthrop Police Union

MCOP Local 421

Mary E. Crisafi

Sergeant, Winthrop Police

3 Metcalf Square

Winthrop, MA 02152

Tel. 617-846-1212

Fax 617-539-1971

From: Pat White <patwhite155@gmail.com>

Sent: Friday, July 17, 2020 10:51 AM

To: Testimony HWM Judiciary (HOU)

Subject: My Testimony

Good morning,

My name is Patrick White and I am a PROUD Union Police Officer in Worcester and a lifelong resident of Worcester as well. I am writing to

you today to state that the bill recently Passed by your colleagues in the MA Senate, was hastily put together and at its very heart a piece of ANTI-LABOR LEGISLATION.

This legislation removes Police Officer's rights to due process (a fundamental piece of law... THAT WE UPHOLD), the rights for collective bargaining that so many other PROUD UNION members have fought for previously, and finally it inserts an advisory board that has ZERO training, ZERO experience, and ZERO background in actual Policing.

I know that the House can come together and make some sense of this Bill and hopefully it is done with input from actual Police Officers. Give us a seat at the table is all we are asking. We are willing to change, but change should ultimately require some input from Police.

I thank you for your time!

Respectfully,  
Patrick White  
Worcester Police Officer  
NEPBA Local 911 E-Board member  
PH: 774-535-1488

Sent from my iPhoneFrom: MIKE DURAN <mduran19@aol.com>  
Sent: Friday, July 17, 2020 10:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Good Morning,

I would like to ask the Legislature to approach police reform with "common sense". Please don't make laws (changing qualified immunity for example) that discourage police officers from doing police work. If police officers are afraid of frivolous lawsuits that hurt them and their families proactive police work will cease to exist.

Thank you,

Mike Duran

Sent from my iPhone  
From: erin bouthiller <bouthillererin@yahoo.com>  
Sent: Friday, July 17, 2020 10:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

I am writing in lack of support for this bill. While there are ongoing issues in the country, Massachusetts remains ahead of the curve when it comes to policing and training. I stand with our police and reject this proposed bill. Further demonizing our police force is going to result in no honorable men and women serving.

Sent from my iPhone  
From: Mary Clerc <mwclerc@yahoo.com>  
Sent: Friday, July 17, 2020 10:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Mary Clerc  
From: Sarah Masse <sarah.e.masse@gmail.com>  
Sent: Friday, July 17, 2020 10:50 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: expungement law S.2820

I, as a lifelong MA resident, am strongly in support of expanding the expungement law in Senate docket S.2820. I believe strongly in both the racial justice and personhood of young people.

In Solidarity,  
Sarah Masse  
From: Nate Krinsky <natekrinsky@gmail.com>  
Sent: Friday, July 17, 2020 10:50 AM  
To: Testimony HWM Judiciary (HOU)

Subject: S. 2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Sincerely,

Nate Krinsky, Somerville

From: Anatoly Rassin <a\_rassin@yahoo.com>

Sent: Friday, July 17, 2020 10:50 AM

To: Testimony HWM Judiciary (HOU)

Subject: URGENT. PLEASE HELP POLICE!!!

It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

The very idea that such a thing as removing qualified immunity from police can be seriously proposed, let alone voted for 30 to 7, seemed totally absurd just a few months ago. Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function. And policemen, due to the very nature of their work, are the most vulnerable group.

This shameful legislation is unfair, immoral, and harmful to the extreme, especially to the people of color, whom it's supposedly designed to help - this group needs strong law enforcement and police protection more than anybody. By taking away qualified immunity from police the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen will retire, which is already happening. And nobody will be interested in joining the police force - the group that not only is unjustly vilified but now even deprived of any legislative protection.

A horrible death happened in Minnesota and everybody condemned it. But why all policemen in our state are punished for that? I talked to Brookline police and there has been not a single incident of police brutality for years of existence of Brookline police. Massachusetts police

in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Anatoly Rassin  
8 Pontiac Rd  
Newton MA 02468

From: Elissa Bowling <elissabowling1@gmail.com>  
Sent: Friday, July 17, 2020 10:50 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: End Qualified Immunity

To whom it may concern,

I have lived in Massachusetts almost my entire life, and I am writing in support of the senate police accountability bill, especially section 10 regarding qualified immunity.

On June 16th, the Supreme court declined to reexamine qualified immunity. This move makes it clear that the court feels it is the responsibility of congress and/or individual states to act on this matter. Qualified immunity erodes our communities access to life and liberty, and weakens the safety of all of our community, especially people of color. Our own high court said in 2016 that black men may have cause to run from police. Of course they do, the police are armed with guns and can shoot to kill with immunity. Who does that protect other than the police themselves? The police are charged with saving and protecting lives, so are doctors. We have the right to file a malpractice lawsuit when a doctor makes a mistake that leads to death or injury. How can we not have the same right when police make mistakes that lead to the same consequences? How can Black and Latinx mothers and fathers raise their children to meet their highest potential as they move through life in fear that the people who are charged to protect them can and do kill them with immunity? Police violence against Black and Latinx community is a public health crisis that must be addressed in our country. Ending police immunity is a vital step in that process.

Best,

Elissa Bowling

--

Solutions Engineer, Notarize

<[From: Paul Halas <halaskids2@aol.com>  
Sent: Friday, July 17, 2020 10:50 AM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: S.2820](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.notarize.com_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=J_0RT5-QAh230nPvGNDbSjvnA4M3xjiY_tgxcebzpdg&s=bnQ00AcXfxk03wOVwZ4S-Ue4cJg79AIrZIFBFluR0Qc&e=><br/>Tufts University Class of 2015</p></div><div data-bbox=)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Marijean Halas  
21 Martin Road  
Lynn, MA 01904

Sent from my iPhone

Sent from AOL Mobile Mail

Get the new AOL app: mail.mobile.aol.com

<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_mail.mobile.aol.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=ZD\\_EVkpTlmpu\\_vZQkL7-szUpVSvIA-GZ\\_JBNq1OCb4g&s=tSfcAQsWA6HI36\\_TBZqpu0Iwb4QdDwkGpqYlxslqZPs&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=ZD_EVkpTlmpu_vZQkL7-szUpVSvIA-GZ_JBNq1OCb4g&s=tSfcAQsWA6HI36_TBZqpu0Iwb4QdDwkGpqYlxslqZPs&e=>)

From: May Feynman. <emmafeynman@gmail.com>

Sent: Friday, July 17, 2020 10:50 AM

To: Testimony HWM Judiciary (HOU)

Dear members of House leadership;

My name is Emma Feynman, and I live in Allston. I believe that S.2820 does almost nothing to prevent state violence against Black people or stop the flow of Black people into jails and prisons.

I believe S.2820 will cause more harm than good by increasing spending on law enforcement through training and training commissions, expanding the power of law enforcement officials to oversee law enforcement agencies, and making no fundamental changes to the function and operation of policing in the Commonwealth. Real change requires that we shrink the power and responsibilities of law enforcement and shift resources from policing into most-impacted communities. The definition of law enforcement must include corrections officers who also enact racist violence on our community members.

Through my experiences working in Boston Public Schools, instead of funding for police training and commissions, communities need investments in their schools. It's ridiculous that we continue to throw money at the police when our schools are so desperately underfunded. We must go to the source of the problem and ensure that every child, no matter their race, ethnicity, economic standing, or disability status receives the kind of excellent education I know BPS would be capable of giving them, if only with enough funding.

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people. Rather than limiting legislation to moderate reforms and data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. I also support student-led efforts to remove police from schools.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there.

Thank you,  
Emma Feynman, Allston

From: Michael La Natra <mikelanatra25@gmail.com>  
Sent: Friday, July 17, 2020 10:50 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Personal Letter of Testimony regarding the Police Reform Bill

Representative Aaron Michlewitz  
Chair, House Committee on Ways and Means  
State House, Room 243  
Boston, MA 02133

Representative Claire Cronin  
Chair, Joint Committee on the Judiciary  
State House, Room 136  
Boston, MA 02133

Dear Chairman Michlewitz and Chairwoman Cronin,

I would like to take this opportunity to thank you for your public service to this great State of Massachusetts and for also allowing us the great opportunity to submit written testimony relative to Senate Bill 2820. Please keep in mind throughout this letter that I am in agreement that there are some changes that need to be made in how we "do business" going forward, but the way they are proposed will not only put the lives and safety of the Officers putting their lives on the line, but will



SEVERELY put the safety of those very same residents we are trying to protect in jeopardy.

I feel that I cannot plead my case without giving you some of my background. Although it is extensive with my Law Enforcement/EMT experience, training, and life experiences, I will just give you a little bit of it not to bore you. I have over 27 years of Law Enforcement experience with 3 years of EMT experience. My career started out in 1993 in the NYPD for 12yrs. I then moved onto Boston College for a year before making my most recent move to The Kingston Police Department where I have spent the last 14 years. I can honestly say that I have a very extensive career and have been through many different changes due to situations that have arisen.

My career started in the 73rd Pct in Brownsville Brooklyn (3rd worst in all of NYC in 1993 for violent crimes) as a foot patrol officer utilizing my "people" skills and learning about community policing. The community was approx 90% African American, 8% Latino and 2% other and I was the "minority" in that neighborhood. I was always a community oriented person and loved to chat which is where you learn about people. There were days where this paid off multiple times and was proud of it. I then moved into a sector car answering over 41 calls in a 1.5 square mile command and multiple projects with heights that were unheard of out here (minimum of 35 stories with over 10 families per floor). Because of my activity I was able to move into a plain clothes position in the Street Narcotics Unit and began arresting what I call the "core" criminals. I applied to make a career move into the Organized Crime Control Bureau of the NYPD where I was assigned to the Gang Unit and made 3rd grade Detective. Before leaving for Mass, I was on track to becoming a 2nd Grade Detective and had a very well established and honest arrest history that I was proud of! During my time in The NYPD, I wrote and executed my own search warrants, attended multiple trainings, was engaged in civil unrest, was shot at by a 13 year old as I chased his friend for an armed robbery, assaulted with a 2x4 loaded with nails on the end where I had 2 puncture wounds through the vest, attended hostage negotiations training, HIDTA Trainings, had a sink thrown from a 35 story building at us, was present through 911 and was there for Tower 2 coming down, besides working the site and morgue, and attended MULTIPLE FUNERALS for classmates, house mates, and friends from the job. Don't get me wrong, I also had some of the most memorable encounters with good people that just wanted to live and survive in the neighborhood they were born in, raised, or "stuck in". You can never take away these memories and feel I got the foundation for being a great Police Officer, at least in my opinion!

My next move was to Boston College where I dealt with a different class or group of people. These were young kids learning their way and trying to have fun while getting an education. Some were entitled, some were down to earth, and some were even confused and looked to me for guidance. I was asked to join the SRT Team for BC and also enjoyed it. Especially when I was there and able to diffuse a situation just from my presence and encounters with some of the kids involved and gained their respect. This too was another "feather in my hat", or tool on my belt with successfully dealing with people..

My last and current stop was here on the South Shore in the Town of Kingston. Here I wear more hats than anyone would want, but because I love my job and the community I just take more on. I earned my Bachelor's Degree in Criminal Justice and a minor in Psychology (2 VERY important

degrees to have to effectively do this job). I also saw the need to help my fellow FireFighters in their job and put myself through EMT School so that I had a better idea of what they would need before they were on scene to give my residents every available opportunity to survive their injuries and come home to their loved ones once again! From there I was made the EMT Coordinator for the department and the liaison for my department and became a member of the South Shore Behavioral Health Collaborative helping people in need and involved in Mental Health related issues (sort of like a social worker). I also started the K9 Unit program, became attached to the SWAT Team, a member of SAR, and very involved in community policing related programs (ride to school in a police car, National Night Out, Scout visits and demonstrations, etc.).

Lets not forget community involvement too. I was a member of the school committee for 3 years, on the board for Kingston Youth Baseball, coach and coordinate youth baseball for the last 6years plus, volunteer at the Kingston Council on Aging, have delivered meals on wheels, was responsible for the startup of the Kingston Police FOP Lodge #64 to help the community in which we also serve (my version of civilian community policing), and I am active independently in the town with other organizations.

Hopefully this will help you understand that I am not like some of the people you may be speaking with in regards to this Bill. I am the hands on "boots on the ground" officer that will tell you from first hand experience on what is good and bad with this bill and I would GLADLY speak more in depth with my thoughts and even my suggestions in putting a successful bill on the table. But right now I will tell you and even go as far as warn you in a friendly manner that the bill proposed will be the start of the downfall of having any kind of order or respect for Law Officers. Talking with the Chiefs and Commissioners is great, but they hear from a chain of different people that may even distort the story by the time it gets to them. WE see and experience what is going on out there NOW. The unions also present our best interests to you as a whole and grouped. I felt you should hear from the individual DOING the job now and has history in a wide variety of environments.

Please consider just some of the key points:

1. Qualified Immunity is there for the GOOD OFFICERS, not the bad. The bad will be punished accordingly and will ultimately lose in court. Even the good Officers have a bad day or may step out of line, but they will be reprimanded. They are human as well but if they are good, they will have a track record showing it. I am not and never will be a fan of dirty or bad cops. My first vision was a cop being walked out of the station in NY on day 1 because he was part of a scandal (morgue boys). That is why they had Internal Affairs investigators. The good families should not be punished for what the bad cop does! There will always be a bad apple in every bunch. The bigger the bunch, the more bad apples there may be in there. But you can't group all the departments together or all the Officers and then say we have soooo many bad apples making us all look bad.

I strongly urge that you leave QI the way it is and do not let the Senate change what is in place. The system itself can use some tweaking

procedures and allow officers to report the bad cops without fear of repercussion. I guarantee you will weed them out then.

2. The oversight committees proposed are tainted and would be made up of groups that may not be educated on what goes on out there and may have an unrealistic point of view of what transpires. You don't have civilians in charge of a doctor's license or civilians in charge of an attorney's license. You have a board of their peers. We also have a "license". It is called certifications and re certs every year. If we don't meet the requirements, we cannot "practice". We attend an academy for 7 months and go for 40hrs of refresher and updates every year. That is a total of 1,120 hrs of initial training and 40 every year thereafter. That's not counting additional training and Firearms qualifications, etc.

Changing this to a license isn't my main issue, it is the committee portion.

3. This entire bill is being pushed through on account of what happened thousands of miles away in a matter of days where most bills take, as we all know, 6months to a year if not longer. And that's for a single issue to be addressed.

4. Training NEEDS to be enhanced and if you are considering defunding police departments, please consider putting it into realistic training where people that have had a bad experience with the cops can be involved in the training of the new recruits. There they will see where and how Officers react and where they can be corrected or educated.

5. I feel you should already have a degree before getting this job with some classes required prior to the academy. Make the requirement in history or develop a course that can be taught tailored to this job.

6. My last point, since I only have 10 minutes to submit this is that we should have Regional Policing. For example, Plymouth County Police Department and have Districts or divisions or Pcts (Kingston or K1 or 4th Division, etc.). This in turn opens MANY doors to types of discipline and staffing as well as oversight and monitoring. It worked fantastic in the NYPD because Officers did not want to be punished and lose a position in a good "house" and at the same time Officers were rewarded by going into an areawide unit or closer to home. When you apply, you can be sent wherever there is an opening or need. Down the road after probation is up you could apply to a different station. Officers would be forced to deal with and understand their residents more or face the punishment and could be forced out for "new blood". Plus the active Officers that want to learn the job may request to go to a busier house while the officer about to retire goes to a slower inactive house to finish out. This would have to be done at the bottom with new recruits and offer a different retirement package. I am a fan of the 25/75 (25years of service and 75% salary) or like I was 20yrs and "out". Offer a buyout package now to get the "salty" old timers out and get these new impressionable kids on the street molded correctly

before they can be tainted by the salty veterans that now hate the job and are waiting to get out.

Please reconsider just some of the points I have thrown together and keep in mind there are MANY more that will keep both sides happy. But you just can't do this 89+ page Bill hastily without good valuable OPEN MINDED people working on it or involved.

I appreciate your time and apologize for the long winded letter, but this is only because there are so many points that can be mentioned and worked on. The way the bill is presented now by the Senate, and before you present the House Bill, I will honestly say that yes, the bad cops will be scared to do anything, but you will also have the GOOD cops afraid to do their job correctly because the criminals will have more power and control than we do and can easily take advantage of the system to hurt us.

Thank you for your time reading this as well as the time and lengthy hours you are putting into this! Please feel free to contact me at any time for any reason!

Michael A. La Natra  
(781)922-1028  
Kingston Police Department  
FOP Member

\*\*\*\*\*I apologize for the typos and grammar in this response since it was alot of information and little time to properly put together\*\*\*\*\*  
From: Susan Fuller-DeAmato <sdeamato@gmail.com>  
Sent: Friday, July 17, 2020 10:50 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Good Morning,

My name is Susan Fuller-DeAmato and I live in Somerville, Massachusetts. I am also a police officer. I am emailing regarding the Bill S2820.

I support using de-escalation techniques and support a duty to intervene (both which most departments already have policies for and train for).

I understand that other issues are being discussed. Such as banning officers from shooting into moving vehicles, except in certain situations. This must be spelled out to include the safety of officers and the public. It also prohibits police from using chokeholds. I just graduated from the

police academy last year. Chokeholds were not taught to us in defensive tactics. The lawmakers and people writing this bill should do their research and understand what techniques are approved by the Municipal Police Training Committee (MPTC). The academy stresses the importance of de-escalation techniques, including teaching ICAT: Integrating Communications, Assessment, and Tactics.

I strongly do not agree with removing qualified immunity. This will make officers hesitant and less pro-active which is the opposite of police reform.

With regards to The Police Officer Standards and Accreditation Committee. The accreditation committee is to set standards for police conduct in large crowds. And what happens when the crowds don't follow the same rules? One of the biggest tools in our police tool-box is discretion. This bill ties our hands and removes so much of our discretion.

The bill is also going to require police departments to seek "civilian authorization" before buying military equipment for use on citizens. I disagree with this strategy. If a teacher proposes that they need a specific tool to their job more effective. Why should I (the public) have a say if they need it or not. Should the oversight committee be comprised of educators and researchers who understand education and what is needed for the best of the teachers and students they serve? The "civilian authorization" instead should be comprised of law enforcement professionals and criminal justice researchers who understand the criminal justice profession.

I also understand that the bill will ban schools from feeding information about students' immigration status or suspected gang affiliation to police. The immigration status I agree with. However, school educators and school resource officers should be allowed to share information with local law enforcement departments about suspected gang affiliation. This is vital to community safety and keeping our youth safe.

Speaker DeLeo is committed to working with the Black and Latino Legislative Caucus and House colleagues. Why are lawmakers, who have no idea what it means to be a police officer, make split seconds decisions, coming up with regulations for our profession. Speaker DeLeo should also be committed to working with the Black and Latino law enforcement groups (such as the Massachusetts Latino Police Officers Association, the Massachusetts Minority Law Enforcement Officers Association, and the Latino Law Enforcement Group of Boston). These associations, among others,

like Massachusetts Association of Women in Law Enforcement, should be at the table and be providing their expertise in drafting a reform bill.

Thank you for your time.

Respectfully submitted,

Susan Fuller-DeAmato

22 Clyde St, Somerville, MA

sdeamato@gmail.com

617-548-8417

From: Katy Brubaker <katy.brubaker@post.harvard.edu>  
Sent: Friday, July 17, 2020 10:50 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform, Shift + Build Act (S.2800)

Chair Aaron Michlewitz & Chair Claire Cronin

I am writing in support of the Reform, Shift + Build Act (S.2800). I am a pediatrician and have been living in the Boston area for almost 15 years. I am a current resident of East Boston.

I have deep concerns about the impact of systemic racism in our society and on my patients. The systemic racism that pervades our society cannot be addressed without addressing the impact of policing on communities of color.

As a physician, I know that I am responsible for the decisions I make that impact the lives of my patient. Beyond the moral obligation that I feel to provide my patients with the best care, I know that if I do not, I could face professional and legal consequences. Police officers are professionals who are trained and also need to face the consequences for their decisions. That is why it is important that the practice of qualified immunity end.

Thank you for your time and consideration.

Sincerely,  
Kathryn Brubaker

From: Denise <Denise@teammr8.org>  
Sent: Friday, July 17, 2020 10:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Denise Richard. I am a resident of Dorchester, MA and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

Our family has pledged to do our part to end systemic racism and excessive force by police in our city, Commonwealth and nation. We feel that this Bill is just the beginning to ensuring that our Commonwealth is able to provide a more fair and equitable society that values black lives and communities of color. This is a critical time and we feel that all lives can not matter until the Black Lives Matter movement is taken with the utmost seriousness.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Denise Richard  
39 Carruth Street  
Dorchester, MA 02124

March like a Mother: for Black Lives

Sent from my iPhone From: Nicole Horne <nicolejhorne@gmail.com>  
Sent: Friday, July 17, 2020 10:49 AM  
To: Testimony HWM Judiciary (HOU); Cronin, Claire - Rep. (HOU)  
Cc: Galvin, William - Rep. (HOU)  
Subject: Bill 2820

Dear Representatives,

My name is Nicole Badoud and I currently live at 84 Walpole St 4B, Canton, MA but will be moving to 6 Stonehouse Hill Rd, North Easton, MA in the next week. I have been in contact with Representative Galvin regarding my concerns about this bill. I work in Human Resources and from my professional point of view, there are items in the bill that are disturbing like providing access to an officer's medical files under a misconduct investigation. This violates their HIPPA protection and, if the information isn't relevant to the investigation, the Commission shouldn't have access to it.

In addition, the Permanent Commissions on the status of African Americans and Latinxs should include representation of Law Enforcement people of color as they are able to provide a unique perspective as part of those communities. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. This would be the same type of professional oversight applied to certifying bodies for medical and legal professionals. The Commission members need to complete the same classroom training curriculum that MPTC will require for officers, so that the Commission is familiar with the training that MA Law Enforcement officers receive.

The Commissions shouldn't receive settlement funds. When you incentivize something to drive a certain behavior, there are often unintended consequences and behavior that result from that incentive system. I think you need to take more time to think through what those potential pitfalls might be especially because the Commissions will be new as well.

While an understanding of the historical impact of slavery and lynching is good for setting context, the type of training that should be happening is Unconscious Bias training. This is what they use in most professional workplaces to drive a culture of Diversity, Inclusion and Belonging. In addition to law enforcement, all elected representatives including yourselves should also go through the same training.

On the topic of the review of the municipal police training committee's curriculum, the minimum requirement should be at least 3 people affiliated with an academic institution and make sure you have representation for each: expertise in law enforcement, expertise in criminal law, expertise in civil rights law.

If the independent police officer standards and accreditation committee is for law enforcement standards and accreditation then you should have an even split between the 14 members between law enforcement and non-law enforcement and at least have 2 officers nominated by the MA Association of Minority Law Enforcement Officers. Also, you shouldn't limit the MA Black and Latino Legislative Caucus from nominating law enforcement individuals for their list if those are candidates they wish to nominate.

The info in the police officer standards and accreditation database with regards to complaints against officers shouldn't be public record. They should have the same due process rights as every other American citizen.



The information regarding complaints should only be available to the committee in the course of it's work.

As the wife of a law enforcement officer I ask that you do not eliminate qualified immunity. The appropriate protections are there currently and eliminating this will result in many frivolous civil lawsuits that could bankrupt law enforcement families. In addition you are putting law abiding citizens at risk by creating a situation that makes officers have to second guess taking action at the risk of being sued. You put EMTs and fire at risk for civil suits for not being able to save someone's life. Eliminating qualified immunity doesn't improve the conditions for the African American community in MA - you can better accomplish that through improving access to education, housing, employment and community improvement programs.

If despite the vocal opposition you've received on this topic you still proceed with eliminating qualified immunity, then you need to eliminate it for all elected officials including yourselves, judges, the Attorney General and district attorneys given that you are also part of the system that develops and enforces the laws of the Commonwealth.

As for treating all citizens of the Commonwealth fairly, if a law enforcement officer is in a self defense situation, they should be able to use a choke hold if that is the only means available to prevent the loss of their life. Also, the use of a vehicle should constitute imminent harm. You should all attend use of force training so you have better understanding of how these situations unfold as you contemplate how to change these laws.

In closing, I agree that police reform is important and needs to be addressed but passing a poor bill for the sake of passing a bill isn't in the best interest of the Commonwealth. Those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully,

Nicole Badoud

Sent from my iPhone

From: Mark O'Brien <mwobrien@fedex.com>  
Sent: Friday, July 17, 2020 10:46 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S 2820

All,

I am writing to express my disagreement with this hastily crafted bill as it applies to our first responders. I would appreciate and request that you vote this bill down and then take the necessary steps to work through a more thoughtful and productive bill that does not limit these important jobs from doing the best they can do to provide protection and in many cases life saving responses to situations that may warrant above and beyond efforts to effectively remediate certain life and death situations.

Thank you for your consideration of my input in this extremely important matter

Regards,

Mark W. O'Brien  
70 Bennett St  
Wakefield Ma  
01880

Sent from my iPhoneFrom: Jill Tredo <jmcocchi@yahoo.com>  
Sent: Friday, July 17, 2020 10:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: We oppose S2820!

Good morning,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous

impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Jill Cocchi Tredo  
Belchertown, MA

Sent from my iPhone  
From: Gabby R <gl.reinold@gmail.com>  
Sent: Friday, July 17, 2020 10:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Dear Chairs Michlewitz and Cronin,

My name is Gabby Reinold and I live in Braintree, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard in the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard

of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant (most likely a police officer) before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative lawsuits. The erosions of S.2800 place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited

to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far-reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Very truly yours,

Gabby Reinold

Braintree, MA

From: Darin Devine <darindevine@hotmail.com>  
Sent: Friday, July 17, 2020 10:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety

issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due to the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools, organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections, it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model to be used. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Darin Devine

Resident

190 Rockland St

Canton, MA 02021

(781) 828-9515

From: Niccole Ingeno <n\_ingeno@yahoo.com>  
Sent: Friday, July 17, 2020 10:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous.

Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Niccole M Emery

From: Matthew Johnson <mdjohnson014@gmail.com>  
Sent: Friday, July 17, 2020 10:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Matthew Johnson

Mdjohnson014@gmail.com

From: Brad McNamara <bradmcmamar@me.com>



Sent: Friday, July 17, 2020 10:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill.

My name is Brad McNamara and I am the President of IBPO Local 353, which represents the men and women of the Lunenburg Police Department. I was hoping I could speak with you about the Police Reform Bill that the house is currently taking up.

There have been a number of recent high-profile events far outside of Massachusetts that have resulted in the arrest of police officers. These events have taken place in other states, yet we some politicians in Massachusetts have deemed all Massachusetts Police officers to somehow be responsible for the reprehensible actions of a few individuals in other states.

We are certainly not perfect, and do support change for the better. What I am asking is that instead of rushing to judgement and assuming all Massachusetts Police Departments are broken and doing something wrong, politicians take the time to ask what Massachusetts Police Departments are doing right. I am asking that you take those best practices from departments across the state, take input for Police Chiefs, unions, and members of communities across the state and use that information to craft legislation that will truly be beneficial to communities across the state; not something that was thrown together in haste that history will look back on as extremely flawed.

We at the Lunenburg Police Department are proud of what we do, and of the Town of Lunenburg. We take pride of the positive light that the citizens of Lunenburg view us in, and the members of this department expect one and other to be positive role models for the community, without exception. The level of trust and respect in our community is something that we are extremely proud of.

The bill that was hastily put together and passed by the Senate, under the cover of night is deeply flawed. They have stripped qualified immunity from not only Police Officers, but Teachers, Fire Fighters, EMTs, and all other public employees, except lawmakers. Lawmakers enjoy absolute immunity, which is a lot different than qualified immunity, which a public employee must qualify for. The determination to apply qualified immunity is currently determined by a judge. Qualified immunity does not protect officers who violate someone's rights. Instead, it protects government employees who perform their job to the best of their ability and in a way that is consistent with their training from frivolous lawsuits that could cost them everything that they have worked for.

The officers of the Lunenburg Police Department have always strived to do better, and implement programs to engage and benefit the community. With the loss of qualified immunity some of these programs are in jeopardy of ceasing to exist.

I know you're probably extremely busy, but if you get the chance could you give me a call 508-768-5985. I'd like to talk to you about what the men

and woman of the Lunenburg Police Department are doing right and the negative impact that the Senates Bill will have on them, their families, and the Lunenburg Community as a whole.

Respectfully,

Brad McNamara

508-768-5985.

President IBPO Local 353

From: Jessica Farrell <jessefarrell36@yahoo.com>

Sent: Friday, July 17, 2020 10:48 AM

To: Testimony HWM Judiciary (HOU)

Subject: s2800 VOTE No-MAINTAIN QUALIFIED IMMUNITY FOR OUR CIVIL SERVANTS

We have become a society where we all believe that we are experts IN EVERYTHING! We know more than everyone else simply because we have a built in public forum virtually sewn into our palms through our cell phones.

We second guess the men and women who risk their lives day in and day out to keep law and order in the communities we share. We second guess our teachers who are some of the most highly educated and regulated public service workers in this country.

Oh, and when we don't like the way that a professional does his or her job? Why just call any attorney with an available billable hour and they will gladly try to get you some free money-because if you didn't like the way something was done, you should be paid!

We owe our civil servants, the backbones of our society, the right to be protected when they are doing their jobs to the best of their ability, based on extensive, on-going training and in accordance with our extremely high expectations.

Sometimes policing looks ugly, particularly to an untrained eye. No one wants to see another human being slammed to the ground violently. And yet, sometimes that action is called for based on the judgement of a trained professional. Ask yourself if you really could do it better.

Sadly, our cities are filled with drugs, guns, and violent crimes-from armed robberies to rapes and other assaults. Sadly, we are coming to the realization that racism in this country is alive and well. As we strive to resolve the many issues at the roots of these injustices, we also need to provide minimal protections to our law enforcement officers who deal with the results of our shared societal, political, familial failures. Together we have made this mess and we ask them to keep it away from our doorstep by positioning themselves between us and the crimes that threaten us.

The indignation that has been aimed at our Law enforcement officers is a distraction from the reality of the role that we all (black, white, gay, straight, trans, etc...) play in our current divide. We have welfare, addiction, education, societal, psychological, family issues that as improved will all help us to move forward. At the same time, we have police officers who are on the receiving end of the damaged caused by our failures, working day and night to protect law abiding citizens from the offshoots of our many failings.

Police reforms that make sense are coming but we MUST MAINTAIN qualified immunity (not absolute immunity) for our civil servants.

Kindly,  
Jessica Farrell

From: Megan Ayraud Courcy <megan.ayraud@gmail.com>  
Sent: Friday, July 17, 2020 10:48 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to S.2820

Good morning,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of

their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Megan Ayraud Courcy

22 Sparrow Way

Raynham, MA

From: Lori S <wordmaeven@yahoo.com>

Sent: Friday, July 17, 2020 10:48 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Margaret Wentworth <wentworth1687@gmail.com>

Sent: Friday, July 17, 2020 10:48 AM

To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Good morning representatives,

Thank you for citizen input on this important bill, S2820. I am writing in strong support of this bill. As a licensed mental health counselor I have seen both sides of what police officers can do with in their role and power. It is with adamant belief that sweeping police powers and a lack of officer accountability more often than not are barriers, not aids, to effective policing. S2820 will more effectively position law enforcement to act with only the tools, tactics, and mentalities appropriate for the job. My time in mental health counseling serving DYS, residential and community positions strongly informs this position.

In my career, I have learned, practiced, implemented and learned again deescalation techniques and tools. Although I have also been taught defensive interventions and even restraints. By far, the deescalation tools have helped me the most effectively and the most frequently. For the majority of my career, I worked in a residential setting, where I had the privilege of training non-clinical colleagues on the principles of deescalation and safe, compassionate physical restraint. We always taught that going "hands on" was an absolute last resort, but, due to the acute nature of the population we served, I, unfortunately, had to engage physically several dozen times over the course of a few short years. In that work, I was bit, punched, stabbed, spit on, kicked, grabbed between the legs and pulled by the hair.

Never once, in my career, have I had the luxury of a combative union which would fight for my job if I choked someone to death. Moreover, never once have I felt as if the free reign to strangle even the most violently dysregulated client would have made me any safer in the long run. This distinction is important for those using the narrow lens of exclusive prioritization of officer safety at any cost. Even ignoring the rampant brutalization of disproportionately Black, Brown, poor, and mentally ill civilians in crisis, different tactics will also translate into greater officer safety. In my residential work (and elsewhere in my career), we saw every day that the safest strategy for client safety was also the safest strategy for our own: responding with calm compassion and connection.

Thank you for your time and movement forward of a bill the will increase ALL of your safety and well-being.

Margaret Wentworth, LMHC OK  
From: Elizabeth Howell-Egan  
<ehowelllegan@gmail.com>

Sent: Friday, July 17, 2020 10:48 AM

To: Testimony HWM Judiciary (HOU)

Subject: Support for S.2820 An Act to Save Black Lives by Transforming Public Safety

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a necessary step towards ending systemic racism in policing by passing S.2820, An Act to reform police standards and shift resources to build a more equitable, fair, and just commonwealth that values Black lives and people of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, chokeholds, tear gas and other chemical weapons that have no place in our communities.

Please pass a bill that includes each of these critical reforms. Act for your Black constituents and communities.

Elizabeth Howell-Egan  
126 Cardinal Court, Braintree  
From: kerry dipietro <kerrydip@gmail.com>  
Sent: Friday, July 17, 2020 10:48 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Kerry Dipietro and I live at 6 Cooks Farm Lane, Lynnfield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and

regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Kerry Dipietro

Lynnfield, MA

From: seth wyatt <swyatt816@yahoo.com>  
Sent: Friday, July 17, 2020 10:48 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: police reform bill

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Seth Wyatt and I live at 30 Pond St, Bridgewater, MA 02324. I work at Old Colony Correctional Center and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

Qualified Immunity: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional

rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

Less than Lethal Tools: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

Civilian Oversight: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Seth Wyatt

From: Nick Renzette <nick.renzette@gmail.com>  
Sent: Friday, July 17, 2020 10:48 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Good morning,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.



I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Nicholas Renzette

Belchertown, MA From: Claudia Jarratt <pinhill@charter.net>

Sent: Friday, July 17, 2020 10:48 AM

To: Testimony HWM Judiciary (HOU)

Subject: Support Police Reform and Protect Citizens of Color in MA

Please support the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda

<<https://urldefense.proofpoint.com/v2/url?u=https->

[3A\\_\\_www.facebook.com\\_voteliz\\_-3F-5F-5Ftn-5F-5F-3DK-2DR-26eid-](https://www.facebook.com/voteliz_-3F-5F-5Ftn-5F-5F-3DK-2DR-26eid-)

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fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk  
13zIs16rchf\_GkGDD&m=1Dipfrmn5ZX77IHcgPLTBau27YPtflnnaCVuyAzMiZY&s=QcdffqUv  
nVemgqJgOQvftRu8euxbdtKY\_lAiCiY48j4&e=> bans chokeholds, no knock  
warrants, tear gas, and hiring abusive officers; creates a duty to  
intervene and to de-escalate and requires maintaining public records of  
officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the  
Commonwealth, State Representative Michael Day which ends the practice of  
qualified immunity, making it possible for police officers to be  
personally liable if they are found to have violated a person's civil  
rights.

Robert V. Jarratt  
Harvard, MA 01451

From: Abdikhadir Shireh <abdikhadirs@gmail.com>  
Sent: Friday, July 17, 2020 10:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please PASS Reform, Shift, Build Act (SB.2800)

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Abdikhadir Shireh. I am a resident of East Boston and I am  
writing this virtual testimony to urge you to pass SB.2800 the Reform,  
Shift, Build Act in its entirety. It is the minimum and the bill must  
leave the legislature in its entirety.

I am a Black man, a Black son, a Black brother, a Black dad, a Black uncle,  
and a Black grandson in America. What more do I need to say to you? The  
fact that I am urging you to support such a common-sense bill is why we  
say Black Lives Matter. In my opinion, this bill does not even go as far  
as I would like to see in police reform. It is a simple police  
accountability bill. It bans chokeholds, promotes de-escalation tactics,  
certifies police officers, prohibits the use of facial recognition, limits  
qualified immunity for police, and redirects money from policing to  
community investment. And if we can't get behind in simple act, I don't  
know what we will.

I urge you to ensure that all aspects of this bill are intact. We are in a  
historical moment and this bill ensures that we in Massachusetts meet the  
demand of this movement.

Please do the right thing and support this bill SB.2800.

Sincerely,  
Abdikhadir  
East Boston, MA 02128  
From: Laura DeAmato <lauradeamato@gmail.com>  
Sent: Friday, July 17, 2020 10:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity

To the Honorable Judiciary Committe:

Our Law Enforcement Officers should never be put in the position to second guess themselves in life threatening situations. Qualified Immunity must be kept for their protection, as well as all other public servants.

Respectfully yours,

Laura DeAmato, Resident  
Somerville, MA  
617-549-4083  
From: sjmangano@aol.com  
Sent: Friday, July 17, 2020 10:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: [External]: Police Reform Bill

Good morning,

I am writing to you in regards to the Police Reform bill that was just passed in the Senate, I am not sure what all 143 amendments entail on the bill, but I am NOT in favor of removing "qualified Immunity " as it is written in this bill.

I strongly believe that this will create a much more dangerous environment for EVERYONE , but especially for the police. An officer should be able to do his job without fear of being "sued" while performing the normal duties of a police officer. We live in a society where we make it easy for people to do just that already, and I believe this will just give them the "green light " for it to be done even more.

My hope is that the House will not rush this bill, as the Senate did, without speaking with those who actually serve in law enforcement and really seeing that "item" will have a tremendous impact on their everyday decisions on duty and whether or not it is actually worth the risk to stay in law enforcement .

My understanding of "qualified immunity" is that an officer is not exempt from being sued if he is in violation of his duty, so not sure why the push to do away with it. I don't understand why their cannot just be punishment or removal of an office who actually does something bad or illegal, without jeopardizing the livelihoods of all of the police who actually do the right thing.

In our normal jobs, we are give verbal , and written warnings and then let people go . Why can't this apply to police? I also think it is "insane" for people to think," well, I could be sued " at their normal job, when, lets be honest, the 99 % of people that police will have interactions, are not law abiding citizens.

I also fear, that instead of this helping to get good qualified candidates for policing, you are now going to have a much smaller pool to choose from, because, quite honestly, who would want this job. It is already stressful enough, this would make it more so and right or wrong, is it really worth the risk. Its one thing to be killed or hurt on the job, because you want to make a difference, but it is entirely different to go to work everyday, knowing that no matter what you do, someone could file a lawsuit against you.

I hope you will carefully consider this item in the bill before voting to pass it.

Sincerely  
Sharon Mangano  
Rowley MA

From: Trudi Boc <trudiboc@gmail.com>  
Sent: Friday, July 17, 2020 10:47 AM  
To: Testimony HWM Judiciary (HOU)

Although I agree there should be police reform in some form I do not think we should put Police in danger of losing their home or going to prison. We have to protect our Police, not all are bad as in the George Floyd case. Nobody will want to become a Police Officer if this bill goes through.

Reform with training, remove the police who have a long record of abuse but don't hurt the good Police.

Thank you,

Trudi Boc

From: Christian Davis <davisc@worcesterschools.net>  
Sent: Friday, July 17, 2020 10:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate bill

Please reconsider the senate bill that was passed was anti labor legislation. It removes our rights to due process, collective bargaining & inserts a board that has no training, experience or background in law enforcement. Sincerely a Massachusetts resident.  
From: jane mauro <thorpuppy60@hotmail.com>  
Sent: Friday, July 17, 2020 10:47 AM  
To: Governor Charlie Baker  
Cc: Testimony HWM Judiciary (HOU); Muratore, Mathew - Rep. (HOU); Moran, Susan (SEN)  
Subject: S.2820

If you live in Plymouth County, they are:  
Representative Mathew.Muratore@mahouse.gov  
Senator susan.moran@masenate.gov

Re: Acceptance of Written Testimony Only

Contact: Testimony.HWMJudiciary@mahouse.gov

WRITTEN TESTIMONY VIA EMAIL ONLY

Dear Governor Baker,

My name is Jane Mauro and I live at 256 Halfway Pond Rd, Plymouth, Mass. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

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protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Jane Mauro (for all my voting family)

From: thomas.carey55@gmail.com  
Sent: Friday, July 17, 2020 10:47 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Driscoll, William - Rep. (HOU)  
Subject: Police reform

I am a resident of Milton and a Sergeant for the Norwood Police. I, like any decent person, was horrified to watch George Floyd's murder. I realize that people in my profession have caused a great deal of damage to minority communities in the past, and I am motivated to make law enforcement better in the future. I am saddened that it took Mr. Floyd's murder to get people moving.

I am seriously concerned with a few of the items put forth by the Senate, and I am entrusting the House will correct these things. One of these items that I feel will have an extremely negative impact on my profession is ending qualified immunity. Police officers make split second decisions in rapidly evolving and dynamic situations, and we do so to protect the public. Qualified immunity DOES NOT and SHOULD NOT protect us, should we violate clearly established law, or prove to be incompetent. Qualified immunity does shield police, and many other public officials, including yourself, from frivolous lawsuits. In a recent study done by UCLA, researchers found that courts only accept a qualified immunity defense around 12% of the time.

Ending qualified immunity will have a disastrous effect on police hiring. It will be harder to attract quality candidates to effect the change that the profession needs. This comes at a time when our candidate pools are already at all-time lows. We desperately need to attract the best people from our communities to work in law enforcement. Ending qualified

immunity for police will be counterproductive to that. Please consider opposing ending qualified immunity for police.

I am also concerned that the Senate's bill takes away due process in disciplinary matters. A right that the Supreme Court has upheld in all civil and criminal cases since the birth of our nation, and a right that organized labor has fought for since its inception. The Senate wishes to create a disciplinary review board with no law enforcement representation to sit in judgement after the fact, to judge an officer's reasonableness. Reasonableness being the key operating term set forth by the Supreme Court in many landmark use of force cases. Unless politicians and activists can say that their knowledge supercedes the US Supreme court, then it becomes essential that the review boards are compromised at least partially by law enforcement. What can a community activist speak to in terms of reasonableness of a job they know nothing about, except as an uninformed observer?

I ask you to help law enforcement effectively keep our communities safe. The unintended consequences of the Senate's bill will reap a whirlwind of consequences for our communities if left unchecked by the House.

Sergeant Thomas Carey  
182 Thacher St <x-apple-data-detectors://0/1>  
Milton, MA <x-apple-data-detectors://0/1>  
7816302318

Sent from my iPhone  
From: Ellen Zontini <ellenzontini@yahoo.com>  
Sent: Friday, July 17, 2020 10:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820

Dear Committee Chairs:

Thank you for considering the concerns and views of all citizens when working to reform police standards and resources. This bill impacts my family greatly as we are a police family and I am a public school educator. My family is fully committed to our community on Cape Cod and across the Commonwealth.

What happened last week in the Senate was incredibly discouraging to all public servants. We were particularly disappointed in our local elected officials who either did not speak with local police departments or chose to "ride the wave" of the media who generalize our population as "Black lives" or "Blue lives." We are also voters; many of whom will be voting differently when our senator's term is up for reelection. But, above all else, we are humans and it is our job to take care of each other. We simply ask that our representatives remain transparent, research this bill from all perspectives before making a decision and consider repercussions of proposed changes to Qualified Immunity.

It is a common occurrence in our home to discuss how we can work as a family to increase awareness of communities of color, particularly on Cape Cod, and increase diversity in our neighborhoods. We also discuss who would choose to become a police officer during these times? Without the support from our elected officials, who understand the challenges and trauma officers (and their families!) face on a daily basis, we are afraid we will not have quality law enforcement to keep us safe. My husband, who has been in law enforcement for over 25 years, has always said, "Everyone deserves to get home safely at the end of the day. That's my number one job." Please consider these words as your job, too, when considering the police reform package. I welcome a conversation with anyone who wishes to hear from a family with a long history of public service.

Warm regards,

Ellen Zontini  
Yarmouth Police Family  
Barnstable Public School Teacher  
Diagnostician at Cape Cod Regional Technical High School (Independent Contractor)  
(508) 737-9675

From: Keri Bouthiller <keribout@gmail.com>  
Sent: Friday, July 17, 2020 10:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill a 2820

I'm not in support of this bill. Allowing our police to be civil sued and taking money away is not the answer. I back our police and do not support this bill.

Sent from my iPhoneFrom: Bill Massey <wgmassey@comcast.net>  
Sent: Friday, July 17, 2020 10:46 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Greetings;

I stand with you as you work to advance the profession of policing to a more fair, just, equitable and transparent system that is free of racism, bias, brutality and injustice. As a veteran police officer with over 20 years of experience I know that all of those things; racism, bias, brutality and injustice, exist in our society.

I believe that black lives matter...black lives are important and they should be valued no more or no less than any other lives. We are one, or at least we should be. I also recognize that for too long injustice has existed on city streets, in small towns, in schools, the



business world, courtrooms as well as other institutions that should discourage and prevent injustice.

When I think of the magnitude of the problems we as a society face, I am frightened at the idea of the size, scale and magnitude of a solution that will be needed for a meaningful impact in our society.

Any process implemented to BEGIN to address these issues must be a reflection of the desired outcome; fairness, equity, transparency...and my favorite word as a police officer; REASONABLENESS.

I urge you to ensure that members of a certification/decertification review board for police conduct are qualified as a professional in a field or discipline that reflects some of the many issues police officers are faced with. These include; law, social services, defensive tactics, de-escalation, mediation, conflict resolution, use of force, psychology, juvenile issues, addiction, domestic violence, etc.

I wish you all the best as you work toward improving and advancing the profession of policing. Your is no easy task.

"with liberty and justice for all"

Respectfully,  
William Massey  
Harwich, MA resident

From: Lori Kelly <lbkelly812@icloud.com>  
Sent: Friday, July 17, 2020 10:46 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down qualified immunity in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to

ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum it should specifically eliminate any provisions similar to sections 10, 49, and 52, as well as amend Section 63 to have more police representation.

Sincerely,

Lori Brannigan Kelly  
Republican State Committeewoman  
First Suffolk District  
628 East 2nd Street  
Unit #2  
South Boston, MA 02127  
617-571-2049

From: Michael Allen <moa762@gmail.com>  
Sent: Friday, July 17, 2020 10:46 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on S. 2820

Dear Chair Michlewitz, and honorable members of the Committee,

I write today in support of the S. 2820 the Reform, Shift, and Build Act. Please support a strong bill that improves police accountability, including:

- \* A ban on racial profiling and racial data collection on all traffic and pedestrian stops, including ones that do not result in a citation;
- \* Creation of the Police Officer Standards and Accreditation Committee to certify and decertify police officers, and to ensure that police officers who commit misconduct cannot simply move from town to town and remain officers;
- \* A moratorium on the use of facial recognition technology;
- \* Restrictions on the use of tear gas (which the Geneva Convention holds to be a chemical weapon, the use of which is banned in warfare) and other use of force policies; and
- \* Reform of qualified immunity so that officers are no longer immune from violating our basic constitutional rights.

Most importantly, please retain the qualified immunity reform in Section 10 of S. 2820. Under current law, a plaintiff virtually cannot sue unless a previous court has found that the exact same conduct, in the exact same circumstances—no matter how egregious—was a constitutional violation. This includes situations such as the one Senator Brownsberger described in detail on the Senate floor in which officers in Massachusetts forced a

woman to have her vagina searched. Civilians deserve the ability to hold police officers accountable for egregious violations of their rights.

Sincerely,

MIchael Allen  
45 Josephine Avenue  
Somerville, MA 02144  
From: e Golod <privet\_123@yahoo.com>  
Sent: Friday, July 17, 2020 10:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: re: bill to end qualified immunity for police officers

I agree with the below  
I strongly disagree with the bill to end qualified immunity for police officers

Dont pass this unfair law !  
Len

If you agree forward this email to Testimony.HWMJudiciary@mahouse.gov

Remove my email address from your forwarding.

Replace Vladimir's name with your at the end your email.

From: Center Makor <centermakor@gmail.com>  
Sent: Friday, July 17, 2020 9:49 AM  
To: undisclosed-recipients:  
Subject: URGENT. PLEASE HELP POLICE!!!

Dear Friend,

This is a letter I sent to MA House of representatives

The similar letter I sent as a testimony to the MA House of representatives. The deadline for testimonies is tomorrow at 11:00 am.TODAY, Friday, July 17, 2020, We still have about 1,5 hour to act.

Their email is Testimony.HWMJudiciary@mahouse.gov

You can also send it to your MA Representative from your town or city.

Vladimir

It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

The very idea that such a thing as removing qualified immunity from police can be seriously proposed, let alone voted for 30 to 7, seemed totally absurd just a few months ago. Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function. And policemen, due to the very nature of their work, are the most vulnerable group.

This shameful legislation is unfair, immoral, and harmful to the extreme, especially to the people of color, whom it's supposedly designed to help - this group needs strong law enforcement and police protection more than anybody. By taking away qualified immunity from police the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen will retire, which is already happening. And nobody will be interested in joining the police force - the group that not only is unjustly vilified but now even deprived of any legislative protection.

A horrible death happened in Minnesota and everybody condemned it. But why the whole profession of policemen is punished for that? I talked to Brookline police and there has been not a single incident of police brutality for the years of existence of Brookline police. Massachusetts police in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Vladimir Foygelman,

58 Rosewood Dr.

Stoughton, MA

--

Vladimir Foygelman

Center Makor, President

(617) 771-4870

centermakor@gmail.com

<http://www.centermakor.org/>  
<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.centermakor.org\\_&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=7KK2jjJNhFl\\_I5\\_X2BzyVM9fM6q4izbcYpm4vGnhlpw&s=mL5GU7Vi kuVXJItiROLYwJpYEXMfwV3tujxDtkt8Cbw&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.centermakor.org_&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=7KK2jjJNhFl_I5_X2BzyVM9fM6q4izbcYpm4vGnhlpw&s=mL5GU7Vi kuVXJItiROLYwJpYEXMfwV3tujxDtkt8Cbw&e=>)>

From: Melissa Doherty <MDoherty15@msn.com>  
Sent: Friday, July 17, 2020 10:46 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Danny Ryan  
Subject: Is this really necessary?

To Whom It May Concern;

I write to give testimony on the bill before the House. I understand some points of this bill are to codify actions and non-actions that many of our police departments already do, however I am confused why it is necessary to change the "qualified immunity" of first responders. Why is that necessary when there is already a mechanism in place for victims to sue if there is negligence on the part of the first responder? If there is no negligence - why would it be necessary to sue? Who is going to pay for the first responder's attorney? How long will a first responder's family have to endure a court process for something they did while DOING THIER JOB without negligence? Not only is it unjust, it is going to clog our, already overloaded, court systems with petty lawsuits.

I just don't understand why this is necessary?

I believe limiting qualified immunity is the absolute wrong decision here and will have far-reaching consequences that are not currently apparent. This is a heated world we are living in and there is a rush to judgment here.

By all accounts, we have the finest, most courageous first responders in the entire country - the Boston Marathon bombing was a true testament to that. Please ask yourself do we want that care to change? Do we want their reactions to situations to change because they are concerned about being personally sued?

Is this really necessary?

Sincerely,  
Melissa Brennan  
8 Chestnut Street

Charlestown, MA 02129  
From: Melanie Patten <melp672@gmail.com>  
Sent: Friday, July 17, 2020 10:46 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony Regarding S.2820

Dear members of House leadership;

I am writing to you today in regards to proposed legislation S.2820. I am concerned that this bill does almost nothing to prevent state violence against Black people or stop the flow of Black people into jails and prisons.

I believe S.2820 will cause more harm than good by increasing spending on law enforcement through training and training commissions, expanding the power of law enforcement officials to oversee law enforcement agencies, and making no fundamental changes to the function and operation of policing in the Commonwealth. Real change requires that we shrink the power and responsibilities of law enforcement and shift resources from policing into most-impacted communities. The definition of law enforcement must include corrections officers who also enact racist violence on our community members.

Instead of increased funding for police training and commissions, communities need investments in healthcare (including mental health services, trauma healing, and non-punitive non-coercive substance use treatment), dignified and truly affordable housing, access to nutritious food, clean well-maintained parks, art and cultural opportunities, education, and living-wage jobs. We must fund these resources in a way that builds power for members of directly-impacted Black and Brown communities to lead in developing the programs and services that are most needed in their own neighborhoods. Investment in and connection to community, not law enforcement, is the key to true public safety. People need to be able to move safely throughout their communities and stay connected to their neighbors without fear of surveillance or police harassment.

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people. Rather than limiting legislation to moderate reforms and data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. In addition we must also support the demands of student-led efforts to remove police from schools.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there.

Thank you for your attention on this important matter.

Sincerely,

Melanie Patten

98 Fletcher St. #2

Roslindale, MA 02131

From: Nicole M <twixaholic22@gmail.com>  
Sent: Friday, July 17, 2020 10:46 AM  
To: Testimony HWM Judiciary (HOU); Coppinger, Edward - Rep. (HOU); DeLeo, Robert - Rep. (HOU)  
Subject: Opposed to S2800

My name is Nicole E. Medina and I live at 33 Dietz Road, Hyde Park. As your constituent, I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It strips Constitutional Rights from police officers, the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction.

Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act

reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, and law enforcement should oversee law enforcement.

You have been elected to make decisions for US and I urge you to support legislation not motivated serving to retaliate in anger and malice. I also urge you to consider giving up your own legislative immunity to show your confidence if you choose to support this bill.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Nicole E. Medina

<[https://www.google.com/s2/u/0/photos/public/AIbEiAIAAABECIqSgO6ZufjjtwEiC3ZjYXJkX3Bob3RvKihlN2Y2ODA0ZjA4NTU2MDc2OTc5MTQ2NWRiZWVmI4MDkzZTQ4MDYyMAELmI7H\\_ZqcyfOV4SpWtk977xKPDg?sz=40](https://www.google.com/s2/u/0/photos/public/AIbEiAIAAABECIqSgO6ZufjjtwEiC3ZjYXJkX3Bob3RvKihlN2Y2ODA0ZjA4NTU2MDc2OTc5MTQ2NWRiZWVmI4MDkzZTQ4MDYyMAELmI7H_ZqcyfOV4SpWtk977xKPDg?sz=40)>

From: Michelle Wilson <michellewilson216@yahoo.com>  
Sent: Friday, July 17, 2020 10:45 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Objections to S.2800

Representatives Michlewitz and Cronin

Massachusetts House of Representatives

24 Beacon Street



Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Michelle Wilson and I live at 769 Forest Street, North Andover, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought

in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Michelle Wilson

From: Neema Avashia <nba@uwalumni.com>  
Sent: Friday, July 17, 2020 10:46 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass S. 2820!

"Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms."

Neema Avashia

41 Boylston Street

Jamaica Plain 02130

Sent from my iPhone

From: Rosemary Kean <rosemarykean510@gmail.com>

Sent: Friday, July 17, 2020 10:45 AM

To: Testimony HWM Judiciary (HOU)

Subject: police accountability

Dear Representative Aaron Michlewitz and Representative Claire Cronin,

Rosemary Kean here with the Greater Boston Interfaith Organization (GBIO). I live at 83 Codman Hill Ave. in Dorchester. I'm writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism

- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you very much for all of your work on this critical issue.

Best Regards,

Rosemary Kean (617-282-7449)

From: David Sullivan <grtoutdrs36@gmail.com>  
Sent: Friday, July 17, 2020 10:45 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Written Testimony

I would like to thank you for allowing a to submit my thoughts on An Act to Reform Police Standards (S2820). This will shape the future of policing here in the Commonwealth. I have seen my share of changes in the over two decades that I have been a police officer, but I have not seen the kind of vitriol that has been aimed at Police in general over the last month or so. I am a Grafton police officer and take pride in the fact that we in Massachusetts are ahead of the curve in the way we do things and the way we deal people. I believe S2820 is well intentioned, but does actually hinder police officers in their jobs in several important areas. The last thing we need is a police officer hesitating to decide if he can afford to make a life or death decision based on financial reasons and possible liability.

I want to state that I believe that almost all police officers do what they believe is right at the time without malice trying to get the best outcome for everyone involved. I believe the training we receive now is ahead of the curve for most of the country. I am all for more training because a smart police officer is a better police officer but I also don't believe we do not need to reinvent the wheel. The most important issues being the following. The first being Decertification process. If POSAC claims jurisdiction after one year regardless of of any local investigation it will circumvent on the rights of the officer to collective bargaining rights and due process they have negotiated. Next, I feel the the Board for decertification should have a background in such things as law, use of force, defensive tactics, firearms, psychology and social science. Having civilians without experience or expertise to decertify an officer runs contrary to any other such oversight board in the Commonwealth. Are other professionals such as doctors or lawyers are not judged by civilian review boards and neither should professional police officers. Finally, The issue of Qualified Immunity is not cut and dry. It is a very complex issue. It is far from guaranteed for police officers and is only granted if specific criteria are met. This issue

should be addressed very carefully by a board or committee made up of legal experts and the judges who have experience in these matters. They can make recommendations based on their discussions.

Please feel free to contact me with any questions or if you wish further input.

David Sullivan

55 Elmwood Street  
South Grafton, MA 01560  
508-839-0783

From: Reilly, Peter <PReilly@akfgroup.com>  
Sent: Friday, July 17, 2020 10:45 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

To whom it may concern,

I have no other way to express the outrage I feel towards the proposed S2800 Bill.

I am sure you are being inundated with similar emails so I will keep this short:

The lack of due process is appalling. The complete disregard for the challenges and situations that police officers and other first responders are faced with and the decisions they have to make within seconds are being totally ignored. I have serious concerns that passage of this bill will negatively impact the ability of law enforcement and other first responders to properly perform their duties and the public will suffer because of this.

Please take these concerns and all others seriously when voting on this Bill.

Thank you.

Peter Reilly  
17 Canterbury Street  
Andover, MA 01810

Sent from my Verizon, Samsung Galaxy smartphone

This e-mail may contain information that is confidential, privileged or otherwise protected from disclosure. If you are not an intended recipient of this e-mail, do not duplicate or redistribute it by any means. Please delete it and any attachments and notify the sender that you have received it in error. Unintended recipients are prohibited from taking action on the basis of information in this e-mail. E-mail messages may contain computer viruses or other defects, may not be accurately replicated on other systems, or may be intercepted, deleted or interfered without the knowledge of the sender or the intended recipient. If you are not comfortable with the risks associated with e-mail messages, you may decide not to use e-mail to communicate with AKF.

From: Zhanna Chats <zh.chat19@gmail.com>

Sent: Friday, July 17, 2020 10:45 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin

My name is Zhanna Chatsman. I reside at 422 Boston street, North Andover, MA, 01845.

I've been a naturalized US citizen for decades.

First of all - we appreciate all the great work you personally make for the good of our community.

I write to you today to express my staunch opposition to S.2820, which to me and to many of my friends gives an impression as being a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong. Any legislation with such a profound effect on public safety should be brought up to a voters referendum. We, the public whose safety is at stake, should be able to have a vote and say on it.

In addition to the above point, I as a Jew, being born in Soviet Union, who personally experienced antisemitism and racism in the old world, view this bill as racist. We are all equal here in this great country. We have no institutionalized racism and I urge you to keep it that way. A bill that specifically calls out one race is racist.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction.

Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Zhanna Chatsman  
422 Boston street  
North Andover, MA.01845  
From: bsa@markalmeda.com  
Sent: Friday, July 17, 2020 10:45 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: I oppose House Bill S2800

I strongly oppose House Bill S28000. I ask that you oppose this bill. It does not address the issues you wish to resolve. The bill passed by the Senate was hurried and the language of it needs to at least be reconsidered in light of the consequences of it passing.

Mark Almeda  
1281 Washington Street  
Walpole

From: Domb, Mindy - Rep. (HOU)  
Sent: Friday, July 17, 2020 10:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: [External]: Please pass a strong omnibus bill to increase police accountability

Attached from my constituent.

Mindy Domb, State Representative 3rd Hampshire District

Proudly representing the residents of Amherst, Pelham, precinct 1 in Granby

Phone/Amherst: 413-461-2060

Information on COVID-19: the state's website <<http://www.mass.gov/covid19>>  
CDC <<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>> World Health Organization <[https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information on Unemployment Benefits: How To Apply For Unemployment <[https://www.mass.gov/applying-for-unemployment-benefits?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/applying-for-unemployment-benefits?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)> COVID-19 Unemployment Information <[https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information for Pandemic Unemployment Assistance for self-employed, gig workers, freelancers, independent contractors & others.  
<<http://www.mass.gov/pua>>

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From: martha.mccollough@gmail.com@mg.gospringboard.io  
[martha.mccollough@gmail.com@mg.gospringboard.io] on behalf of Martha McCollough [martha.mccollough@gmail.com]  
Sent: Thursday, July 16, 2020 9:43 AM  
To: Domb, Mindy - Rep. (HOU)  
Subject: [External]: Please pass a strong omnibus bill to increase police accountability

Dear Rep. Domb

As your constituent, I'm writing to ask you include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.



First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights. Banning violent police tactics is meaningless if there is no way for people to hold the police accountable when they break the rules. Victims of police brutality deserve justice.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to do the right thing. We need to deliver racial justice to Black and Brown people in our state, and that starts with baseline police accountability through robust legislation.

Please work to include the above provisions in the final version of this bill.

Sincerely,

Martha McCollough  
47 Pine Grv  
Amherst MA, 01002-2740  
From: Judith Clementson <clementson.judith@gmail.com>  
Sent: Friday, July 17, 2020 10:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for Police Reform, GBIO

Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Judith Clementson with the Greater Boston Interfaith Organization (GBIO). I live at 50 Longwood Ave, Brookline. I am writing to urge you and the House to pass police reform that includes:

\* Implement Peace Officer Standards & Training with certification

- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

I strongly believe that these reforms are in the best interest of every citizen, and that ultimately they will restore full confidence in the integrity of all branches of law enforcement in the Commonwealth. I personally believe that a very small number of officers have damaged this confidence, and that because of the current lack of accountability and regulation confidence in the entire system has been eroded. This is unfair to the vast majority of dedicated law enforcement professionals who serve us, often at great risk to themselves.

Thank you very much.

Judith Clementson

clementson.judith@gmail.com

402-309-0092

50 Longwood Ave, #719

Brookline, MA 02446

From: Joseph Maruca <jmaruca291@gmail.com>

Sent: Friday, July 17, 2020 10:44 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820 & Qualified Immunity - Volunteer Fire Services

Hi:

I realize that the move to modify or eliminate qualified immunity is focused on police and policing, and I fear that without any analysis at all we are going to modify or eliminate it for fire and rescue personnel. I am the chief of a combination fire department (mostly volunteer fire department) and suddenly without any data, analysis, or discussion I'm told that this legislation will eliminate qualified immunity for fire and rescue personnel, including volunteers. (About 40% of Massachusetts firefighters are volunteers.) We in the fire service haven't had any chance to study or consider this issue as it relates to our staff, and in particular how it relates to those departments that rely upon volunteer or call firefighters.

I feel that before making any changes to qualified immunity we need to understand how it will change the rights and responsibilities of fire and rescue personnel and their departments. Will a person be able to bring suit personally against the fire officer commanding a fire if the house burns down claiming some hidden intent? Is that the intent, or will this be an unintended consequence of rushing to judgement on this issue. Will volunteer rescuers have to hire lawyers or worry someone could place on their house while suing them for failing to rescue a drowning family member? There has been no opportunity to explore these issues and their impact on the provision of fire and rescue services, particularly by volunteers.

Please keep in mind, that qualified immunity does not shield fire and rescue personnel from intentional crimes, and that we are not immune from negligence while driving or malpractice while treating patients.

I urge you take the time to look at the potential for widespread unanticipated consequences before enacting this particular change.

Thank you,

Chief Joseph V. Maruca

West Barnstable Fire Department

From: Peter Steele <steele.peter.3@gmail.com>  
Sent: Friday, July 17, 2020 10:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways and Means and Judiciary Committees,  
I'm writing in favor of S.2820 to bring reform to our criminal justice system. I hope you will work quickly to strengthen and pass this important bill. I believe we need to end qualified immunity, introduce strong standards for decertifying police officers, and ban chokeholds and no-knock raids. Thank you.

Peter Steele, Winchester

From: William Warnken <williamwarnken@yahoo.com>  
Sent: Friday, July 17, 2020 10:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Veto Police Reform Bill

Good Morning,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

William Warnken  
Beverly Rd  
Worcester, MA  
From: Therese Gallant <tmg209@comcast.net>  
Sent: Friday, July 17, 2020 10:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Good morning,

I think what saddens and frustrates me the most about this bill is that it is very evident that those who created it have not taken the time to actually educate themselves about policing in the state of Massachusetts.

Folks, we don't practice nor does any department condone the use of a chokehold. It is not part of our use of force continuum training...educate yourselves please!!

There is language in this bill that requires training of police in Massachusetts in order to de-escalate situations, particularly when encountering people with mental health concerns. It's already being done, and has been part of our training for quite awhile now. Educate yourselves please.

And speaking of education, I wonder if anyone on this committee has ever actually asked to see the levels of education that are held by people in this profession? They might be surprised to learn just how well educated this profession is.

It is extremely insulting, alarming and demeaning to have myself and my colleagues' integrity, professionalism, courtesy, civility, capability, life experience and education, called into question without an actual discussion or educated evaluation before implementing such gross changes to the law enforcement profession.

Hey folks, you represent us ALL and you have done us a HUGE disservice to push such language through without the benefit of educating yourselves as to what services we actually provide and the exceptional work we do within our community, on a daily basis, even in the midst of this maelstrom we find ourselves in currently.

My department has implemented innovative means to deal with homelessness and addiction problems. My colleagues have worked hand in hand with local and state personnel to make these changes. My colleagues, not you, have written grants to get social workers attached to us to help with these programs. WE ARE ALREADY DOING those things that you want to mandate. Educate yourselves please!!

In summary, this push for reform, without any (clearly) intent to educate the decision making members, frustrates, saddens and angers me. There is always room for improvement, opportunity for discussion, opportunity to make changes, but this is clearly not the way to go about it. I will be leaving the profession that I've worked very hard at earlier than I intended as I am tired of being the target of people's wrath, disdain, and ignorance. My family deserves a happier and healthier mom.

Sincerely,

A Barnstable Police Officer  
508-775-0387

From: Jessica Goodman <jagoodman13@gmail.com>  
Sent: Friday, July 17, 2020 10:44 AM  
To: Testimony HWM Judiciary (HOU); Jehlen, Patricia (SEN); Connolly, Mike - Rep. (HOU)  
Subject: PLEASE SIGN THE REFORM SHIFT AND BUILD ACT

Hello - my name is Jessica Goodman and I am a resident of Somerville, MA (zip code 02143).

I am writing to urge the House to sign the Reform, Shift and Build Act for several reasons.

\* I strongly support the measurements in this act that hold police accountable and creates a process for certifying and decertifying police officers. MA deserves to trust the police officers that are helping to keep our communities safe and to remove officers from duty if they are abusing their power.

\* Banning the use of chokeholds and limiting the use of tear gas is an important step to removing these inhumane practices.

\* Making school resource officers optional is an important step to reducing the school to prison pipeline that affects so many minority students.

\* Creating a Community Policing and Behavioral Health Advisory Council will help give communities the care they need.

I also urge you to add the following provisions to the bill

- \* ban the use of no-knock warrants
- \* raise the age of juvenile jurisdiction to 21
- \* ban the use of facial recognition technology

Please pass a STRONG Reform, Shift and Build Act that prioritizes police accountability and racial justice.

Thank you,  
Jessica

From: Lorina Gjino <lorinagjino@yahoo.com>  
Sent: Friday, July 17, 2020 10:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Vote NO to S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor

and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Lorina Hollow  
189 Main Street  
Amesbury, Ma 01913

Sent from my iPhone  
From: CHRIS <mfbresnahan@comcast.net>  
Sent: Friday, July 17, 2020 10:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Good morning,

As concerned citizens of the Commonwealth, we write to you today to express our STRONG opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I would like to reiterate that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the RESPECT and DIGNITY they deserve.

Thank you,

Christopher and Geraldine Bresnahan  
10 McGrady Street  
Holyoke, MA

mfbresnahan@comcast.net

Sent from Xfinity Connect ApplicationFrom: Domb, Mindy - Rep. (HOU)



Sent: Friday, July 17, 2020 10:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: [External]: Please pass a strong omnibus bill to increase police accountability

Attached from my constituent.

Mindy Domb, State Representative 3rd Hampshire District

Proudly representing the residents of Amherst, Pelham, precinct 1 in Granby

Phone/Amherst: 413-461-2060

Information on COVID-19: the state's website <<http://www.mass.gov/covid19>>  
CDC <<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>> World Health Organization <[https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information on Unemployment Benefits: How To Apply For Unemployment <[https://www.mass.gov/applying-for-unemployment-benefits?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/applying-for-unemployment-benefits?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)> COVID-19 Unemployment Information <[https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information for Pandemic Unemployment Assistance for self-employed, gig workers, freelancers, independent contractors & others.  
<<http://www.mass.gov/pua>>

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From: caciepiela=amherst.edu@mg.gospringboard.io  
[caciepiela=amherst.edu@mg.gospringboard.io] on behalf of Catherine Ciepiela [caciepiela@amherst.edu]  
Sent: Thursday, July 16, 2020 9:48 AM  
To: Domb, Mindy - Rep. (HOU)  
Subject: [External]: Please pass a strong omnibus bill to increase police accountability

Dear Rep. Domb

As your constituent, I'm writing to ask you include three essential measures in any legislation on police accountability and racial justice.

Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights. Banning violent police tactics is meaningless if there is no way for people to hold the police accountable when they break the rules. Victims of police brutality deserve justice.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to do the right thing. We need to deliver racial justice to Black and Brown people in our state, and that starts with baseline police accountability through robust legislation.

Please work to include the above provisions in the final version of this bill.

Sincerely,

Catherine Ciepiela  
75 Mill Lane  
Amherst MA, 01002-2929  
From: Katelyn Pento <katelynpento@yahoo.com>  
Sent: Friday, July 17, 2020 10:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reforming Police Standards. House Bill 4398

To House of Representatives,

What do Police, Fire, Ems, Nurses, and Doctors all have in common? They all chose a career path that serves the public. Most of these people chose this path to make a difference. These jobs are stressful and often thankless. Some people say "well they get paid well", and that may be true, however the abuse that first responders deal with is not worth the

money. The positive changes that first responders make in people's lives every day is worth every penny. When you save a life and you are able to tell a family that their loved one is ok is truly the best feeling in the world. But when you have to tell a family member that their loved one did not make it, it is devastating for all involved. First responders are human and have feelings too. They do not deserve the abuse they deal with every day. If you are a victim of a crime you want the police to respond to help you. If you are in car accident you want police, fire, ems, and the medical team to care for you. If you take Qualified Immunity away from these individuals you are taking their protection away. They set out every day to serve and protect. They run towards the emergencies as others are running away. They risk their lives to save others. They should be able to do the jobs they are trained to do without fear and hesitation. They should be able to return home every night to their families. They should be protected.

Qualified Immunity was designed to protect first responders from harassment, distraction, and liability when they perform their duties responsibly. I am not saying that those who commit crimes should not be held accountable for their actions.

I would say most go to work every day and perform their duties responsibly and they never plan on causing harm intentionally. As a nurse taking qualified immunity away would make me hesitate to stop at a car accident to help, because of the fear of if there is a poor outcome what could happen to me.

When a police officer responds to a call they should do the job they are trained to do. They should not have to second guess whether or not they are doing it correctly or what the consequences are if the call ends poorly. They should know that if they do the job they are trained to do then they will be protected and supported. Not crucified.

Taking Qualified Immunity away puts a target on all first responders. People are always looking to make money they will sue anyone they can. They are always looking to put the blame on someone else. Taking Qualified Immunity away will leave first responders second guessing if they should help someone or if they should wait for more support to arrive, in some cases seconds mean life or death.

Every area of public service has review boards and every time there is a question about an outcome the case is reviewed. All of the boards that review these cases are panels of experts that are familiar with that specialty. You can not have regular civilians reviewing these cases because they do not have the knowledge or qualifications to make those judgements.

Instead of taking Qualified Immunity away, why not put more education in place so all first responders can have the best training possible. So they can do the job they all love to do.

Thank you for your time,

Katelyn Pento  
87 Bluejay Way  
Pembroke, MA 02359  
781-831-2217  
From: Hotmail <rmaynard34@hotmail.com>  
Sent: Friday, July 17, 2020 10:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Good morning,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Rebecca Renzette

Belchertown, MA From: S C <shanacottone@gmail.com>

Sent: Friday, July 17, 2020 10:43 AM

To: Dooley, Shawn - Rep. (HOU); Testimony HWM Judiciary (HOU)

Subject: Norfolk Resident, Vote AGAINST S2800!

Dear Representative Dooley,

My name is Shana Cottone and I live in Norfolk, MA. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to QI will have a serious impact on critical public safety issues.

Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Shana Cottone

From: jane mauro <thorpuppy60@hotmail.com>  
Sent: Friday, July 17, 2020 10:43 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Moran, Susan (SEN); Muratore, Mathew - Rep. (HOU)  
Subject: A.2820

If you live in Plymouth County, they are:  
Representative Mathew.Muratore@mahouse.gov  
Senator susan.moran@masenate.gov

Re: Acceptance of Written Testimony Only

Contact: Testimony.HWMJudiciary@mahouse.gov

WRITTEN TESTIMONY VIA EMAIL ONLY

Dear Senator HWMJudiciary

My name is Jane Mauro and I live at 256 Halfway Pond Rd, Plymouth, Mass. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far

too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity

protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Jane Mauro (for all my voting family)

From: Claudia Jarratt <pinhill@charter.net>  
Sent: Friday, July 17, 2020 10:43 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Claudia Jarratt  
Subject: Support for Police Reform

Please, please support the inclusion of these measures in your voting today!

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda  
<



personally liable if they are found to have violated a person's civil rights.

You know it is the right thing to do. Help protect our citizens of color against systemic racism in the justice system and by supporting excessive force and brutality by law enforcement.

Not only because it is the right thing to do, but also as a way of proving to the country that MA is no longer a racist state.

Claudia J Jarratt  
Harvard, MA 01451  
From: Ron Madigan <rmadigan@swampscottpolice.com>  
Sent: Friday, July 17, 2020 10:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: SB2820

"Dear Chair Aaron Michlewitz and Chair Claire Cronin, please accept the following testimony with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color".

Please consider the concerns raised below by my fellow Chiefs of Police raised in a letter submitted by Chelsea Police and Major Cities Chiefs President Chief Brian Keyes and Massachusetts Chiefs of Police Association President Chief Jeff Farnsworth. As Chief's we place great value on training and education for our staff and welcome improvements to the existing system in the state. Concerns about altering the longstanding practice with respect to qualified immunity must be carefully considered if there is potential for unintended pitfalls that will adversely impact the quality of police service and exposure to municipalities. Thank you for your consideration.

Ron Madigan

Chief of Police Swampscott

The list that follows corresponds to the Section Numbers in Senate 2820 with the applicable line numbers:

- SECTION 4 (line 230): Under (iv), the provision states that there shall be training in the area of the "history of slavery, lynching, racist institutions and racism in the United States." While we certainly welcome any and all training that enhances the professionalism and understanding of our officers, we are somewhat perplexed as to why law enforcement will now be statutorily mandated to have such a class to the exclusion of any other government entity?

One would believe that based on this particular mandate that the issue of what is inferred to as "racist institutions" is strictly limited to law enforcement agencies which aside from being incredibly inaccurate is also insulting to police officers here in the Commonwealth.

- SECTION 6 (line 272): In terms of the establishment of a POST (Peace Officer Standards and Training) Program, the various police chief's organizations here in our state wholeheartedly support the general concept. That said, the acronym of POSAC (Police Officer Standards Accreditation and Accreditation Committee) is causing significant confusion both in this bill and in the Governor's Bill. POST has nothing to do with Accreditation per se but has everything to do with Certification - and by implication "De-certification". In this state, there currently exists a Massachusetts Police Accreditation Commission (MPAC) for over 20 years which is made up of members of Law Enforcement (Chiefs, Ranking Officers), Municipal Government, and Colleges/Universities (Chiefs) in which currently 93 police agencies are accredited based on the attainment of national standards modeled from the Commission on Accreditation for Law Enforcement Agencies (CALEA). Utilizing the word "Accreditation" in the title is definitely misleading and should be eliminated. To the best of our knowledge 46 other states use the acronym POST which seems to work without any problems or a need to create a new description of the important program.

- SECTION 6 (line 282): The Senate Bill states that POSAC shall be comprised of "14 members", however as outlined there are actually 15 positions. The MCOPA is strongly advocating for two (2) seats on the POSAC to be appointed by the MCOPA Executive Committee.

- SECTION 6 (line 321) : It appears from the language of the POSAC provision that the committee shall have the power to conduct what is referred to as "independent investigations and adjudications of complaints of officer misconduct" without any qualifying language as to how that would be implemented in terms of what type of alleged misconduct (law violations, use of force, injury, rude complaints, etc.) and when and under what circumstances will adjudications be subject to review resulting in a proposed oversight system that could go down the slippery slope of becoming arbitrary and capricious at some point and subject to a high level of scrutiny and criticism.

- SECTION 10(c) (line 570): Section 10 of "An Act to Reform Police Standards and Shift Resources to Build a more Equitable, Fair and Just Commonwealth that Values Black Lives and Communities of Color" (the Act) is problematic, not only for law enforcement in the Commonwealth, but all public employees. In particular, Section 10 calls for a re-write of the existing provisions in Chapter 12, section 11I, pertaining to violations of constitutional rights, commonly referred to as the Massachusetts Civil Rights Act (MCRA). The MCRA is similar to the provisions of 42 U.S.C. § 1983 (setting for a federal cause of action for a deprivation of statutory or constitutional rights by one acting under color of law), except however, that the provisions of the MCRA as it exists today, does not require that the action be taken under color of state law, as section 1983 does. See G.L. c. 12, § 11H. Most notably, Section 10 of the Act would

change that, and permit a person to file suit against an individual, acting under color of law, who inter alia deprives them of the exercise or enjoyment of rights secured by the constitution or laws of the United States or the Commonwealth of Massachusetts. By

doing so, the Senate is attempting to draw the parallel between the federal section 1983 claim and the state based MCRA claims. The qualified immunity principles developed under section 1983 apply equally to claims under the MCRA. See *Duarte v. Healy*, 405 Mass. 43, 46-48, 537 N.E.2d 1230 (1989). "The doctrine of qualified immunity shields public officials who are performing discretionary functions, not ministerial in nature, from civil liability in § 1983 [and MCRA] actions if at the time of the performance of the discretionary act, the constitutional or statutory right allegedly infringed was not 'clearly established.'" *Laubinger v. Department of Rev.*, 41 Mass. App. Ct. 598, 603, 672 N.E.2d 554 (1996), citing *Harlow v. Fitzgerald*, 457 U.S. 800, 818, 102 S.Ct. 2727, 73 L.Ed.2d 396 (1982); see *Breault v. Chairman of the Bd. of Fire Commrs. of Springfield*, 401 Mass. 26, 31-32, 513 N.E.2d 1277 (1987), cert. denied sub nom. *Forastiere v. Breault*, 485 U.S. 906, 108 S.Ct. 1078, 99 L.Ed.2d 237 (1988); *Duarte v. Healy*, supra at 47-48, 537 N.E.2d 1230. In enacting the Massachusetts Civil Rights Act, the Legislature intended to adopt the standard of immunity for public officials developed under section 1983, that is, public officials who exercised discretionary functions are entitled to qualified immunity from liability for damages. *Howcroft v. City of Peabody*, 747 N.E.2d 729, Mass. App. 2001. Public officials are not liable under the Massachusetts Civil Rights Act for their discretionary acts unless they have violated a right under federal or state constitutional or statutory law that was "clearly established" at the time. *Rodriguez v. Furtado*, 410 Mass. 878, 575 N.E.2d 1124 (1991); *Duarte v. Healy*, 405 Mass. 43, 537 N.E.2d 1230 (1989). Section 1983 does not only implicate law enforcement personnel. The jurisprudence in this realm has also involved departments of social services, school boards and committees, fire personnel, and various other public employees. That being said, if the intent of the Senate is to bring the MCRA more in line with section 1983, anyone implicated by section 1983, will likewise be continued to be implicated by the provisions of the MCRA. Notably, the provisions of the MCRA are far broader, which should be even more cause for concern for those so implicated. Section 10 of the Act further sets for a new standard for the so-called defense of "qualified immunity." Section 10(c) states that "In an action under this section, qualified immunity shall not apply to claims for monetary damages except upon a finding that, at the time the conduct complained of occurred, no reasonable defendant could have had reason to believe that such conduct would violate the law" This definition represents a departure from the federal standard for qualified immunity, although the exact extent to which it departs from the federal standard is up for debate, at least until the SJC provides clarification on it. The federal doctrine of qualified immunity shields public officials of all types from liability under section 1983 so long as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known. *Harlow v. Fitzgerald*, 457 U.S. 800 (1982). Stated differently, in order to conclude that the right which the official allegedly violated is "clearly established," the contours of the right must be sufficiently clear that a reasonable official would understand

that what he is doing violates that right. *Anderson v. Creighton*, 483 U.S. 635 (1987). It protects all but the plainly incompetent and those who knowingly violate the law. *Malley v. Briggs*, 475 U.S. 335 (1986). As a result, the standard sought to be created under Section 10 of the Act would provide public employees with substantially less protection than that afforded under the federal standard.

"Qualified immunity balances two important interests - the need to hold public officials accountable when they exercise power irresponsibly and the need to shield officials from harassment, distraction, and liability when they perform their duties reasonably." *Pearson v. Callahan*, 555 U.S. 223 (2009). Furthermore, although the Senate's version of "qualified immunity" would only apply to state-based claims under the MCRA, what Section 10 proposes is fairly similar to that proposed by the 9th Circuit Court of Appeals in various decisions. In those instances where the 9th Circuit sought to lower the standard applicable to qualified immunity, the U.S. Supreme Court has squarely reversed the 9th Circuit, going so far as scolding it for its attempts to do so. See *Kisela v. Hughes*, 138 S.Ct. 1148 (2018); *City of Escondido v. Emmons*, 139 S.Ct. 500 (2019). Although legal scholars and practitioners have a grasp as to the meaning of qualified immunity as it exists today, uncertainty will abound if this standard is re-written, upending nearly fifty years of jurisprudence. Uncertainty in the law can only guarantee an influx in litigation as plaintiffs seek to test the new waters as the new standard is expounded upon by the courts.

- SECTION 39 (line 1025): The provision to inform both the appointing authority and the local legislative body of the acquisition of any equipment and/or property that serves to enhance public safety makes perfect sense. That said, to have a public hearing available for all in the general public to know exactly what equipment the police departments may or may not possess serves to put communities in jeopardy in that those with nefarious motives will be informed as to what equipment that the department has at its disposal. This is very dangerous.

- SECTION 49 (line 1101-1115): This provision prevents school department personnel and school resource officers (who actually work for police departments), from sharing information with law enforcement officers - including their own agency - when there are ongoing specific unlawful incidents involving violence or otherwise. This quite frankly defies commonsense. School shootings have been on the rise since 2017. Did the Senate quickly forget about what occurred in Parkland, Florida on February 14, 2018? The learning environment in our schools must continue to be safe and secure as possible and information sharing is critical to ensuring that this takes place. Public Safety 101.

- SECTION 50 (line 1116): There seems to be a slight nuance to the amended language to Section 37P of Chapter 71 replacing "in consultation with" to "at the request of." Many police departments have had school resource officer programs in this state for 25 years or longer. The only reason why officers are assigned to the schools are because they have been "requested" to be there by the school superintendents - period. The reality is that many school districts even reimburse the police budgets for the salaries of these officers who serve as mentors for these young

middle and high school students. If the Senate is being told that police chiefs are arbitrarily assigning officers to schools without first receiving a specific request from the school superintendents, they are being misled. The 2018 Criminal Justice Reform Act has very specific language that outlines the qualifications of an SRO, the joint performance evaluations that are to be conducted each year, the training that they shall have

and the language specific MOUs that must exist between the Schools and the Police Department. We are very confused as to why this provision needs to be included.

- SECTION 52 (lines 1138-1251: There are several recommended changes to data collection and analysis as it pertains to motor stopped motor vehicles and pedestrians in this section. The Hands Free/Data Collection Law was signed into law only a few months ago before the onset of the pandemic. The new law contains a comprehensive system of data collection, benchmarking, review, analyses and potential consequences. While we continue to welcome data that is both accurate and reliable, the issue pertaining to the classification of an operator's race has still yet to be resolved. Before any data from calendar year 2020 has yet to be collected by the RMV and subsequently analyzed by a College/University selected by the Secretary of EOPSS, these provisions now look to complicate the matter even further before a determination has actually been made as to whether any problem of racial or gender profiling actually exists here in our state. We won't belabor the point, but this language appears to be what did not make its way into the Hands-Free Law which as you know was heavily debated for several months based strictly on the data collection component.

- SECTION 55 (line 1272)

To be clear, we do not teach, train, authorize, advocate or condone in any way that choke holds or any type of neck restraint that impedes an individual's ability to breathe be used during the course of an arrest or physical restraint situation. That said, we respect the discussion and concern pertaining to what is now a national issue based on the tragedy in Minneapolis. Under part (d) the language states that "[a] law enforcement officer shall not use a choke hold. [...]" What should also be included is a commonsensical, reasonable and rational provision that states, "unless the officer reasonably believes that his/her life is in immediate jeopardy of imminent death or serious bodily injury." There needs to be a deadly force exception to eliminate any possible confusion that this could cause for an officer who is in the midst of struggling for their life and needs to avail themselves of any and all means that may exist to survive and to control the subject. This is a reasonable and fairly straightforward recommendation.

- [Recommended New Section] Amends GL Chapter 32 Section 91(g): In order to expand the hiring pool of trained, educated, qualified and experienced candidates with statewide institutional knowledge for the Executive Directors' positions for both the Municipal Police Training Committee as well as the newly created POSAC (or POST), the statute governing the payment of pensioners for performing certain services after retirement,

shall be amended to allow members of Group 4 within the state retirement system to perform in these two (2) capacities, not to exceed a three (3) year appointment unless specifically authorized by the Governor.

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From: Jeffrey Carlson <jcarlson0801@yahoo.com>  
Sent: Friday, July 17, 2020 10:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: 2800

Legislators,

Thank you for accepting public testimony on your impending work on wide ranging policing reform. My name is Jeff Carlson and I am a Patrol Sergeant with the Worcester Police Department. I am writing to you as a voter and a citizen with experience in policing.

Writing "bright line" laws with regard to the use of force is rarely a good idea. If I were called to your home due to an emergency and we both feared serious injury or death, you could lawfully use a chokehold but I could not if 2800 was signed today. I could write numerous glaring examples of why firing at vehicles may be necessary but I think you understand my point.

Police Officers currently have two venues to challenge discipline or termination. Removing one of those venues, a neutral arbitrator, flies in the face of organized labor and part of the system that makes Massachusetts well known as a National model for Professional Police Officers. We should all be proud of how we are viewed around the country. We should support and enhance our Civil Service system and not dismantle it.

My co-workers and I know that change is needed and is inevitable. We are not blind to societal issues. We live these issues every day as we serve the members of our community. Experts in policing, use of force, and Constitutional Law should have a seat at a broad table when attempting to endeavor in such sweeping, transformational legislation.

I believe that there are other serious issues with Bill 2800, as currently written, but I will keep this short. I do not believe that this legislation, as is, will have the intended consequences of enhancing the public safety of our Commonwealth.

Thanks and Best Regards,  
Jeff Carlson

From: Michael Rooney <nepatriot1@verizon.net>  
Sent: Friday, July 17, 2020 10:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: opposition to Bill no. S2820.

Good morning and to whom this may concern...hmmm, which should be everyone. I/we are opposed to Bill no. S2820. This will not only place our law enforcement officers in jeopardy it will jeopardize the lives of those sent in their place and the public who depends on an officer of the Law to arrive....knee jerk reaction is what this is.....rethink it

Regards  
Concerned citizen and an Uncle of a Police Officer  
From: jksmith519@gmail.com  
Sent: Friday, July 17, 2020 10:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform Shift and Build Act

Hello,

My name is Julia Smith and I am writing to strongly encourage you to pass the Reform Shift and Build Act. This act could stop abuses of power and halt systemic racism in our policing. Now, more than ever, it is essential that we take this step to acknowledge the faults in the system and put a stop to them. So many of my friends and family members have felt the injustice of this system. From POCs being racially profiled, and stopped on streets for no reason other than the clothes they wear, to the deaths of people like George Floyd, Elijah McClain and Breonna Taylor- there is really only one right answer here. Please consider this Act as a small step in the right direction. I urge you to do the right thing.

Thank you for your time,

Julia Smith  
From: Kerry Gibson <kjw811@hotmail.com>  
Sent: Friday, July 17, 2020 10:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: From a Concerned Citizen of Massachusetts

To Whom It May Concern,

Please allow the Massachusetts Police an opportunity to present their concerns about the recent police reform bill that passed the Senate. This was a rushed legislation that requires a more thorough examination of what the revisions to "Qualified Immunity" will mean to the police and their ability to protect the public with out fearing unjust legal action.

Police deserve to be heard, and share their testimony and concerns because they are the ones out on the streets facing real time situations.

This may also impact many others in how they react to situations where they either choose to step in and help - or walk away in fear of an overly litigious society.

Yes, there are things that need addressing, however rushing something through so it appears you are doing "something" is NOT the right answer.

Respectfully,

Kerry Gibson From: Jennifer Mullin <jmullin1221@gmail.com>  
Sent: Friday, July 17, 2020 10:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820- Trust and respect for those who put their lives on the line to serve and protect us all

To the Leaders of the House,

My name is Jennifer Mullin. I am a resident of Brimfield in Hampden County.

I write to you today to express my strong opposition to parts of the hastily passed S.2800/ S.2820. I am not typically a very politically-involved person, but the recent events in our country and this bill specifically have been catalysts in moving me toward a much greater interest and understanding of the way things work in our government and the parts of the political process.

In my opinion, there are many traditional practices in this country (and some in this state) that need to be looked at and revised. Unfortunately, time and careful curation of those revisions based on the needs of Massachusetts specifically, has not been provided in the process for this bill.

I spent many hours watching the Senate discuss S.2800 and the recommended amendments. There are parts of this bill that are clearly misunderstood, as evidenced by the information (accurate or not quite so) shared during the debate. There are voices that have not been adequately represented in the short period of time the bill has been available to the public. Based on what I've seen on social media, many people think the goal is to teach the police a lesson, for being bad, more or less. Overwhelmingly, Massachusetts law enforcement officers are not bad when the data is broken down. Nor do they need to be taught a lesson.

Individuals should be held accountable when they do something wrong. I am a third-grade teacher in Sturbridge, and I'm extremely proud to have worked in public education for 15 years. I LOVE what I do. I love helping children grow and learn and discover who they are inside. I help children understand how their actions affect others. I share multiple viewpoints when I teach, especially when it comes to the beginnings of the commonwealth and the country. I model respect.

I'm disheartened when people who don't work in education and are not "in the trenches" get to make many of the decisions.



My husband has wanted to be a Massachusetts State Trooper since he was a little boy growing up in Boston. His dream came true just a few years ago with lots of hard work and dedication. He is a member of the U.S. Coast Guard Reserve who spent most of 2019 away from his family to serve this country. My husband is extremely proud to serve the people of Massachusetts the United States of America.

He's disheartened when people who don't work in policing and are not "in the trenches" get to decide how the future should look in law enforcement.

We have a ten-year-old son. We work hard to teach him to do the right thing even when it's really hard or when no one is watching. We teach him that people are not perfect, nor have they ever been. People make mistakes, but the great thing is- we can learn and grow by making them. A safe future is what I wish for him. I don't know how a future without enough people willing to serve and protect can be safe.

My family does it's fair share to serve others. I dream of a day when more people use their hearts and their knowledge of what's right and just to drive their actions.

I know you know that this is not a popularity contest. It's people's lives and livelihoods on the line.

Thank you for listening. I look forward to your support in treating those who put their lives on the line to serve and protect us all with trust and respect.

Respectfully,

Jennifer Mullin

From: Sydney teelee Teele <teeleio7898@gmail.com>

Sent: Friday, July 17, 2020 10:43 AM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition

Sydney Lajeunesse

14 princess rd Marlborough Ma 01752

774-463-6252

I am submitting my opposition to the bill S.2820! It is wrong and I will not stand for this bill.

Get Outlook for iOS <

Subject: Bill S.2820

I am a lifetime member of Massachusetts. I think that it is too soon to pass Bill S.2820. I oppose its passing today.

Jessica Stark  
42 Elm St. Baldwinville, MA 01436  
978-894-4129

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"To be beautiful means to be yourself. You don't need to be accepted by others. You need to accept yourself." – Thich Nhat Hanh

From: Domb, Mindy - Rep. (HOU)  
Sent: Friday, July 17, 2020 10:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: [External]: PASS S. 2800: outlaw police rape of people in custody, many other things we should not need to legislate against but do

Attached from my constituent to be included in the police reform legislation.

Thank you,

Mindy Domb, State Representative 3rd Hampshire District  
Proudly representing the residents of Amherst, Pelham, precinct 1 in Granby  
Phone/Amherst: 413-461-2060  
Information on COVID-19: the state's website CDC World Health Organization  
Information on Unemployment Benefits: How To Apply For Unemployment  
COVID-19 Unemployment Information  
Information for Pandemic Unemployment Assistance for self-employed, gig workers, freelancers, independent contractors & others.

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From: Sarah [smckee57@earthlink.net]  
Sent: Thursday, July 16, 2020 12:08 PM  
To: Domb, Mindy - Rep. (HOU)  
Subject: [External]: PASS S. 2800: outlaw police rape of people in custody, many other things we should not need to legislate against but do

The Honorable Mindy Domb  
House of Representatives  
State House, Boston, MA

Dear Rep. Domb,

This follows up on my email urging your vote for S. 2800, the police reform act.

It does not do everything needed to preserve our civil liberties, what little is left of them.

However it does a great deal that we, alas, must put solidly in the Mass. General Laws now for the purpose.

You know that I am a former federal prosecutor. So please feel free to cite me if appropriate.

It is shameful that Massachusetts still needs a law to forbid police rape of people in custody.

Let's be real: Someone in custody has no capacity to consent to sex by a police or corrections officer, and no physical or other ability to resist.

For officers, therefore, rape is free. Enough said.

Thanks for everything you are doing to protect your constituents in this strange time!

My you and yours stay safe -

Best regards,

Sarah

Sarah McKee  
9 Chadwick CT  
Amherst, MA 01002-2825  
Land: 413.256.6129

From: Vasundhra Sangar <vsangar23@gmail.com>  
Sent: Friday, July 17, 2020 11:02 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: S.2820 - Strong Limits on Qualified Immunity

Begin forwarded message:

From: Vasundhra Sangar <vsangar23@gmail.com>  
Subject: S.2820 - Strong Limits on Qualified Immunity  
Date: July 17, 2020 at 10:47:32 AM EDT  
To: hwmjudiciary@mahouse.gov

Dear Chair Michlewitz, Chair Cronin and members of the Committees:

I write in support of S.2820, "An Act to reform police standards and shift resources to build a more equitable, fair and just Commonwealth that values Black lives and communities of color."

It is long past due for the state of Massachusetts to show up for its Black and POC residents. We've seen from countless efforts and reports conducted throughout the weeks since the murder of Mr. George Floyd at the hands of Minneapolis police that communities in this country have spent far too many resources on policing and not enough of social, mental, educational and vocational resources that will actually make us safe and help us all step toward a better, more inclusive community together.

For S.2820, I support strong use of force standards as set out in Representative Liz Miranda's An Act to save Black lives, including a complete ban on chokeholds, no knock warrants, and all other police tactics using an excessive use of force.

I support strict limitation on qualified immunity to ensure police can be held accountable when they violate another human's civil rights. If we can't do that we have no business pretending the myth of equality in this country is anything more than a myth. I do not believe limiting qualified immunity on any public servants is a bad thing - we're being held to standards that these public servants are working to uphold and they should be held to the same in any civilized society.

I further support an unequivocal ban on facial recognition technology that has proven time and time again to have an adverse effect on communities of color allowing racist policing to be supercharged in our neighborhoods.

Thank you all for the work you are doing to safeguard the Commonwealth through the pandemics of COVID-19 and systemic racism. Now that we know better we must do better and it's on you to show up for us all.

Sincerely,  
Vasundhara Sangar  
44 Whitman Street Somerville, MA 02144

From: Jamie Dalton <jdalton@thinkofmichael.org>  
Sent: Friday, July 17, 2020 11:02 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: jburnham623@gmail.com; Jamie Dalton

From: TJ Ashley <tashleyjr90@gmail.com>  
Sent: Friday, July 17, 2020 11:01 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820

Good morning,

I am writing to ask that you DO NOT support bill S.2820 as written and presented to the House. This is in line with my opinion regarding the Senate hastefully passing bill S.2800 without public input, debate and thorough review of a 70+ page bill to fully examine the consequences of the bill to ensure they are not unintended.

The senate version of this bill, as written, will significantly (and seriously) undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste, without public hearing or input of any kind, was extremely undemocratic and nontransparent. Some of the comments made by the members of our own legislature about our police officers was HURTFUL!

I can tell you that police across the Commonwealth support uniform training standards and policies. We have been fighting for more training, as well as appropriate funds for YEARS! As a Law Enforcement officer here in the Commonwealth of Massachusetts over the past 7 years, I can speak from experience when I say that I have been denied training opportunities that I have requested due to inadequate budgets. I receive the bare minimum training as required by the MPTC each year ("in-service training"). I know the legislature had recently voted to add a fee on rental cars that support police training, \$5 surcharge to traffic citations for public safety, etc. however, Cities and Towns haven't seen that money in order to provide additional training.

The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with the protections currently set forth in Collective Bargaining Agreements and Civil Service Law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives towards police. ANY police reform bill that is drafted should include the SAME procedure justice safeguards that members of the communities that we serve DEMAND and ENJOY.

The proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth of Massachusetts and as constructed is incapable of being FAIR and IMPARTIAL. -- I support the Massachusetts Police Association's request for an advisory board that includes individuals from or related to our profession. -- Just like you don't have a civilian oversight board for a doctor.

What the Senate has tried to do is pass a knee jerk reaction to an incident that happened thousands of miles away. I agree that it was egregious (and I don't know one person, one police officer, ANYONE that doesn't think this).

Massachusetts Police Officers are among the highest educated and trained in the country. As a matter of fact, BEFORE DUVAL PATRICK REMOVED THE QUINN BILL, that provided base pay increases for degrees in Criminal Justice. There was an incentive for officers to seek HIGHER education. HOW ABOUT WE BRING THIS BACK?? (10% for Associates, 20% for Bachelors, 30% for Masters)??

This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers. It protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few. Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support. If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

Sincerely,

Thomas Ashley  
East Freetown, MA  
Municipal Police Officer - Commonwealth of Massachusetts

From: Sherene Aram <sherene.aram@gmail.com>

Sent: Friday, July 17, 2020 11:01 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony re S.2820

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Sherene Aram

66 Seymour St

Concord, MA 01742

978-287-4983

From: Denise McGuiggan <maja044@yahoo.com>

Sent: Friday, July 17, 2020 11:01 AM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S2820

Vote NO on Bill S2820,

I am a concerned Citizen who lives on the South Shore. I support Police Officers from all over Massachusetts and beyond. I was brought up to respect our Police Officers as both my Dad and brother wore the blue uniform. I also am a former 911 Telephone Operator who handled many emergency calls from shootings, robberies, car accidents, house breaks, etc. Working at the Police station has made me appreciate the Police each and every day. For them to be on the front lines risking their lives on each and every call to keep us all safe.

Do you the Politicians have Security, Police Detail, Immunity?

I am so very upset to see what's happening to our Police whether it be in Seattle or New York and now Mass.

STOP THE MADNESS!!

Support our Public Servants. Police, Nurses, Teachers and our Firefighters!!

I have made many calls this week to many Politicians. Let's see how many of you can stand up for what is right.

What happened to George Floyd was wrong and should never have happened and should never happen again. Are we to punish ALL for the actions of one? Police keep us working and Law abiding Citizens safe.

My Family, my Friends and myself are watching how you will proceed so we will keep in mind when voting in the near future.

Back the Blue

Vote NO on Bill S2820.

Thank you,

Denise McGuiggan  
Marshfield

Sent from Yahoo Mail for iPhone  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_overview.mail.yahoo.com\\_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIsl6rchf\\_GkGDD&m=nmQsanrfjHBcEnzIkzFcYpBVe9R2tGC4u7y6L-x3J3M&s=4agqaJlwwnRIAFIdYQnYk12YHHn\\_E\\_XXlVOg7BH\\_2hE&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=nmQsanrfjHBcEnzIkzFcYpBVe9R2tGC4u7y6L-x3J3M&s=4agqaJlwwnRIAFIdYQnYk12YHHn_E_XXlVOg7BH_2hE&e=>)>

From: Keyara Louis <keyarapl@gmail.com>  
Sent: Friday, July 17, 2020 11:01 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

To the Massachusetts House of Representatives,

I would like to submit my comments on the police reform bill approved by the Massachusetts Senate. Thank you for putting in the effort to reform police standards and build a more equitable environment for people of color. I am wondering how we will ensure that suggestions made by the commission (Section 72 a, Section 72 d) will be taken seriously and used to create laws by our local and state government officials/state legislature. I don't want the commission's feedback or recommendations to fall by the wayside.



I would also ask that you please maintain a limit (or even better and end) to qualified immunity in order to ensure that police are held accountable for their actions. I need our congress to support police accountability.

Thank you for considering this feedback,

-Keyara Pierre - Louis  
Resident of Chicopee, MA

From: Nancy Lowry <nmlowry1977@yahoo.com>  
Sent: Friday, July 17, 2020 11:01 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S 2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Nancy Lowry and I live at 35 Woodbriar Road in Wakefield MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Nancy Lowry

Sent from my iPhone

From: Karen Lafleche <laflechek@hotmail.com>

Sent: Friday, July 17, 2020 11:01 AM

To: Testimony HWM Judiciary (HOU)

Subject: House bill S.2800. Police Reform Bill

I want to voice my outrage and concern that the bill passed was done in the dark of night without any public input. I am totally outraged that "one bad apple is being allowed to spoil the whole bunch"!! I know many police officers and have nothing but respect for them and the job they do. If there is going to be a true reform, then it must be done during regular hours versus the dead of night, and public input should be allowed. I am afraid if this bill goes through, we will not have any good candidates to become police officers, which in turn would put all civilians at risk!! I beg you to consider the consequences of your action!!!!

Respectfully,

Karen Lafleche

413-584-7212

Sent from Mail <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_go.microsoft.com\\_fwlink\\_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=r6ULwrQIxsl\\_-IaPbaT-OfSxZUcQ3lJMK8yAknZkWQ&s=VwehFvA0z5kAsKMSyz0ODpMAOkuLnLLAzrq9DGp5m-8&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=r6ULwrQIxsl_-IaPbaT-OfSxZUcQ3lJMK8yAknZkWQ&s=VwehFvA0z5kAsKMSyz0ODpMAOkuLnLLAzrq9DGp5m-8&e=>)>  
for Windows 10

From: ludmila fridman <milfrid1@yahoo.com>

Sent: Friday, July 17, 2020 11:01 AM

To: Testimony HWM Judiciary (HOU)

Subject: act

Dear representative Aaron Michlewitz and representative Clair D. Cronin, I strongly believe the Police Reform Act as it is will bring not repairable harm. We need to improve police work, not to destroy it. We need to help to educate young policemen, not to turn them off the profession. They will be less willing to go to the profession and , the most dangerous, to enforce the laws.

L Friedman  
Newton, MA

From: Megan Dupuy-Todd <dupuy.meg@gmail.com>  
Sent: Friday, July 17, 2020 11:01 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello,

My name is Megan Dupuy-Todd with the Greater Boston Interfaith Organization (GBIO). I live at 161 South Street, Apt 1, Jamaica Plain, MA 02130. I am writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you very much,

Megan Dupuy-Todd

dupuy.meg@gmail.com

203-218-9104

161 South Street, Apt 1, Jamaica Plain, MA 02130

From: Erin DiBacco <erinfla@gmail.com>

Sent: Friday, July 17, 2020 11:01 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,  
Erin DiBacco  
159 Whalen Drive  
erinfla@gmail.com

From: Riana Buchman <riribuchman@gmail.com>  
Sent: Friday, July 17, 2020 11:01 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support Bill s2820- BLACK LIVES MATTER

Honorable Chair Claire Cronin and Chair Aaron Michlewitz,

I am emailing in support of the passage of the Reform, Shift, Build + Act and urge you to ensure the qualified immunity and Redirection of funding language remain in the Reform. I cannot emphasize enough the critical opportunity here for MA to be a leading national example in action to end Police violence.

As a resident of Boston, I see the abuse of over-funded police force acting out racist and inhumane, over-militarized policy every day. Policy which can improve to Save lives with the passage of this bill.

From harrasment and racial profiling of young Black students trying to go to class, to ignoring CDC regulations and not wearing masks while standing less than 3 feet away from each other (I have photos), this is the Boston Police conduct I see. This ingrained Police apathy for Public Health and Community Care is the rule not the exception and is just the beginning of why Reform, Shift, Build + Act Bill must be passed for the immediate and urgent Health and Safety of your MA constituents, most urgently your Black community. I must call you to defend Black lives today and pass this Bill.

Thank you very much,  
Riana Buchman

Sent from my iPhoneFrom: Tina Prisco <tina2017ma@gmail.com>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees

who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

-Tina Shea

From: Rich Belliveau <chieb27@aim.com>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Concerns with S.2800

To the House of Representatives for the Commonwealth of Massachusetts,

I am writing this letter to voice my strong opposition to Senate bill 2800 in its current form. While the tragedies that sparked this new energy for police reform were saddening, I do not feel that some of the measures taken within this bill are productive in healing, growing, and prospering as a society. Specifically, the compromising of qualified immunity for law enforcement officers does nothing to help contribute to the namesake of this bill. I feel that this erosion of qualified immunity will cause good officers to have fear of frivolous civil lawsuits. This measure is not going to increase good community policing with the ideology that the officers will be individually held accountable. Instead, this is going to make officers hesitant to make arrests, handcuffed so to speak. Criminals will stay on the street with mere court summons and the ability to continue their illegal behavior. It would put even more reliance on a judicial system that is broken and backlogged. Judges setting low or no bail for dangerous actors is already seen regularly in the commonwealth. The solution to police reform is not punishing the good majority of law enforcement personnel for the actions of the few. The solution is

training and community Involvement. But society also needs to be trained. Society needs to work with police and not against. These brave men and women go to a job where they encounter the criminal sect of society. The true "bad apples" that do not follow a moral code and are not complimentary to any call for reform by our state legislatures. If we continue to alienate the people who made an oath to protect us as citizens of this great Commonwealth, I feel that someday in the near future, we will not have those brave individuals there to protect us. If we continue to blame the police while not giving any accountability to bad actors, it will be easier and more appealing for that young aspiring police officer to take an office job or learn a trade. If that happens, we will be left to our own demise.

I ask you emphatically to think about the families of these brave men and women in blue before you cast your vote on S.2800. Think about the spouse that kisses their loved one before they leave for their shift, hoping they will return in eight hours. Do not think about the narrow example that the media gives you. Think about the officer first on scene to save a choking baby. Think about the officer that stops to play a game of kickball with the youth. The brave individuals of the law enforcement community made an oath to protect us as a commonwealth and you as our legislatures have a duty to protect them. Please vote no on S.2800 in its current form

Richard Belliveau  
Ludlow, MA 01056

Sent from my iPhone  
From: Thomas Callanan <thomas.v.callanan@gmail.com>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity is necessary

Dear Chairman Michelwitz & Chairwoman Cronin,

I am reaching out to you regarding Senate Bill 2820 and its affect on Qualified Immunity. As professional firefighters for the city of Quincy, it's me and my colleague's job to respond along side Police and EMS to calls for help and protect our neighbors regardless of the danger that exists at the source of the call. I can attest for me, my department colleagues, and the Police and EMS that I've worked along side with and have responded to thousands of calls for help with that we do our very best to protect the lives and livelihoods of the citizens of Quincy regardless of their color or creed. It's my professional opinion that if Full Qualified Immunity is removed because of this bill that the Firefighters, Police and EMS that protect our great city will not be able to safely or fully assist our neighbors when they call and need our help. Please help maintain Full Qualified Immunity for our Police, Fire and EMS.

Thank you,  
FF. Thomas Callanan  
Quincy Fire Department

857-526-1598

From: Colleen Leary <collgill19@gmail.com>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Objections to S.2800

Representatives Michlewitz and Cronin  
Massachusetts House of Representatives  
24 Beacon Street  
Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is Colleen Leary and I live at 4 Hillside Ave in Winchester, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or



laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

Colleen Leary

From: Julie Tammaro <juliemtammaro@gmail.com>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)

Forward to ASAP needs to be sent by 11

testimony.hwmjudiciary@mahouse.gov

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Julie Tammaro and I live at 9 Line St Lynnfield MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Julie Tammaro

From: Rodriguez, Rudis R. <RodriguezRR@worcesterma.gov>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Testimony

My name is Rudis Rodriguez (508-735-3827) long time resident and Police Officer for the City of Worcester. I want to express my concerns with the Senate Bill that was passed. I like many others strongly believe that the Senate Bill in question is anti labor and hurts the Police Officer proffession as a whole. As a police officer you are exposed to extremely dangerous, unpredictable and delicate situations on a daily basis. I know that eliminating the right for Police Officers to have Due Process is 100% wrong and will have a negative impact. Removing our right to collective bargaining, qualified immunity and also having a POSAC board with no Law Enforcement experience or training is deeply troubling and will cripple the Police Officer proffession. Please support us and thank you for all that you do.

Get Outlook for Android <[As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.](https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiuk13zIs16rchf_GkGDD&m=HTyq5n0ueXqGv49CRb7tR1dMZECFqxVgzs--bHceuiQ&s=de2rNaPIofCgyAZSui3tIKsobtp7fnCVh5B9jk0AR10&e=>https://urldefense.proofpoint.com/v2/url?u=https-3A__aka.ms_ghei36&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiuk13zIs16rchf_GkGDD&m=HTyq5n0ueXqGv49CRb7tR1dMZECFqxVgzs--bHceuiQ&s=de2rNaPIofCgyAZSui3tIKsobtp7fnCVh5B9jk0AR10&e=></a>><br/>From: sema tekğüç <stekguc@hotmail.com><br/>Sent: Friday, July 17, 2020 11:00 AM<br/>To: Testimony HWM Judiciary (HOU)<br/>Subject: police reform bill</p></div><div data-bbox=)

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial

burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Sema Carmichael

Semacarmichael@yahoo.com

Sent from Mail <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_go.microsoft.com\\_fwlink\\_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIsl6rchf\\_GkGDD&m=x98C5r-7GSTe3c4FMiq8k7gxDydaBnKv5vCe8mIemMw&s=vTzhMjPQGZKTJ44RrTW\\_KIWq8Ullp31EhwO-PQOkLL8&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMF-g&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=x98C5r-7GSTe3c4FMiq8k7gxDydaBnKv5vCe8mIemMw&s=vTzhMjPQGZKTJ44RrTW_KIWq8Ullp31EhwO-PQOkLL8&e=>)> for Windows 10

From: Deputy Chief Brian Gill <[bgill@ayer.ma.us](mailto:bgill@ayer.ma.us)>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Harrington, Sheila - Rep. (HOU)  
Subject: Senate Bill 2820 Public Input: Professionalize, Not Politicize Policing

Rep. Aaron Michlewitz: Chair House Committee Ways and Means;  
Rep. Claire Cronin: Chair Joint Committee on the Judiciary;

Thank you for allowing me the opportunity to write in support of all the hard work that public servants of this great Commonwealth do every day,

whether they be elected or appointed. The mere fact that your respective committees, and the House chambers as a whole, are reaching out to the stakeholders throughout the Commonwealth to solicit input as to the implications of a sweeping piece of legislature. Unfortunately, this was not the case, when the Senate put forth S. 2800 and later approved as S.2820. So I thank you.

As a police administrative professional in central Massachusetts, I am concerned that if this bill were to be passed as is, the citizens of this great Commonwealth will ultimately be the ones that suffer the consequences. The many facets of this bill were designed without any input from those in the profession and as such, the bill has serious flaws that will not only set policing in the commonwealth back years, it will set back police and community relations back even further. The mere title of this bill implies that policing in Massachusetts is faulty and needs to be "reform"ed. I respectfully offer that in my 25 years in law enforcement I have only seen policing become more professionalized. Is there room for improvement, absolutely, as there is in any profession; improvements can be realized in every profession, whether it be in policing, medical or governmental.

I look to the body of the Massachusetts House of Representatives to, as they review this bill and what is at stake, continue to Professionalize, not Politicize policing in the Commonwealth.

A major step in the continued professionalization of the policing in the Commonwealth would be to create a Police Officer Standards and Training (POST) system, a system that has successfully been put in place across the country. There is a version of this kind of system in the Senate Bill 2820, but it is problematic as it was created without input from any of the stakeholders that would need to operate within and manage such an encompassing program. The mere title of the proposed Police Officer Standards and Accreditation Committee (as listed in the bill) exasperates the lack of insight that the authors have about policing in the Commonwealth, where we have a Municipal Training Committee (MPTC) and a Massachusetts Police Accreditation Commission (MAPAC). This piece of legislation would create a third governing body to policing in the Commonwealth; I would think that if this important piece of legislation would have followed a more sensible track and allowed for input and study, a successful POST system could be identified and put into place, while at the same time be responsible to the taxpayer by not creating and funding a whole new agency.

I would be remiss if I didn't speak to the proposed changes to qualified immunity. I am not going to any "legal ease", but rather am simply going to point out that there has been so much mis-information as to what Qualified Immunity is. There are two main points that I want to make: 1. Qualified Immunity is a doctrine that has been affirmed and re-affirmed by both the United States Supreme Court and the Massachusetts Supreme Judicial Court, and 2. Qualified Immunity is not a "get out of jail free card".

Processes are already in place at the judiciary level to determine if Qualified Immunity applies to given circumstances. If an officer is civilly sued, a judge will determine if the actions of the officer were

reasonable under the circumstances and not in violation of "clearly established law". Changing Qualified Immunity will not only place officers at the peril of frivolous lawsuits, but will also have negative long term societal effects on the citizens of the Commonwealth because of a lack of qualified and professional officers willing to work under the condition.

There are other items in the Senate Bill 2820 that I can see as being problematic, such as why is there a move to limit, if not eliminate School Resource Officers. Their connection to the students they serve is imperative, and it seems this bill wants to create a divide there.

In closing please take time for Due Diligence...  
Professionalize, Do Not Politicize.

Respectfully,

Deputy Chief Brian Gill  
Ayer Police Dept.  
978-772-8200 ext. 502

From: Allison Trainor <allisondtrainor@gmail.com>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 bill

I am writing in lack of support for this bill. While there are ongoing issues in the country, Massachusetts remains ahead of the curve when it comes to policing and training. I stand with our police and reject this proposed bill. Further demonizing our police force is going to result in no honorable men and women serving. There will be a mass retirement.

Thank you

Sent from my iPhoneFrom: Meghan <meghan.emmert@gmail.com>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: support of the Senate police reform bill, S.2800

I urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda bans choke-holds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

Thank you,

Meghan Emmert

15 Glendale St, Salem, MA 01970

From: Badore, Robert <rbadore@capecod.edu>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Muratore, Mathew - Rep. (HOU)  
Subject: SB29820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

Please accept the following testimony with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color".

MACLEA seeks to include a representative of the Association to serve on the Police Officer Standards and Accreditation Committee created by section 6 of Senate Bill 2820. MACLEA's member departments are responsible for the safety and wellbeing of the hundreds of thousands who live, learn, work, and visit our member institutions. We are in favor of the creation of a Police Officer Standards and Accreditation Committee (POSAC) and our representation on this committee would add valuable insight and information. It would also ensure that the safety and security of all of those on campuses across the Commonwealth are the highest priority. I also urge the congress to review the bill as pertains to Qualified Immunity, which should remain.

Respectfully,

Robert Badore

Campus Police Officer

Cape Cod Community College

2240 Iyannough Road

West Barnstable, MA 02668

E: rbadore@capecod.edu <mailto:rbadore@capecod.edu>

C: (774) 534-2044

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From: james franco <jimfranco99@yahoo.com>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Rep. Aaron Michlewitz

Chair of the House Committee on Ways and Means

Rep. Claire Cronin

Chair of the Joint Committee on the Judiciary

Good morning Chairman Michlewitz and Chairwoman Cronin,

I would first like to take this opportunity to thank you both for your dedicated public service to the people of the Commonwealth and for allowing us the opportunity to submit written testimony on Senate Bill S2820. While I am disappointed it could not be in person, I understand the times we are in and am still appreciative of the opportunity to voice my concerns.



My name is James Franco and I live in Attleboro, MA. I am a police officer in southeastern MA and have 26 years of law enforcement experience. During my career, I have both city and town experience. I have served as patrol officer, detective, school resource officer, motorcycle officer, with local and DEA drug task forces, Sergeant and Lieutenant, and in various other roles. I am also a member of the Massachusetts Fraternal Order of Police and currently serve on the board of both my local and the state lodge. I have been with the FOP for approximately 15 years. I am writing to you today to voice my opposition to S2820 as written and submitted to the House.

In my experience with both the FOP and my career here in the Commonwealth, I have had the distinct privilege to meet some of the best, good hearted, family oriented, service minded men and women you could ever imagine. These men and women put on police/sheriff/corrections uniforms every day and go out and put their lives on the line selflessly for the good of the people they serve. They follow the rules, and treat all people with respect, dignity, and fairness. While I can say there are areas in the country where there is still a large racial divide and much work to be done, in Massachusetts we have always been ahead of the curve in promoting social equality. In fact, Boston Police Department is often cited as being one of the best in the nation in promoting community engagement and building trust and legitimacy within the community.

Which brings me to S2820. While I completely understand the well-intended meaning behind this bill, I truly feel in its current form it does more harm to our communities than good. It was rushed through the Senate without public hearing and without input from the very people it is affecting the most, the law enforcement community. Any attempts at communication were feeble at best.

Conversations could have and should have been had, as there is much agreement on many points. We agree there need to be more training and have been calling for it for years. Yet every time there is a cut it seems police training is at the top of the list. There needs to be standardized training across the commonwealth, again, something police groups have been saying for years. I am not against licensing of officers, but the oversight board as recommended is stacked with groups that have documented anti police histories and the few law enforcement members allowed are large city, minority law enforcement groups and chiefs. Local officers barely have voice or a chance as the system is currently set up. Furthermore, this system absolutely does away with any type of due process for officers. Established systems of appeal through collective bargaining agreements and civil service are rendered void. This board is composed of members whose collective composition is unlike any other of the 160 professional oversight boards around the commonwealth, and this is not showing the law enforcement community the same procedural justice the community members we protect demand and enjoy.

Qualified immunity is also needlessly and senselessly under attack. If uniform standards and policies are put in place, and certain use of force techniques outlawed (which by the way in 26 years I have never seen, heard, or been trained in any type of choke hold in Massachusetts), there would be no need to attack qualified immunity. Also, this offers all civil employees protections so they can do their jobs without fear of being sued at every turn. Without this protection why should anyone put themselves at risk of civil litigation simply for behaving as they have been trained? The increase in litigations will no doubt create huge impacts on the finances of the communities and the commonwealth. I would think we would want our police officers and others to be able to act to protect us and enforce our laws without fear of being sued for doing what they were trained to do and how they were trained to do it. Let's not forget, qualified immunity does not protect bad officers who, by virtue of their actions are not covered anyway, it covers good officers acting on good faith within the scope of their training. Again, I would think we would want them to not fear acting when they need to.

I am sure you are getting many responses and I thank you for your time. In the end, I feel this bill, while well-intended, misses the mark on the type of reform that is really necessary and will expose the good men and women of law enforcement to unnecessary civil lawsuits. I stand against S2820 as proposed.

Thank you

Respectfully,

James Franco

Police Officer

FOP Executive Board Member

(508)567-2797

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From: Christa Bradley <cjrailer@gmail.com>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Feedback: Bill S.2820

Good morning, I implore the lawmakers of the Commonwealth to step back and take into account science, public feedback and law enforcement feedback before passing such a large and impactful bill for police reform.

I also request that the bill remove all items not related to police reform, including the ability for lawmakers to receive monetary gifts of any amount. This inclusion is a misuse of the public's trust that the bill is solely focused on equality and fair treatment of all by law enforcement in the Commonwealth.

In addition, why are lawmakers taking away tools - pepper spray, use of a K-9 - that police officers need in order to do their job safely and are additional ways to assist in the capture/arrest of criminals? Taking away tools and expecting law enforcement to do a better job than what they already are is completely irresponsible. Lawmakers rarely need law enforcement other than to guard you from the public. The public needs law enforcement on a daily basis to assist in preventing crime, responding to crime, and investigating crime. When you take away non lethal tools, all that is left is a leap straight from non lethal force to lethal force.

Having a law that someone cannot be arrested after 24 hours of already being arrested seems to be a ridiculous use of reform. Do we not recall in 2013, Jared Remy was released from jail, where he was arrested for domestic violence, and killed Jennifer Martel? What about the other victims of domestic violence that are now at risk? What about those released on gun charges and continue with whatever crime they were intending to commit because now they are untouchable for 24 hours? Do lawmakers understand the communities they serve and the crimes that are committed?

Lastly, removing Qualified Immunity from police officers, teachers, nurses, firefighters is probably the most irresponsible decision you could make. You have been thanking them for the last few months during this pandemic for their service, their sacrifice and how much you need them. Now you are taking away a protection that means that their whole life and their families life can be taken away because someone is angry? We live in the most litigious country in the world, opening the door for civil litigation because someone was trying to do their job with the correct intentions means lives will be ruined. This needs to be reconsidered and not decided by a jury or a committee. Having others decide what is within the law by those who do not know or understand the law?

Sitting from your seat, passing judgement, and making decisions on a job you know nothing about will cause great harm to the Commonwealth. Taking

the team to really determine what is in the best interest of the Commonwealth, soliciting feedback, taking a ride along, meeting with the community, knowing the stats and the numbers will allow for reform that will help keep the community safe and provide law enforcement the tools they need to do their job.

I am one of many in this Commonwealth who has a voice and I will continue to use my voice for the benefit of my neighbors, my family, and especially my daughter. As the decisions we make today will impact the future of this Commonwealth.

Thank you, Christa Bradley  
From: Sarah Brush <sbrush522@gmail.com>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

To whom it may concern,

My name is Sarah Brush, I am a Massachusetts resident, a registered voter, and I am strongly opposed to S.2820.

I am deeply concerned about the effects this bill will have on the safety and security of the residents of the Commonwealth. This bill could financially ruin the people that risk their lives to protect us - ALL of us. The bill is dividing the state, and painting the officers of Massachusetts in an extremely unflattering light. These are our sons, daughters, significant others, parents, and most importantly our neighbors. Their morale is low, they feel the hate that is spiraling out of control as a push is made to get this bill signed into law and signed in FAST.

We are not in a crisis situation in Massachusetts. The death of George Floyd did not happen here, and it was not condoned by our law enforcement agencies. However, I fear that if this bill gets signed in we very much will be in an emergency situation. We will see good officers walk away from their careers (careers that they love, that they are dedicated to, that they refer to as their "calling") in HUGE numbers. These officers who show up everyday, who ran to Boston after the Marathon bombings when everyone else ran out, who showed up to the Merrimack Valley as fires were erupting EVERYWHERE and offered any and all help they could, that put their lives on the line everyday.

We need to come together, we need to find a way to support all races, all professions. This bill is not the solution to that. Additional training, more mental health evaluation at the academy level, support - these are the things that might help to begin to bridge the divide we are all seeing and all feeling. A well thought out, collaborative response that is develop over time, with input for all sides is what we need. Slow down, work together. Discriminating against police will not erase the emotion that black and brown are feeling. Adding fuel to the fire is not the situation.

We vote for leaders that will speak on our behalf - you speak for ALL of us, not just the loudest of us. Please, take the time needed to find the correct solution, a solution that follows due process, a solution that unifies us rather than divides us. And most importantly, a solution that does not put our safety and the safety of our children, our future, at risk.

Sincerely,

Sarah Brush  
508-740-9942  
sbrush522@gmail.com

From: Andrei <andreiskorupa@gmail.com>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 - Public Comment

As a constituent, I write today to express my strong opposition to many parts of the recently passed S.2820. I hope we will prioritize support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If a committee is going to regulate law enforcement, up to and including termination, they must understand and hear from law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind everyone that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore that S.2820 be amended and corrected so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Andrei Skorupa

104 Doane Street

andreiskorupa@gmail.com

From: Libby Corbo <lcorbo@hanoverschools.org>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on Bill 2820

Please accept this written testimony regarding House Bill 2820.

My name is Elizabeth Corbo. I am a resident of Hanover. I am a former municipal attorney and am currently an elected official within the Town of Hanover. I am familiar with the doctrine of Qualified Immunity (hereinafter abbreviated as "QI") and the standards required to invoke that protection under the Massachusetts Civil Rights Act. In my legal experience, I have relied upon the doctrine to defend municipal officials and employees from questionable, often frivolous, lawsuits. In my experience as an elected official, the doctrine protects my good faith efforts on behalf of the residents within the town of Hanover. Please note I speak only as an individual, not on behalf of the Hanover School Committee.

The current legislation seeks to change the existing QI standard. In simple terms, the current standard protects a defendant unless there is a demonstrated violation of a clearly established constitutional right which a reasonable person should have known existed. The proposed standard would only allow QI protection if a defendant could demonstrate every reasonable person would have known that their conduct was lawful. The proposed standard, in my opinion, makes it nearly impossible for a public employee or official to involve the protection offered by QI - even when

they are acting in good faith. I am aware that my concerns regarding the significant changes to the Qualified Immunity standard are shared by many and I do not need to repeat those concerns as others can undoubtedly express them more eloquently than I can, but I will share briefly why I may have a unique perspective on why this change should not be enacted.

Prior to working at a municipal law firm where I defended public employees and officials, I worked as an attorney for the Massachusetts Commission Against Discrimination. I am fiercely committed to protecting the civil rights of all citizens and believed working for the Commission was my "dream job." In fact, I was so committed to the mission, while many other recent law school graduates were seeking high paying jobs to pay their oppressive student loans, I accepted a decrease in salary to work for the Commission. Unfortunately I left what I believed was my dream job after only a year and moved to defending municipal employees. For someone devoted to protecting civil liberties it may seem like a drastic change of heart to move to defending employers - but it wasn't. While working as an attorney for the Commission, I vetted discrimination complaints submitted by employees - against employers. In a year's time I was astonished by the amount of frivolous claims submitted by disgruntled employees hoping to deflect attention from their own performance or seeking a nuisance settlement from the employer's insurance company. Many insurance companies will settle a claim - even those that are clearly baseless - rather than pay attorneys fees to defend it. The amount of time required to process these frivolous claims, as well as the stress these claims put upon employees, employers and the expense involved in defending these suits was disheartening. I soon came to the realization that my efforts would be better spent defending employers against baseless claims, advocating training and education programs for employees and finding a solution to cases that truly had merit. By relaxing the QI standards, it invites additional frivolous claims that will only serve to clog the courts, burden municipalities, public employers, employees and officials - and most importantly - distract from meritorious claims.

I have worked professionally and in my volunteer capacity with members of municipal police departments, fire departments, department of public works, selectmen, school committees and officials, and municipal boards and committees. I know the vast majority work diligently to protect the rights of all citizens and the vast majority operate with good faith belief that their actions are helpful, lawful and necessary. I hope that you will consider the effect this legislation has on those individuals and the overall public good as you consider the implication of this Bill. While there may be portions of this Bill that have merit and are beneficial to the public good, the Bill as written is not in the best interest of the public.

By the way, I'm still paying those oppressive students loans, so any efforts to mitigate those insane burdens on our graduates would be greatly appreciated.

Please do not hesitate to contact me if I can be of further assistance.

Warm regards,

Elizabeth Corbo  
70 Cape Cod Lane  
Hanover, MA 02339  
(781) 336-6275

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N.B. The Massachusetts Secretary of State has determined that Email is a public record.

From: Jennifer Donas <jdonas5712@gmail.com>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity for officers, Due process/arbitration and having members of law enforcement experience on the POSAC board

Hello,

I am in favor of the Mass Law Enforcement stance on those issues.

Thank you,

From: SHAWN PORTRAIT <nizwiz@comcast.net>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Vote NO to S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor



and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Carol Portrait  
11 Woodsom Dr  
Amesbury, Ma 01913  
From: Michele Ingalls <mdi77@me.com>  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Michele Cole and I live at 6 Baldwin Lane, Lynnfield. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Michele Cole  
From: Paul Brancato <pfbrancato@gmail.com>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and

women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank- and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank You,

Paul Brancato  
pfbrancato@gmail.com  
93 Adams St.  
Dedham, MA 02026  
From: Rebecca Lydon <reblydon@gmail.com>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Representatives,

My name is Rebecca Lydon and I live at 67 Magnolia way in Bridgewater, Ma. As a professional in corporate America, and from my professional point of view, there are items in the this bill that are disturbing. For example providing access to an officer's medical files under a misconduct investigation. This violates their HIPPA protection and, if the information isn't relevant to the investigation, the Commission shouldn't have access to it.

In addition, the Permanent Commissions on the status of African Americans and Latinxs should include representation of Law Enforcement people of color as they are able to provide a unique perspective as part of those communities. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. This would be the same type of professional oversight applied to certifying bodies for medical and legal professionals. The Commission members need to complete the same classroom training curriculum that MPTC will require for officers, so that the Commission is familiar with the training that MA Law Enforcement officers receive.

The Commissions shouldn't receive settlement funds. When you incentivize something to drive a certain behavior, there are often unintended consequences and behavior that result from that incentive system. I think you need to take more time to think through what those potential pitfalls might be especially because the Commissions will be new as well.

While an understanding of the historical impact of slavery and lynching is good for setting context, the type of training that should be happening is Unconscious Bias training. This is what they use in most professional workplaces to drive a culture of Diversity, Inclusion and Belonging. In addition to law enforcement, all elected representatives including yourselves should also go through the same training.

On the topic of the review of the municipal police training committee's curriculum, the minimum requirement should be at least 3 people affiliated with an academic institution and make sure you have representation for each: expertise in law enforcement, expertise in criminal law, expertise in civil rights law.

If the independent police officer standards and accreditation committee is for law enforcement standards and accreditation then you should have an even split between the 14 members between law enforcement and non-law enforcement and at least have 2 officers nominated by the MA Association of Minority Law Enforcement Officers. Also, you shouldn't limit the MA Black and Latino Legislative Caucus from nominating law enforcement individuals for their list if those are candidates they wish to nominate.

The info in the police officer standards and accreditation database with regards to complaints against officers shouldn't be public record. They should have the same due process rights as every other American citizen. The information regarding complaints should only be available to the committee in the course of it's work.

As the wife of a law enforcement officer I ask that you do not eliminate qualified immunity. The appropriate protections are there currently and

eliminating this will result in many frivolous civil lawsuits that could bankrupt law enforcement families. In addition you are putting law abiding citizens at risk by creating a situation that makes officers have to second guess taking action at the risk of being sued. You put EMTs and fire at risk for civil suits for not being able to save someone's life. Eliminating qualified immunity doesn't improve the conditions for the African American community in MA - you can better accomplish that through improving access to education, housing, employment and community improvement programs.

If despite the vocal opposition you've received on this topic you still proceed with eliminating qualified immunity, then you need to eliminate it for all elected officials including yourselves, judges, the Attorney General and district attorneys given that you are also part of the system that develops and enforces the laws of the Commonwealth.

As for treating all citizens of the Commonwealth fairly, if a law enforcement officer is in a self defense situation, they should be able to use a choke hold if that is the only means available to prevent the loss of their life. Also, the use of a vehicle should constitute imminent harm. You should all attend use of force training so you have better understanding of how these situations unfold as you contemplate how to change these laws.

In closing, I agree that police reform is important and needs to be addressed but passing a poor bill for the sake of passing a bill isn't in the best interest of the Commonwealth. Those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Respectfully,

Rebecca Lydon From: MrJimRS ---/ <jimrshaughnessy@gmail.com>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

Dear Mass Legislators,

I am a Massachusetts citizen and I believe that bill S2820 still needs revisions before being put into effect. I feel that the bill ignores Mass law enforcement voices and that the law makers should hear more input from our many officers, who serve and protect people like you and I.

I understand with the current political climate distrust with law enforcement is on the rise but to rush a bill that does not let regular officers have their voices be heard is not right. I just heard about this bill this morning and I feel as though this bill is going to cause a lot of change to how police can operate for many years to come. I am not saying that all of the bill is bad but I feel as though rushing a bill that has only been up for the public to read for a couple of days and if

it were to be rushed in the same week is irresponsible. Let us have more debate and have discourse and see if there could be a compromise. Now more than ever do we need police and communities to work together and have positive relationship and this bill I feel will make officers feel like they are not having their voices be heard.

I urge you to please reconsider and hear some of the grievances of our officers and maybe we can find some common ground.

James Shaughnessy,

259 King Caesar Road,  
Duxbury MA, 02332 781-934-9815  
From: James Sullivan <jamess@admin.umass.edu>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 testimony

Representatives Michlewitz and Cronin

Massachusetts House of Representatives |  
24 Beacon Street  
Boston, MA 02133

Dear Chair Michlewitz and Chair Cronin,

My name is James Sullivan and I live at 18 Plantation Road in Hatfield, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard tomorrow by you the Massachusetts House of Representatives for consideration.

My oppositions to this bill are very simple and straightforward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal

precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative law suits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so under-valued that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Sincerely,

James Sullivan

Sgt. James Sullivan  
University of Massachusetts Amherst Police Department  
585 East Pleasant St.  
(413) 545-2121  
Jamess@umass.edu

From: Connolly, Mike - Rep. (HOU)  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on S.2800

Via email to Testimony.HWMJudiciary@mahouse.gov  
<mailto:Testimony.HWMJudiciary@mahouse.gov>

The Honorable Aaron Michlewitz     The Honorable Claire D. Cronin

Chair, House Committee on Ways and Means     Chair, Joint Committee on the  
Judiciary

July 17, 2020

Dear Chairs Michlewitz and Cronin,

Thank you for accepting written testimony on S.2800, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color, the Reform, Shift, Build Act.

After 400 years of white supremacy in Massachusetts, in this moment when millions of people are standing up and demanding an end to racial oppression, police brutality, and all of the structures that maintain the status quo of systemic racism, I want to encourage all of us in the House of Representatives to embrace the inspired movement to abolish the police and recognize that an understanding of the history, structure, and implications of the institutions of policing in our Commonwealth compels us to take swift action for systemic change. For too long, Black people, Indigeous people, and People of Color (BIPOC) have been criminalized for



simply existing – and as legislators it is our duty and our responsibility to meet the demands of this moment and advance proposals to drive systemic change.

We should also look to embrace calls to defund the police and shift funding to the programs and social supports that will help to reduce crime in our Commonwealth. We need to shift funding away from militarized police departments and toward healthcare, housing, trauma centers, drug and alcohol treatment programs, and restorative justice programs. We need fewer first responders with guns, and more social workers and other professionals trained in de-escalation and mental health intervention.

With that as my starting point, I want to recognize and acknowledge the efforts of our Senate colleagues in engrossing the Reform, Shift, Build Act earlier this week. This bill contains provisions designed to 1) strengthen the use of force standards for law enforcement; 2) create a majority-civilian Police Officer Standards and Accreditation Commission with the power to decertify law enforcement officers; 3) set a moratorium on facial surveillance technology; 4) establish a Justice Reinvestment Fund to shift resources away from policing and prisons and into education and other social programs; 5) prioritize student safety over criminalization; 6) remove barriers to expungement of juvenile records; 7) ban racial profiling in law enforcement, and 8) clarify that police officers and other law enforcement officers can never obtain consent to have sex with someone in their custody. In sum, the Senate bill is an admirable starting point for our efforts next week. I support these provisions, and along with many other reform provisions found in the Senate bill.

Furthermore, I want to encourage us in the House to follow the lead of members of the Black and Latino Legislative Caucus. We should be particularly grateful to the leadership of Caucus Chair, Rep. González. I fully support the legislative efforts of Rep. Holmes to advance a Peace Officer Standards and Training Commission, and I am proud to be an original co-sponsor of Rep. Miranda's bill, HD.5128, An Act to Save Black Lives by Transforming Public Safety, which would limit the use of force by police and other law enforcement in our state. Among its many provisions, this legislation includes a necessary ban on the use of chokeholds, rubber bullets, tear gas and other chemical weapons. It also establishes a "duty to intervene" when an officer witnesses an abuse of force and makes public the records of police misconduct investigations and outcomes, and it prohibits "no-knock" warrants, roots out abusive officers, and establishes that unnecessary use of force is a civil rights violation. Additionally, I encourage us to advance measures to stop surveilling juveniles with police in schools and to further promote expungement of criminal records.

Finally, I ask that we in the House take a strong stand in support of ending qualified immunity. For far too long, the doctrine of qualified immunity has been used to protect police officers who have clearly committed serious civil rights violations, resulting in disproportionate

impacts on BIPOC. The shielding of law enforcement from accountability for violating people's rights is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity.

Thank you for your consideration of this testimony.

Yours in service,

Rep. Mike Connolly

From: Amy Poliakoff <acpoliakoff@gmail.com>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Amy Poliakoff  
14 Burr Street  
Boston 02130  
From: sheilaanderson <sheilaanderson@verizon.net>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bills2820

Dear Chairpersons Michlewitz and Cronin,

My name is Sheila Anderson, I reside in Avon Mass, ( 508) 588 -5127.

I am typing furiously to meet the 11 a.m deadline to let my feelings be known as a concerned citizen , mother/ mother in law.

Over the last few days I have tried to educate myself by reading the bill, reading about Qualified Immunity, Watching the local news which I was appalled to find that the day of the Senate vote ,Channel 5 made no mention of the results. In my search I came across the video of Senator Fattman who so eloquently put into words my feelings on this bill. Reform is necessary, this Extremely important bill that will affect so many is being rushed through without public hearings, The issue of Qualified Immunity needs to be studied further for the ramifications that could have for so many.

Sincerely yours, Sheila L. Anderson

Sent from my Verizon, Samsung Galaxy smartphone

From: joebppgc@aol.com  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

Dear Representative Chairperson Ways & Means,

My name is Joseph Cheevers and I live in South Boston, MA. I am writing this letter to voice my concern that again no public hearing was held on this matter and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and

demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to QI will have a serious impact on critical public safety issues.

Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The Governor and supports of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unacceptable and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Joseph Cheevers  
140 M Street  
South Boston, MA. 02127  
617-269-4969

From: pmholland@gmail.com  
Sent: Friday, July 17, 2020 11:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill No. S2820 - Police Reform

Chair Aaron Michlewitz and Chair Claire Cronin,

Growing up in Quincy, I always dreamed of becoming a Police Officer. From a very young age, I watched police officers all over help people. Many of my classmates dream of being hockey players, baseball players, President of the United States, and astronauts. When I was asked, I proudly stated I want to be a police officer. I am one of the few people that I know that got to live my dream. Thousands of years ago, Confucius said "Choose a job you love and you will never have to work a day in your life."

Unfortunately, this is no longer true, as I feel I am being pushed out of the job which I love. If Bill S2820 - An Act to reform police standards - passes I may be forced to choose between my family and the job which I love. Let me explain.

I wholeheartedly believe that the vast majority of Police Officers are good, honest people with high integrity. I took this job to help people. I have been in patrol, and am now a School Resource Officer at North Quincy High School. I have also been involved in community outreach programs for several years, including integrated programs with The DARE Program and Quincy Recreation Department Cops in Parks programs.

This reform act is being pushed through with little or no input from the police who protect the commonwealth and its citizens everyday. The specific issue I am writing about is the change in Qualified Immunity. As I am sure you are aware, Qualified Immunity does not protect illegal actions by Police Officers, but it serves to protect police officers who act in good faith and their behavior is deemed "reasonable." Police Officers can still be sued for illegal actions and violations. Limiting my protection civilly will open me and my colleagues to frivolous lawsuits for doing our jobs.

This is causing me to consider extreme measures, including changing professions. Talk among police officers includes filing for divorce, and turning homes over to ex-spouses to protect their family's financial well being. COULD YOU IMAGINE HAVING TO CHOOSE BETWEEN YOUR FAMILY'S WELL BEING AND A JOB YOU LOVE?

Even politicians pushing this bill through admit that the vast majority of police, especially in this state are "good cops." But yet they vote for the bill and push these "good cops" out the door.

Please do not vote for this bill.

Sincerely  
Paul M Holland Jr  
67 French Ave  
Braintree, MA 02184  
781-848-1809

From: elizabethirons6@gmail.com  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Elizabeth Irons and I live at 38 kimball ave Ipswich ma. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law

enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Elizabeth Irons

Sent from my iPhone From: john clock <johnclock1960@yahoo.com>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill No. S2820

To Representative Michlewitz, Representative Cronin, and other concerned representatives,

Dear Representatives,

I am requesting that you seriously consider a no vote on Bill No.S2820. While I understand that there is a need for police reform across the Commonwealth of Massachusetts and the nation, the current version of the bill puts police officers at a serious disadvantage when performing their duties. The current version,if passed, will lead to a multitude of frivolous lawsuits that will only hinder law enforcement and make society a more dangerous place. Indeed, many police officers, today diligent in enforcing laws and maintaining public safety, will likely be reluctant in performing their duties if faced with the possibility of being sued for professionally conducting their duties.

The push for this reform was brought forward by numbers of people who have legitimate grievances regarding how some people, especially minorities, have been treated by various police departments. These are legitimate grievances, and need to be addressed. However, the movement to reform departments to adopt fairer and more impartial standards had been hijacked by fringe groups whose ultimate goal is now to change the current political system into some type of "Socio-Anarcho-Communist Society". I ask all of you to sincerely research the various groups such as Anifa and Workers of the World. Seattle and Portland are excellent examples of what these groups have in mind for the entire American landscape. Please research these fringe groups, who have hijacked the legitimate groups demanding reform, and understand that theses fringe groups (Antifa and related groups) have a clandestine plan that is ultimately to replace the current system with some type of "Socialist Utopia" that only exist in their minds. Please do not succumb to their reckless demands to abolish/defund the police, as this is only their first step in their ultimate goal of overthrowing the government. This will ultimately affect everyone: think Venezuela, once the most prosperous nation in South America, now a starving apocalypse.



I ask all of you take a serious, measured and thoughtful approach to police reform, and not hastily pass a destructive bill that will likely have detrimental effects for everyone. Please vote no on this bill and take your time and thoughts to draft a more reasonable bill that will benefit everyone. Thank you for your consideration.

Sincerely, John Kelleher Boston Police Department 617 595-8521

From: Stephen Tomasia <stomasia@aol.com>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

July 17, 2020

Representative Aaron Michlewitz  
Chair, House Committee on Ways and Means  
State House, Room 243  
Boston, MA 02133

Representative Claire Cronin  
Chair, Joint Committee on the Judiciary  
State House, Room 136  
Boston, MA 02133

Dear Chairman Michlewitz and Chairwoman Cronin,

I would like to take this opportunity to thank you for your public service and allowing me to submit written testimony on behalf of the Police Officers in the Commonwealth with regard to Senate Bill 2820.

My name is Stephen Tomasia. I've been a New Bedford Police Officer for close to 3 years now, a career to which I love and consider a high calling. I am a first generation Portuguese American, raised in a Christian/Catholic family that emphasized sacrificial love and respect for all people. We were encouraged to serve and protect the less fortunate in our family. This heritage came down from my immigrant grandparents on both sides, who loved this country to the core and the freedom and opportunities that it extended to them. My last name may be familiar to you. My aunt is Maria Tomasia the former New Bedford Election Commissioner who served for over three decades in the City of New Bedford. My aunt is an incredible woman who had a reputation for serving the minority community in the City of New Bedford and still does. Her son Eric Tomasia works for the Bristol County Sheriff's Department and this bill will affect him negatively as well.

I have an Associates Degree from Bristol Community College and a Bachelor's Degree from Bridgewater State University in Criminal Justice. My core major was Criminal Justice and the application of it, however there was a strong emphasis on sociology, including social justice and diversity education. After college I worked for the Department of Youth Services for over 10 years, working with a very diverse population of youth and adults. I then was hired by the New Bedford Police Department.

After an intensive and thorough background check, physical and psychological screening by the New Bedford Police Department, I entered a 6 month Police Academy. I graduated from the MPTC Plymouth Police Academy, 64th ROC in 2017, which was a lifelong dream. One of the finest academies in the Commonwealth and I beg to say the country. The training was 6 months of criminal law, procedural law, PT, defensive tactics, and use of force. De-escalation techniques were taught first and foremost. We also had extensive diversity training. Along side of this curriculum, we had the constant pressure of instructor's pressing us, stressing us, in an attempt to break our patience and self-control. This was designed to prepare us for hostile agitators/aggressors that we would encounter as a result of the occupation we were in. This was the toughest 6 months of my life, however, I met some of the most caring, self-less people I have ever known from all walks of life, and with different backgrounds than me, with the same ethos to serve and protect their communities.

And because this Bill addresses racial issues, I'll point out that not once was I taught or did I see any sort of racism in the Academy. On the contrary I observed servitude, diversity, and teamwork and that was what our training encouraged. If our legislature wants to change laws governing the police, I would first suggest that you study and begin sitting in our

Police Academies and talk to our recruits. What police officers need is more training and instruction like the MPTC offers in the Commonwealth.

I've been on the New Bedford Police Department for close to 3 years now. We are a department of approximately 250-260 police officers, in a city that is known for its diversity and multi-cultural demographic. Because this Bill addresses racial issues in policing, I will note that not once in my 3 years on the department have I witnessed any form of racism in or outside of the department. And I have worked every shift and every area of the city. I have not once seen any officer respond to color, on the contrary every response I've observed and have been a part of, has been in accordance with behavior. In fact the officers that I work with are some of the most professional, fair, giving, and compassionate people I've ever worked with. And I believe most of our officer's in the Commonwealth are similar. This bill will hurt and affect us all, the officer's that represent our neighborhoods and it will affect our families as well. Please reconsider this bill especially in regard to due process and qualified immunity. And before you pass police reform and institute a review board with individuals with no experience and training in the realities of law enforcement, please if you truly care about our communities and the way we operate, visit us and join us in ride-a-longs. Don't just pass law based on politics and perception. Observe how we respond to people, and conflict, both verbally and physically. I believe your perspective would change.

Please don't judge police policy in the Commonwealth by the few bad cops like Derek Chauvin who horrifically took the life of George Floyd. Not one officer I spoke to wasn't sickened by that video. Every good Police Officer knows when he or she takes that oath, his or her obligation is to serve and preserve life, all lives. And Chauvin was the worst of the worst and deserves to get the full measure of the law. I think most of us aspire to live by the golden rule to treat others as we would want to be treated. Unfortunately, this has not been the case for the police occupation in the last several weeks. Do I judge all politicians, because of the one corrupt one and say the whole governing body is corrupt. Do I judge the entire hospital for one bad doctor and say the whole hospital is corrupt, no. This is hypocrisy at the highest level. I guess we have soon forgotten 9/11 and Patriots Day and the hundreds of law enforcement and first responders that put themselves in harms way daily. How about the birthday parades in the last couple of months that we voluntarily gave our time to? The same politicians that applauded our parades for the kids have now disowned us. Please put yourselves in our shoes, if you can.

In closing, I want to address the reality of complaints because of the nature of our occupation. Some of our interaction with the public is not going to be pleasant, especially if that person of the public is breaking the law. It is most often than not that the violators of the law, when encountered by police do not want the police applying the law against them

and will do whatever it is possible to avoid that, whether it be a charge being brought against them or an arrest. As a result, the encounter from the violator's perspective is rarely going to be positive or a comfortable experience, and this negative experience is often correlated or manifested into fear. This is a natural human response to not wanting be held accountable, because it comes at a cost, whether monetary or an arrest. Before I was a police officer, I was stopped a couple times for speeding. That encounter was never comfortable because I was in fear of being held accountable. I have had encounters with the public as a police officer where people have threatened to file false complaints stating I was going to lose my job or claimed I was profiling etc, because of the negative interaction of not wanting be held accountable under the law. As a result because of the nature of police work these frivolous complaints are numerous. Now if there is a valid complaint of excessive force and of police misconduct it should be rightly investigated and judged. We have numerous cases across the U.S. where police are disciplined, fired, or prosecuted under the rules of law, and regulations they violated every year. However, if this Senate bill passes in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits. This will potentially have a devastating impact on budgets statewide and may not be sustainable.

You are already aware of the points of this Bill that most, if not all of the police officers in the Commonwealth are deeply concerned about so I will not get into them. My fear is if the Senate Bill 2820 becomes law as is, I and my fellow brothers and sisters who took this job to help people will walk away from a career that we love because the risk to our lives and families is just too much to bear. As a result our communities will become unsafe and you will lose good police officers.

Thank you for your time and consideration.

Respectfully,

Officer Stephen Tomasia #4055

New Bedford Police Department

(508) 642 8697

From: Bavosi, Anthony <ABavosi@bellinghamma.org>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on S2820

To Whom It May Concern,

My name is Anthony Bavosi and I am a police officer in the town of Bellingham. I am also the union president for the Bellingham Police Association. I have taken the time to read the 89 page bill (S.2820) passed at the Senate and I am left with a multitude of feelings. First, I am extremely disappointed that our Senate felt the need to draft and pass a bill without even consulting with the people who put their lives on the line and actually do the job everyday. We live in a democratic state and our voices are supposed to be heard. We are supposed to have input in things that happen especially if they will impact our lives and careers. A committee of my peers should have been established and our opinions and needs should have brought to the table. A committee that consisted of Chiefs, union officials and other officers should have been formed and given a place to speak on this proposed police reform bill. We take pride in being a democratic state that believes in giving the people a voice yet you completely circumvented the democratic process. You didn't hold hearings or accept testimony and you did this behind our backs in the middle of the night and early morning hours. I want to thank the house for at least allowing testimony and open hearings on the matter. I think you'll find that we don't object to sitting down to discuss the issues and challenges facing our country and profession. You'll see that we are open to discussing things that could be done to help the overall cause. I don't feel it requires a bill to reform police but I know that things could be addressed to improve things and satisfy all involved.

Second, I am shocked and saddened by the fact that our government felt the need to pass a police reform bill in a state where our officers are known to be some of the best, most educated, well trained, diverse law enforcement officials in the country. The number of cases that come out of this state is almost non existent when it comes to excessive force and racially bias incidents. Why then did you feel the need to fix something that is not broken? Are you really that consumed with the false social narrative that you felt the need to address it by hurting those that protect you each and everyday? Are you not aware of the initial training that we have in the MPTC academy and the annual training we receive at the in-service sessions? Did you not realize that some of the things you are proposing already take place? If you sat down at the table with us I

think you would have a better idea but you bypassed that right afforded to us.

Third, I am insulted and betrayed that my government feels the need to strip some of the rights we have bargained for and earned over the past 100 years. How can you justify taking away rights and protections that have been afforded to us for decades. These rights and protections are necessary for us to be successful in our careers. I thought our democratic state was supposed to protect and encourage our collective bargaining rights and process? Why then is it being ignored and slowly dismantled? Do you not realize that by doing this you are making the job less and less appealing to people looking to make a career in law enforcement? What type of quality officer do you think you are going to get in this job when you take away protections such as qualified immunity and our right to appeal to civil service?

Fourth, I am nervous and uncertain as to what this bill will bring to my profession for many reasons. When I read certain things in the bill that include a civilians right to intercede if an officer is using unreasonable force I ask myself what type of danger this will bring to all of us. Who is judging the "unreasonable force?" Are we going to allow civilians to judge what they consider unreasonable? What if someone thinks a distraction technique, wrist lock or any other tactic used to handcuff a non compliant individual is "unreasonable"? Are they then going to intercede and cause injury to themselves, the officer or the suspect? This is a very dangerous piece to include in your reform. I certainly wouldn't blame a citizen for wanting to get involved if they saw an officer beating someone senseless but you are opening things up to different interpretations which is dangerous to us all. The state is opening itself up to lawsuits from all sides as well. When I read other articles in the bill that speak to law enforcement being subject to frivolous civil law suits I am really scared for this profession and it's people. Who is going to want to take a job where they have to worry about loosing their house or assets? Who is going to want to stay in the career when everything they have worked so hard for over the years is subject to a frivolous civil law suit. I read the piece on the qualified immunity where it states a reasonable person wouldn't have reason to believe a law had been violated. Who is judging the officers actions and wether a reasonable person should have known the actions to be unlawful? What if the attorney general or a prosecutor wants to make an example of an officer to satisfy a false narrative or feed into social influence or climate? What about our families? Do you not realize that you will be ruining our lives and more importantly the lives of our families? I agree that an officer should be held accountable for illegal/unlawful actions. From what I've seen, officers have been held accountable both criminally and civilly for criminal acts. So why are we trying to reinvent the wheel?

In closing, I have so many other feelings on this matter but in the interest of time I will summarize by saying this. I have spoken to those I represent and officers from other departments. We all feel very similar about this bill. Many question how they can be proactive officers when they are open to so much risk. They question how bad things in the community will get with the introduction of some of these programs and the changes and defunding of the police. My officers question if they will be able to do the job efficiently if they are always worried about their safety and livelihood and that of their families. They fear that they

could lose their certifications based on some false or frivolous claim and it can't be appealed. They worry that their lives are in serious danger every time they go to arrest someone for a criminal act. Do we want officers to second guess everything that they do? Do we want to see more and more officers hurt or killed because they hesitated to act? A hesitation caused by fear of what would happen to them civilly or criminally or how they would be viewed in society. Do you not realize what will happen to our state and country when police are forced to take a "back seat" approach? Do you not see crime skyrocketing in this state and around the country? It's already happening in other states like New York. I ask that you please listen to my brothers and sisters and truly hear their voices. Sit down and come up with something that both sides can agree will help improve the profession and our relationship with those in society that look down on the profession. Let's teach people respect and to get behind our law enforcement officials. The same people that put their lives on the line each and every day to protect EVERYONE in society. Let's not encourage people to question everything police do and say. I want to stay in the profession and make a difference in my community. Not look for another job where I don't have to be subject to these dangers.

Sincerely, Officer Anthony Bavosi  
From: Devon Whitney <devontwhitney@gmail.com>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: End qualified immunity

Good morning,

I am emailing from Westford, MA to support the end of qualified immunity. We must abolish all loopholes which allow police to avoid accountability for their actions.

Sincerely,  
Devon Whitney From: Luann Silva <luannkps@gmail.com>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is LuAnn Silva. I am an educator in the Boston Public Schools and a Dorchester resident (02124). I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I have seen too many people I care about be racially profiled by law enforcement in this state, because of the poor training and lack of policy to safeguard the citizens these folks are meant to protect and serve.

For example, as an educator in BPS I have also witnessed school police officers throwing middle school students (13-14 year olds) to the ground and cuffing them for "not following directions". This is beyond outlandish. It is criminal and it's at the root of the school to prison pipeline.

Our law enforcement is taught to act first (often based on bias –whether subconscious or not) and then think later. This is a vicious and dangerous cycle that negatively impacts the communities that they've sworn to protect and serve.

In light of the spotlight that's been shined on the centuries of racial inequity and oppression during the COVID-19, now is the time to pass this bill to begin the difficult, but necessary, work of: changing the culture, ingrained behavior, and problematic mindsets of this institution.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

LuAnn Silva  
Minot Street Dorchester, MA

Harvard Graduate School of Education 2019–MS Education Policy and Management

Boston University 2014–MS Education

Boston College 2012 – BS Business Management

Sent from my iPhoneFrom: Julia MacMahon <julia@macmahon.org>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Julia MacMahon. I am a resident of Boston (Jamaica Plain) and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I have learned a lot over the last 10 years about the ways our systems were created to uphold white supremacy and what it will take to break that down. I believe this bill is a critical step in the right direction and



shows a commitment to rethinking policing and its impact on communities of color. I worry that Massachusetts hides behind our self-perception of liberalism and misses key opportunities to actually impact change and beg of you to see this moment clearly for what it is - a chance for us to live into our values and take a stand.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Julia MacMahon

172 Hyde Park Ave #3

Jamaica Plain, MA 02130

March like a Mother: for Black Lives

From: Michael Reilly <reilly.michael.r@gmail.com>  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820 Concerns

Good morning,

I'm writing to express my opposition to Bill S.2820.

As has been noted elsewhere, the lack of public forum on this wide-sweeping reform bill has been particularly troublesome. Even now, with this email format, the general public has been given less than 48 hours to voice their concerns. How about those elderly citizens who may not be comfortable with this format? Or those who may not have access to the internet?

As far as the bill is concerned- I can't think of many professions where the employee (in this specific example a law enforcement officer) can be sued for failing to act in the performance of their duties, AND for acting as outlined in their duties (all in dangerous and often split second circumstances).

In an ideal world, only officers (or any public employees) who display the most egregious conduct would be negatively impacted by the removal of QI; but that is simply not reality. This will leave public employees vulnerable even when performing their duties to the best of their abilities and with good intentions.

More likely than not, officers in MA will be required to carry personal liability insurance (similar to medical doctors) but with a fraction of the experience and training that medical doctors received and an even smaller percentage of pay. This is now the case in NYC- Officers have to have personal liability policies. Due to this, and other reform factors, The NYPD is now seeing officers retiring at unprecedented rates (in some cases up 41% over last year). The liability simply outweighs the benefits of the job.

I was extremely frustrated with the lack of understanding of Qualified Immunity many of the state senators displayed during the live sessions. Several stated that there won't be any significant changes to QI if this bill passes (which is completely false), while others stated that officers would continue to be indemnified (only marginally true). Municipalities MAY choose to indemnify officers (or teachers, or DPW workers, or firefighters etc). Not SHALL. And in the event said officer's certification is revoked by POSAC (without a right to appeal) and that officer is then sued within the 3 year timeframe allowed by the courts in civil suits, I doubt very much that the municipality will choose to indemnify its FORMER employee.

My next major concern is the lack of due process. Leaving an individual's career and livelihood in the hands of a committee, who (in some cases) don't understand the nature of the work (with regards to policing) is nonsensical. Then combine that with an inability to appeal to the Civil Service? How could this be seen in any other light except that as a move against labor unions and collective bargaining rights?

Quite frankly, this bill has been hastily put together and rushed through the Senate without any transparency or input from public stakeholders (save for this less-than-48 hour email submission window).

To completely alter the entire profession of policing, alter the landscape of public sector work, and increase the liability of these workers and their employers all within a 30-45 day window is reckless and irresponsible.

This bill is a knee jerk reaction to the sins of law enforcement officers from other parts of the country. The actions of those officers have been condemned across the board, but should not impact the labor rights of public employees in Massachusetts.

For a state that has led the way with its strong middle class, and as a progressive beacon of hope for so many, to back door the legislative process in the waning hours of a 2 year session is reprehensible.

If I understand it correctly, if this bill passes, state is on the hook for \$5mil for implementation. That will be a small drop in the bucket compared to what the towns and cities of Massachusetts will have to pay. Given the budgetary shortfalls so many of these municipalities are facing after COVID, this would be a financial doomsday for many of them.

In short, thank you for this forum, however abbreviated it may be. At the end of the day, this bill is, without a doubt, an anti-labor Bill. It strips the way the rights of workers, and the checks and balances that so many have worked so hard to earn and keep. It is an attack on the middle-class, which in recent years has too often bared the brunt of politically driven policy making .

I hope the House is more thorough and detail oriented in its processing of this bill than its counterparts in the Senate.

Respectfully submitted,  
Michael Reilly  
12 Shanandoah Drive  
Paxton, MA 01612  
Phone: 508-864-2415

From: Michael Reilly <reilly.michael.r@gmail.com>  
Sent: Friday, July 17, 2020 10:58 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Re: Bill S.2820 Concerns

On Fri, Jul 17, 2020 at 10:56 Michael Reilly <reilly.michael.r@gmail.com> wrote:

Good morning,

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As far as the bill is concerned- I can't think of many professions where the employee (in this specific example a law enforcement officer) can be for sued for failing to act in the performance of their duties, AND for acting as outlined in their duties (all in dangerous and often split second circumstances).

In an ideal world, only officers (or any public employees) who display the most egregious conduct would be negatively impacted by the removal of QI; but that is simply not reality. This will leave public employees vulnerable even when performing their duties to the best of their abilities and with good intentions.

More likely than not, officers in MA will be required to carry personal liability insurance (similar to medical doctors) but with a fraction of the experience and training that medical doctors received and an even smaller percentage of pay. This is now the case in NYC- Officers have to have personal liability policies. Due to this, and other reform factors, The NYPD is now seeing officers retiring at unprecedented rates (in some cases up 411% over last year). The liability simply outweighs the benefits of the job.

I was extremely frustrated with the lack of understanding of Qualified Immunity many of the state senators displayed during the live sessions. Several stated that there won't be any significant changes to QI if this bill passes (which is completely false), while others stated that officers would continue to be indemnified (only marginally true). Municipalities MAY choose to indemnify officers (or teachers, or DPW workers, or firefighters etc). Not SHALL. And in the event said officer's certification is revoked by POSAC (without a right to appeal) and that officer is then sued within the 3 year timeframe allowed by the courts in civil suits, I doubt very much that the municipality will choose to indemnify its FORMER employee.

My next major concern is the lack of due process. Leaving an individual's career and livelihood in the hands of a committee, who (in some cases) don't understand the nature of the work (with regards to policing) is nonsensical. Then combine that with an inability to appeal to the Civil Service? How could this be seen in any other light except that as a move against labor unions and collective bargaining rights?

Quite frankly, this bill has been hastily put together and rushed through the Senate without any transparency or input from public stakeholders (save for this less-than-48 hour email submission window).

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This bill is a knee jerk reaction to the sins of law enforcement officers from other parts of the country. The actions of those officers have been condemned across the board, but should not impact the labor rights of public employees in Massachusetts.

For a state that has led the way with its strong middle class, and as a progressive beacon of hope for so many, to back door the legislative process in the waning hours of a 2 year session is reprehensible.

If I understand it correctly, if this bill passes, state is on the hook for \$5mil for implementation. That will be a small drop in the bucket compared to what the towns and cities of Massachusetts will have to pay. Given the budgetary shortfalls so many of these municipalities are facing after COVID, this would be a financial doomsday for many of them.

In short, thank you for this forum, however abbreviated it may be. At the end of the day, this bill is, without a doubt, an anti-labor Bill. It strips the way the rights of workers, and the checks and balances that so many have worked so hard to earn and keep. It is an attack on the middle-class, which in recent years has too often bared the brunt of politically driven policy making .

I hope the House is more thorough and detail oriented in its processing of this bill than its counterparts in the Senate.

Respectfully submitted,  
Michael Reilly  
12 Shanandoah Drive  
Paxton, MA 01612  
Phone: 508-864-2415

From: Gwen Hupper-Lawson <ghupper@hotmail.com>  
Sent: Friday, July 17, 2020 10:59 AM  
To: Tarr, Bruce E. (SEN); Testimony HWM Judiciary (HOU)  
Subject: S.2820 - DO NOT PASS

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Gwen Lawson  
Salem St.  
Wilmington

Thank you,  
Gwen

From: connor lamoureux <connorlam24@gmail.com>  
Sent: Friday, July 17, 2020 10:58 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bad Bill

I think the bill that was passed is blatantly unfair and unjust to the police/first responders. Removing due process is a clear violation of the

constitution and passing a bill such as this will not fix any social problems that exist but will instead lead to bigger problems.

From: Nancy Brusco <nancyabrusco@gmail.com>

Sent: Friday, July 17, 2020 10:58 AM

To: Testimony HWM Judiciary (HOU); Gregoire, Danielle - Rep. (HOU)

Subject: Please vote to protect our police officers ?????

Dear Ms. Gregoire, et al:

I would like to voice my concern over the Senate's bill to do away with qualified immunity for police officers. Qualified immunity is given to ALL members of state, municipal and federal employees in the course of the performance of their job for a reason. It is a protection for the employee and their families to not have worry about losing their home or life savings because someone didn't like the way they did their job. Qualified immunity as written does not protect individuals that violate the constitutional rights of others. But it does protect them and their families from frivolous lawsuits.

If you take it away from only one group - then that is discriminatory. And where does it end - EMT's, fire personal, DCF workers, city councilors, state reps?

If qualified immunity is no longer given to police officers, I believe the Commonwealth will lose a lot of qualified law enforcement officers.

While I understand the need for reform, please do not go overboard by punishing all police officers. They are not the enemy.

Thank you for your time.

Nancy and Paul Brusco  
24 O'Leary Rd  
Marlborough, MA 01752

From: Laura Bull Bailey <lbailey@utecinc.org>

Sent: Friday, July 17, 2020 10:58 AM

To: Testimony HWM Judiciary (HOU)

Subject: Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

I work at UTEC in Lowell and have seen first-hand how the restrictions of the current expungement law negatively impacts otherwise bright futures of

young adults who want to turn their lives around and become successful, contributing members of society as well as good parents. The expansions proposed would allow them to succeed - which is their great desire, and they are putting in all the hard work to do so. It is unfair that the current system makes it so difficult for non-violent offenders who made mistakes when they were younger be plagued by them and put down for the rest of their lives.

Our criminal justice system is not immune to structural racism and we join you and all members in the great work needed to set things right. The unfortunate reality is that people of color are far more likely to be subjected to stop and frisk and more likely to get arrested for the same crimes committed by whites. Black youth are three times more likely to get arrested than their white peers and Black residents are six times more likely to go to jail in Massachusetts. Other systems where people of color experience racism are exacerbated, and in many ways legitimized, by the presence of a criminal record. Criminal records are meant to be a tool for public safety but they're more often used as a tool to hold communities of color back from their full economic potential. Expungement can be an important tool to rectify the documented systemic racism at every point of a young person's journey through and past our justice system.

We also know that young adults have the highest recidivism rate of any age group, but that drops as they grow older and mature. The law, however, does not allow for anyone who recidivates but eventually desists from reoffending to benefit. Young people's circumstances and cases are unique and the law aptly gives the court the discretion to approve expungement petitions on a case by case basis, yet the law also categorically disqualifies over 150 charges. We also know that anyone who is innocent of a crime should not have a record, but the current law doesn't distinguish between a dismissal and a conviction. It's for these three main reasons we write to you to champion these clarifications and now is the time to do it.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due to a variety of circumstances and since the overwhelming number of those young people grow up and move on with their lives, we are hoping to make clarifying changes to the law. We respectfully ask the law be clarified to:

- Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.

- Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

- Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by



case basis especially if the case is dismissed of the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Laura Bull Bailey

Utec Inc.

617-947-1365

--

Laura Bull Bailey | Development Operations Manager

Utec | 978-856-3902 Ext: 744 | lbailey@utecinc.org  
Programs: 35 Warren St. | Café Utec: 41 Warren St.  
Mailing: P.O. Box 7066, Lowell, MA 01852

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From: Sonnabend, Matthew <sonnabendm@barnstablepolice.com>  
Sent: Friday, July 17, 2020 10:58 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: SB2820

Dear Chairs Michlewicz and Cronin,

Thank you for extending the opportunity for the public to render testimony on a subject as important as this bill (SB2820). I know you are receiving numerous emails and suggestions, so I will keep my comments brief.

1- Qualified Immunity. Many public servants are protected by the doctrine of qualified immunity because their jobs require them to make 'in the

moment' decisions in situations that are often unclear and confusing. The doctrine has limits and is not absolute as some people are being lead to believe. I would ask that you not give in to fear and misinformation, but take the time to fully research and debate this topic before rendering a decision that would adversely impact the ability of our public safety professionals to effectively and safely do their jobs.

2- School Resource Officers. I understand the sensitive topic of protecting student information; however, I am concerned that the current language may go too far and compromise the ability of the SROs and school staff to effectively provide for the safety of the school community.

Thank you for your time.

Matthew Sonnabend  
Chief of Police  
Barnstable Police Department  
(508) 641-0982 cell

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From: Judy Patkin <jpatkin@gmail.com>  
Sent: Friday, July 17, 2020 11:01 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Sara Judith Patkin with the Greater Boston Interfaith Organization (GBIO). I live at 27 Suzanne Road, Lexington, MA 02420. I am writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force

\* Qualified immunity reform

Thank you very much.

Sara Judith Patkin

27 Suzanne Rd, Lexington, MA 02420

781 861-8539

jpatkin@gmail.com

<[www.avast.com](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avast.com_sig-2Demail-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Dwebmail-26utm-5Fterm-3Dicon&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=8w_bwpD932jilv8MdMGz1JaPF4IYxZWMVE6h_Sm56L0&s=o6HGdG1U6q9ZdSMAMVHCXXWZQFzeVlFZQq-AQ3muMvo&e=> Virus-free. <a href=)  
<[devenobrien@gmail.com](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avast.com_sig-2Demail-3Futm-5Fmedium-3Demail-26utm-5Fsource-3Dlink-26utm-5Fcampaign-3Dsig-2Demail-26utm-5Fcontent-3Dwebmail-26utm-5Fterm-3Dlink&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=8w_bwpD932jilv8MdMGz1JaPF4IYxZWMVE6h_Sm56L0&s=fBSVuDC0Y-0lKj49cVpSM_5aXBC_6OoGyNegEqFkTbs&e=><br/>From: d ob <<a href=)>  
Sent: Friday, July 17, 2020 10:58 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 Tesitmony

Dear Representatives,

I am writing this email in regard to bill S2800 now known as S2820. After watching S2800 pass through the Senate with no public input or debate and with a vote at 400AM I can say at the very least I am very worried looking at S2820 as it stands now. As a proud police officer and former corrections officer whose given almost 10 years of his life to the state of Massachusetts and the communities within I must say I do not know my fate should this bill pass as it stands currently. One of the bigger concerns revolves around Qualified Immunity. Legislators point out the lack of changes in the states indemnification law C258 as reason we should not worry. Suggesting we will be defended against the massive onslaught of frivolous lawsuits that are sure to follow this bill. But there is one issue no one seems to bring up.... C258 DISCRIMINATES AGAINST MUNICIPAL

OFFICERS. Indemnifications for municipal employees (police, fire, local officials ect) is DISCRETIONARY. It is not required. BUT on the other hand people like yourself and other legislators and state executive branches enjoy MANDATORY defense and indemnification for up to \$1,000,000.00 if they violate civil rights laws. Oh also I do find it quite unfair that the Massachusetts State Police have their own special statute C258 S9A that provides MANDATORY defense and indemnification for also up to \$1,000,000.00 for civil rights violations so long they are not willful or malicious. Municipal officers are the only ones working (if not doing more) without a safety net.

My next worry is in regards to DUE PROCESS. Something the justice system was built on but with this bill it's seemingly wiped away...FOR POLICE OFFICERS. The idea that my along with fellow officers careers may be put in the hands of an inherently political board, mostly NON law enforcement, many with ANTI POLICE agendas, and of the law enforcement representation on this board are administrative in nature. If the board must stand here are some thoughts on what should take place. The boards should be made up of a majority of law enforcement professionals with representatives of management and labor, with appropriate and limited non law enforcement representation. JUST LIKE EVERY OTHER PROFESSIONAL BOARD IN MASSACHUSETTS. Next...the way the bill defines "sustained complaint" is that it views it as final once the city makes a decision. It does not allow for an unbiased review by an arbitrator or civil service..both rights which most have relied upon forever. This is shocking to say the least. In fact both bargaining law and civil service law acknowledge that the city level process is in fact BIASED, and more ever says that employees have no right to a disinterested or unbiased or even full hearing at this city level. The reason for this is that THE LAW PROVIDES THESE APPEALS TO ARBITRATION AND CIVIL SERVICE. So in summary with this bill officers like myself will be stuck with only three permissibly biased, final decisions of the local officials. This simply cannot stand. Just cause protects good officers - NOT BAD OFFICERS. Every good public manager and chief of police knows that if they follow the correct process they are able to remove UNFIT OFFICERS.

Third and lastly the Governors bill did not allow the board to do its own investigation of complaints and to be a place where people could make complaints directly. The senate changed this and now allows for political board members to ignore local IA findings clearing officers, to ignore arbitrators and civil service officers, to ignore DA findings of JUSTIFIED FORCE ect and simply do their own thing. This is wrong on so many levels and truly worrying. This review board should be required to use the facts and findings of UNBIASED officials, it should not be independently creating their own fact findings (which are insulated from appeal other than a legal "abuse of discretion" type appeal) This independent function should be removed and it should be consistent with the Governors bill that the board has a review function ONLY.

The entire reason public employees need just cause prosecutions and appeals are to protect against political influence, just like what is going now ACROSS THE COUNTRY.

I find it also fitting that these decisions take place around the same time almost two years ago when Weymouth Police Sgt. Michael Chesna was

violently and ruthlessly killed. Resulting in another innocent member of the public being killed shortly after. On that day did Sgt. Chesna not know what to do when confronted by a criminal holding a large rock getting ready to take his life? Sgt. Chesna an upstanding and "squared away" officer and military vetran? No. He knew he had to defend his life with lethal force, but were the worries of being legally and socially "crucified" running through his head? "Will this be justified? Will I be arrested? Will I be sued?" And as a result tragedy ensued.. Unfortunately if this bill passes as it stands now this will NOT BE the last time something like this happens. You will see officers avoid situations like this all together out of the same fears. Crime will sky rocket and the Commonwealth will suffer. Look at New York City after passing similar bills and laws, shooting and crime have taken over the city and now city officials are actually asking the police to return to doing their job with the rights and protections they stripped from them. It only took New York City weeks to see the error of their ways...how long would it take Massachusetts to see the err of their ways should this bill pass?

Respectfully,

Officer Deven O'Brien

From: carrie burke <carrierebeccaburke@gmail.com>

Sent: Friday, July 17, 2020 10:58 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony in Support of S2820

To Rep. Aaron Michlewitz and Rep. Claire Cronin:

I am writing to you to provide testimony in support of the passage of S2820, concerning police reform in Massachusetts. Though I do not write as a representative of my employer, it is important to establish what I do professionally as it relates to my support of this bill. I am the Director of Social Services Advocacy for the Committee for Public Counsel Services Public Defender Division. I have worked for CPCS first as a Social Services Advocate in the Boston Trial Unit, then as a regional supervisor in both Central/ Western MA and Eastern MA for 10 years prior to my current position, which I began last fall. Social Services Advocates function as integral members of the defense team - we work with the attorney and with the client to secure necessary treatment services, and to give voice to our clients' life experiences in mitigation and sentencing advocacy, with the hope that they will be treated with fairness in the criminal legal system. In our role, we are privy to the most traumatic and painful moments of our clients' lives, past and present. A theme that has been consistent throughout my work with clients over my years with CPCS has been the trauma and violence experienced at the hands of police - particularly within our Black and Brown communities. While some experience direct incidences of traumatic police violence, the kind that can result in a diagnosis of PTSD, many many more experience the environmental trauma of the constant threat of police violence. Police loom in these communities - not as protectors, but as intimidators - their presence resulting in hypervigilance and distrust. This distrust, founded in very real and measurable abuses by the police towards their communities, results in exactly the opposite of what police exist for; communities who are overpoliced are much less likely to seek police intervention when it is actually needed.

This is not to say that people who live in over-policed want police to cease to exist. People who are over-policed tend to want what everyone wants - to feel safe, and to know that if they call the police due to a threat to their safety that they themselves will not be put at risk in doing so.

This bill is woefully overdue, and is a first step in the right direction to ensure that ALL residents of the commonwealth will be treated equitably by the police, and particular attention will be paid to the inequities, biases, and policies that have led to the over-policing and police violence targeting Black and Brown communities.

Police interaction and police reporting is the gateway to the criminal legal system - it sets the tone for the treatment of the individual as they move into the court system and beyond. Bringing more equity, and more attention to the treatment of Black and Brown people by police could change the course of their interfacing with the criminal legal system, which as we all know is a system that disproportionately affects Black people and People of Color and negatively impacts communities of color.

Thank you for your consideration, and thank you for voting to pass this bill.

Sincerely,

Carrie Burke, LICSW  
Member, NASW-MA Criminal Justice Shared Interest Group

111 B Inman St. Cambridge, MA  
From: JACQUELINE L REARDON <jr080645@comcast.net>  
Sent: Friday, July 17, 2020 10:58 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Good morning,

As concerned citizens of the Commonwealth, we write to you today to express our STRONG opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor

and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I would like to reiterate that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the RESPECT and DIGNITY they deserve.

Thank you,  
Jacqueline L. Reardon, RN  
4 Oakwood Cr.  
South Hadley, MA  
jr080645@comcast.net

From: Benjamin Chan <ben.chan2580@gmail.com>  
Sent: Friday, July 17, 2020 10:55 AM

To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Written Testimony

Good Morning Chair Michlewitz and Chair Cronin,

Senate Bill S.2820 must be passed immediately. Our police standards should be progressively changed amidst what is going on with the current political climate and recent events happening all throughout the county.

However, more importantly, we must shift resources to more positive community resources and initiatives that do not generate unnecessary harm and further divide our communities and our environment even further. We must divert and reinvest revenue into mental health resources and new community-based initiatives that allow Black lives and people/communities of color to be able to live freely within the Commonwealth and within our communities while also them having the same equal opportunities allowing them to grow. There must be a weaving of positive community and positive engagement with police enforcement and the community instead of increasing such already strong separation and dividing matters even further.

Please take into consideration my testimony and I appreciate the hard work of what you, Senators, and Representatives and Chairs in the Legislature are doing currently right now. Thank you.

Very Respectfully,

Benjamin

Benjamin Chan

Suffolk University

B.S. Graduate, 2019

Pronouns: He/Him/His

ben.chan2580@gmail.com

From: David Pressley <dtdnpressley@gmail.com>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)

From: Arlene Sullivan <ansullivan105@gmail.com>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Peace Officer Standards & Training

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means



Representative Claire Cronin, Chairperson, Joint Committee on the  
Judiciary

Hello, my name is Arlene Sullivan with the Greater Boston Interfaith  
Organization (GBIO). I live at 302 Commonwealth Avenue, Boston . I am  
writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Arlene Sullivan  
ansullivan105@hotmail.com  
5083309679  
58 Candleberry Lane  
Harvard, MA 01451  
From: Lois Markham <loisamarkham@gmail.com>  
Sent: Friday, July 17, 2020 10:58 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Accountability Legislation

I am Lois Markham, a resident and voter in Cambridge, MA, and an active  
and motivated volunteer organizer with the Greater Boston Interfaith  
Organization (GBIO). I am writing to urge you and the House to pass strong  
police accountability measures that include:

- \* Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* A commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

PLEASE do adopt the Senate language to reform the legal doctrine of  
qualified immunity. Currently applicable cases cannot be heard by a jury  
as they are dismissed because the particular violation of 4th Amendment  
rights by a public official, such as a police officer, had not been  
previously contemplated by a statute or a court precedent. Those cases  
deserve to be heard on their merits, not thrown out using a non-statutory  
legal doctrine. It is time to put an end to this outrageous injustice  
preventing those who have suffered from the egregious violations of police  
officers from getting their day in court.

Do not be swayed by claims that qualified immunity reform will have devastating financial impact on individual police officers as they are indemnified by the municipalities that employ them. Any such claims are not based on fact.

We are calling for real reform to bring justice to our communities.

Thank you.

Lois Markham

316 Rindge Ave., Unit 10

Cambridge, MA 02140

From: Damaris Johnson <damariscj@verizon.net>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass Police Reform Bill

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Damaris Johnson with the Greater Boston Interfaith Organization (GBIO). I live at 13 Woodville St, Roxbury, MA 02119. I am writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you very much,

Damaris Johnson

13 Woodville St

Roxbury, MA 02119

617-445-1678

From: emarshall84 <emarshall84@comcast.net>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: BILL 2830

As a resident and police officer of the the City of Newburyport I request that the Massachusetts House of Representatives do not pass Bill 2820 in it's current draft.

The Bill was so hastily put together that it has numerous flaws which will put police officers as well as the citizens of the Commonwealth at risk. A few examples of the flaws are the changes in qualified immunity, police officers right to due process, and police losing the right to defend themselves effectively in a life or death situation. These are just a few examples.

I thank you for your time and hope that the House of Representatives takes a long look at the Bill in it's current draft and sees the changes that need to be made so the bill protects ALL the citizens of the commonwealth. PLEASE VOTE NO ON BILL 2820.

Respectfully,  
Eric Marshall  
13R Pine Hill Road  
Newburyport, MA

Sent via the Samsung Galaxy Note9, an AT&T 5G Evolution capable smartphone

From: Sarah Handler <sarah.l.handler@gmail.com>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: opposition to S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Sarah Kelley and I live at 2 Daventry Court, Lynnfield MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Sarah Kelley From: Lindsey Wang <lindsey8910@gmail.com>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Dear Chair Michelewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I am writing in favor of S.2820 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass the bill into law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Thank you for hearing my testimony,

Lindsey Wang  
Roxbury, MA  
From: Carlee Taggart <carlee.a.taggart@gmail.com>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony for S2820

Dear members of the House of Representatives of Massachusetts,

This morning I write to you as a mother and a wife - my husband is a patrol officer in the town of Southwick, Massachusetts. We have been together since college and he started his career as a police officer immediately after he received his bachelors degree in criminal justice in 2004. Never, in all of our time as a couple (and now as a family with our two young sons) has he ever spoken of considering another line of work to provide for our family. This is a man who as a kindergarten student said he dreamed of being a police officer so that he could help people. Yet, this bill that you are entertaining, An Act to Reform Police Standards (S2820), has affected him to the extent that he has begun to consider leaving his calling. This is a man who has saved countless lives,

responded to all sorts of medical calls as a first-responder, comforted families as they experience tragedy and grave loss, deescalated violent and angry individuals, taken reports on sexual assaults, and more recently joined the public schools as their full-time School Resource Officer. This man, my husband, has done all of his work for over the last 15 years with complete professionalism and care. He is now considering doing something else because he fears for the safety and well being of his wife and children, his whole world. He fears that if this bill passes, he cannot protect our home and all that we possess and have worked so diligently to provide for from being unjustly taken from us. His family's well being is at risk... an that is a risk any good father and husband cannot take.

Please hear me when I say that you do not want to lose people like my husband from doing police work... he is the type of person you need doing the work. Passing this bill will cause good, hardworking, honest, fair, and conscientious individuals such as my husband to seek alternate employment in order to minimize the threat to their family's home and financial security.

Thank you for your time and service. Please consider my husband and our family when you decide how you will vote.

Respectfully submitted,  
Carlee Taggart

--

Carlee Taggart  
carlee.a.taggart@gmail.com  
From: Chris McArdle <chrismcardles@yahoo.com>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

I very much hope that the House will vote for this Senate bill. There are so many elements to this bill that would make an enormous amount of difference in the lives of many people and without adding to the state budget.

Christine McArdle  
31 Weybridge Road  
Brookline MA 02445

617 480 3351

chrismcardles@yahoo.com

From: Katie Owens <katie.owens626@gmail.com>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)

Subject: Testimony on Bill S2820- Please Pass

Hello,

My name is Katie Owens and I am a resident of Roxbury, MA.

In Massachusetts, we need a police force that protects and serves, not one that terrorizes and disrupts. The Reform, Shift, Build Act is a necessary first step in ensuring that our communities are actually safe from racially charged violent policing. I have personally worked with formerly incarcerated men to get them back on their feet and into meaningful employment. When people are given a second chance, or more accurately given their first real chance to succeed in life, they do. Racial Profiling, Excessive force, ignorant police, military weapons that signal "war!", a teenagers fate being determined by misbehavior in school are all egregious things that we currently call protecting and serving. In reality they are costing this state million of dollars annually and far too many lives of valuable and worthy, black and brown residents.

Please make these reforms. Stop feeding into bad policing and mass incarceration. Give people the chance to be better- the same chance that you are now getting.

Change now,

Katie

8053903335

From: Sean Riley <riles136@gmail.com>

Sent: Friday, July 17, 2020 10:57 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

Good morning,

My name is Sean Riley I've been a police officer for almost 25 years and a resident of Rutland MA. I wanted to voice my concerns over the recent "Police Reform Bill" recently passed in the senate. I find it disturbing at how "Anti Labor" and prejudicial this reform bill is; it removes our rights to due process. It further eliminates our right to collective bargaining & then inserts a board that has no training, experience or background in law enforcement. Please consider voting against this reform bill & thank you for your time.

Sean Riley

Worcester Police Department

IBPO Local 504

774.696.8218

From: Working Cities Lowell Initiative <shaun.mccarthy@wccclowell.com>

Sent: Friday, July 17, 2020 10:57 AM

To: Testimony HWM Judiciary (HOU)

Subject: Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

Our criminal justice system is not immune to structural racism and we join you and all members in the great work needed to set things right. The unfortunate reality is that people of color are far more likely to be subjected to stop and frisk and more likely to get arrested for the same crimes committed by whites. Black youth are three times more likely to get arrested than their white peers and Black residents are six times more likely to go to jail in Massachusetts. Other systems where people of color experience racism are exacerbated, and in many ways legitimized, by the presence of a criminal record. Criminal records are meant to be a tool for public safety but they're more often used as a tool to hold communities of color back from their full economic potential. Expungement can be an important tool to rectify the documented systemic racism at every point of a young person's journey through and past our justice system.

We also know that young adults have the highest recidivism rate of any age group, but that drops as they grow older and mature. The law, however, does not allow for anyone who recidivates but eventually desists from reoffending to benefit. Young people's circumstances and cases are unique and the law aptly gives the court the discretion to approve expungement petitions on a case by case basis, yet the law also categorically disqualifies over 150 charges. We also know that anyone who is innocent of a crime should not have a record, but the current law doesn't distinguish between a dismissal and a conviction. It's for these three main reasons we write to you to champion these clarifications and now is the time to do it.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due to a variety of circumstances and since the overwhelming number of those young people grow up and move on with their lives, we are hoping to make clarifying changes to the law. We respectfully ask the law be clarified to:

\* Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.

\* Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young

people are innocent of crimes and they should not have a record to follow them forever.

\* Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case basis especially if the case is dismissed of the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Shaun McCarthy

Working Cities Lowell

978-804-5028

Shaun McCarthy  
Initiative Director  
Working Cities Lowell  
P:978-856-6624  
C:978-804-5028  
shaun.mccarthy@wccclowell.com  
From: Jordan Ferreira <j4ferreira@yahoo.com>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill No. S2820

Good Morning,

As someone who has been a police officer for the past nine years, I would like to express my extreme concern with the passing of bill S2820. I



believe that the senate version of this bill as written will be detrimental to police and safety of the public alike.

This biggest problem outlined in this bill is the attack on qualified immunity and due process for police officers leaving them susceptible to be sued for any reason even when acting lawfully. The vast majority of police officers are good police officers that always do the right thing with the up most integrity and risk their lives every day. Taking qualified immunity away from good police officers acting within the parameters of the law will only create fear of being sued and losing their livelihood, doubt in their abilities to do the job and hesitation to act amongst police officers when conducting everyday police work. Unfortunately, I believe this doubt, fear and hesitation will cost some officers their lives when making split second decisions in a dangerous situation. In addition, if this bill is passed it would cost the Commonwealth as well as cities and towns within the Commonwealth a fortune in lawsuits.

I also believe The Senate version of a regulatory board described in this bill is unacceptable as it eliminates officers of the due process rights and abolishes protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police. As a police officer, I cannot support any bill that does not include the same procedural justice safeguards members of the communities we serve demand and enjoy.

The Senate has tried to pass a knee jerk reaction to a single, isolated incident that occurred over a thousand miles away that everyone agrees was egregious. Without a doubt, I believe that this bill is an attempt to gain political clout and legacy rather than protect the citizens and better the communities within the Commonwealth.

I ask that you take these concerns into consideration prior to voting on this bill.

Respectfully,

Jordan Ferreira  
Police Officer  
New Bedford Police Department

Reference:

Bill No. S2820

Title: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

From: BRIAN COYNE <bwcoin@comcast.net>  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: House Bill 2820

Brian W. Coyne  
66 Fairmount Street  
Clinton, MA 01510  
Constituent of the 12 th Worcester District  
July 17, 2020

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

Please accept the following testimony with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color".

I have copied and pasted the Massachusetts Chiefs of Police Association's letter to you, which I fully support as a resident of the Commonwealth, a Lieutenant with the Clinton Police Department and an associate member of the Association. Please carefully consider the Chief's letter and ideas.

Thank you, Brian W. Coyne

This morning members of the Massachusetts Chiefs of Police Association Executive Board and representation from the Massachusetts Major City Police Chiefs Association had the opportunity to give a thorough reading and comprehensive review of the recently amended Senate 2820, " An Act to Reform Police Standards and Shift Resources to Build a more Equitable, Fair and Just Commonwealth that Values Black Lives and Communities of Color" submitted to the House on 7/15.

As we have mentioned to both the Senate President and the Speaker of the House during various conference calls over the last couple of weeks, we, as dedicated and committed police leaders, will continue to embrace the challenges that lay ahead, instill strong values into our respective agencies at all ranks, hold ourselves completely accountable for all our actions, and work through these difficult and turbulent times to build a more cohesive future for our communities. With that, we would very much like to be part of this continuing conversation as it pertains to any contemplated police reform, fully realizing that time is of the essence as the legislative formal 2019-2020 session begins to wind down rather quickly.

In the interest of expediency we would like to submit a brief list of bulleted comments in the paragraphs that follow in the hopes of providing some potential insight from our law enforcement/policing perspective that is laid out in this comprehensive 89-page Senate bill. To the extent that we do not have an issue or concern with a specific provision of Senate 2820, or we view it as beyond the scope of local law enforcement we will not mention it in this communication.

The list that follows corresponds to the Section Numbers in Senate 2820 with the applicable line numbers:

\*       • SECTION 4 (line 230): Under (iv), the provision states that there shall be training in the area of the "history of slavery, lynching, racist institutions and racism in the United States." While we certainly welcome any and all training that enhances the professionalism and understanding of our officers, we are somewhat perplexed as to why law enforcement will now be statutorily mandated to have such a class to the exclusion of any other government entity? One would believe that based on this particular mandate that the issue of what is inferred to as "racist institutions" is strictly limited to law enforcement agencies which aside from being incredibly inaccurate is also insulting to police officers here in the Commonwealth.

\*

\*       • SECTION 6 (line 272): In terms of the establishment of a POST (Peace Officer Standards and Training) Program, the various police chief's organizations here in our state wholeheartedly support the general concept. That said, the acronym of POSAC (Police Officer Standards Accreditation and Accreditation Committee) is causing significant confusion both in this bill and in the Governor's Bill. POST has nothing to do with Accreditation per se but has everything to do with Certification - and by implication "De-certification". In this state, there currently exists a Massachusetts Police Accreditation Commission (MPAC) for over 20 years which is made up of members of Law Enforcement (Chiefs, Ranking Officers), Municipal Government, and Colleges/Universities (Chiefs) in which currently 93 police agencies are accredited based on the attainment of national standards modeled from the Commission on Accreditation for Law Enforcement Agencies (CALEA).

Utilizing the word "Accreditation" in the title is definitely misleading and should be eliminated. To the best of our knowledge 46 other states use the acronym POST which seems to work without any problems or a need to create a new description of the important program.

\*

\* • SECTION 6 (line 282): The Senate Bill states that POSAC shall be comprised of "14 members", however as outlined there are actually 15 positions. The MCOPA is strongly advocating for two (2) seats on the POSAC to be appointed by the MCOPA Executive Committee.

\*

\* • SECTION 6 (line 321) : It appears from the language of the POSAC provision that the committee shall have the power to conduct what is referred to as "independent investigations and adjudications of complaints of officer misconduct" without any qualifying language as to how that would be implemented in terms of what type of alleged misconduct (law violations, use of force, injury, rude complaints, etc.) and when and under what circumstances will adjudications be subject to review resulting in a proposed oversight system that could go down the slippery slope of becoming arbitrary and capricious at some point and subject to a high level of scrutiny and criticism.

\*

\* • SECTION 10(c) (line 570): Section 10 of "An Act to Reform Police Standards and Shift Resources to Build a more Equitable, Fair and Just Commonwealth that Values Black Lives and Communities of Color" (the Act) is problematic, not only for law enforcement in the Commonwealth, but all public employees. In particular, Section 10 calls for a re-write of the existing provisions in Chapter 12, section 11I, pertaining to violations of constitutional rights, commonly referred to as the Massachusetts Civil Rights Act (MCRA). The MCRA is similar to the provisions of 42 U.S.C. § 1983 (setting for a federal cause of action for a deprivation of statutory or constitutional rights by one acting under color of law), except however, that the provisions of the MCRA as it exists today, does not require that the action be taken under color of state law, as section 1983 does. See G.L. c. 12, § 11H. Most notably, Section 10 of the Act would change that, and permit a person to file suit against an individual, acting under color of law, who inter alia deprives them of the exercise or enjoyment of rights secured by the constitution or laws of the United States or the Commonwealth of Massachusetts. By

\*

\* doing so, the Senate is attempting to draw the parallel between the federal section 1983 claim and the state based MCRA claims. The qualified immunity principles developed under section 1983 apply equally to claims under the MCRA. See Duarte v. Healy, 405 Mass. 43, 46-48, 537 N.E.2d 1230 (1989). "The doctrine of qualified immunity shields public officials who are performing discretionary functions, not ministerial in nature, from civil liability in § 1983 [and MCRA] actions if at the time of the

performance of the discretionary act, the constitutional or statutory right allegedly infringed was not 'clearly established.'" *Laubinger v. Department of Rev.*, 41 Mass. App. Ct. 598, 603, 672 N.E.2d 554 (1996), citing *Harlow v. Fitzgerald*, 457 U.S. 800, 818, 102 S.Ct. 2727, 73 L.Ed.2d 396 (1982); see *Breault v. Chairman of the Bd. of Fire Commrs. of Springfield*, 401 Mass. 26, 31-32, 513 N.E.2d 1277 (1987), cert. denied sub nom. *Forastiere v. Breault*, 485 U.S. 906, 108 S.Ct. 1078, 99 L.Ed.2d 237 (1988); *Duarte v. Healy*, supra at 47-48, 537 N.E.2d 1230. Section 1983 does not only implicate law enforcement personnel. The jurisprudence in this realm has also involved departments of social services, school boards and committees, fire personnel, and various other public employees. That being said, if the intent of the Senate is to bring the MCRA more in line with section 1983, anyone implicated by section 1983, will likewise be continued to be implicated by the provisions of the MCRA. Notably, the provisions of the MCRA are far broader, which should be even more cause for concern for those so implicated. "In an action under this section, qualified immunity shall not apply to claims for monetary damages except upon a finding that, at the time the conduct complained of occurred, no reasonable defendant could have had reason to believe that such conduct would violate the law" "Qualified immunity balances two important interests - the need to hold public officials accountable when they exercise power irresponsibly and the need to shield officials from harassment, distraction, and liability when they perform their duties reasonably." *Pearson v. Callahan*, 555 U.S. 223 (2009). Although legal scholars and practitioners have a grasp as to the meaning of qualified immunity as it exists today, uncertainty will abound if this standard is re-written, upending nearly fifty years of jurisprudence. Uncertainty in the law can only guarantee an influx in litigation as plaintiffs seek to test the new waters as the new standard is expounded upon by the courts.

\* Furthermore, although the Senate's version of "qualified immunity" would only apply to state-based claims under the MCRA, what Section 10 proposes is fairly similar to that proposed by the 9th Circuit Court of Appeals in various decisions. In those instances where the 9th Circuit sought to lower the standard applicable to qualified immunity, the U.S. Supreme Court has squarely reversed the 9th Circuit, going so far as scolding it for its attempts to do so. See *Kisela v. Hughes*, 138 S.Ct. 1148 (2018); *City of Escondido v. Emmons*, 139 S.Ct. 500 (2019).

\* This definition represents a departure from the federal standard for qualified immunity, although the exact extent to which it departs from the federal standard is up for debate, at least until the SJC provides clarification on it. The federal doctrine of qualified immunity shields public officials of all types from liability under section 1983 so long as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known. *Harlow v. Fitzgerald*, 457 U.S. 800 (1982). Stated differently, in order to conclude that the right which the official allegedly violated is "clearly established," the contours of the right must be sufficiently clear that a reasonable official would understand that what he is doing violates that right. *Anderson v. Creighton*, 483 U.S. 635 (1987). It protects all but the plainly incompetent and those who knowingly violate the law. *Malley v. Briggs*, 475 U.S. 335 (1986). As a result, the standard sought to be created under Section 10 of the Act would provide public employees with substantially less protection than that afforded under the federal standard.

\* Section 10 of the Act further sets for a new standard for the so-called defense of "qualified immunity." Section 10(c) states that

\* In enacting the Massachusetts Civil Rights Act, the Legislature intended to adopt the standard of immunity for public officials developed under section 1983, that is, public officials who exercised discretionary functions are entitled to qualified immunity from liability for damages. *Howcroft v. City of Peabody*, 747 N.E.2d 729, Mass. App. 2001. Public officials are not liable under the Massachusetts Civil Rights Act for their discretionary acts unless they have violated a right under federal or state constitutional or statutory law that was "clearly established" at the time. *Rodriguez v. Furtado*, 410 Mass. 878, 575 N.E.2d 1124 (1991); *Duarte v. Healy*, 405 Mass. 43, 537 N.E.2d 1230 (1989).

\*

\* • SECTION 39 (line 1025): The provision to inform both the appointing authority and the local legislative body of the acquisition of any equipment and/or property that serves to enhance public safety makes perfect sense. That said, to have a public hearing available for all in the general public to know exactly what equipment the police departments may or may not possess serves to put communities in jeopardy in that those with nefarious motives will be informed as to what equipment that the department has at its disposal. This is very dangerous.

\*

\* • SECTION 49 (line 1101-1115): This provision prevents school department personnel and school resource officers (who actually work for police departments), from sharing information with law enforcement officers - including their own agency - when there are ongoing specific unlawful incidents involving violence or otherwise. This quite frankly defies commonsense. School shootings have been on the rise since 2017. Did the Senate quickly forget about what occurred in Parkland, Florida on February 14, 2018? The learning environment in our schools must continue to be safe and secure as possible and information sharing is critical to ensuring that this takes place. Public Safety 101.

\*

\* • SECTION 50 (line 1116): There seems to be a slight nuance to the amended language to Section 37P of Chapter 71 replacing "in consultation with" to "at the request of." Many police departments have had school resource officer programs in this state for 25 years or longer. The only reason why officers are assigned to the schools are because they have been "requested" to be there by the school superintendents - period. The reality is that many school districts even reimburse the police budgets for the salaries of these officers who serve as mentors for these young middle and high school students. If the Senate is being told that police chiefs are arbitrarily assigning officers to schools without first receiving a specific request from the school superintendents, they are being misled. The 2018 Criminal Justice Reform Act has very specific language that outlines the qualifications of an SRO, the joint performance evaluations that are to be conducted each year, the training that they shall have and the language specific MOUs that must exist between the

Schools and the Police Department. We are very confused as to why this provision needs to be included.

\*

\* • SECTION 52 (lines 1138-1251): There are several recommended changes to data collection and analysis as it pertains to motor stopped motor vehicles and pedestrians in this section. The Hands Free/Data Collection Law was signed into law only a few months ago before the onset of the pandemic. The new law contains a comprehensive system of data collection, benchmarking, review, analyses and potential consequences. While we continue to welcome data that is both accurate and reliable, the issue pertaining to the classification of an operator's race has still yet to be resolved. Before any data from calendar year 2020 has yet to be collected by the RMV and subsequently analyzed by a College/University selected by the Secretary of EOPSS, these provisions now look to complicate the matter even further before a determination has actually been made as to whether any problem of racial or gender profiling actually exists here in our state. We won't belabor the point, but this language appears to be what did not make its way into the Hands-Free Law which as you know was heavily debated for several months based strictly on the data collection component.

\*

\* • SECTION 55 (line 1272) To be clear, we do not teach, train, authorize, advocate or condone in any way that choke holds or any type of neck restraint that impedes an individual's ability to breathe be used during the course of an arrest or physical restraint situation. That said, we respect the discussion and concern pertaining to what is now a national issue based on the tragedy in Minneapolis. Under part (d) the language states that "[a] law enforcement officer shall not use a choke hold. [...]" What should also be included is a commonsensical, reasonable and rational provision that states, "unless the officer reasonably believes that his/her life is in immediate jeopardy of imminent death or serious bodily injury." There needs to be a deadly force exception to eliminate any possible confusion that this could cause for an officer who is in the midst of struggling for their life and needs to avail themselves of any and all means that may exist to survive and to control the subject. This is a reasonable and fairly straightforward recommendation.

\*

\* • [Recommended New Section] Amends GL Chapter 32 Section 91(g): In order to expand the hiring pool of trained, educated, qualified and experienced candidates with statewide institutional knowledge for the Executive Directors' positions for both the Municipal Police Training Committee as well as the newly created POSAC (or POST), the statute governing the payment of pensioners for performing certain services after retirement, shall be amended to allow members of Group 4 within the state retirement system to perform in these two (2) capacities, not to exceed a three (3) year appointment unless specifically authorized by the Governor. We appreciate the opportunity to weigh in with our concerns and recommendations and hope that you would give due consideration to what we

have outlined above. Should you have any follow up questions and/or concerns please do not hesitate to contact either of us in the days or hours that lay ahead. We respect that time is of the essence regarding this important legislation and stand ready to assist if and when called upon. Respectfully Submitted: Chief Brian A. Kyes Chief Jeff W. Farnsworth

\*

\* We will continue to be bound by our duty to public service, our commitment to the preservation of life, and our responsibility for ensuring our communities are safe. We will not waver. Thanks again for your diligent efforts in drafting this comprehensive legislation for the House and in continuing to add credibility and transparency to our valued partnership in serving our respective communities.

\*

President, Major City Chiefs President, Mass. Chiefs of

From: PhiYen Nguyen <nguyen.ph@northeastern.edu>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)

Hello,

My name is PhiYen, and I am a resident of Boston, MA and I unequivocally support the Reform, Shift + Build Act (S.2800).

Massachusetts has always been on the forefront of states passing legislation to support the people that live here and we've never shied away from decisions that seemed radical at the time. I have always been proud of - and bragged about - MA being the first state to legalize gay marriage, and I hope to see us continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow.

It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments.



If the House does not pass this bill now, we all know that it will never get passed. And if the House does anything to this bill, they should be expanding on it, not taking away from it.

I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,

PhiYen

—

PhiYen Nguyen  
Candidate for BS in Biology and Political Science  
Northeastern University, Class of 2020  
Boston, MA | nguyen.ph@northeastern.edu  
From: Maureen Murphy <mm495@comcast.net>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Bill s2820

----- Original Message -----  
From: Maureen Murphy <mm495@comcast.net>  
To: "HWMJudiciary@mahouse.gov" <HWMJudiciary@mahouse.gov>  
Cc: "John.Rogers@mahouse.gov" <John.Rogers@mahouse.gov>, "Shawn.Dooley@mahouse.gov" <Shawn.Dooley@mahouse.gov>  
Date: 07/17/2020 10:51 AM  
Subject: Bill s2820

Dear Committee Members,

I am a retired Norwood police officer of twenty-six plus years. I continue to serve my community performing traffic safety details.

I am concerned about the recent passing of this bill in the senate without public in-put. I think it was emotionally declared in the Emergency Preamble that without immediate reforms black lives and others of color are not valued. This is being done hastily.

There are some reforms that are met by police officers with little or no resistance. Training has always been valued at my department, and standards throughout MA benefit all officers, especially when a situation arises when you are working a scene with another jurisdiction.

One of aspect of this bill which is demoralizing to police officers is the change to qualified immunity. I believe this jeopardizes an officer's life. If an officer has to respond to a volatile situation and has to be concerned with his/her response, fearing criminal liability, they may hesitate to take the correct action.

Another aspect of the bill that I believe is demoralizing is the creation of a board/agency to conduct misconduct investigations of police officers. Why does it not make sense to have this group staffed by law enforcement officers who have done the job, know the fear, know the split-second decision making that has to be done, and know what a reasonable police officer would do in a given situation? What qualifies a civilian to judge a performance they have never had to do themselves?

I hope that more time will be taken to examine this bill more closely, and to accept in-put from law enforcement professionals.

Respectfully submitted,

Maureen Murphy-Payne

Norwood Police Department - Retired

18 Potter Ave, Unit 1

Plainville, MA 02762

508-695-0968

From: Fiona Williams McDonald <curlygirliefe@gmail.com>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU); Eldridge, James (SEN); Dykema, Carolyn - Rep. (HOU)

Subject: Testimony in support of the Senate police reform bill, S.2800

The League of Women Voters advocates against systemic racism in the justice system and supports preventing excessive force and brutality by law enforcement.

We urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda bans choke-holds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

Yours sincerely,

Fiona McDonald

From: susan fortuna <sue4tuna@yahoo.com>  
Sent: Friday, July 17, 2020 10:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Dear Representatives,

I'm writing to express my strong opposition to the Police Reform Bill recently passed by the Massachusetts state senate. This bill undermines the ability of first responders to do their jobs and thereby jeopardizes the safety of all citizens of the Commonwealth. It will impact minority neighborhoods disproportionately and its difficult to understand how legislators could be so clueless not to see this! More importantly, are the lives and safety of our brave, professional men and women, who selflessly put on a uniform and go to work protecting and serving all of us.

The citizens of Massachusetts have elected you to represent us. Use your good judgement and common sense; stand up for what is right and vote to defeat this egregious law.

Sincerely,

Susan Fortuna  
14 Shoreside Rd.  
Quincy, Ma.

From: Julie Nigro <jnigro@napd.us>

Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 from Female Police Officer (NAPD)

Good Morning.

My name is Julie Nigro and I'm a police officer in North Andover, in my 11th year.

I'd like to ask that three pieces of the legislation be removed and I'll go into further details below:

- (1) Qualified Immunity
- (2) Due Process and
- (3) Makeup of the Committee/Boards

First of all, having spoke with several senators and some representatives, it appears there is still some monumental misunderstanding surrounding qualified immunity so I'm going to try my best to explain it.

To GOOD police officers, Qualified Immunity is exactly how it sounds... one needs to "qualify" in order to receive "immunity." Being a police officer in and of itself does NOT "qualify" you for immunity. It is not a blanket immunity either. It is looked at in a case by case basis.

Simply stated, when I became a police officer, I knew that if I did certain things, I would be protected from being sued... (1) Don't break the law (2) Don't violate department policy (3) Don't violate civil rights or (4) Don't act outside the scope of my training...

So, if I do my job within those parameters, I will qualify for immunity. That makes me feel safe that I can trust my instincts, experience and training when I need to make a split second decision because I know I'm one of the good guys and my actions will show accordingly... even if there are mistakes made, as all humans err.

Egregious acts, like in the George Floyd case, would not be covered by qualified immunity. Rightly so.

However, there is also language regarding previous litigation and granting immunity on what was done in the past. I am all for the language to be revisited surrounding past practice, and perhaps maybe setting a new standard (such as leaving it to the 4 points mentioned above)... but abolishing QI completely will most likely drive good police, including me, out of this profession. It's bad enough the state already pulled the funding for the Quinn Bill to attract educated individuals to this field.

I, myself, studied and Graduated from Merrimack College in 2002 with two bachelors degrees in Psychology and Sociology. I then attended Suffolk University and graduated in 2007 with highest honors (Suma Cum Laude) with 2 Masters Degrees in Mental Health Counseling and Criminal Justice. I missed out on the Quinn Bill because it was pulled. Luckily we have a stipend in place but it's far less than what I would have received had I received Quinn Bill. Some departments lost any incentive at all to go for higher education.

I disgress, Qualified Immunity is one of the reasons I'm able to do my job to the best of my ability. I feel secure that as long as my intentions are good, I'll be protected and my family will be protected.

Let me give some examples:

Some towns, like mine, have policies that state you need to stop at every red light and stop sign when responding to emergency calls with lights and sirens activated... but if I were to be going to a call and blow through a red light without stopping and kill someone, I would not, and should not,

be covered by qualified immunity. This is what the state legislatures are failing to see.... QI is to protect those doing things in GOOD faith and that's why it NEEDS to be removed from this bill. You don't need to throw out QI in order to protect citizens and expose bad police. The language needs to be edited, such as past practice litigation being a determinant... the QI should not be removed altogether.

Honestly, I'm not surprised most people do not understand it because most people are not police. What I am shocked about is how little politicians know about what we do as police in THIS state as far as our education and training, compared to other states, not to mention the lack of understanding on the issue of QI.

Think of this scenario... I respond to a person trapped in a burning car. I pull them out and inadvertently cause a spinal injury. Now they decide to sue me for the injury, even though I saved their life. QI protects us from those lawsuits. With this law, anyone can sue us for anything... and guess who picks up the tab for the legal fees incurred by the plaintiff? The taxpayers. The state (YOU) will provide the attorney fees for those frivolous lawsuits. Now during the process of the suit, the officer is probably put on leave... Nevermind the stress of being under constant scrutiny and a microscope for every little decision you make with only seconds to make them in??

Another point is if we go to court for a motion to suppress and it's granted by the judge (meaning whatever they want to suppress gets tossed)... the state then opens up an incident of a civil rights violation and tracks all of them. So basically ONE judge determines if the motion is granted and now we have this record of a violation? What happened to having a jury or a panel decide. Judges' rulings get overturned all the time in court cases... which shows they are subject to their own human errors as well... and where is our right to appeal this if it happens?

In addition, we know that about 70% of motions get granted (a number given to us by a union lawyer who is involved in these types of proceedings) and did you know that a judge can grant a motion to suppress and still say they found the officer credible.... that it could have been something minor that caused the suppression... or possibly just bad report writing.... 70%!!!! That's a lot of lawsuits... just saying...

Finally, making up a panel to decide on our certifications and discipline that's not made up of subject matter experts??? Lawyers have review boards made up of lawyers and judges, Doctors have review boards made up of doctors.... I feel there should be at the very LEAST 50% of police on the board... not to mention judges, lawyers, etc.... and it does not seem racially equal. It seems to be all minorities. Sorry but every demographic needs to be represented... White, Latino, Black and Asian, equally across the board. If you truly want to be fair.

In addition, you are also taking Union rights away from everyone when you allow this civilian review board to take on a case even after its cleared by civil service. What's the point then of civil service if it's ruling does not matter? It's also allowing this board to conduct their own investigation where they won't be required to use the evidence or facts that may have already been used during arbitration or civil service... I should've even have to express how this causes issues of double jeopardy and violation of fifth amendment rights (self incrimination).

No one is saying we don't need to improve because there is ALWAYS room for improvement. Training? We all LOVE training! The more the better. MA has some of the BEST police depts in the country and I feel it's due to our higher standards and excellent education and training!

I'll draw from some personal experience... When I was a rookie, only in my 15th month working full time, I was dispatched to a stabbing. When I got there, alone, I observed a man sitting on the sidewalk all bloody with bystanders around him pressing towels and shirts against his wounds. I then asked where the suspect was and was directed to a driveway. The individual was covered in blood holding a butchers knife. I drew my weapon and ordered him to drop the knife. Another officer arrived and he drew down on the suspect as well. We ordered him to toss the knife and he eventually threw it in an open window to a parked car next to him. We then ordered him to put his hands in the air and he to get on the ground but he wouldn't comply after several attempts. He then reached into his coat and pulled out his wallet. It could have been a gun he was pulling out and I probably could have shot him justifiably to protect myself from a possible threat. But we had such restraint to wait to the absolute last second. That shows you we have excellent training, calm demeanor, and that just because we carry a gun does not mean we want to use it.

Unlike some cops, who can go their whole career without ever taking their gun out of the holster aside from training, I've had to pull mine out on several occasions. But I never pulled the trigger.

I'll give you one more personal example. We got called to a house by two teenage boys about their father who was drunk. The mom and sons wanted him to leave for the evening but he did not want to go. Went to officers arrived, they discussed bringing the gentleman to his mothers house to sleep it off. Initially he was very cooperative and understanding and was gathering his belongings. Myself and another officer had arrived outside the home because the two officers inside we're fairly new. They radioed to us that everything was all right so we stayed outside just in case.

After a few minutes, we noticed some unusual activity through the living room window where we saw the two teenage boys running towards the other end of the house. The other officer and I entered the house and found the two officers talking with the now irate father who did not want to cooperate anymore and wanted to remain in the home.

As the veteran officer in front of me entered the room, the father punched him in the face. The two new officers and the vet officer ended up on the bed with the suspect, who was lying face down and would not put his hands out from underneath him. One officer was holding one arm, the other holding the other arm, and the veteran officer was kneeling on the end of the bed. I pulled out my taser and instructed the father to put his hands out by his side because he was under arrest for assault and battery on a police officer. When the father refused to do this, I press my taser against his thigh and gave what's called a drive stun for 1 second. When he did not comply, I tased him again for what I thought was 2 seconds. When he did not comply, I tased him again for what I thought was 3 seconds. And finally, I tased him a 4th time for what I thought was for 4 seconds and we were are able to get him into handcuffs.

When I was done with my report and after a day or so when my DT instructors were able to review the recording of the tase, he told me I had been wrong in my thought on how long I tased the father. He told me I had only tased him for 1 second every time. I was so concerned about not overdoing it that I actually did less. This is attributed to my



training and education and that I'm a good police officer who keeps calm and uses the best judgment I can in tense circumstances.

So with that being said, all we ask is that you don't act in haste, especially in regards to these 3 points. You can still pass a reform bill and leave these items out for further review and more research.

That would be the intelligent, rational thing to do here, especially when no one is an expert on these matters.

I feel that if you remove these protections, then those of us with good training and higher education will find other places to work... whether it be another state LE agency or possibly outside of law enforcement altogether, both of which offer us better working conditions.

Voting on issues you don't fully understand is very troubling to me, and it should be to you. These issues need to be removed and should have never been thrown into this bill frivolously, especially when it's going to ultimately jeopardize everyone's safety.

Thank you for your time!

Officer Julie Nigro

North Andover Police

617-543-5499 <tel:617-543-5499>

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<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.northandoverma.gov&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.northandoverma.gov&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk)>

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From: Tanisha Sullivan <naacpbostonpresident@gmail.com>  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Juan Cofield; Gonzalez, Carlos - Rep. (HOU); DeLeo, Robert - Rep. (HOU); ron.mariano@house.gov  
Subject: RE: S2820

Dear Chair Michlewitz and Chair Cronin:

On behalf of the NAACP Boston Branch, I submit the following priorities for your consideration. We believe it is an imperative that the Commonwealth moves swiftly to bring about meaningful policing reform and to address structural racism. Though not strong enough, we believe S2820 could be a meaningful start. It is our hope that the House will take steps to strengthen S2820 and that you will prioritize the following:

1. Use of force- We are engaged in this debate today because of excessive use of force on the part law enforcement. To be clear the death of George Floyd is not a unique situation and we in the Commonwealth are not immune from this type of action on the part of enforcement. If every life is valued then we must have laws in place that protect all life. The primary focus of the legislature should be on protecting life and our use of force laws must be strengthened in order for that to happen. Ban chokeholds, knee-holds, and the use of other tactics known to have deadly consequences. The language proposed by the Senate is woefully insufficient and perpetuates the loop hole used across this country to justify the murder of Black people. The current system is what has, for generations, led to the brutal and senseless murder of Black people at the hand of law enforcement. Well trained, anti-racist have nothing to fear when we have strong use of force laws.

2. Standards, Training and Licensure- Both the Governor and Senate have advanced this legislation in a meaningful way. This is one of the structural changes that has been a long time coming. As one of only six states without licensing standards, we are behind the rest of the nation. It is imperative that our standards, training and licensing process is strong and has participation from community for it to have integrity. The composition of the licensing board matters. It must not be filled with members of law enforcement. It must be inclusive of civil rights advocates, the defense bar, and victims of police violence. To have credibility, those seats must hold the majority.

3. Civil Service- Systems are facilitated by people. Currently, law enforcement across the Commonwealth is overwhelmingly white. Is this intentional? The civil service system perpetuates the lack of racial, ethnic and gender diversity in our law enforcement ranks. That lack of diversity impacts how policing is executed in cities and towns across the Commonwealth. Civil Service is a contributor to racial exclusion, and we need to find a way to continue supporting access to good jobs for our veterans while also removing the exclusionary barriers for Black, LatinX, AAPI people and women across all races.

4. Qualified Immunity- The Massachusetts Civil Rights Act contains language making it virtually impossible for a victim's family to have all options available to them when the life of a loved one has been unjustly taken away from them by law enforcement. A grieving mother is a grieving mother. Our current system does not have any meaningful support for the mothers and family members of police violence. Our current system tells those mothers that the lives of their sons did not matter- they are expendable. Eliminating the barriers for civil lawsuits would allow these mothers and family members to pursue justice. It would give them a tool to hold rogue police officers, operating outside of their training, to be held personally responsible for their actions. This action would place the life of a person over the personal property of another. Do we value life or material items?

5. Structural Racism- The work of our legislature cannot begin and end with policing reform. Law enforcement is not the only place we find systemic racism. Indeed, it is in our education system, which is why we must fund the Student Opportunity Act, our economic system, which is why the Governor's economic bond bill is so important, how we respond to environmental issues, which is why the Environmental Justice Act is so important, and as we well know our voting system. We need the legislature to remain focused on these issues long after this bill becomes law. To that end we strongly encourage your support of the African American Racial Equity Commission.

Thank you for your consideration.

Sincerely,

Tanisha Sullivan, President

--

Tanisha M. Sullivan, Esq., President  
NAACP - Boston Branch  
NAACPBostonPresident@gmail.com  
617-433-7409

Picture

<[https://plus.google.com/u/0/\\_/focus/photos/public/AIbEiAIAAABECNPg-M28wOK3vwEiC3ZjYXJkX3Bob3RvKigwZDVhOGewZWRmNGMxZDgwY2ExMWQ1NmRiNTUxY2ZmMzA3MGUxNjkzMAGqQQhhzD0r47fE4vOMnY2cykB6Hg](https://plus.google.com/u/0/_/focus/photos/public/AIbEiAIAAABECNPg-M28wOK3vwEiC3ZjYXJkX3Bob3RvKigwZDVhOGewZWRmNGMxZDgwY2ExMWQ1NmRiNTUxY2ZmMzA3MGUxNjkzMAGqQQhhzD0r47fE4vOMnY2cykB6Hg)>

From: Tim O'Brien <tmo021@gmail.com>  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800 opposition

To whom it may concern,

My name is Tim O'Brien and I live at 6 Beechtree Circle in Wakefield, Ma. I write to you today to express my staunch opposition to S.2800, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers.

Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Tim O'Brien  
From: sagittarius <sagittarius\_97@yahoo.com>  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified immunity for police officers

MA House of representatives:

It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

The very idea that such a thing as removing qualified immunity from police can be seriously proposed, let alone voted for 30 to 7, seemed totally absurd just a few months ago. Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function. And policemen, due to the very nature of their work, are the most vulnerable group.

This shameful legislation is unfair, immoral, and harmful to the extreme, especially to the people of color, whom it's supposedly designed to help - this group needs strong law enforcement and police protection more than anybody. By taking away qualified immunity from police the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen will retire, which is already happening. And nobody will be interested in joining the police force - the group that not only is unjustly vilified but now even deprived of any legislative protection.

A horrible death happened in Minnesota and everybody condemned it. But why the whole profession of policemen is punished for that? I talked to Brookline police and there has been not a single incident of police brutality for the years of existence of Brookline police. Massachusetts police in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Emil Muchnik  
151 Coolidge Avenue  
Apt. 310  
Watertown, MA 02472

From: krfrid <krfrid@yahoo.com>  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: provisions in the Police Reform Act

Dear representatives,

We are against of the provisions in the Police Reform Act that will restrict qualified immunity for police in Massachusetts. The number of frivolous lawsuits will be increased without improving of police work. Before decide on this drastic measures you need to consider all effects of this.

Please consider changing the incoming legislation in the way that does not have these extremely negative consequences.

Thank you,  
Kira Friedman,  
Alex Schwartz

Newton, MA

From: bridgetirving@sbcglobal.net  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800

I feel strongly that input from the public and key minority groups was lacking and this bill should not have proceeded through the Senate. The bill is well-thought out,, responsible or equitable. All parties need to be brought to the table in crafting a bill of this importance.

Thank you for taking and considering my comments.

Bridget Irving

From: Provost, Denise - Rep. (HOU)  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Reforming Police Standards Hearing Notice

Honorable Committee Chairs:

I write to you today to comment on S.2820 and express the hope of the people of my district, who wish to see profound changes in the way that policing is conducted in Massachusetts. I have had the opportunity to observe police officers and departments; my father was a police officer for part of his working life, and for the first eight years of my professional life as a lawyer, I worked in two municipal law departments, where I defended many lawsuits brought pursuant to 42 USC section 1983. I also advised police departments, and was involved in internal investigations, disciplinary matters, and other matters.

There are many examples of civic-minded and selfless conduct by police officers, but I've observed a tendency on the part of too many police officers to behave as if they were a law unto themselves. I've also learned that many ordinary, law-abiding, white people are deeply afraid of the police. In in all my years in public office, I've had many, many constituents approach me with serious, credible complaints about police misconduct; almost none wished to make official complaints, for fear of some sort of retaliation.

Such a situation is unwholesome anywhere, and I would guess that it's fairly widespread. It is painful to imagine how police are perceived in communities of color. There is widespread demand that we as legislators rebalance this power dynamic, and not just our impose more limitations and accountability on police, but embrace a more transformative approach to keeping the peace and good order of our communities.

I generally support S2820; most of the changes it makes are so innocuous that it's hard to see what the fuss is about. The police standards and accreditation process of section 4 introduces a system well overdue. The improvements to training are good, though it's not clear to me that they will be sufficient to effect cultural change.

Thank you for your time and consideration.

Denise Provost  
27th Middlesex District  
(617) 872-8805  
From: Melaine K <mmlistervs2008@gmail.com>  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)

Subject: Public testimony: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees:

I'm writing in favor of S.2820, that will bring dire reform to the first stage in the criminal justice system. I thank you for the past work done on the recently passed Criminal Justice Reform Bill.

I urge you to work as swiftly as possible to pass this bill into law, and strengthen it in future years.

I believe the final bill should eliminate qualified immunity, (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Thank you for your time.

Suffolk County Resident  
Senate: 1st Suffolk  
House: 4th Suffolk

Sent from my iPhoneFrom: Andrew Fasano <fasano@mit.edu>  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Testimony

Dear Char Michlewitz, Char Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it. I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Thank you,  
Andrew Fasano  
Roxbury MA  
From: Candace Marie <cmberrena@gmail.com>  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Objections to S.2800

Representatives Michlewitz and Cronin  
Massachusetts House of Representatives  
24 Beacon Street



Boston, MA 02133

Dear Chairs Michlewitz and Cronin,

My name is Candace Berrena and I live at 144 Hyde Hill Road in Goshen, Massachusetts.

I am writing to express my opposition to the current Senate bill S.2800, which was passed in the Massachusetts Senate this week and is being heard in the Massachusetts House of Representatives tomorrow for consideration.

My oppositions to this bill are very simple and straight-forward. First, this bill will change the current legal standard of the Qualified Immunity doctrine in Massachusetts state courts. The present standard allows the courts to consider past precedent and established legal authority, and the information the public official possessed at the time of their alleged illegal action when determining whether the doctrine will apply to a public official defendant before a case can go forward.

S.2800 would change the established legal standard to only allow the court to consider what every reasonable defendant would have understood as being illegal at the time of their alleged illegal action before allowing the case to go forward. This shift in legal doctrine would completely ignore the bedrock legal doctrine of stare decisis and legal precedent, and prohibit courts from benefiting from past decisions, both mandatory and persuasive, that would apply to the case at bar.

This will completely erode Qualified Immunity because it places far too much subjectivity into the decision whether to bring forward cause of action against a public employee. A finder of fact will be left to make their decisions in a vacuum, without the benefit of fairness and established legal precedents.

Secondly, I oppose S.2800 because of the changes it makes to the Massachusetts Civil Rights Act or "MCRA." Currently, under the MCRA, a plaintiff's case may only go forward against a public employee for acts that interfere with the exercise and enjoyment of [a citizen's] constitutional rights, as well as rights secured by the constitution or laws of the Commonwealth, where such interference of constitutional or statutory rights were achieved or attempted through threats, intimidation or coercion.

The proposed changes in § 10(b) of S.2800 completely delete the requirements of threats, intimidation and coercion be present in a public employee's alleged violation of the plaintiffs constitutional rights. This will, in effect, open the flood-gates for causes of action to be brought in Massachusetts state courts under the MCRA under this weakened standard. As you are aware, causes of action that lie under the MCRA are eligible for consideration of awarding attorney's fees if there is a favorable verdict for the plaintiff. What will stop unscrupulous plaintiffs and

their attorneys from filing suit under this weakened standard in an attempt to exact a quick settlement that includes attorney's fees? The gatekeeper will be asleep at the wheel, as the finders of fact will have no way to dismiss these frivolous claims before they make their way into court.

Finally, please consider the families, children, spouses and public employees themselves when making your decisions regarding this piece of flawed legislation. Qualified Immunity was established to shield public employees who act in good faith from frivolous and exhortative lawsuits. The erosions of S.2800 will place hardworking and dedicated public employees in a position where personal liability could apply in situations where it never should. Are their homes, college savings accounts, retirement accounts and personal assets so un-valuable that they should be forfeited to settle damages in these cases? Our public employees, especially our police officers, deserve better.

I implore you to take more time and truly consider the far reaching implications of this bill. There is no doubt that there are things that need to change in law enforcement, but this is not how they should change. A bill that is filed as a knee-jerk reaction in an attempt to solve a real problem will only create more problems. Discussion, conversation, debate, opposition and objection, are all cornerstones to our democratic process. We must use them, even embrace them, in order to find a solution to police reform that is both meaningful and pragmatic.

Very truly yours,

Candace Berrena

---

Candace Berrena

144 Hyde Hill Road

Goshen, MA 01032

From: Nicholas Morganelli <Nicholas.Morganelli@cityofwestfield.org>  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820 Testimony

To Whom it may concern:

Many have been outspoken in protest to police brutality through the black lives matter marches across the nation. This has obviously been a catalyst in drafting legislation like this bill and other similar bills. As a city councilor for 4 terms over the last 12 years, I have come to appreciate our local law enforcement personnel

And have had conversations with commissioners, chiefs, captains, sergeants, and officers. I fully rely on their expertise to manage the police department. They live here and know the community and the management and commissioners know the department well. Well enough to train and operate effectively and without bigotry towards any group. This bill, although having good intentions to reform our law enforcement, is managing local police on a state level. This is once again state government overreach and micromanaging. I implore you to let the local police departments continue to train and manage their teams. I encourage you to perhaps form a task force consisting of a mix of local police and experts in law enforcement that will take the next year or so to improve our system. This will bring real change if needed in the departments across the commonwealth instead of creating more legislation that is redundant and frankly a disrespect to the hard work that each local law enforcement entity carries out on a daily, weekly, and monthly basis. They know how to enforce the law effectively and fairly, train the team, discipline, watch for injustice, promote their staff, etc.

Let's not allow a few incompetent cops amongst nearly 700,000 across the nation to drive overreaching legislation. Stop reinventing the wheel that is driving our law enforcement system very well in our commonwealth and instead give local departments a platform on how to improve on an already successful system.

I oppose this bill wholeheartedly and speak for several residents and other elected officials who have spoken to me.

Respectfully Yours,

Nicholas J. Morganelli Jr.  
City Councilor

From: erin bouthiller <bouthillererin@yahoo.com>  
Sent: Friday, July 17, 2020 10:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

I am writing in lack of support for this bill. While there are ongoing issues in the country, Massachusetts remains ahead of the curve when it comes to policing and training. I stand with our police and reject this proposed bill. Further demonizing our police force is going to result in no honorable men and women serving.

Respectfully, Erin Bouthiller

Sent from my iPhone  
From: Stacey DeNino <tanyazetes@hotmail.com>

Sent: Friday, July 17, 2020 10:54 AM  
To: Testimony HWM Judiciary (HOU)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Stacey DeNino  
96 Franklin Street  
Lynn

Sent from my iPhoneFrom: Nate <nate0306@msn.com>

Sent: Friday, July 17, 2020 10:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

To whom it may concern,

I have been a police officer for over 14 years now and I must say that resent developments are very troubling! Qualified immunity does not just effect us, but all social servants that choose to help people in need. This immunity protects our personal property while we perform the duties of first responders. Please protect this! It will only hurt the people that you are attempting to help with this bill.

As for eliminating due process that has been fought for through collective bargaining, it's shameful. I beg you to please slow this process down and take the time to get input from people that are in the know. Get this right! Civilization as you know it depends on it! Please allow us as police officers help you restore order and attempt to move forward in the right direction. A knee jerk reaction to loud and small group should not be cause to change laws that have been I acted through collective bargaining.

Thank you for hearing this on my behalf and all my other brother and sister officers that stand on the front lines to keep you and everyone else safe!!!

Nathan Lafleche

508 330-3169

Sent from my iPhoneFrom: Karen Mahoney <gizmoka@verizon.net>  
Sent: Friday, July 17, 2020 10:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

>

> ?Dear legislators,

>

> I am asking you to take a hard look at bill S.2820 before you. This bill was rushed, without public hearings and without understanding the ramifications of it's implementation. I am not saying there shouldn't be reform, but shouldn't we do it right? Listen to the public, work with law enforcement to understand both sides. If the goal is to protect all, shouldn't we be able to hear from all?

>

> This email has been extremely difficult for me to write. There are so many emotions regarding this issue. I am trying to keep those emotions out it. I am a proud wife, sister and friend of so many great law enforcement officers. These officers do the right thing day in and day out. However, they have now been vilified as a whole due to the appalling actions of a few bad officers.

>

> This bill limits their protections (qualified immunity), and could put so many children at risk (schools not providing information regarding students affiliated with gangs). Who are you truly trying to protect, the criminals?

>  
> I ask that you take the appropriate actions and not approve this bill. Let's take a step back and do this right. Rushing through for the sake of getting "something" done is never a good idea.  
>  
> Thank you for your time. I hope you will do the right thing for ALL.  
>  
> Sincerely,  
> Karen Mahoney  
> Reading, MA  
>  
>

From: Erin Callahan <ecall1993@gmail.com>  
Sent: Friday, July 17, 2020 10:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Vote NO

To the Ways and Means Committee of the Massachusetts House of Representatives:

My name is Erin Callahan and I live in Milton, MA. I am writing this letter to voice my concern that again no public hearing was held on this matter and it lacks transparency.

The people I know who are police officers are the most compassionate and caring people I know. I trust them to protect my family and community. The police departments in Massachusetts are some of the best in the country and represent what policing should look like around the country. This bill is a slap in the face to the hard working and professional police officers and their families. This bill is not reform. It is a rushed bill to pander to the few who believe what happened across the country applies to Massachusetts. It is disheartening and shows the lack of respect the politicians of Massachusetts have for their constituents.

I am submitting this letter as my written testimony. I write to you today to express my strong opposition to the hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote AGAINST Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to QI will have a serious impact on critical public safety issues. Unintended and unnecessary changes to QI will hamstring

police officers in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The Governor and support of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in laborrelations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Erin CallahanFrom: Jaclyn Rambarran <jaclynr61@gmail.com>  
Sent: Friday, July 17, 2020 10:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: testimony for Bill S.2800

Testimony in support of:

Bill S.2800- An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Submitted by:

Jaclyn Rambarran

109 N. Sturbridge Rd.

Charlton, MA 01507

Rep. Aaron Michlewitz, Rep. Claire D. Cronin, and members of the House Committee on Ways and Means and the Joint Committee on the Judiciary for the police reform bill above:

My name is Jaclyn Rambarran and I am a resident of Charlton, MA. I am writing to voice my strong support for Bill S.2800.

Bill S.2800 is important because it holds police in this state more accountable for their actions, shifts necessary resources into communities of color, and begins the difficult work of reducing institutionalized violence. This nation's policing system, which includes the police force of the Commonwealth, was born of the Night Patrol of early America, which had the goal of returning escaped slaves back to their owners. The modern policing system is flooded with racism and oppression of society, inundated with unchecked implicit bias, inadequate training, lack of accountability, racist quotas, cultural insensitivity, and a lack of diversity. While the bill is not comprehensive in reforming the state's policing, it is a necessary step in the right direction.

Black Americans, which comprise 13% of the U.S. population, are victims in 26% of police shootings. Law enforcement kills black Americans at 2.8 times the rate of white non-Latinos, and 4.3 times the rate of Asian Americans. Despite the increased attention in recent years, only about 1% of police officers involved with these deaths are charged with a crime, and even less are convicted. I've witnessed this lack of accountability for police officers in my hometown.

Earlier this year, ex-trooper David Wilson, former police lieutenant from my hometown of Charlton, was involved in an overtime scandal resulting in his unlawful gain of \$31,000. He will serve NO jail time for this heinous crime. While this particular case does not involve overt violence towards



communities of color, it speaks great volumes to the biases in our justice system, the fact that many officers work unchecked, and the needs to both hold police accountable for their actions and reallocate financial resources (that currently end up, unlawfully, in the pockets of cops) into communities of color, which grapple with underfunded and underdeveloped community assistance programs. I think this is abhorrent. I am disappointed to see this Commonwealth historically not hold our police officers to a higher standard, and Bill S.2800 will begin the long process of reforming the system such that this higher standard is instituted.

I respectfully urge you, Reps Michlewitz and Cronin, and the members of the joint committees to support this very important legislation.

Thanks.

Jaclyn Rambarran

508-615-8182

From: samanthagunn11@gmail.com  
Sent: Friday, July 17, 2020 10:42 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Crighton, Brendan (SEN); Jones, Bradley - Rep. (HOU)  
Subject: S.2820 Opposition

As a concerned wife, mother, nurse in Massachusetts fighting the COVID-19 pandemic and as your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat our men and women, mothers and fathers, husbands and wives, sisters and brothers in law enforcement with the respect and dignity they deserve.

Thank you,

Samantha J. Soldani

7 Dunstan Road

Lynnfield, MA 01940 From: Domb, Mindy - Rep. (HOU)

Sent: Friday, July 17, 2020 10:41 AM

To: Testimony HWM Judiciary (HOU)

Subject: FW: [External]: Please pass a strong omnibus bill to increase police accountability

Attached from my constituent.

Mindy Domb, State Representative 3rd Hampshire District

Proudly representing the residents of Amherst, Pelham, precinct 1 in Granby

Phone/Amherst: 413-461-2060

Information on COVID-19: the state's website <<http://www.mass.gov/covid19>>  
CDC <<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>> World Health Organization <[https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information on Unemployment Benefits: How To Apply For Unemployment <[https://www.mass.gov/applying-for-unemployment-benefits?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/applying-for-unemployment-benefits?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)> COVID-19 Unemployment Information <<https://www.mass.gov/info-details/massachusetts-covid-19-unemployment->

information?utm\_source=Senator+Friedman+updates&utm\_campaign=5cab44709c-EMAIL\_CAMPAIGN\_2020\_03\_27\_01\_45&utm\_medium=email&utm\_term=0\_839d8000ad-5cab44709c-116793979>

Information for Pandemic Unemployment Assistance for self-employed, gig workers, freelancers, independent contractors & others.  
<<http://www.mass.gov/pua>>

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From: carol.anne.kaminsky@gmail.com@mg.gospringboard.io  
[carol.anne.kaminsky@gmail.com@mg.gospringboard.io] on behalf of Carol Kaminsky [carol.anne.kaminsky@gmail.com]  
Sent: Thursday, July 16, 2020 12:36 PM  
To: Domb, Mindy - Rep. (HOU)  
Subject: [External]: Please pass a strong omnibus bill to increase police accountability

Dear Rep. Domb

As your constituent, I'm writing to ask you include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights. Banning violent police tactics is meaningless if there is no way for people to hold the police accountable when they break the rules. Victims of police brutality deserve justice.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to do the right thing. We need to deliver racial justice to Black and Brown

people in our state, and that starts with baseline police accountability through robust legislation.

Please work to include the above provisions in the final version of this bill.

Sincerely,

Carol Kaminsky  
101 Middle St  
Amherst MA, 01002-3011  
From: David Mackey <dhmackey@gmail.com>  
Sent: Friday, July 17, 2020 10:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for limits on qualified immunity

I strongly support the Senate's police reform bill and it is imperative that the House include these provisions in their version of the bill:

- The same limits to qualified immunity that the Senate included. This is vitally important to protect the constitutional rights of Massachusetts residents.

- Amendment 108, which prevents schools from sharing personal information about students into local, state, and federal databases.

- Amendment 65, which bans tear gas, a chemical weapon banned in warfare.

- Amendment 80, which gives superintendents and school committees the ability to authorize a school resource officer, rather than the current unfunded mandate for every district to have SROs. Districts should have local control over their own budgets and policies.

Sincerely,  
David Mackey  
Concord, MA

(917) 304-8155

From: Ryan Sceviour <ryansceviour7@gmail.com>  
Sent: Friday, July 17, 2020 10:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: SAVE QUALIFIED IMMUNITY AND DUE PROCESS

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of merit and

restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Ryan Sceviour

Brant Rock, Marshfield

RyanSceviour7@gmail.com

From: Paulette Marino <pamarino3@gmail.com>  
Sent: Friday, July 17, 2020 10:41 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reforming Police Standards

Good Morning

Thank you for reading my email statement. I would also like to thank all of our police men and woman for keeping our country, state and communities safe.

I am writing today to ask for changes in police standards with respect to restraints, actions taken for minor infractions of the law and profiling based on race.

I work in the public schools as a School Adjustment Counselor and we are trained in restraints. We first try de-escalation when a student is dysregulated. We try to put the student at ease, listen, acknowledge feelings and try to calm the individual down. If this does not work we try the least invasive restraint and only escalate to a four point restraint, where four people are involved (which officers could have easily done with George Floyd, Eric Garner for example) only if the student becomes a danger to themselves or others. During any restraint we must let go of the student after a certain amount of time (typically 2 minutes or less) to see if the student continues to be unsafe to himself or others. Any restraints over two minutes need to be reported. At no time do we put a knee or choke hold on a student. If a student seems to be in need of medical care during the restraint we immediately get the nurse involved and get her/his recommendations. I would like to see our police use the same protocols and reporting system. Any restraints that may kill someone should be eliminated and considered illegal.

I would also like to mention that a suspect for a minor infraction (selling cigarettes, fell asleep in line at a drive through, potentially using counterfeit money, etc.) and they run away, let them run. The police can pick them up at another time. The police have access to everyone's home address. I doubt someone would leave the state for selling lose cigarettes. I do not understand why the police would shoot those individuals or hold them for 8+ minutes watching the suspect die.

I am also advocating for a more diverse police force . In addition, anti-racist training for all police department members - which should include black history and white privilege allowing for open discussion about race to acknowledge and break down any implicit biases to prevent further profiling and unnecessary police tactics.

Thank you for reading.

Sincerely,  
Paulette Marino  
2 Hillside Road  
Hull, MA 02045

From: Laura Blanton <lvanaren@gmail.com>  
Sent: Friday, July 17, 2020 10:41 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform for Massachusetts

Dear Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Laura Blanton with the Greater Boston Interfaith Organization (GBIO). I live at 39 Roseway, Apt 1, Boston MA. I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Sincerely,

Laura Blanton

lvanaren@gmail.com

269-569-2890

39 Roseway, Apt 1, Boston MA

From: Sue Sonia <suesonia@comcast.net>  
Sent: Friday, July 17, 2020 10:41 AM  
To: Testimony HWM Judiciary (HOU)

Subject: S.2800

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sue Sonia  
267 Old Common Rd.  
Lancaster, MA. 01523

From: Sam Libkind <libkind@icloud.com>  
Sent: Friday, July 17, 2020 10:41 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Mayor Ruthanne Fuller  
Subject: PLEASE HELP POLICE!!!



It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

The very idea that such a thing as removing qualified immunity from police can be seriously proposed, let alone voted for 30 to 7, seemed totally absurd just a few months ago. Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function. And policemen, due to the very nature of their work, are the most vulnerable group.

This shameful legislation is unfair, immoral, and harmful to the extreme, especially to the people of color, whom it's supposedly designed to help - this group needs strong law enforcement and police protection more than anybody. By taking away qualified immunity from police the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen will retire, which is already happening. And nobody will be interested in joining the police force - the group that not only is unjustly vilified but now even deprived of any legislative protection.

A horrible death happened in Minnesota and everybody condemned it. But why the whole profession of policemen is punished for that? I talked to Brookline police and there has been not a single incident of police brutality for the years of existence of Brookline police. Massachusetts police in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Vladimir Foygelman,

58 Rosewood Dr.

Stoughton, MA

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Sam Libkind. Newton, ma

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Avast logo <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.avast.com\\_antivirus&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=03sk656VjqaY8Wea\\_Ri6B2RWR2n4aKvcOzZCqTVPOWA&s=Xw760aVvb50FDsY0\\_jX9itkJhMnKowG7epgBmlipR6w&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avast.com_antivirus&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=03sk656VjqaY8Wea_Ri6B2RWR2n4aKvcOzZCqTVPOWA&s=Xw760aVvb50FDsY0_jX9itkJhMnKowG7epgBmlipR6w&e=>)> This email has been checked for viruses by Avast antivirus software.

[www.avast.com <https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.avast.com\\_antivirus&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=03sk656VjqaY8Wea\\_Ri6B2RWR2n4aKvcOzZCqTVPOWA&s=Xw760aVvb50FDsY0\\_jX9itkJhMnKowG7epgBmlipR6w&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.avast.com_antivirus&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=03sk656VjqaY8Wea_Ri6B2RWR2n4aKvcOzZCqTVPOWA&s=Xw760aVvb50FDsY0_jX9itkJhMnKowG7epgBmlipR6w&e=>)

From: Crouse, Michael (POL) <Michael.V.Crouse@pol.state.ma.us>  
Sent: Friday, July 17, 2020 10:41 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Written Testimony

Senator Collins,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their

municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Michael Crouse  
10 Rangeley Street, Dorchester  
Michael.V.Crouse@pol.state.ma.us

Respectfully,

Trooper Michael Crouse #4274  
Massachusetts State Police  
SP Boston, H-4  
(t): 617-727-6780  
(f): 617-742-8097

From: Domb, Mindy - Rep. (HOU)  
Sent: Friday, July 17, 2020 10:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: [External]: Please pass a strong omnibus bill to increase police accountability

Attached from my constituent.

Mindy Domb, State Representative 3rd Hampshire District

Proudly representing the residents of Amherst, Pelham, precinct 1 in Granby

Phone/Amherst: 413-461-2060

Information on COVID-19: the state's website <<http://www.mass.gov/covid19>>  
CDC <<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>> World Health  
Organization <[https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information on Unemployment Benefits: How To Apply For Unemployment  
<[https://www.mass.gov/applying-for-unemployment-benefits?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/applying-for-unemployment-benefits?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)> COVID-19 Unemployment Information  
<[https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information for Pandemic Unemployment Assistance for self-employed, gig workers, freelancers, independent contractors & others.  
<<http://www.mass.gov/pua>>

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From: rregozin@gmail.com@mg.gospringboard.io  
[rregozin@gmail.com@mg.gospringboard.io] on behalf of Roy Regozin  
[rregozin@gmail.com]  
Sent: Thursday, July 16, 2020 3:47 PM  
To: Domb, Mindy - Rep. (HOU)  
Subject: [External]: Please pass a strong omnibus bill to increase police accountability

Dear Rep. Domb

As your constituent, I'm writing to ask you include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights. Banning violent police tactics is meaningless if there is no way for people to hold the

police accountable when they break the rules. Victims of police brutality deserve justice.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to do the right thing. We need to deliver racial justice to Black and Brown people in our state, and that starts with baseline police accountability through robust legislation.

Please work to include the above provisions in the final version of this bill.

Sincerely,

Roy Regozin  
116 Harkness Road  
Pelham MA, 01002-9776  
From: Emily Klump <eklump@wellesley.edu>  
Sent: Friday, July 17, 2020 10:41 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill s.2800

Testimony in support of:

Bill S.2800- An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Submitted by:

Emily Klump

9 Kenwood Street

Brookline, MA 02446

Rep. Aaron Michlewitz, Rep. Claire D. Cronin, and members of the House Committee on Ways and Means and the Joint Committee on the Judiciary for the police reform bill above:

My name is Emily and I am a resident of Brookline, MA. I am writing to voice my strong support for Bill S.2800.

Bill S.2800 is important because it includes more accountability for cops and reallocates resources for communities of color, something that I think we have all seen is absolutely essential. Communities of color have disproportionately suffered the impacts of aggressive policing, and with little money invested back into their community programs, it perpetuates a harmful cycle and disenfranchises massive amounts of our community. I have been paying close attention to legislation that attempts to redress these wrongs, and I will continue to do so now that my eyes have been opened to this injustice. I know I am not alone in this.

I respectfully urge you, Reps Michlewitz and Cronin, and the members of the joint committees to support this very important legislation.

Thank you.

Emily Klump

763-226-1182

Sent from my iPhone  
From: Kim Weeter <kweeter@sover.net>  
Sent: Friday, July 17, 2020 10:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

First, thank you for your time and attention to these matters.

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select

a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you, again, for giving attention to this important priority, along with all the other important issues the House is addressing.

Earnestly,  
Kim Weeter

Kim Weeter, MA  
Hudson / Middlesex County  
email: kweeter@sover.net  
tel: 802.579.5999

From: Roxane Wilber <roxanewilber@icloud.com>  
Sent: Friday, July 17, 2020 10:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: testimony re: S.2820

I'm writing in support of the Senate's police reform bill – S.2820. The House should make it a priority to pass a similar bill soon, so that it can get through conference committee and be signed into law as soon as possible.

We urgently need: limits on the use of force, a ban on racial profiling, and the end to nondisclosure agreements in police misconduct cases; a state-wide certification board and training standards; mandates for the collection of racial data for police stops and the duty to intervene when officers witness officer misconduct; a requirement for civilian approval of military equipment purchases; and an allowance for the governor to choose a colonel from outside the state police. Local school superintendents must be allowed to determine whether police or school resource officers are more helpful in their own area. Unlimited qualified immunity for police officers must end. If police officers engage in misconduct that has not previously been established as egregious in case law, they should not be immune to prosecution. I support the bill's approach to these matters and all provisions requested by the Black and

Latino Legislative Caucus and believe that it is a matter of extremely urgent concern.

Roxane Wilber

617.335.0210

Somerville From: Solomon Steen <sols@gwmail.gwu.edu>

Sent: Friday, July 17, 2020 10:40 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2800 Testimony

Hello:

I am writing to urge the House to follow the leadership of overpoliced communities, victims of police & corrections abuse, and formerly and currently incarcerated people, and should modify S.2800 to achieve the following goals:

- \* Abolish Qualified Immunity
- \* Ban Chokeholds (no exceptions for intent) [Senate amendment 58], require decertification, termination of officers
- \* Ban Tear Gas [original draft of Senate amendment 65], destroy existing supply
- \* Include corrections officers in the definition of law enforcement, and subject them to the same standards of licensure and all restrictions on use of force
- \* Remove the position of Sheriff from the "community policing and behavioral health advisory council" [Remove Senate Amendment 40]
- \* Prevent law enforcement from unilaterally suspending the decertification process for up to 1 year and restore the standard determining a loss of license to the "preponderance of the evidence" [Remove Senate Amendment 54]
- \* Require data transparency in juvenile justice [Include Senate Amendment 3]
- \* Decriminalize homelessness [Include Senate Amendment 10] [incorporate text of SB.2735, S.2717, S.2576, +\$50M to line item 7004-9316]
- \* Raise the Age of Juvenile Jurisdiction and stop automatic prosecution of teenagers as adults [Include Amendment 17]
- \* End pretextual stops [Include Senate Amendment 31]
- \* Compensate wrongly convicted individuals [Include Senate Amendment 37]



\* Permanently ban face surveillance [Include Senate Amendment 64] and bar RMV from using the technology

\* Remove the \$10M cap from the justice reinvestment fund and expand participation from community organizations [Include Senate Amendments 81, 84, 95]

\* Limit long-term suspension and expulsion [Include Senate Amendment 93]

\* Ban No-Knock Warrants [Include Senate Amendment 119] with no exceptions

\* Require decertification result in ineligibility for rehires, transfers, or pensions

\* Abolish the gang database

\* Expungement of all juvenile records and cannabis offenses

\* No new police funding

\* Incorporate the text of H. 4652 (the Decarceration Bill)

\* Incorporate the text of S.1372 (No Cost Phone Calls)

\* Incorporate the text of S.1379/H.2047 (Strengthen Visitation)

\* Incorporate the text of H.4607 (An Act Relative to Parole)

\* Incorporate the text of S.2641 (Driver's Licenses for All)

\* Incorporate the text of HD.5166 (Emergency Housing Stability Bill)

\* All Four State-Level Points of MA BLLC Plan

\* Resolve to provide for a "Special Commission on Peace Officer Standards and Training" to study and make recommendations concerning the implementation of a Peace Officers Standards and Training (POST) system. (H2146 written by Reps Holmes and Vieira was hyper boosted from a Commission to an actual POST bill, initially filed by the Governor and passed by the Senate. The original Senate bill has some better language, for example around NOT paying police bonuses for taking trainings. However, the amendment 54 was EXTREMELY PROBLEMATIC in that it raises the bar for the standard determining a loss of licence from "preponderance of the evidence" to "clear and convincing.")

\* Civil Service Exam Review and Oversight: An Act to Reform Civil Service Exams, H2292 Rep Holmes bill, sent to study, should be converted to a Commission.

\* Commission on Structural Racism: An Act establishing a special commission on structural racism, H1440, Holmes; Collaboratively redrafted

by Nika Elugardo in conjunction with incarcerated family, advocate, and administration representatives. Passed as Amendment #16 in S.2028

\* Adopt clear statutory limits on police use of force, including choke-holds and other tactics known to have deadly consequences. Require independent investigation of officer-related deaths. Require data collection and reporting on race, regarding all arrests and police use of force by every department. Rep Miranda's bill.

(I note that the text of withdrawn Senate amendments is available on request, though it does not live on the public site.)

As a Black resident of the Commonwealth, I note the context of this bill: amidst the Coronavirus pandemic, there is a pandemic of racial injustice. Before the pandemic, according to a Boston Globe survey of a number of cities in the Greater Boston region, the household median net worth was \$247,500 for whites and \$8 for US Blacks. According to the Prison Policy Initiative, Black people make up 10% of the Commonwealth's population but 26% of its prison population. Combined, Black and Latino people make up 17% of the population but 50% of the Commonwealth's incarcerated population! We are also disproportionately impacted by COVID-19. Communities have asked for the speedy release of those held in prisons, with little success. People who should have their input on this legislation are locked in cages because the legislature failed to release enough people from prisons and jails to allow for social distancing; some have died. Those who are surviving, thus far, are in an economically precarious state due to inadequate federal, state, and local assistance and cannot keep informed on rapid legislative developments that involve no proactive community outreach. This legislation is being undermined by compounding governance failures.

I further note that the Legislature failed to center organizations led by or serving impacted people - including Families for Justice As Healing and Black & Pink Boston - so as to have a policy-making process driven and informed by those residents closest to the pain of our current criminal legal system. I would like to quote the People Not Prisons Coalition's remarks on the Senate bill:

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people. Rather than limiting legislation to moderate reforms and data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. [We] also support student-led efforts to remove police from schools.

S.2820 will cause more harm than good by increasing spending on law enforcement through training and training commissions, expanding the power of law enforcement officials to oversee law enforcement agencies, and making no fundamental changes to the function and operation of policing in the Commonwealth. Real change requires that we shrink the power and responsibilities of law enforcement and shift resources from policing into most-impacted communities.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there.

Please do not let this session end without passing legislation that addresses the harm caused by incarceration and separating families who are disproportionately Black and Brown.

We need to release people from jails and prisons who are most vulnerable to COVID-19 by passing H.4652;

provide no cost calls to incarcerated people by passing S.1372;

strengthen visitation to our incarcerated community by passing S.1379/H.2047;

and make sure the parole board has members with social work and mental health backgrounds by passing S.4607.

[We] also support a harm reduction approach to substance use rather than more criminalization and punishment. Please pass S.2717 to establish safe consumption sites in the Commonwealth.

We also need to increase access to driver's licenses in Massachusetts to prevent people from coming into contact with law enforcement, so please pass S.2641.

Black and Brown communities in the Commonwealth have been hit hardest by COVID19 and we need real protections to keep people in their homes. Please pass HD.5166 to prevent mass evictions.

In the coming budget negotiations, please focus on shifting resources away from policing and incarceration and into Black and Brown communities.

I thank you for your consideration and encourage you to be deliberate in your proactive outreach to incarcerated people, formerly incarcerated

people, and those in overpoliced communities as you draft this and subsequent legislation.

--

Solomon Steen  
415-818-3565  
From: Timothy Groves <twgroves@comcast.net>  
Sent: Friday, July 17, 2020 10:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: I urge House passage of Policing Reform bill

Dear Chairpersons Michlewitz and Cronin,

My name is Tim Groves with the Greater Boston Interfaith Organization (GBIO). I live at 59 Rice St., Cambridge, MA. I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much,

Timothy W. Groves  
twgroves@comcast.net  
617-354-5415  
59 Rice St., Cambridge 02140

From: Edward Rose <rockspringwatered2@comcast.net>  
Sent: Friday, July 17, 2020 10:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the

15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Cheryl Burns <cburns145@gmail.com>

Sent: Friday, July 17, 2020 10:40 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2800

To whom it may concern,

I am writing to ask you to vote NO on the Police Reform Bill.

Parts of it are great but the area of concern for me is the paragraph where the Police can be sued.

These are hardworking Men and Women who truly keep us safe every day so we can live our lives knowing someone is watching over us. I can assure you the officer will think twice before he acts against a criminal for fear of losing everything he has worked so hard to attain for his family.

Thanking you in advance

Cheryl Burns

Abington, MA

Sent from my iPhoneFrom: Paula Mahoney <pmah12@icloud.com>

Sent: Friday, July 17, 2020 10:40 AM

To: Testimony HWM Judiciary (HOU)

Subject: House bill s2820

I am writing as a resident of Massachusetts and the city of Boston that I DO NOT SUPPORT HOUSE BILL S2820.

This bill would allow the great men and women of our civil service departments to be personally sued because they are doing their job.

Thank you

Paula Mahoney

West Roxbury

Sent from my iPhoneFrom: Karen Chen <kyzchen@gmail.com>

Sent: Friday, July 17, 2020 10:38 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of

force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Karen Chen  
1 Earhart St Unit 718  
Cambridge, MA 02141  
kyczchen@gmail.com

From: Domb, Mindy - Rep. (HOU)  
Sent: Friday, July 17, 2020 10:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: [External]: Please pass a strong omnibus bill to increase police accountability

Attached from my constituent.

Mindy Domb, State Representative 3rd Hampshire District

Proudly representing the residents of Amherst, Pelham, precinct 1 in Granby

Phone/Amherst: 413-461-2060

Information on COVID-19: the state's website <<http://www.mass.gov/covid19>>  
CDC <<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>> World Health Organization <[https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information on Unemployment Benefits: How To Apply For Unemployment <[https://www.mass.gov/applying-for-unemployment-benefits?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/applying-for-unemployment-benefits?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)> COVID-19 Unemployment Information

<[https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information for Pandemic Unemployment Assistance for self-employed, gig workers, freelancers, independent contractors & others.  
<<http://www.mass.gov/pua>>

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From: [mdbramirez@gmail.com](mailto:mdbramirez@gmail.com)@mg.gospringboard.io  
[[mdbramirez@gmail.com](mailto:mdbramirez@gmail.com)@mg.gospringboard.io] on behalf of Desmond Ramirez  
[[mdbramirez@gmail.com](mailto:mdbramirez@gmail.com)]  
Sent: Thursday, July 16, 2020 9:13 PM  
To: Domb, Mindy - Rep. (HOU)  
Subject: [External]: Please pass a strong omnibus bill to increase police accountability

Dear Rep. Domb

As your constituent, I'm writing to ask you include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights. Banning violent police tactics is meaningless if there is no way for people to hold the police accountable when they break the rules. Victims of police brutality deserve justice.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to

do the right thing. We need to deliver racial justice to Black and Brown people in our state, and that starts with baseline police accountability through robust legislation.

Please work to include the above provisions in the final version of this bill.

Sincerely,

Desmond Ramirez  
44 McClellan St #1  
Amherst MA, 01002-2013  
From: Ian McGullam <ian.mcgullam@gmail.com>  
Sent: Friday, July 17, 2020 10:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Comment re: police reform bill

I'm a resident at 20 Pleasant St, Medford, MA, and my phone number is (631) 521-3458. I'm writing to testify in support of the police reform bill being considered by the House. The Senate bill, while not perfect, went a long way towards offering solutions to several particularly egregious problems with policing in Massachusetts, and I hope the House can pass a bill that's as close to the Senate version as possible. In particular, I'm calling on you to keep the limits on qualified immunity that the Senate bill imposes. It's important to give victims of abuses by police officers more recourse to obtain justice.

Sincerely,  
Ian McGullam  
--

Ian McGullam

Medford, MA  
(631) 521-3458

ian.mcgullam@gmail.com

ianmcgullam.wordpress.com  
<[Dear Members of the Massachusetts House of Representatives:](https://urldefense.proofpoint.com/v2/url?u=http-3A__ianmcgullam.wordpress.com&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=qL2mDon_fC2jMOWz1HSDkd3VC7GS5ttLQezRGe7MmCg&s=Or9C7dTbUqXMg4b3fuJSWv4H1b2x90741DVok-yyJcE&e=><br/>From: Margie DeStefano <destefmd@verizon.net><br/>Sent: Friday, July 17, 2020 10:40 AM<br/>To: Testimony HWM Judiciary (HOU)<br/>Subject: Reject Senate Policing bill SB 2820</p></div><div data-bbox=)

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a



commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from my iPhone  
From: Michelle Cuff <michcuff@yahoo.com>  
Sent: Friday, July 17, 2020 10:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass SB2800, REform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:  
My name is Michelle Cuff. I am a resident of Medway. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I support this bill because action is necessary NOW to protect black and brown lives. Thinking "that can't happen here" is not a strategy for success. It is wishful thinking. The specifics of this bill are a starting point, a minimum of what can and should be done. Please quickly act to pass this bill and consider doing more in the future.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.  
Sincerely,  
Michelle Cuff  
26 Florence Circle, Medway  
From: Domb, Mindy - Rep. (HOU)  
Sent: Friday, July 17, 2020 10:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: [External]: Please pass a strong omnibus bill to increase police accountability

Attached from my constituent.

Mindy Domb, State Representative 3rd Hampshire District

Proudly representing the residents of Amherst, Pelham, precinct 1 in Granby

Phone/Amherst: 413-461-2060

Information on COVID-19: the state's website <<http://www.mass.gov/covid19>>  
CDC <<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>> World Health Organization <[https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information on Unemployment Benefits: How To Apply For Unemployment <[https://www.mass.gov/applying-for-unemployment-benefits?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/applying-for-unemployment-benefits?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)> COVID-19 Unemployment Information <[https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information for Pandemic Unemployment Assistance for self-employed, gig workers, freelancers, independent contractors & others.  
<<http://www.mass.gov/pua>>

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From: judithsouweine@gmail.com@mg.gospringboard.io  
[judithsouweine@gmail.com@mg.gospringboard.io] on behalf of Judith Souweine [judithsouweine@gmail.com]  
Sent: Friday, July 17, 2020 8:38 AM  
To: Domb, Mindy - Rep. (HOU)  
Subject: [External]: Please pass a strong omnibus bill to increase police accountability

Dear Rep. Domb

As your constituent, I'm writing to ask you include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights. Banning violent police tactics is meaningless if there is no way for people to hold the police accountable when they break the rules. Victims of police brutality deserve justice.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to do the right thing. We need to deliver racial justice to Black and Brown people in our state, and that starts with baseline police accountability through robust legislation.

Please work to include the above provisions in the final version of this bill.

Sincerely,

Judith Souweine  
565 Bay Rd.  
amherst MA, 01002-3504  
From: GALINA YUSSIN <gyussin@comcast.net>  
Sent: Friday, July 17, 2020 10:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

It would be disaster. Nobody would like to work in police.

Galina Yussin.  
160 Stanton Ave. #345  
Auburndale MA 02466

From: thomas flynn <spindrifter@charter.net>  
Sent: Friday, July 17, 2020 10:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely, Thomas Flynn, 90 Masquesatch Rd, Westport Point, Ma. 02791  
From: Andrew Goldhor <andrew.goldhor@gmail.com>  
Sent: Friday, July 17, 2020 10:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for the Police Reform Bill

To whom it may concern,

I am writing to urge support for the Police Reform bill before the legislature. As a Christian and an American, these reforms represent a step towards becoming the country we proclaim to be, and towards becoming

the Beloved Community that prophets and martyrs have dreamt of for generations.

I urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda  
<[HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_voteliz_-3F-5F-5Ftn-5F-5F-3DK-2DR-26eid-3DARAoqrvxbqxcHkbaGFFDal2duSLy5lzQwskyvWjSckN0ysQRjD-5FhYuVo9hUS8qQ7GsXpQxRtDfuqyFxu-26fref-3Dmentions-26-5F-5Fxts-5F-5F-255B0-255D-3D68.ARCpDWxSSsBCAr4mlQWUG89eamUATJiOejOVVzTb-5Fh5TYPOtPwTxxZ2JtqfZomTFI-2D1fSGgJE-5FAdM69hnlWOGxpWGCmB-2DDeQIkK4gMQFDv9KdbZTqybbTQab8lGKdWQqCJl6NpVz0rWrm5Tat7OE-2Dj1U99acZZdP8YctIDWcI-2DQfxYjvYfn5aO-5F-2DtZqgE1N7OCvfaYtNFpi6&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=JUygmtqeEXotNkZRntVBfZ1GLsrP4mVNa3C9OzVjbpE&s=P5MqXTkB72i-yWlQH2uTvBSEr4nxvF8vZuLbZR4ou0hQ&e=> bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.</p></div><div data-bbox=)

Thank you.

Peace,  
The Rev. Andrew Goldhor  
Asst. Rector  
Church of Our Redeemer  
Lexington, MA

From: Aaron Richardson <aaronrichardson9393@gmail.com>  
Sent: Friday, July 17, 2020 10:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: In Support of law enforcement

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Jacqueline Conlon  
151 E 10th Street  
Chuluota, FL 32766  
jacqueline\_conlon@yahoo.com

Sent from my iPhone From: Domb, Mindy - Rep. (HOU)

Sent: Friday, July 17, 2020 10:38 AM

To: Testimony HWM Judiciary (HOU)

Subject: FW: [External]: Please pass a strong omnibus bill to increase police accountability

Attached from my constituent.

Mindy Domb, State Representative 3rd Hampshire District

Proudly representing the residents of Amherst, Pelham, precinct 1 in Granby

Phone/Amherst: 413-461-2060

Information on COVID-19: the state's website <<http://www.mass.gov/covid19>> CDC <<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>> World Health Organization <[https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information on Unemployment Benefits: How To Apply For Unemployment <[https://www.mass.gov/applying-for-unemployment-benefits?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/applying-for-unemployment-benefits?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)> COVID-19 Unemployment Information <[https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information for Pandemic Unemployment Assistance for self-employed, gig workers, freelancers, independent contractors & others. <<http://www.mass.gov/pua>>

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From: [jpearl54@aol.com](mailto:jpearl54@aol.com)@mg.gospringboard.io  
[[jpearl54@aol.com](mailto:jpearl54@aol.com)@mg.gospringboard.io] on behalf of Jayne Pearl  
[[jpearl54@aol.com](mailto:jpearl54@aol.com)]  
Sent: Friday, July 17, 2020 9:31 AM  
To: Domb, Mindy - Rep. (HOU)  
Subject: [External]: Please pass a strong omnibus bill to increase police accountability

Dear Rep. Domb

As your constituent, I'm writing to ask you include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights. Banning violent police tactics is meaningless if there is no way for people to hold the police accountable when they break the rules. Victims of police brutality deserve justice.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to do the right thing. We need to deliver racial justice to Black and Brown people in our state, and that starts with baseline police accountability through robust legislation.

Please work to include the above provisions in the final version of this bill.

Sincerely,

Jayne Pearl  
6 Duxbury Lane  
Amherst MA, 01002-2803  
From: Beth Melisi <bkj41210@gmail.com>  
Sent: Friday, July 17, 2020 10:39 AM  
To: Testimony HWM Judiciary (HOU)

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Elizabeth Melisi-Huckins and I live at 22 Gould Street Wakefield MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.



(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Elizabeth Melisi-Huckins

From: Cortni Desir <ckerr6@gmail.com>

Sent: Friday, July 17, 2020 10:39 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Cortni Desir. I am a resident of Medford and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

Our country's police system was built on a foundation of state violence and white supremacy. As an urban planner, I understand the devastating effects this has had on our communities, particularly for Black, Indigenous, and People of Color. As a mother, daughter, wife, and sister, not a day goes by that I do not fear for the safety of my black family should they have an encounter with the police. The overreliance on police violence and our racist criminal justice system has gone unchecked long enough - it's time for Massachusetts to be a leader in dismantling these systems.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Cortni Desir

215 Harvard Street #10

Medford, MA 02155

March like a Mother: for Black Lives

From: Anthony Sousa <asousa@napd.us>  
Sent: Friday, July 17, 2020 10:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 Bill

To whom it may concern,

My name is Anthony Sousa and I work for the North Andover Police Department. My cell phone number is 978-790-4883. I am writing to voice my concerns over the proposed bill.

A couple years ago I responded to an unconscious person who was not breathing. Once I got there I started performing cpr on the person to get them breathing again. At one point during chest compressions I could hear ribs break. It is something that happens when you are performing cpr. With the Emts there as well we tried everything to get a pulse back for that person. That person subsequently passed away later that evening.

Had that person lived and the new bill was in place, I would be looking at a law suit because I had broken a rib. Qualified immunity protects public servants when they are acting in good faith. We have strict guidelines and policies that we have to follow in order to fall under the protection. It is not absolute immunity meaning that because of being a police officer we are covered under anything. There is a threshold that we must abide by while working. If we are outside of that I.e. break policy, break the law, etc. then we are not qualified for immunity.

Eliminating qualified immunity in the bill will hesitate officers to perform on the job. Most of the officers here in Massachusetts have had

and continue to have some of the best training in the country. Please take out any language regarding qualified immunity and keep it the way it is.

Also, with the Due Process. If this law passes you want a civilian panel to advise on what was right or wrong? I can agree with a couple, but you need to people who have had some law enforcement background in it. As a civilian yourself, can you tell me what the totality triangle is? How about Graham vs. Connor? If you want a panel I get it, but put people who have law enforcement background in it.

In the end if these two amendments were to pass, you will see a lot of people leave the public sector. I love my job and love helping people when it is possible. I can go home to my wife and know that I did something good for someone that day. If these are passed you will have a worse outcome than you have predicted. The public works sector will ultimately quit because they do not want to be sued. Just food for thought. I read an article about Colorado the other day. Colorado which recently passed a similar bill if not exact, is trying to redact the qualified immunity within a couple weeks!

I wish you the best of luck. Please contact me if you have any questions.

Sincerely,  
Anthony Sousa

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All email messages and attached content sent from and to this email account are public records unless qualified as an exemption under the Massachusetts \*Public Records Law\* <<http://www.sec.state.ma.us/pre/preidx.htm>>.

Visit us  
online at \*[www.northandoverma.gov](http://www.northandoverma.gov)\*  
<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.northandoverma.gov&d=DwIFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIsl6rchf\\_GkGDD&m=y\\_ofiSeN-DpUpaTK1XAJv9qS-HY9D9jzjCaX4vEBXHg&s=AI9rHzjHlC\\_dE3o9dZL3kjDwHjYaFRYxzR4KkZ\\_7og4&e=](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.northandoverma.gov&d=DwIFAw&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=y_ofiSeN-DpUpaTK1XAJv9qS-HY9D9jzjCaX4vEBXHg&s=AI9rHzjHlC_dE3o9dZL3kjDwHjYaFRYxzR4KkZ_7og4&e=)>.  
From: Emily Vigneault <[emily.vigneault@yahoo.com](mailto:emily.vigneault@yahoo.com)>  
Sent: Friday, July 17, 2020 10:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Emily Vigneault

Emily.vigneault@yahoo.com

459 Springdale Rd

Westfield, MA 01085

Sent from Yahoo Mail for iPhone

<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_overview.mail.yahoo.com\\_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=iVK-o3F-\\_uA27IRESMTdzTf-rZM171IARYQ-pjN2qgI&s=dPgiOYX3KxVMScCovEMwEX77gg1CWPw0uH1ROUSQgwY&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=iVK-o3F-_uA27IRESMTdzTf-rZM171IARYQ-pjN2qgI&s=dPgiOYX3KxVMScCovEMwEX77gg1CWPw0uH1ROUSQgwY&e=>)>

From: Ginny Guenette <ginny.guenette@gmail.com>

Sent: Friday, July 17, 2020 10:38 AM

To: Testimony HWM Judiciary (HOU)

Subject: Fwd: Testimony on S.2820

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Virginia Guenette with the Greater Boston Interfaith Organization (GBIO). I live at 16 Maple Street, Lenox, MA 01240. I am writing to urge you and the House to pass police reform that includes:

- \* Implementation of Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

I urge you to adopt the Senate language to reform the legal doctrine of qualified immunity. This reform will allow the few applicable cases to be heard by a jury without being dismissed because the particular violation of 4th amendment rights by a public official, such as a police officer, has never been previously contemplated by a statute or a court precedent. Those cases deserve to be heard on their merits, not thrown out using a non-statutory legal doctrine. It is simply outrageous that those who have suffered from the egregious violations of police officers cannot get their day in court.

In addition, it is clear that qualified immunity reform will not have devastating financial impact on any police officers as they are indemnified by the municipalities that employ them. Any such claims are

not based on fact and should not be considered as you consider this reform.

Thank you very much.

Virginia Guenette

16 Maple Street

Lenox, MA 01240

ginny.guenette@gmail.com

From: Domb, Mindy - Rep. (HOU)  
Sent: Friday, July 17, 2020 10:38 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: [External]: Please pass a strong omnibus bill to increase police accountability

from my constituent.

Mindy Domb, State Representative 3rd Hampshire District

Proudly representing the residents of Amherst, Pelham, precinct 1 in Granby

Phone/Amherst: 413-461-2060

Information on COVID-19: the state's website <<http://www.mass.gov/covid19>>  
CDC <<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>> World Health Organization <[https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information on Unemployment Benefits: How To Apply For Unemployment <[https://www.mass.gov/applying-for-unemployment-benefits?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/applying-for-unemployment-benefits?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)> COVID-19 Unemployment Information <[https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information for Pandemic Unemployment Assistance for self-employed, gig workers, freelancers, independent contractors & others.  
<<http://www.mass.gov/pua>>

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From: susanzarchin@gmail.com@mg.gospringboard.io  
[susanzarchin@gmail.com@mg.gospringboard.io] on behalf of Susan Zarchin  
[susanzarchin@gmail.com]  
Sent: Friday, July 17, 2020 10:09 AM  
To: Domb, Mindy - Rep. (HOU)  
Subject: [External]: Please pass a strong omnibus bill to increase police accountability

Dear Rep. Domb

As your constituent, I'm writing to ask you include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights. Banning violent police tactics is meaningless if there is no way for people to hold the police accountable when they break the rules. Victims of police brutality deserve justice.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to do the right thing. We need to deliver racial justice to Black and Brown people in our state, and that starts with baseline police accountability through robust legislation.

Please work to include the above provisions in the final version of this bill.

Sincerely,

Susan Zarchin

500 West St

Apt. %

Amherst MA, 01002-2989

From: Candace Clement <candace.jeanne@gmail.com>

Sent: Friday, July 17, 2020 10:38 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony in support of reforming police standards

Hello,

I am writing in support of S.2820, An Act to Reform Police Standards and Shift Resources to Build a More Equitable, Fair and Just Commonwealth That Values Black Lives and Communities of Color.

It is undeniable that systemic racism has created the world we live in today and that people of color – and Black people in particular – are targeted by police and the criminal justice system. The murder of George Floyd has led to one of the largest social protest movements in the history of the United States and the call for dramatic changes to our society cannot be ignored.

We can not continue to work for ineffective, reformist policies that don't stop the ongoing and sometimes lethal harm that our police forces are creating in our communities. It is time to meet the moment and institute lasting, dramatic changes to ensure that police officers are held accountable and to reinvest the inflated policing budgets into the kind of social services police so often are called to perform in our communities.

Massachusetts needs to reckon with it's shameful history of colonization and segregation – something so often buried and ignored in our history books – by taking the steps today to create a more just and equitable society for all of its residents. This legislation could be a stepping stone on the path to justice.

Thank you,  
Candace Clement  
Belchertown, MA

--

-candace jeanne clement

play: candace.jeanne@gmail.com

work: candace@freepress.net

From: Cindy Brunton <cindybrunton@verizon.net>

Sent: Friday, July 17, 2020 10:38 AM



To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear To whom it may Concern,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Cindy Brunton

From: Casey Buttke <caseybuttke@gmail.com>

Sent: Friday, July 17, 2020 10:38 AM

To: Testimony HWM Judiciary (HOU)

Subject: Qualified Immunity & Police Reform

Hello!

To whomsoever it may concern: I'm a student at Northeastern University, and I strongly support the bill on the floor of the House this morning.

We are in a period of change and transformation - this is not a time to hold ourselves to old standards, it is a time to hold ourselves accountable. We need to be actively seeking out police reform, and this is a really big step in the right direction. There are hundreds and thousands of people like me - students - who are proud to be from Massachusetts, a place where revolution was born, where political activism and progressive viewpoints have always been a key aspect of our identity.

I urge you to pass this bill - you may not see it, but the country is watching to wait for you to make the right call here. You can help to set the precedent for a safer future for ALL Americans.

I pray that you will hear this.

Thank you,  
- Casey Buttke  
-----

Casey Buttke (she/her/hers)

Candidate for B.S. in Criminal Justice and Political Science  
(minors in Philosophy and Mathematics)  
Northeastern University Class of 2023  
Boston, MA | buttke.l@northeastern.edu  
From: Jen Davis <jenjd11@gmail.com>  
Sent: Friday, July 17, 2020 10:38 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Driscoll, William - Rep. (HOU)  
Subject: Testimony re: Police Reform

Please accept the following written testimony in regards to police reform in Massachusetts.

Sincerely,  
Jen Davis  
Milton, MA 02186  
781-454-6366

----- Forwarded message -----  
From: Jen Davis <jenjd11@gmail.com>  
Date: Thu, Jul 16, 2020, 9:57 AM  
Subject: Police Reform  
To: <william.driscoll@mahouse.gov>

Dear Representative Driscoll,

I am a resident of Milton. I, like any decent person, was horrified to watch George Floyd's murder. I realize that people in the law enforcement profession have caused a great deal of damage to minority communities in the past and I am hopeful law enforcement will be better in the future. I am saddened that it took Mr. Floyd's murder to get people moving.

I am gravely concerned about a few of the items put forth by the Senate and I am entrusting the House will consider and correct these matters. One item that I feel will have an immensley negative impact the on the police profession is ending qualified immunity. Police officers make split-second decisions in rapidly evolving and dynamic situations, and they do so to protect the public. Qualified immunity does not and should not protect them should they violate clearly established law, or prove to be incompetent. Qualified immunity does however, shield police and many other public officials, including yourself, from frivolous lawsuits.

In a recent study done by UCLA, researchers found that courts only accept a qualified immunity defense around 12% of the time.

Ending qualified immunity will ultimately hurt communities and the hiring of our police. It will be harder to attract quality candidates to effect the change that the profession needs. This comes at a time when candidate pools are undoubtedly already at all-time lows. We desperately need to attract the best people from our communities to work in law enforcement. Ending qualified immunity for police will be counterproductive to that. Please consider opposing ending qualified immunity for police.

I am also concerned that the Senate's bill takes away due process in disciplinary matters. A right that the Supreme Court has upheld in all civil and criminal cases since the birth of our nation, and a right that organized labor has fought for since its inception. The Senate wishes to create a disciplinary review board without law enforcement representation to sit in judgement after-the-fact to judge an officer's reasonableness. Reasonableness being the key operating term set forth by the Supreme Court in many landmark use of force cases. Unless politicians and activists can say that their knowledge supercedes the US Supreme court, then it becomes essential that the review boards are compromised at least partially by law enforcement.

How can a community activist evaluate and speak to reasonableness regarding a job they know nothing about, except as an uninformed observer?

I ask you to help law enforcement effectively keep our communities safe. The unintended consequences of the Senate's bill will reap a whirlwind of consequences for our communities if left unchecked by the House.

Sincerely,

Jen Davis

781-454-6366

From: Domb, Mindy - Rep. (HOU)  
Sent: Friday, July 17, 2020 10:37 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: FW: [External]: Please pass a strong omnibus bill to increase police accountability

Attached from my constituent.

Mindy Domb, State Representative 3rd Hampshire District

Proudly representing the residents of Amherst, Pelham, precinct 1 in Granby

Phone/Amherst: 413-461-2060

Information on COVID-19: the state's website <<http://www.mass.gov/covid19>>  
CDC <<https://www.cdc.gov/coronavirus/2019-nCoV/index.html>> World Health Organization <[https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.who.int/emergencies/diseases/novel-coronavirus-2019/events-as-they-happen?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information on Unemployment Benefits: How To Apply For Unemployment <[https://www.mass.gov/applying-for-unemployment-benefits?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/applying-for-unemployment-benefits?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)> COVID-19 Unemployment Information <[https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm\\_source=Senator+Friedman+updates&utm\\_campaign=5cab44709c-EMAIL\\_CAMPAIGN\\_2020\\_03\\_27\\_01\\_45&utm\\_medium=email&utm\\_term=0\\_839d8000ad-5cab44709c-116793979](https://www.mass.gov/info-details/massachusetts-covid-19-unemployment-information?utm_source=Senator+Friedman+updates&utm_campaign=5cab44709c-EMAIL_CAMPAIGN_2020_03_27_01_45&utm_medium=email&utm_term=0_839d8000ad-5cab44709c-116793979)>

Information for Pandemic Unemployment Assistance for self-employed, gig workers, freelancers, independent contractors & others.  
<<http://www.mass.gov/pua>>

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From: danniekaye2@gmail.com@mg.gospringboard.io  
[danniekaye2@gmail.com@mg.gospringboard.io] on behalf of Danielle Kadinoff  
[danniekaye2@gmail.com]  
Sent: Friday, July 17, 2020 10:17 AM  
To: Domb, Mindy - Rep. (HOU)  
Subject: [External]: Please pass a strong omnibus bill to increase police accountability

Dear Rep. Domb

As your constituent, I'm writing to ask you include three essential measures in any legislation on police accountability and racial justice. Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights. Banning violent police tactics is meaningless if there is no way for people to hold the police accountable when they break the rules. Victims of police brutality deserve justice.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to do the right thing. We need to deliver racial justice to Black and Brown people in our state, and that starts with baseline police accountability through robust legislation.

Please work to include the above provisions in the final version of this bill.

Sincerely,

Danielle Kadinoff  
87 Stony Hill Rd.  
Amherst MA, 01002-2843  
From: Mary Lenihan <maryfranlenny@gmail.com>  
Sent: Friday, July 17, 2020 10:38 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Act to Save Black Lives by Transforming Public Safety

To whom it may concern,

We need strong use of force guidelines for police in Massachusetts, public record of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke-holds, tear gas, and other chemical weapons.

Black Lives Matter,  
Mary Lenihan  
Boston, MA.

Sent from my iPadFrom: Jenn Burnham <jburnham623@gmail.com>  
Sent: Friday, July 17, 2020 10:37 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Jennifer Burnham and I live at 1 Bishops Way North Reading. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and

correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Jennifer Burnham  
North Reading, MA  
From: Randy Smith <randy@tigana.org>  
Sent: Friday, July 17, 2020 10:37 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: I support passage of the senate police reform bill in its current state

Specific areas that I would like to see included in the final bill:  
\* The state wide commission for certification and review.  
\* The duty to intervene if witnessing misconduct  
\* Banning racial profiling and collecting racial data on police stops  
\* The senate's modification of qualified immunity for police officers to exclude egregious misconduct from immunity to prosecution.

But mostly I hope a good police reform bill will be enacted by the end of July. Thank you for giving this work your attention and priority.

Randall Smith  
781-535-4725  
68 Crosby St, Arlington, MA 02474

From: Madeline Bilis <madelinembilis@gmail.com>  
Sent: Friday, July 17, 2020 10:37 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony in support of Bill S.2800

Testimony in support of:

Bill S.2800- An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Submitted by:

Madeline Bilis  
37 Sawmill Rd.  
Dudley, MA 01571

Rep. Aaron Michlewitz, Rep. Claire D. Cronin, and members of the House Committee on Ways and Means and the Joint Committee on the Judiciary for the police reform bill above:

My name is Madeline Bilis and I am a resident of Dudley, MA. I am writing to voice my strong support for Bill S.2800.

Bill S.2800 is incredibly important for communities across Massachusetts, including mine. It will increase accountability for our police, something that has long been overdue, and encourage less aggressive behavior toward communities of color.

Limiting qualified immunity is essential in this state. Right now, the system of penalizing incompetent police and police who've committed crimes is broken. Qualified immunity only helps these kinds of police keep their jobs despite wrongdoing. Limiting it will not prevent police from doing their jobs - it will finally protect civilians from police who think they're above the law.

I feel that our police have too much power, and that police culture can become toxic if not kept in check by the regulatory measures outlined in S.2800. I personally know a police officer in Worcester who refers to people who live in Worcester's Main South neighborhood (a disadvantaged area home to people of color) as "creatures." That's not the attitude of all police, of course. But as someone who is fortunate enough not to have encounters with the police very often, I still know a police officer who thinks this way. I fear this speaks for their attitudes overall, which largely and negatively impact communities of color.

Something needs to be done to hold police accountable. S.2800 is the first step.

I respectfully urge you, Reps Michlewitz and Cronin, and the members of the joint committees to support this very important legislation.

Thank you,

Madeline Bilis

774-402-4025

From: Kathy Wilson <kawi2000@yahoo.com>  
Sent: Friday, July 17, 2020 10:37 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Representative Hogan,

As your constituent, I am writing to share my strong opposition to many parts of the recently passed S.2820. It is my hope that you join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

However, I am extremely concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present state is troubling in many ways and



will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are a few of my main concerns:

1. Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

2. Qualified Immunity: Qualified immunity does not protect problem police officers. Qualified immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Eliminating qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruiting in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc as they are all directly affected by qualified immunity protection.

3. POS Committee: The POS Committee must include more rank-in-file police officers and experts in law enforcement. If your goal is to regulate law enforcement, up to and including termination, it is crucial that there is an understanding of law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

Finally I remind you that those who protect and serve communities across Massachusetts are some of the most educated and sophisticated officers in the nation. I again implore you to amend and correct S.2820. Doing so will allow the men and women in law enforcement to be treated with the respect and dignity they deserve.

Respectfully,

Kathy Frechette

47 Old Bolton Road

Hudson, MA 01749

From: june rutkowski <junemrutkowski@gmail.com>

Sent: Friday, July 17, 2020 10:36 AM

To: Testimony HWM Judiciary (HOU)

Subject: public testimony relating to S.2820

To the House Committees on Ways and Means and the Judiciary:

Though I am well-educated, I am having difficulty fully understanding the fine details of S.2820, but I do want to write to let you know that I am in full support of efforts to "reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color."

The systematic oppression of people of color is as old as the day when Europeans first arrived on the shores of the New World, and defies all that the United States Constitution promises.

As a lifelong voting citizen of Massachusetts, proud of our liberal and progressive reputation, the reforms in this bill are long overdue.

Thank you for your attention to this matter. I am working for and looking forward to a more equitable society for all Americans.

Respectfully,  
June Rutkowski  
128 Alpine Terrace  
Arlington, MA 02474  
781 641-3156

From: William Walsh <WWalsh@Townofgb.org>  
Sent: Friday, July 17, 2020 10:37 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Qualified Immunity

Begin forwarded message:

From: William Walsh <WWalsh@Townofgb.org>  
Date: July 16, 2020 at 5:45:00 PM EDT  
To: "HWMJudiciary@mahouse.gov" <HWMJudiciary@mahouse.gov>  
Subject: FW: Qualified Immunity

?

<[William R. Walsh, Jr.](https://urldefense.proofpoint.com/v2/url?u=https-3A__greatbarringtonpolice.com_&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=CJGUZ92_2QbsnFg0YJZxVuZ3RdSBYlnHVMzpoZfiYzE&s=OUDfKQO-01eaQlH4papsPgc9IQ0AEM012nl42k7QfCY&e=></a>></p></div><div data-bbox=)

Chief of Police

Director of Emergency Management

413-528-0306

wwalsh@townofgb.org

Town of Great Barrington

465 Main Street

Great Barrington MA 01230

<[The Secretary of State's office has determined that most e-mails to and from municipal offices and officials are public records. Consequently, confidentiality should not be expected.](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_GBPDMA_&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=CJGUZ92_2QbsnFg0YJZxVuZ3RdSBYlnHVMzpoZfiYzE&s=gYseO4qgxruV4RNxVnII30PfjCW3mHYTwKtUAgTXdCk&e=></a>></p></div><div data-bbox=)

From: William Walsh  
Sent: Thursday, July 16, 2020 5:42 PM  
To: 'HWMJudiciary@mahouse.gov' <HWMJudiciary@mahouse.gov>  
Cc: 'adam.hinds@masenate.gov' <adam.hinds@masenate.gov>  
Subject: Qualified Immunity

Dear Chair Aaron Michlewitz and Chair Clair Cronin:

Please accept the following testimony with regard to SB2820.

Section 10. Immunity. Probably the most damaging thing to do to police, taking it away. Veteran officers are going to feel it's not worth it anymore and definitely it will destroy recruiting new officers. Police need this protection. We cannot be vulnerable to reckless suits, etc. and be in danger of losing everything we own. I've been Chief here for 37 years and never more do we need your help than right now. Please stay united with us.

Sincerely,

<[William R. Walsh, Jr.](https://urldefense.proofpoint.com/v2/url?u=https-3A__greatbarringtonpolice.com_&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=CJGUZ92_2QbsnFg0YJZxVuZ3RdSBYlnHVMzpoZfiYzE&s=OUdfKQO-01eaQlH4papsPgc9IQ0AEM012n142k7QfCY&e=></a></p></div><div data-bbox=)

Chief of Police

Director of Emergency Management

413-528-0306

wwalsh@townofgb.org

Town of Great Barrington

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<[The Secretary of State's office has determined that most e-mails to and from municipal offices and officials are public records. Consequently, confidentiality should not be expected.](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_GBPDMA_&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=CJGUZ92_2QbsnFg0YJZxVuZ3RdSBYlnHVMzpoZfiYzE&s=gYse04qgxruV4RNxVnII30PfcjCW3mHYTWkTUAgTXdCk&e=></a></p></div><div data-bbox=)

From: Paula Maher <paula@capresidential.com>  
Sent: Friday, July 17, 2020 10:36 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Boston PD

I beg that you give the Boston PD a public hearing on the changes you are looking to make.

Please protect the police as they protect us!

--

Paula Maher  
Principal Owner/Broker  
Capital Residential Group  
611 East Broadway  
South Boston, MA 02127

617-980-9489 (cell)  
617-268-1119 (ofc.)  
617-464-1147 (fax)

www.capresidential.com <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.capresidential.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=d6LpGNfeh4XB7d2VVO9eieXtvlppVJNr5hNh6KbBfII&s=h1nuP8DU7X3qQS6lEssAUdkZRropBboZJxMSuVANWtI&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.capresidential.com&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=d6LpGNfeh4XB7d2VVO9eieXtvlppVJNr5hNh6KbBfII&s=h1nuP8DU7X3qQS6lEssAUdkZRropBboZJxMSuVANWtI&e=>)>

Referrals are the greatest compliment you can give and greatly appreciated!!

From: Anna Rathje <rathje.anna@gmail.com>  
Sent: Friday, July 17, 2020 10:37 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform Shift Bill

Hello,

I would like to voice my concern around the way the Boston Police Department has abused powers and not been held accountable. I am voicing my strong support for this bill. Thank you

Anna Rathje  
Boston, MA

Sent from my iPhoneFrom: Teodora Laptiste <tlaptiste@gmail.com>  
Sent: Friday, July 17, 2020 10:36 AM  
To: Testimony HWM Judiciary (HOU)

Subject: Police Reform

Hi, my name is Teodora Laptiste, a mother of two wonderful black male children that deserve to receive protection and respect by all police officers. We need to teach/train our officers not to automatically assume that a person of color is guilty before being found innocent.

We all deserve equal treatment. It has been too many years of unconscious and conscious teaching of racism towards people of color. It is time to stop, listen and properly react towards positive charges. Do pass this reform. Thank you.

Teodora Laptiste

132 South street  
Quincy, MA 02169

"...though our trust in Him may waiver, His love for us never does." Betty J. Eadie, The Ripple Effect our Harvest

"He who has a why to live for can bear almost any how" -Nietzsche

From: Cristina Wilson <cristinaw2016@gmail.com>

Sent: Friday, July 17, 2020 10:36 AM

To: Testimony HWM Judiciary (HOU)

Subject: Opposition to Bill 2820

>> Dear Chair Michlewitz and Chair Cronin,

>>

>> My name is Cristina Wilson and I live at 28 Saint Paul Street in Wilmington, MA 01887. As a constituent, I write to express my opposition to House Bill 2820/Senate Bill 2800. This legislation is detrimental to police and correction officers who work hard every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

>>

>> ?????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

>>

>> ?????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

>>

>> ?????????????????? ??????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. An oversight committee with the power to certify, decertify, and make requirements on the law enforcement profession which is made up of not a single law enforcement officer? There is not another profession in this state which has its oversight done by those who are not in the profession. This would be like having an oversight committee for dentists made up entirely of cops. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

>>

>> I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt.

>>

>> Another really concerning part about this bill is the broad and far reaching language which it has. The bill was so hastily put together that its language in regards to collective bargaining and qualified immunity applies to all public sector employees. All public labor unions in the Commonwealth lose their effectiveness. Firefighters, DPW workers, and even Teachers are now on the hook personally if someone does not like the job they have done.

>>

>> The Massachusetts Senate passed this bill in order to say that they are doing something, and in doing so insulted every citizen of this Commonwealth. This bill was not passed by means of a fair and democratic process. Instead it was a pathetic attempt to pander to vocal special interest groups which do not understand the intricacies involved in law enforcement. Why did they not have an open dialogue with members from the community and law enforcement? There is nothing that we as police would like more than to be able to communicate with our community members in a constructive and respectful way in order to provide a public service that is fair, just and safe for everyone involved. Senate Bill s2800 is not the means to have those conversations.

>>

>> I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

>>

>> Sincerely,

>>

>> Cristina Wilson

>>

From: Abby <abby130023@aol.com>  
Sent: Friday, July 17, 2020 10:36 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to Bill #S2820

I write to you today to express my staunch opposition to Bill #S2820, a piece of hastily-thrown-together legislation that will hamper law enforcement (fire, doctors, nurses, EMT's and teachers) efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and there are so many parts of this bill that are unjust.

This bill has immediate and long term detrimental ramifications on the men and women that serve our state, especially our police. This bill has not been transparent, vetted or had the full due diligence that it deserves. This bill, as written, is forcing far reaching changes that will impact every single resident of the Commonwealth and furthermore it is being done in a vacuum while only giving consideration to a small and loud group of people.

For lawmakers, representing the people of this state, engaging in back door politics, is unacceptable and despicable. The majority of people follow the rules, laws and do the right thing. We, those people, and the men and women in Blue deserve more than just a knee jerk reaction bill. We urge you to do the right thing.

I read through the bill, yes I actually did, and realize most people & most elected officials never do. Not only are there quite a few parts I disagree with, but I think it is absolutely disgraceful that changes of this magnitude, to a bill like this, are being rushed without thoughtful consideration as to both sides of the situation. This bill as proposed is reckless and this is a recipe for unintended consequences that will have a negative impact on this entire state and the residence of it. Your constituents should have a say and be heard. As elected politicians I urge you to represent all constituents and do what is morally and ethically right for all of the people and all communities you serve and not for personal political agenda and gain.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers.



Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits. I am quite sure you understand the importance of immunity because as written in the current bill, elected officials made sure their immunity was preserved and not tampered with (seems a bit self serving).

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

Massachusetts has some of the most elite and world class police forces around. Your vote and the "going along with the herd" mentality, is going to destroy what has been built. Years of blood, sweat, and tears on the backs of officers that work hard every single day, to protect all of our families (including your own). The large majority of police officers do great things for their community, that go far above and beyond the call of duty and they do this because they love the job and believe in good.

That fact that legislation is being thrown together and hastily moved through the system to pacify a small group of people that are threatening and destructive to our communities, is very concerning. As an elected official, I ask that you represent the silent majority and DO NOT PASS THIS BILL in its current form.

Let's be very careful not to create a profession that will find no applicants or willing bodies to do the work very much needed. Lets not forget there are bad people in EVERY profession (Including politics), so let's not persecute an entire profession that a few bad apples find their way into, just as we don't persecute the masses of any other profession.

I know as elected officials you and all of your colleagues can do much better than this and we the people demand that of you and are looking to hold our House of Representatives accountable to fix the shortcomings of our Senate. Please remember to represent the great people of this state and not bow down to the people that don't care about our cities, town, flag, country. I would ask that you please remember who your constituents are and think long and hard before you vote.

My hopes are for you to be the leader you were voted in to be and stand behind and back the good men and women in our police forces throughout this state. The men and women in blue that go to work to protect and serve us. That put their life on the line every single day for us.....we all owe it to them.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they so deserve.

Respectfully,

Joanne P Dondero  
65 Manet Avenue  
Quincy <x-apple-data-detectors://9> , MA. 02169

Sent from my iPad  
From: Dangelo Fernandez <dangelo.fernandez228@gmail.com>  
Sent: Friday, July 17, 2020 10:36 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Good morning,

My name is D'Angelo Fernandez. I am a resident of Worcester Ma and have been for my entire 31 years of life. I am a graduate of Worcester Public Schools and Worcester State University. I am Hispanic male, Puerto Rican, and proud member of the minority/black/brown community. I am a father to a beautiful daughter, son to amazing parents and sibling to those who are members of that community as well. I am a former Worcester Public Elementary school teacher and current Worcester Police Officer.

I am writing to you in hopes that my voice will be heard just as loudly as those who are in the streets. The bill S.2800, now known and numbered as S.2820, CANNOT move forward as written. I must express my fear for my community, myself and my family if it does. It has been extremely difficult to watch and to listen to this process. The speed at which this bill is being pushed through and how few of the actual people it affects know about it is truly unfair. We are watching with our own eyes as some of these abrupt decisions are ruining communities around the country. We are extremely fortunate here in Massachusetts. We should be proud and be looked at as an example for law enforcement. We are one of the best, most educated and forward thinking. Let's not penalize our community for tragic events that happens miles away.

As this bill is most likely going to continue to move forward I urge that we at the very least adopt the amendments filed in the Senate bill in regards to Qualified Immunity, Due process/ Collective bargaining and the make up of the POSAC Board. These are extremely significant amendments and again, at the very least, ensure that the police in our state can continue to serve and protect our communities as effectively as we have.

Respectfully,

D'Angelo Fernandez

774-242-1147

From: Ariel White <arielrwhite@gmail.com>  
Sent: Friday, July 17, 2020 10:36 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I write in support of S.2820. I urge you to pass an even stronger version of this bill into law. In particular, I would like to see the final bill completely ban tear gas, chokeholds, and no-knock raids; these militarized police tactics have no place in our commonwealth. And we should have clear legal standards for police behavior and employment: the final bill should set standards for decertifying officers that behave badly on the job, as well as eliminating qualified immunity. An enormous number of Massachusetts residents have turned out in recent months to protest violent and racist police behavior both nationwide and here at home. People want to see that officers can be held accountable for their actions. This is the right moment to have Massachusetts law reflect those concerns.

Sincerely,

Ariel White  
11 Hinckley Street  
Somerville, MA

From: Betty Lovejoy <bclovej@verizon.net>  
Sent: Friday, July 17, 2020 10:36 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about

their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Jonah Sidman <jlsidman@gmail.com>

Sent: Friday, July 17, 2020 10:36 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony for House hearing on police reform bill

To whom it may concern,

I am writing to urge the House to keep many of the provisions in the police reform bill that recently passed the Senate. In particular, please retain the limits on qualified immunity for police officers that are present in the Senate bill--this is absolutely vital for protecting the rights of citizens and disincentivizing police officers to use excessive force. Please also keep amendment 65, which bans tear gas. Tear gas is a chemical weapon already banned in warfare, so it's outrageous that many police forces around the country have used it against US citizens, and all the more egregious considering we are living through a pandemic that attacks the respiratory system. Please also retain amendments 80 and 108, which protect the rights of students against our criminal justice system.

Sincerely,

Jonah Sidman

30 Daniels St #410

Malden, MA

347-276-4263

From: Barbara Duffy <barb4321@hotmail.com>

Sent: Friday, July 17, 2020 10:36 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform bill

As a mother, sister, niece and aunt of law enforcement workers I just want to ask you

Do you put you life on the line every day when you go to work?

Do you put you families lives on the line everyday when you go to work?

Can I sue you for no other reason than I don't like how you did something?

Or is the state going to back all your decisions that you make.

If this bill passes our state is going to be a mess because no one is going to want to be a police officer, firefighter, nurse teacher what is going to happen when all of these people walk off the job? When these people who put their families and lives of the line everyday realize that no one is protecting them or supporting them why would they want that profession?

As a mother who hasn't slept in a month because of worry whose son was on a motorcycle in Boston during the protest and rallies, whose son has had bricks, frozen water bottles and fireworks thrown at him, whose son was yelled at spit on push around and could not do anything about it and

didn't have the support of officials and then had to go home to his family and act like everything was fine.

I beg you do not let this bill pass just because it is an election year. I beg you to stop this craziness before it is too late. I beg you to start supporting our first responders before it is too late and we have none.

I hope your family doesn't need to call or use a first responder in a real emergency and no one shows up.

Please I beg you do not let this bill pass.

Sent from my iPhone From: Mark, Paul - Rep. (HOU)

Sent: Friday, July 17, 2020 10:35 AM

To: Testimony HWM Judiciary (HOU)

Subject: Constituent Testimony S.2800 Qualified immunity

Please see below.

Best wishes,

Paul Mark

State Representative  
2nd Berkshire District  
Chair-House Committee on Redistricting

Representing 16 Communities in Berkshire and Franklin Counties.

Massachusetts State House  
Room 160  
Boston, MA 02133  
(617) 722-2304  
District Office-  
(413) 464-5635  
<http://www.representativemark.com>

---

From: RT [75rttbulldog@gmail.com]  
Sent: Thursday, July 16, 2020 7:41 PM  
To: Mark, Paul - Rep. (HOU)  
Subject: [External]: Qualified immunity

Sir, as a law enforcement officer for over 20 years, serving the Commonwealth, I am very concerned, as are my co-workers about the proposed changes to the qualified immunity coverage that protects us. We are counting on you, our elected official, to stand up for what is right, and back us... those that have devoted our lives to protecting others. I am not against all police reform, some of it is a good idea. I am against, as you should be, the knee jerk reaction to George Floyd and protests, where some politicians are rushing to show some that they will hold the police more responsible. Our qualified immunity is not without exception as it stands. If you do something flagrant, you will not be protected, as

you shouldn't be. The job is hard enough without feeling like our elected officials and government doesn't stand behind us.

I really hope you will testify, and stand up for us that protect the citizens of the Commonwealth, without consideration of sex, color, race, sexual orientation or political stance. I thank you for your consideration on this matter.

Respectfully,

Randy Thomas

180 Raymond Drive

Dalton, MA

From: Hungria Ortiz <ortiz.hungria@gmail.com>

Sent: Friday, July 17, 2020 10:35 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement

field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Hungria Ortiz/610 Sunderland Road, Worcester, MA/774-2399121From:

Clarence Megwa <cmegwa@intra-links.com>

Sent: Friday, July 17, 2020 10:35 AM

To: Testimony HWM Judiciary (HOU)

Cc: Madaro, Adrian - Rep. (HOU); Gingras, Steven (HOU); Rivas, Gloribel (HOU)

Subject: Re: Reform-Shift-Build Act

Hi -

I am writing to voice my wholehearted support for the Reform-Shift-Build Act. As a resident of Massachusetts, I get to see and celebrate diversity every day. We are a community made up of many cultures, representing the full spectrum of race that this globe offers. My family and I have fed from that spectrum and we have given back as well. Right now, we are not safe. We have been unsafe for quite some time. We will remain unsafe as long as the current state of policing is maintained.

Our State and Nation face a long postponed reckoning with race., We must keep a stern dialogue with how we police one another as part of that reckoning. The Reform-Shift-Build Act opens that dialogue in unprecedented ways. Stringent certifications, inroads towards banning excessive force, review boards staffed by community, and a stronger stance against surveillance technology are just some of the impressive pieces we will be bringing to the state with this Act. Perhaps the most impressive piece to this is a focused reform to the doctrine known as "qualified immunity."

Passing this act while keeping the reform of qualified immunity attached to it would be historical. It would send the appropriate message to the Nation. If we as a people are to be policed, it must be under an entirely reimagined officer. There are glimpses of good in all of us. There are glimpses of good in our law enforcement. But there is also an unspeakable bad in all of us. As it permeates all of us by degrees, so too does it fester in our law enforcement.

I have witnessed firsthand what can occur when unchecked racist thought and sentiment spills into human behavior. There is no thermometer check for hatred, dislike, annoyance, ambivalence. And that temperature rises and subsides throughout a life. Thoughts are truly free, and should not be governed. Action is governed. But actions are rooted in those thoughts. The action to take another's life, to choke another out, to abuse another, to dominate another, to correct another, without impunity is what I believe qualified immunity too often permits.

Reform, and regulation are necessities for police in Massachusetts and everywhere. But the protective mask of qualified immunity must fall. We face consequences as citizens. Those consequences do not police our thoughts, but they force us to think twice, or even just once before acting. For too long has our police force acted without impartial thought when it comes to another's life and rights.

I am asking you to support the Reform-Shift-Build Act for my family, friends, for Massachusetts, and for the entire United States of America. I am asking you to share my voice with your fellow legislators, and amplify it yourself in your championing of this Act.

Thank you for your time.

Regards

From: Shawn Buddah Pierce <buddahv11v@aol.com>  
Sent: Friday, July 17, 2020 10:35 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill No. S2820

Respectfully addressed to..

Rep. Aaron Michlewitz  
Chair of the House Committee on Ways and Means  
Rep. Claire Cronin  
Chair of the Joint Committee on the Judiciary

Please consider my letter against S2820 today..

I hope this request finds you all safe and well during these trying times..

I'd like to forward my stand AGAINST S2820 as presented to you.



The senate version of this bill as written will seriously undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste, without public hearing or input of any kind, was extremely undemocratic and nontransparent.

Police across the commonwealth support uniform training standards and policies and have been requesting more training for years.

The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police.

The FOP will not support any bill that does not include the same procedural justice safeguards members of the communities we serve demand and enjoy. Also their proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth and as constructed incapable if being fair and impartial.

What the Senate has tried to do is pass a knee jerk reaction to an incident which occurred half a country away that everyone agrees was egregious, the FOP nationally and in this state quickly condemned it.

Massachusetts police officers are among highest educated and trained in the country

This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers. It protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few.

Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.

In closing...

If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

Thank you for your thoughtful consideration on the behalf of all Public Safety personnel serving our Commonwealth.

Shawn A. Pierce  
Associate Member

Massachusetts Fraternal Order of Police  
Bay State Lodge #30  
Cellphone # - (508)341-2868

Reference:

Bill No. S2820

Title: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

From: Shawn Buddah Pierce <buddahv11v@aol.com>

Sent: Friday, July 17, 2020 10:35 AM

To: Testimony HWM Judiciary (HOU)

Subject: Bill No. S2820

Respectfully addressed to..

Rep. Aaron Michlewitz  
Chair of the House Committee on Ways and Means  
Rep. Claire Cronin  
Chair of the Joint Committee on the Judiciary

Please consider my letter against S2820 today..

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Shawn A. Pierce  
Associate Member  
Massachusetts Fraternal Order of Police  
Bay State Lodge #30  
Cellphone # - (508)341-2868

Reference:

Bill No. S2820

Title: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

From: Jamie Garuti <jgaruti124@gmail.com>  
Sent: Friday, July 17, 2020 10:35 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform measures

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Jamie Garuti with the Greater Boston Interfaith Organization (GBIO). I live at 17 Copley St, Roxbury 02119. I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Jamie Garuti  
jgarutil24@gmail.com  
From: Karen McCormack <krn McCormack@gmail.com>  
Sent: Friday, July 17, 2020 10:35 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Dear Representative Michlewitz, Chairperson, House Committee on Ways and Means and Representative Cronin, Chairperson, Joint Committee on the Judiciary,

My name is Karen McCormack and I am with the Greater Boston Interfaith Organization (GBIO). I live at 49 Lindenwood Rd in Stoneham. I am writing to implore and urge you and the House to pass police reform that includes:

- \* Implementation of Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you very much for your support of this critical reform.

Karen McCormack

krn McCormack@gmail.com

781-718-8184

49 Lindenwood Rd.

Stoneham, MA 02180

From: jeffdufour@dufours.net  
Sent: Friday, July 17, 2020 10:35 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony against Senate Bill S2820

My name is Jeff Dufour and I am a long time resident of Tewksbury, Massachusetts.

I am writing today against Senate Bill S2820 as written, and in support of the First Responders in Massachusetts; the people whose job it is to keep us safe, as we go about our daily lives; jobs that many of us, including myself, could not do.

Every day these heroes go to work, often not knowing what the day will bring or what they may experience. Many nights on the evening news I hear about the incidents that these people have faced; but I am just a spectator, hearing a recap of the day's events as if they were the final sports scores of games played; but our First Responders are not spectators. They are the participants in these events. They are the people who were actually at the scene of the crime, or the accident, or the fire.

These men and women are the people that we depend on to run towards situations that the rest of us would choose to run from; they focus when we would rather look away. And at the end of the day, when their shifts are over, these superheroes return to their true identities: mother, father, daughter, son, coach, volunteer, neighbor, and friend.

Senate Bill S2820 is a gut punch to those who often wear bulletproof vests as part of their job. It is a vote of no confidence, by their employer, to the thousands of outstanding police officers in Massachusetts. It is punishment of the innocent in retaliation for crimes committed by criminals in other parts of the country.

Senate Bill S2820 removes basic protections necessary for law enforcement to do their jobs. While other states are passing legislation to add protections for police officers, including protections from "bias motivated intimidation" (Georgia HB-838), we in Massachusetts have introduced bias motivated intimidation against the police into our legislation. We are removing the protections in place for our officers when they are falsely accused and sued, while other states are introducing the ability for officers to sue their accusers.

Senate Bill S2820 is a myopic response by the legislature submitted with the hope that doing something quickly, albeit with total disregard to the lasting effects of their actions, will defuse a current explosive situation. While this action may provide a brief respite for our legislators, allowing them to focus on their reelections, the unintended consequences of this bill could be devastating.

Senate Bill S2820 is a symbolic document designed to show commitment by the legislature to a social cause. The intent is honorable, but there are better ways to accomplish this. S2820 demonstrates support for one group of Massachusetts citizens by punishing another. This is unacceptable.

I recommend Senate Bill S2820 be withdrawn.

Jeff Dufour

617-834-3801

From: David Claudio <dclaudio85@gmail.com>  
Sent: Friday, July 17, 2020 10:35 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is David Claudio and I live at 165 Pearl st Chelsea, MA 02150. I work at the Suffolk county House of Corrections and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????????????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????????????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the

appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

David Claudio Jr. From: susan fall <susiefall@yahoo.com>

Sent: Friday, July 17, 2020 10:35 AM

To: Testimony HWM Judiciary (HOU); Vargas, Andy X. - Rep. (HOU)

Subject: bill S.2820

Honorable Legislators,

I am a white woman living and voting in Haverhill, MA. I serve on the Universalist Unitarian Church of Haverhill's Social Justice Resource Committee, CARE Haverhill, and coordinate with the people at Calvary Baptist Church of Haverhill on the Annual Dr. Martin Luther King, Jr. Breakfast. I have never missed voting in an election. I am retired from having served as a teacher in the Lawrence Public School System for nearly 34 years.

I write in support of Bill S.2820, which I trust you will move forward.

Yours truly,

Susan Fall Clarke  
103 Webster Street  
Haverhill, MA 01830  
978-373-3590

From: Mark, Paul - Rep. (HOU)

Sent: Friday, July 17, 2020 10:34 AM

To: Testimony HWM Judiciary (HOU)

Subject: Constituent Testimony S2820

Please see below.

Best wishes,

Paul Mark

State Representative  
2nd Berkshire District  
Chair-House Committee on Redistricting

Representing 16 Communities in Berkshire and Franklin Counties.

Massachusetts State House  
Room 160  
Boston, MA 02133  
(617) 722-2304  
District Office-  
(413) 464-5635  
<http://www.representativemark.com>

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From: Becky [bwandrei@hotmail.com]  
Sent: Thursday, July 16, 2020 9:47 PM  
To: Mark, Paul - Rep. (HOU)  
Subject: [External]: Bill No. S2820

Dear Representative Mark,

I stand against S2820. I ask that you not support this bill as written.

- The senate version of this bill as written will seriously undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste, without public hearing or input of any kind, was extremely undemocratic and nontransparent.
- Police across the commonwealth support uniform training standards and policies and have been requesting more training for years.
- The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police. The FOP will not support any bill that does not include the same procedural justice safeguards members of the communities we serve demand and enjoy.
- Their proposed makeup of the oversight board is one sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across the Commonwealth and as constructed incapable if being fair and impartial.
- What the Senate has tried to do is pass a knee jerk reaction to an incident which occurred half a country away that everyone agrees was egregious, the FOP nationally and in this state quickly condemned it.
- Massachusetts police officers are among highest educated and trained in the country
- This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers. It protects good officers from



civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few.

- Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.
- If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

Reference:

Bill No. S2820

Title: An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Sincerely,

Becky Wandrei  
Windsor, MA

From: Elizabeth Morgan <etcmorgan@gmail.com>  
Sent: Friday, July 17, 2020 10:35 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform legislation

Hello, my name is Elizabeth Morgan, and I live at 505 Tremont Street, Apt. 411, Boston, MA 02116. Aaron Michlewitz is my representative. I am also a member of the Greater Boston Interfaith Organization, and I am writing today to urge you to pass police reform legislation, including: the implementation of Peace Officer standards and training with certification; Civil Service access reform; a commission on structural racism; clear statutory limits on the use of force by the police; and qualified immunity reform. We need to dismantle the institutionalized racism that persists in our society and in our city and state. I ask you to take these steps toward more a more just and transparent system of justice.

Thank you very much for your consideration.

Elizabeth C. Morgan  
etcmorgan@gmail.com  
617-351-2649  
From: David Sackstein <dsackstein92@gmail.com>  
Sent: Friday, July 17, 2020 10:34 AM

To: Testimony HWM Judiciary (HOU)  
Subject: Public Comment in Support of Reform, Shift + Build Act  
(S.2800)

Dear Representatives Michlewitz and Cronin,

I write to you as a recent law school graduate who will be practicing in Massachusetts and who looks forward to applying the laws that you help shape.

While I hope that you and your colleagues in the House take inspiration from the Senate's decisive action yesterday in passing the Reform, Shift + Build Act (S.2800), I understand that changing the status quo can be difficult. In this spirit, I am writing to let you know that I am among the countless residents of Massachusetts who support this bill. The Reform, Shift + Build Act is a small but significant step towards combatting systemic racism. I am personally confident that not only will it make our justice system more accessible and equitable, it will save lives.

I appreciate that efforts to restrict qualified immunity have been particularly controversial. While I personally cannot speak much to the doctrine's complicated local and national history [https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_theappeal.org\\_qualified-2Dimmunity-2Dexplained\\_&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=N0cKp6ZJpmq6DI0bK9xGqeOMX7jTxn5zwwQjxTfvHsA&s=rHde4GN2CPrAa7yhNeLlL7DJRfh19mqTHw\\_PhybOs6M&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__theappeal.org_qualified-2Dimmunity-2Dexplained_&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=N0cKp6ZJpmq6DI0bK9xGqeOMX7jTxn5zwwQjxTfvHsA&s=rHde4GN2CPrAa7yhNeLlL7DJRfh19mqTHw_PhybOs6M&e=>), I can say that our civil justice system (and in particular, our tort system) has evolved to achieve two goals: 1) to cause those with the ability to limit preventable harm to internalize the risk of that harm; and 2) to help make whole those who have been harmed. Qualified immunity in its current form subverts both of these goals. At the very least, this act provides an opportunity to see whether changes to the doctrine work and whether they will be successful when implemented on a national level.

Thank you both for the work you do in making our Commonwealth an example to the world of a community that recognizes its shortcomings with grace as it strives towards justice and progress

Sincerely,

David Sackstein, Cambridge, MA

From: Kacie Ferguson <kacie.ferg@gmail.com>  
Sent: Friday, July 17, 2020 10:34 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: MA Bill 2820

Hello,

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing

support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you in advance.

Kacie Sabella  
18 Mohawk St, Danvers, MA 01923

From: Mark, Paul - Rep. (HOU)  
Sent: Friday, July 17, 2020 10:33 AM  
To: Testimony HWM Judiciary (HOU)

Subject: S2820 Constituent Testimony

Please see below.

Best wishes,

Paul Mark  
State Representative  
2nd Berkshire District  
Chair-House Committee on Redistricting

Representing 16 Communities in Berkshire and Franklin Counties.

Massachusetts State House  
Room 160  
Boston, MA 02133  
(617) 722-2304  
District Office-  
(413) 464-5635  
<http://www.representativemark.com>

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From: William Gordon [wilburgordon@yahoo.com]  
Sent: Friday, July 17, 2020 8:54 AM  
To: Mark, Paul - Rep. (HOU)  
Subject: [External]: S2820

Representative Mark,

In my 31 years as a police officer/supervisor I have never written to a representative before asking for consideration on a bill, however, this bill has parts that has so much drastic change that I have officers in my office daily contemplating early retirement or out right resignation for fear of losing their life's savings, being imprisoned for or unfairly fired from their jobs because of false accusations.

Honestly, my wife, whom is also a police officer, and myself had many conversations ourselves over the past month. We are good officers who truly believe in community policing and have spent three decades practicing honest police work. We only need 4 more years to see our full retirement and we are, quite frankly, scared of what the future holds in this profession. Our only hope is that maybe, doubtfully though, that legislators would pass the 25/75 retirement plan, or offer a five year incentive plan to help us get to a decent retirement for all the years we put in.

Most of the bill, I have no problem with. We don't choke anyone in Massachusetts, never been taught to and never practiced them, I've never even seen them done. Our department doesn't even own tear gas or have dogs for crowd control. I do however have a big fluffy Saint Bernard that we use to comfort victims though.

Law enforcement officials have begged for additional training, over the last five years we have gone through a lot of mandatory and additional training on implicit bias and history of racism... I have no problem getting more, in fact, we should also get more training in other areas of law enforcement as well. For decades. the towns/cities, legislature and the Governor have under funded police training and cut educational benefits, so this is more than welcomed!

I think a cadet corp for the state police is a grand idea. We lose a lot of qualified people because of age discrimination based on the age restrictions to get firearm permits (21). I started law enforcement when I was 18, which seems young now, but I was impressionable and was taught the love of our community at an early age.

However, and I have no doubt you knew where I am going with this, because it's just wrong....

Qualified Immunity is there to protect officers and other public officials from frivolous lawsuits. The cost of defending one self from a lawsuit, wether just or not, could bankrupt an officer. There are plenty of groups of people that would purposely tie the hands of good police officers by waging litigious war against public officials. Prisoners could do the same against good hardworking correctional officers and parents of failing children against teachers. As a supervisor of police officers, I find myself trying to keep our officers proactively protecting our neighborhoods, I truly feel that passing a law that offers less protections for officers will only encourage them to become less proactive and more reactive, like firefighters sitting at the firehouse waiting for the call to work. Society needs our officers on the street encouraging lawful behaviors and being a deterrent for criminal behaviors. Reactive policing devastates communities, one only needs to look at Chicago or NYC in recent weeks to see how bad, how quickly cities deteriorate when officers step back.

Due process. How can we ask our officers to do their jobs without hesitation, without at least offering them at minimum, due process when they are accused of wrong doing. Why, if the commission will be legitimate, is the state afraid of offering due process to police officers. Officers can and are fired now for wrong doing, however the management must be legitimate and follow a fair course of process in order to impart discipline. Policing offers due process to the citizens we serve, but we can't be offered the same protections from the commission? What is the legislator afraid of, a fair process? Is it fair to say that the politics of a newsworthy event could sway the commission to act unfairly? Why would there be no appeal process? A lengthy investigation could cost an innocent officer ten of thousands of dollars in legal fees and loss of wages. Shouldn't an officer at least be allowed to have wages while being investigated by the commission, if not, the commission could use the length of an investigation as a weapon to bankrupt an innocent officer.

Two days ago, was the second anniversary of the death of Sergeant Michael Chesna. Sgt Chesna was attacked and killed by a person with a rock. Without a doubt, when encountering a suspect armed only with a rock, he hesitated. Not only was he killed with his own firearm, but the

incapacitated officers firearm was used to kill an elderly innocent bystander. Every day, with only the threat of the bill looming, I am already witnessing officers hesitating to do their jobs. Good experienced police officers are leaving, Greenfield had three sudden retirements in the past two month alone with another, one of our best community police officers, on the verge. Our best officers, the "good ones", are already leaving. I know, as a progressive democrat, that you suddenly support defunding and abolishing the police, but this is not the way to do it. Legislation like this only effects the "good" police officers, as the "bad ones" don't care to begin with. Please know, that no one hates a "bad cop" more than a "good cop".

Thank you for taking the time to read this, I purposely didn't use a form letter as I wanted to talk from the heart. I truly love this profession, our community members and my city, I hate to lose it all.

William Gordon  
Greenfield Mass

From: Diana Riggieri <dianariggieri@icloud.com>  
Sent: Friday, July 17, 2020 10:34 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Stop Bill S.2820

Hello,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified

Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,  
Diana Riggieri  
Worcester, MA  
(774)262-1414  
Dianariggieri@gmail.com  
From: Georgia Critsley <georgia.critsley@jud.state.ma.us>  
Sent: Friday, July 17, 2020 10:34 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Proposed Amendment to S2820

Good morning-

Please accept this proposed amendment to section 49 of S2820. This section prohibits schools from sharing information law enforcement with the exception of sharing of information for the purposes of completing a report pursuant to sections 51A or 57 of chapter 119 or filing a weapon report with the local chief of police pursuant to this section. (lines 1113-1115).

The S2820 language fails to take into account the provisions of chapter 119, as well as the role of a probation officer (and schools) in child requiring assistance (CRA) and care and protection proceedings (C&P). Pursuant GL c. 119, 21A, a CRA petition can be filed for a child between the ages of 6 and 18 who: (i) repeatedly runs away from the home of the child's parent, legal guardian or custodian; (ii) repeatedly fails to obey the lawful and reasonable commands of the child's parent, legal guardian or custodian, thereby interfering with their ability to adequately care

for and protect the child; (iii) repeatedly fails to obey the lawful and reasonable regulations of the child's school; (iv) is habitually truant; or (v) is a sexually exploited child.

GL c. 119, s. 39E requires, once an application is initiated, that the clerk "request the chief probation officer or a designee to conduct an immediate inquiry to determine whether in the officer's opinion the best interest of the child require that assistance be given." In the course of this determination and especially where petitions involve truancy or failure to obey school regulations, it may be necessary for a juvenile probation officer to obtain information from the child's school. The current language of S2829 could prohibit this.

In C&P cases, GL c. 119, s. 24 permits a person to petition under oath the juvenile court alleging on behalf of a child within its jurisdiction that the child: (a) is without necessary and proper physical or educational care and discipline; (b) is growing up under conditions or circumstances damaging to the child's sound character development; (c) lacks proper attention of the parent, guardian with care and custody or custodian; or (d) has a parent, guardian or custodian who is unwilling, incompetent or unavailable to provide any such care, discipline or attention.

If it is adjudged that the child is in need of care and protection, GL c. 119, s. 26 permits a judge to allow a child " to remain with a parent, guardian or other custodian, and may require supervision as directed by the court for the care and protection of the child." All supervision required pursuant to this section is conducted by juvenile probation officers. If the child is of school age, this supervision may necessarily involve contact with the child's school. In fact, a probation officer would be derelict in their duties if they did not contact a child's school to confirm that the child's custodian was sending them to school. The current language of S2820 could prohibit a school from sharing this crucial information.

Additionally, Section 49 of S2820 also potentially conflicts with both GL c. 119, s. 69 and 69A which specifically permit schools to share information in specific circumstances:

Section 69. The superintendent of the public schools in any town, any teacher therein, and any person in charge of a private school, or any teacher therein, shall furnish to any court from time to time any information and reports requested by any justice thereof relating to the attendance, conduct and standing of any pupil enrolled in such school, if said pupil is at the time awaiting examination or trial by the court or is under the supervision of the court.

Section 69A. When a person has been committed to the department of youth services, the court, the probation officers, and other public and police authorities, the school authorities, and other public officials shall make available to said department all pertinent information in their possession in respect to the case.



We respectfully request, if the House does adopt section 49, that it strike out, in lines 1113-1114, the words:- "Nothing in this paragraph shall prohibit the sharing of information for the purposes of completing a report pursuant to section 51A or 57 of chapter 119..." and insert the following words: "Nothing in this paragraph shall prohibit the sharing of information pursuant to the provisions of chapter 119 of the general laws..."

This very simple proposed amendment would eliminate these conflicts with chapter 119 and permit probation officers to carry out their duties while always working towards the best interests of the child.

Thank you for the opportunity to comment-  
Georgia Critsley

Georgia K. Critsley, Esq.  
Senior Counsel for Governmental Affairs  
Executive Office of the Trial Court  
Massachusetts Trial Court  
One Pemberton Square  
Boston, MA 02108  
(617) 878-0289 (office)  
(617) 686-6427 (cell)

From: Lisa Huffman <huffmanlisa3170@gmail.com>  
Sent: Friday, July 17, 2020 10:34 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Thank you,  
Lisa Huffman  
21 Chamberlain Run <x-apple-data-detectors://0/1>  
Hingham, MA 02043 <x-apple-data-detectors://0/1>

Sent from my iPhone  
From: Tyler Estrella <tylerestrella22@gmail.com>  
Sent: Friday, July 17, 2020 10:34 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820

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July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Tyler Estrella and I live at 120 Hood ST, Fall River MA 02720. I work at the Bristol County Sheriffs Office and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,

Tyler Estrella

Sent from my iPhone  
From: David Condon <dcondon@lccplaw.com>  
Sent: Friday, July 17, 2020 10:34 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Our firm represents the MBTA Police Association and MBTA Sergeants Association. Both our clients and our firm oppose this bill in its current form as it frustrates the police's ability to execute their duties safely. While we agree, some reform is necessary, this bill is being rushed without public hearing and the valuable input of law enforcement officials who have dedicated their lives for the protection of our entire community.

We encourage you to delay this bill until a public hearing can be held and testimony of law enforcement professionals be heard. Thank you.

Very truly yours,

David E. Condon

Louison, Costello, Condon & Pfaff, LLP

101 Summer Street <x-apple-data-detectors:///1/0>

Boston, MA 02110 <x-apple-data-detectors:///1/0>

Tel: (617) <tel:(617)%20439-0305> 439-0305

Cell: (617) 953-9179

dcondon@lccplaw.com <mailto:dcondon@lccplaw.com>

LCCP | Louison, Costello, Condon & Pfaff, LLP Attorneys At Law.

This email message and any attachments are and may be privileged. If you are not the intended recipient, please notify Louison, Costello, Condon & Pfaff LLP immediately by replying to this message and destroy all copies of this message and any attachments. Thank you. For more information about Louison, Costello, Condon & Pfaff LLP, please visit us at [www.lccplaw.com](http://www.lccplaw.com) <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.lccplaw.com\\_d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=8wR-yGC4JgtDkJ2-oNM-JsXotc0bAm-RFpRSQYDsAPY&s=4qgZdG3KwI9F8djoF5-HJEohixAK2IV\\_aFcMSkocvBo&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.lccplaw.com_d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=8wR-yGC4JgtDkJ2-oNM-JsXotc0bAm-RFpRSQYDsAPY&s=4qgZdG3KwI9F8djoF5-HJEohixAK2IV_aFcMSkocvBo&e=>)> .

From: Emily Blackwell <[blackwell.em@northeastern.edu](mailto:blackwell.em@northeastern.edu)>

Sent: Friday, July 17, 2020 10:33 AM

To: Testimony HWM Judiciary (HOU)

Subject: Citizen in Support of Reform, Shift + Build Act (S.2800)

Hi,

I am a resident of Boston, MA (Dorchester) and I support the Reform, Shift + Build Act (S.2800).

I have been a proud resident of Boston for 8 years now. My pride comes from being a part of a community whose local government is at the forefront of states passing legislation that is just, progressive, and tackling hard topics when necessary. The law has been too soft on police guidelines until now, and Boston citizens are being disgustingly affected by such - living in constant fear of police, not getting the support needed when in trouble, being attacked or abused by those who should be trusted, and in some cases, being killed. Boston and MA have made the correct choices to defend its citizens in the past, and I hope you are able to step up and do what is right in this case as well - regardless of the heat and political games I am sure are occurring.

MA deserves better.

It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments.

This needs to be done now. Lives are on the line and there is no time to delay.

I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,

Emily Blackwell

No organization - proud MA citizen

262-442-4550

From: Mark, Paul - Rep. (HOU)

Sent: Friday, July 17, 2020 10:33 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Constituent Testimony

Please see below.

Best wishes,

Paul Mark

State Representative  
2nd Berkshire District  
Chair-House Committee on Redistricting

Representing 16 Communities in Berkshire and Franklin Counties.

Massachusetts State House  
Room 160  
Boston, MA 02133  
(617) 722-2304  
District Office-  
(413) 464-5635  
<http://www.representativemark.com>

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From: Hughes Pack [hpack2249@gmail.com]  
Sent: Friday, July 17, 2020 10:10 AM  
To: Mark, Paul - Rep. (HOU)  
Subject: [External]: Re: S.2820 - Please consider

Please, please help. My wife and I are feeling quite desperate and fearful for our sons.

As your constituent and parent of two sons with Massachusetts law enforcement careers, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor

and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Hughes Pack

Northfield

hpack2249@gmail.com

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Hughes Pack  
Northfield, MA

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From: Jack Cullen <JpmcII@hotmail.com>  
Sent: Friday, July 17, 2020 10:33 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Dear Members of the House,

As both an attorney and a police officer, I am deeply concerned with An Act to Reform Police Standards (S2820). I am a fourth-generation police officer and I am proud to continue my family's tradition of protecting, serving, and helping people. We have seen policing in Massachusetts advance and evolve to a professional level envied by other states. One of the biggest factors to this was the Quinn Bill. It encouraged officers to become better educated and receive more money for their education. A well-educated officer has a better understanding of their actions and various culture issues. A better paid officer is less likely to do something that would jeopardize their livelihood.

My wife is a first generation American and I have seen bias and prejudice against her and her family because of their last name and the color of their skin. I and my family applaud removing bias and racism from policing and wish it could be removed from every profession. That being said, we believe certain parts of S2820 will be damaging to this goal. As written, it will set policing back sixty years. By removing qualified immunity, you will see good, educated, and well-trained officers leave their department in droves for fear of being sued over trivial issues. Good candidates will go elsewhere for the same reason. The departments will be forced to hire less qualified candidates prone to do the very things you're trying to prevent.

More training and creating a certification process are great ideas, but the review board described in the bill is troubling. Civilians with no legal background should not be appointed to such a board. The board you are setting will be influenced by politics and agendas instead of the pursuit of justice. The experts in civil service has done a good job for many years and should be allowed to continue, especially if a certification process is created.

I urge you to ignore the hype and look at the facts. As it stands now policing in Massachusetts is a standard the rest of the country should



strive for. It could use some tweaking, but the current bill will destroy it and crime and violence will devastate this great state.

Thank you,

Jack Cullen

From: Carla Luzia Cerullo <carlaluzia@hotmail.com>  
Sent: Friday, July 17, 2020 10:33 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: 2800 Bill

Hello,

My name is Carla Cerullo and I have been a citizen since 2009. I never liked politics and try not to get involved in arguments or discussions. However, this year has been particularly hard on all citizens and things need to change. People need to be heard. I believe Bill 2800 should be voted by the citizens instead being passed by senate without the public's input.

Bill 2800 was created without collaboration of police departments. I am worried that taking away qualified immunity will hurt many police officers trying to do their job. Police officers have to make split second decisions and not to be worry if they will get sued. Surgeons when performing surgery have a signed consent stating all things that can go wrong. They can performed surgery knowing that even if something goes wrong unintentionally, they are protected with that consent. How is a police officer supposed to perform their job? They will hesitate to perform.

I am not saying they shouldn't be hold accountable for actions such as the murder of George Floyd, but police officers see people at their worst. They put their lives at risk every day to protect ours. There are good and bad people in all professions. Police officers just like doctors, nurses, and teachers should have higher standers but what cost? They have worry that they can lose their life saving every time they respond to a call.

When the Boston Marathon bombing happened, police officers were praised for their actions. Did we forget about that?The police is not the only sector that needs reform. People need reform.

People are thought to hate. Hate a different skin color, gender, race. Hate is in the core. Until we, as a nation, learn to accept that we all have red blood running through are veins, hate will still exist. I am not sure if you will take time to read this, but I am telling you what I teach my girls about racism. Always be kind and respect people.

Carla Cerullo  
Registred nurse  
(978)397-8768

From: Allison Sgambato <allison.morrocco@gmail.com>  
Sent: Friday, July 17, 2020 10:32 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Cindy Chesna

Subject: Opposition to bill .2820 - Chesna and Sgambato

Dear Honorable Members of the House Committee on Ways and Means,

Our names are Cynthia Chesna of 106 Henrys Lane, Hanover and Allison Sgambato of 30 Hickory Lane, Hanover. Eight years ago today, as our husbands, Michael Chesna and Joseph Sgambato, began the Boylston Police Academy, we began our own unique journey as police wives who had to face the unimaginable. As your constituents, we are sending this letter of opposition in regards to portions of bill S. 2820, also known as, the "Rebuild, Shift + Build Act" that passed in the Senate during the early morning hours of July 14, 2020.

Today, both of our husbands should have started their eighth year as Patrolmen for the Weymouth Police Department. Sadly, it is the third year that Joseph has faced this day without his friend, coworker and fellow Army Veteran, Michael. Even more sobering is that this yearly milestone falls just one day after Michael was killed in the line of duty on July 15, 2018. Our hope is that sharing our experience as part of the ever growing "Blue Family" will help others listen to truly understand, and not just respond. We want to be a part of the solution. There are some portions of the bill that we wholeheartedly agree with, but there are others that we do not. Respectfully, we ask for you to please listen, watch and think about the information that we have shared within this document. Please, help us create communities that are fair, just and safe, for ALL people across the Commonwealth.

The first thing Joseph said, as he was getting ready to leave for work this past July 14th was "that bill passed." Yes, it did. "That bill," which was sheepishly passed at 4:30 am, while most of the Commonwealth was asleep, has major drawbacks that can lead to dangerous outcomes. Why was there no public comment or input from critical stakeholder groups? More importantly, why were our police officers, the ones whose lives are directly impacted, not given a chance to educate Senators about the good that they do, or share their own personal experiences? The answer, unfortunately, is most likely because this would have humanized our men and women in blue. Instead, it makes it easier to see our officers as badges and uniforms rather than mothers, fathers, sons, daughters, sisters and brothers. Despite all of this, our Police Officers continue to show up, shift after shift, day after day, to protect and serve those who brazenly show them the ultimate sign of disrespect - assuming that the horrific actions of a few are indicative of all.

We are angry. We are angry that the PEOPLE who wear the badge have been deemed the enemy. We are angry that our Officers are being held accountable for an act that they did not commit. We are angry that this "bill" passed one day before Michael was murdered at the tail end of his shift and never made it home. We are angry because two years ago, when the horrific events that occurred in Weymouth made national news, the Commonwealth turned into a sea of blue, as it should have. The very elected officials who showed up to express their condolences and vowed

that there would be justice, have now drastically swung the pendulum to the other side. So now we ask, what about Michael, did his life matter? We can tell you that it absolutely did and still does! Watching two children, who were the light of their father's life grieve each day is horrific. As a state and country, we need to do better and we need to do it for Michael and the sickening amount of other officers who never made it home to their families at the hands of repeat offenders.

Being in an elected position is an honor and privilege. The constituents that each individual represents were entrusted to be the voice for their communities. Sadly, we do not believe that is the case for all. The members of the Senate who passed this bill appear reactive and indecisive. While making decisions that impact people's families, homes and financial stability, the residents of Massachusetts cannot have their representative easily swayed. While we are not veterans in the political venue, we can confidently say that we are ones in the daily life of being part of the world wide Blue Family.

At this time, we would like to take the opportunity to address the major parts of this bill that we oppose. The first is the use of excessive force. We would like to be very clear that we do not condone or believe that recent situations across the country are acceptable. They should have never happened, what happened to Michael should have never happened. By removing potential life saving options, which should only be used when absolutely necessary, we run the risk of burying another officer. Please, provide additional training regarding these measures and the deadly impact that they can have. Those who intentionally deviate should be held accountable. We ask you to please understand that when officers leave their homes, those who love them hope and pray that they return safely at the end of their shift. Sadly, this does not always happen and the effects are crippling.

On the morning of July 15, 2018, multiple 911 calls were made to the Weymouth Police Department regarding an erratic operator. In order to truly comprehend our viewpoint on this matter, we urge you to listen to the July 15th radio transmission from the Weymouth Police and Fire Departments. What you will hear is a gut wrenching play by play of how drastically a situation can change from seemingly trivial to a matter of life and death. The audio can be found by clicking this link:Weymouth Police/Fire Radio Transmission - 7/15/18  
<[Before the commentary of "well that is the job they signed up for" begins, we kindly ask you to stop. There is not one person who took the oath to be a Police Officer and thought they would witness their brother](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.telegram.com_news_20180717_scanner-2Daudio-2Dweymouth-2Dpolice-2Dradio-2Dtransmissions-2Dmorning-2Dof-2Dofficers-2Ddeath&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=XWsoesxoBa9Qm29rbpL_-g2QDLv5HwsVrI12QN7cGM&s=wqHQJjjmoYrLPgqJqdlNCRph-hyk-ogiqzhoqs6pssE&e=></a><br/>After listening to the audio, it is abundantly evident the trauma, terror and life changing grief that those who were directly and indirectly involved in that situation will carry for the rest of their lives.</p></div><div data-bbox=)

in blue being brutally murdered, with his own duty gun, right in front of their eyes. We also do not believe there is anyone who thought that they would be performing CPR on their coworker and friend with approximately ten bullet holes to their head and torso while the suspect was still running around and holding the gun. During the radio transmission, it is clear that despite everything, the officers still held their duty to serve and protect and render aid for the suspect.

Did the accused individual have a bullet wound to his leg? Yes. Did it impact his ability to try and further evade the police? No. There is photographic evidence, which is publicly available, showing that the accused individual did not have additional marks or injuries aside from his leg wound. If there was EVER a situation that displays the level of training and professionalism that our officers possess, this would be it. In fact, many Weymouth Police Officers were recipients of the Robert Dana Award, which is given annually to Massachusetts Police Officers who demonstrate distinguished service for their heroic actions on that horrific July morning.

Our sincere hope is that you are beginning to understand why this bill feels like a slap in the face and is disrespectful to those who gave the ultimate sacrifice and the families and friends they left behind. Please, let us say it one more time, even after witnessing the murder of their brother, along with that of an innocent 78 year old bystander, the police STILL provided medical care to the individual who unleashed hell in South Weymouth two years ago. They STILL treated this person with respect. Despite it all, they STILL did not use more force than absolutely necessary. These individuals represent the majority of Police Officers across the Commonwealth who take their oath, livelihood and the value of human life very seriously.

A candlelight vigil was held for Michael on July 18th, 2018. Thousands of people attended to pay tribute to a true American hero. During the Vigil, the Chief of the Weymouth Police Department at the time, Richard Grimes, gave a speech. Please click the link provided below to watch the portion that is directly linked to the topic of excessive force (link: Chief Grimes Vigil Speech <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.masslive.com\\_news\\_2018\\_07\\_hesitation-5Fgets-5Fofficers-5Fharme.html&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gqlYmKr0Sck2EnIiuk13zIs16rchf\\_GkGDD&m=XWsoesxoBa9Qm29rbpL\\_-g2QDLv5HwsvVrI12QN7cGM&s=3MfQsk6oykksi04KVF5cUU0EXfbMKLnUfrr-kjkCfNo&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.masslive.com_news_2018_07_hesitation-5Fgets-5Fofficers-5Fharme.html&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gqlYmKr0Sck2EnIiuk13zIs16rchf_GkGDD&m=XWsoesxoBa9Qm29rbpL_-g2QDLv5HwsvVrI12QN7cGM&s=3MfQsk6oykksi04KVF5cUU0EXfbMKLnUfrr-kjkCfNo&e=>)>). The quote that will forever be remembered is when Chief Grimes asked "is a rock just a rock?" Up until Michael was killed, if a person was ever holding a rock and had been shot, the backlash that would have ensued would have caused mayhem. Here is the bottom line and Chief Grimes stated it perfectly, "hesitation gets officers harmed" and in the case of Michael, it gets them killed.

This leads us into the portion of the bill that includes police licensure, ongoing training and certification. We firmly believe in accountability for all. What we do ask is that it is fair. Those who have never been in a life or death situation and had to make a split second decision to either protect themselves, which runs the risk of becoming the

next poster child for the war on police, or your family sobbing as your name is inscribed into the Police Officer's Memorial, might not be the best to judge. The group responsible for making the decision that will impact someone's career and life path should be based on credentials, merit and experience. While the group does include some individuals with expertise in the area of policing, it also includes those who do not. We are by no means disrespecting those who hold degrees and certifications in highly specialized areas. What we are asking is that our elected officials understand that being an expert and being in the trenches are two drastically different experiences.

Is there another profession that is licensed by those who are not a part of it each and every day? As far as we know, there is not. The reason for this is because it is the fair and just thing to do. The statement of "no one hates a bad cop more than a good one" is true. Those who do not abide by the morals, ethics and oath they took in other professions do not tarnish the reputation of an entire organization. Unfortunately, this is not the case for our Police Officers, they pay dearly for the poor choices of a few. Society continues to paint their profession with the sweep of a broad brush and it must stop! Imagine the feeling of leaving your loved ones each day and despite being honorable, you are hated, harassed, threatened (yourself and your family), called derogatory names, physically attacked and in some situations killed because of the horrific actions of a few in a situation that you do not support or find acceptable. How maddening for the many who are being demonized based on the actions of a few.

The officers who are the majority are now about to lose their qualified immunity. The notion that qualified immunity protects police officers who intentionally make poor choices could not be further from the truth. Qualified immunity, as written in the current bill, applies to all those in the public sector, not just police. A very watered down definition of qualified immunity is that it protects those who are acting in the best interest of another, with no intent to harm. Taking away qualified immunity puts public employees in an extremely vulnerable position because it allows for them to be sued personally through the civil court. One of the examples being widely shared is regarding CPR. Those who are trained in CPR know that more often than not, it ends with the unresponsive person having broken ribs. At the end of the day, those who have suffered an unresponsive episode typically are not angered over broken ribs, considering the alternative. People who believe that others are inherently good cannot fathom suing someone over this, but there are others who can and will. If we are in the practice of basing the intent of a group on the harmful actions of a few, then not just Blue Families, but other public servants better buckle up, because we are in for one heck of a ride that will inevitably end up with families crashing into legal fees and debt. Not to mention the many good people who will consider leaving their jobs because the legal representation for frivolous lawsuits would cost more than they make in a year. Furthermore, those who hang their hat on "this is what they signed up for" regarding any sort of difficult situation will be forced to change their rhetoric, because there is not going to be many signing up to do any job that places so little on the value of their life.

Speaking of the value of life, please, let's seriously discuss this topic. Many officers carry around demons of which they never speak. The painstaking screams from the parents of a young child they could not save, a teen who they could not help with drug addiction despite providing resources and support, or the domestic violence victims they routinely see with increasing physical and emotional scars which become progressively worse over time. These situations can cause sleep disturbance, anxiety and post-traumatic stress disorder, along with secondary trauma. There have been several officers across the state over the past few years that have silently battled alone and ended up taking their own lives. So please, by all means, bring on the training, but we beg for it to be relevant to the issues Police Officers face in 2020. If you want to know what they are, ask them in a way that allows them to respond anonymously and honestly, so you get to the heart of what they need. We do not know any officer who would balk at more training to help them do their job in a safer way for not only themselves but the community they serve.

Furthermore, the notion of having social workers take on specific calls is wonderful in theory, but with limited means to protect themselves, we fear how badly this will end. Training in verbal de-escalation is a great tool for all who interact with the public to know and utilize as part of a repertoire of skills, not in isolation. Again, please think of Michael and how quickly the 911 calls regarding an erratic operator turned into his untimely death. Situations evolve and change quickly, can we have the police work in collaboration with social workers to better meet the needs of individuals and ensure safety? More importantly, how can we show the human side of our Officers, because we promise they are empathetic, caring and want to see their communities thrive.

We believe that at the end of the day, good will prevail. Those who took an oath to protect and serve, especially here in Massachusetts, do not hesitate to do so for the people of the communities they serve. We must ask the question though, do they hesitate when it comes to protecting themselves, their families, homes and livelihood? Was it hesitation that caused Michael to be killed with his own duty weapon? The answer will never be known. Please remember Michael and the words shared at his Vigil. "Hesitation gets officers hurt" and even worse, it gets them murdered. Please, do not let another Blue Family bury their loved one who died at the hands of a criminal. Most importantly, please do not let Michael's death be in vain, but let it be a constant reminder of why Police Officers need to be able to make snap second decisions without the fear of legal repercussions. Moving forward, we sincerely hope that the portions of this bill that aim to create a safer, more inclusive Commonwealth are passed after thoughtful input from all necessary stakeholders. Thank you for your attention to this matter.

Respectfully Submitted,

Cynthia Chesna - 106 Henrys Lane, Hanover, 02339. Phone: (781 - 974 - 5237) and Allison Sgambato - 30 Hickory Lane, Hanover, 02339. Phone: (401-864-5678)

From: Anant Shah <antshah9@gmail.com>  
Sent: Friday, July 17, 2020 10:32 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform, Shift, and Build Act

Hello,

My name is Anant Shah and I am a resident from North Andover Massachusetts. I am emailing today to voice my support for the Reform, Shift, and Build Act. I believe that it is very important for the police to be held accountable for their actions.

Thank you,  
Anant Shah

From: AMY FEMINO <amj1178@hotmail.com>  
Sent: Friday, July 17, 2020 10:32 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Regarding Police Reform Bill

To whom it may concern:

Stripping Law Enforcement of qualified immunity takes away their protection and due process. This state is in for some tough times if that happens. It would be safer for police and fire to do the bare minimum if this bill is passed and the public deserves more!!

Thank you,

AmyFrom: Jillian Parent <parentfamily2014@gmail.com>  
Sent: Friday, July 17, 2020 10:31 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

Dear Chief Michlewicz and Chair Cronin,

My name is Jillian Parent and I live in Westminister, Massachusetts. As a constituent of this Commonwealth, I am writing to you today to voice my concerns and opposition to Senate Bill 2820.

First and foremost, I want to express my disgust as to Minneapolis Police Officer Derek Chauvin's actions. With that being said, the bill that you are now considering in response to what happened to George Floyd is neither progressive nor will it fix the problem.

You see, I am married to a Correctional Officer from this Commonwealth. An Officer who was brutally attacked by more than a dozen inmates on January 10, 2020. As a result of the senseless violence he faced that day, he sustained serious physical and emotional injuries which have resulted in multiple hospitalizations and surgeries. His injuries have completely changed our world.

The assault on my husband was directly correlated to the Criminal Justice Reform Act you passed in 2019. That Act took several years to develop, but, in the end, it was still flawed. It is my hope that you did not anticipate what happened to my husband to occur because of the passage of that Act. With that said, I ask that you slow down before taking any hasty measures in your attempt to solve police brutality.

Let me explain how this new Bill could have changed things for my Husband had it been passed in January:

**Qualified Immunity:** The day my husband was attacked was chaotic. While fighting for his life, had my husband or any Officer attempting to save him, injured an inmate in the process, they could be subjected to civil litigation. That means, today, not only would he be struggling to heal physically and mentally, but we would also be struggling financially— all in the name of doing his job.

**Less than lethal tools:** If you watch the video released to the media, the inmates only stopped their savage attack, once additional officers arrived to help. Among those Officers were tactical units that possessed “less than lethal tools.” Without those tools, there would have been no incentive for the inmates to stop their attack. I truly believe my husband would be dead today if the inmates were given even 30 more seconds to carry out their plan. In fact, the first thing he said to me when I arrived at the Hospital was, “I thought I was going to die.” That’s how close to death he was.

**Civilian Oversight:** Civilians are not equipped to make decisions on a topic they do not know fully understand. Unless they have worn a uniform either inside a prison or on the streets, I do not believe they can make a fully informed decision on how, if, or why a certain action was taken. I believe we can agree that neither you nor I would have known what to do on January 10th, had we been in my husband’s shoes.

While I respect your attempt to make this Commonwealth safer for all, the Bill as it currently stands is nothing more than punitive towards the members of law enforcement within our community. I ask that you keep in mind that law enforcement officers are among the constituents you seek to keep safe in your decision.



Just as you made an error passing the, albeit well intentioned, 2019 Criminal Justice Reform Act, Senate Bill 2820 will lead to issues that you have not even contemplated at this point. I think it's time that politicians begin to understand the ramifications of their actions when they make decisions on topics which they lack the knowledge to understand.

This bill will not solve any problems. Please re-consider the passage of this Bill and rather than make a haste decision, reform this Bill so it can actually solve the problem at hand.

Respectfully,

Jillian Parent

From: Tara Maguire <tmagind@gmail.com>  
Sent: Friday, July 17, 2020 10:31 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified

immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

This Bill is extremely dangerous and will put not only our officers in danger but civilians as well. You have a chance to right thing here otherwise I fear a lawful society will cease to exist.

Tara Maguire  
30 Stone Rd,  
Millbury, MA 01527

From: Ken Seier <kenseier@gmail.com>  
Sent: Friday, July 17, 2020 10:31 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

To Whom it May Concern:

I am an active voter Waltham, MA and I firmly support a strong and comprehensive police reform bill to be passed before the end of this congressional session. This bill should align with the goals of S.2800 to reduce the risk of police misconduct, increase police accountability and shift the focus from prosecution and punishment to the now seemingly quaint ideas of protection and service. I hope that the House will draft and pass a bill with language closely aligned with S.2800 to allow Massachusetts citizens to be protected and served by their police forces as soon as possible.

Respectfully,

Ken Seier  
508.641.6486  
37 Warren Ave., Waltham, MA

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Ken Seier  
508.641.6486  
kenseier@gmail.com  
From: Elizabeth Fritz-Keyes <lfkeyes@msn.com>  
Sent: Friday, July 17, 2020 10:31 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Elizabeth Fritz-Keyes  
142 Lincoln Rd  
Sutton, Ma 01590

Sent from my Verizon, Samsung Galaxy smartphone

From: Mary Pietrantonio <maryapietrantonio@gmail.com>  
Sent: Friday, July 17, 2020 10:31 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Proposed bill S.2820

Dear House of Representatives,

My name is Mary Pietrantonio and I live at 8 Drury Lane, Wakefield, MA 01880. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and

correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Mary Pietrantonio

Sent from my iPhone From: Mike Agricola <mike\_agricola@aol.com>  
Sent: Friday, July 17, 2020 10:31 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public hearing

Allow unlucky hearing

Sent from AOL Mobile Mail  
Get the new AOL app: mail.mobile.aol.com  
<[I strongly support many provisions of the Senate bill and it is imperative that the House include these provisions in their version of the bill:](https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=pKyet6iGb8rw6CTUaaZT831XwWwAApJA6Ra_yTp-1-I&s=S0cqiPqGh4waYPztEOgW5jK2t47dffMG9otkXqEQgss&e=>https://urldefense.proofpoint.com/v2/url?u=http-3A__mail.mobile.aol.com&d=DwMCAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=pKyet6iGb8rw6CTUaaZT831XwWwAApJA6Ra_yTp-1-I&s=S0cqiPqGh4waYPztEOgW5jK2t47dffMG9otkXqEQgss&e=>><br/>From: Katy Goldman <katy.goldman@gmail.com><br/>Sent: Friday, July 17, 2020 10:31 AM<br/>To: Testimony HWM Judiciary (HOU)<br/>Subject: Support for Limits on Qualified Immunity</p></div><div data-bbox=)

- The same limits to qualified immunity that the Senate included. This is vitally important to protect the constitutional rights of Massachusetts residents.
- Amendment 80, which gives superintendents and school committees the ability to authorize a school resource officer, rather than the current unfunded mandate for every district to have SROs. Districts should have local control over their own budgets and policies.
- Amendment 108, which prevents schools from sharing personal information about students into local, state, and federal databases.
- Amendment 65, which bans tear gas, a chemical weapon banned in warfare.

Sincerely,  
Katy Goldman  
(617) 504 8239

From: D Jameson4me <dennis.j.mcnulty@gmail.com>  
Sent: Friday, July 17, 2020 10:31 AM  
To: Testimony HWM Judiciary (HOU)

Subject: Bill 2820 Tesimonial

Dear Chair Claire Cronin and Chair Aaron Michlewitz

My name is, Dennis J McNulty, I am a lifelong resident of the state of Massachusetts. I am not affiliated with any groups. I am a concerned, honest, working family man. Looking to help our nation. I apologize if this letter goes a little astray at times. I'm writing quickly during a work break.

What is happening right now in this country is extremely sad. With Covid-19 and the rise of hatred toward multiple organizations, for the first time in my life, I am scared for our country. We need to support our law enforcement, we need to support our first responders, and we need to support our people. All people, not just the people who are making loud noises.

Massachusetts is one of the leaders of this country. We need all our leaders to step up and show the country how strong we really are. Be the powerful people we know you can be. I can only imagine the political stress/pressures you all have been incurring over the last, oh boy, years. BUT, We need to get back to basics. Common sense, morals, and accountability. Hold people accountable for their actions, I feel we have lost that. We cannot worry about hurt feelings. If someone has done something wrong, they need to be held accountable for their actions. We need to rid the hate from peoples hearts. That is going to be extremely hard! We should be able to have conversations with one another, without interruption, without yelling in anger, without making the other person feel like they are nothing because of the way they feel. That is America. Our veterans fought for that right. Please reconsider passing the Senate Bill 2820. It needs more time to be revised. Qualified immunity needs to be revised, the selection committees need to be reviewed, school documentation withholding from law enforcement for investigations. Amongst other things. I'm not a lawyer, I'm blessed enough to be working through this pandemic. There is no way I would be able to read through and completely understand 89 pages with a ~48 hour window. So, please reconsider this Bill. Stop, take the time to get it right the first time. Set the example for other states. I sincerely appreciate your time and consideration.

Dennis J McNulty  
781-307-5295  
From: Kaitlyn K <kkiley98@gmail.com>  
Sent: Friday, July 17, 2020 10:30 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified Immunity

I am in favor of qualified immunity.

Kaitlyn Kiley  
Waltham  
From: Haris Domond <haris.domond@gmail.com>  
Sent: Friday, July 17, 2020 10:30 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please Pass the Reform, Shift + Build Act (S.2800)

Dear Representatives Michlewitz and Cronin,

I write to you as a Boston resident and business owner.

While I hope that you and your colleagues in the House take inspiration from the Senate's decisive action in passing the Reform, Shift + Build Act (S.2800), I understand that changing the status quo can be difficult. In this spirit, I am writing to let you know that I am among the countless residents of Massachusetts who support this bill. The Reform, Shift + Build Act is a small but significant step towards combating systemic racism. I am personally confident that not only will it make our justice system more accessible and equitable, it will save lives.

I appreciate that efforts to restrict qualified immunity have been particularly controversial. While I personally cannot speak much to the doctrine's complicated local and national history, I can say that our civil justice system (and in particular, our tort system) has evolved to achieve two goals: 1) to cause those with the ability to limit preventable harm to internalize the risk of that harm; and 2) to help make those who have been harmed whole. Qualified immunity in its current form subverts both of these goals. At the very least, this act provides an opportunity to see whether changes to the doctrine work and whether they will be successful when implemented on a national level.

Thank you both for the work you do in making our Commonwealth an example to the world of a community that recognizes its shortcomings with grace as it strives towards justice and progress.

Sincerely,

Haris Domond

465 Arborway #17

Boston, MA 02130

From: Phi Tran <pptran@gbls.org>  
Sent: Friday, July 17, 2020 10:29 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass a Strong Police Accountability Bill with Key Provisions  
from S.2820

Dear Chairs HWM & Judiciary,

Dear Chair members,

I am a resident of East Boston, a district in Senator Boncore's region and I strongly urge you all to pass legislation that establishes real oversight and accountability for police.

I grew up in Dorchester and now I call East Boston my home. I am floored by the hospitality of my neighbors and the sense of community that's here. I wish to keep staying in Boston and I have lived here my whole life, but growing up here I know that the criminal justice system is not in support of my community.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Phi Tran  
250 Meridian St  
East Boston, MA 02128  
pptran@gbls.org

From: Bob Sweetland <bsweetland5586@gmail.com>  
Sent: Friday, July 17, 2020 10:30 AM



To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2800

Good morning. My name is Robert Sweetland, I am a police officer in the City of Quincy. I have to strongly voice my opposition to the current bill before the House Of Representatives that would make drastic changes to our profession. I shall say that I am open to change when it comes to change in certain aspects. More training in all subjects always helps us deal with individuals who live or visit our communities. Our society changes everyday. There is no issue with us changing for the better. I say that, in order for us to do our jobs effectively and professionally, we can not be handcuffed. Over my 30 plus years, I have seen a lot. Most individuals we deal with cooperate, a lot do not. This brings us to use our training. From verbal commands to deadly force. We never know how a situation will play out. It may come to using deadly force. We took an oath to uphold the Constitution and the laws of the Commonwealth. We take that seriously. Qualified immunity is one aspect that protects us from frivolous law suits and lets us do our job to the best of our abilities. Removing this will harm this profession.

We work hard every day to protect our law abiding citizens from the criminal element. We need this bill to be defeated. The majority of men and women who put on the uniform everyday are outstanding police officers and do this job with the utmost professionalism. Please let us do our jobs, not hinder. Thank you very much for your attention in this matter.

Robert Sweetland  
Quincy Police Department

Sent from my iPad From: paul brouillette <brouillettepaul@gmail.com>  
Sent: Friday, July 17, 2020 10:30 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

My name is Paul Brouillette with the Greater Boston Interfaith Organization (GBIO). I live at 5 Oakland Ave in Somerville. I am emailing to urge you and the House to pass police reform that includes:

- \* -Implement Peace Officer Standards & Training with certification
- \* -Civil service access reform
- \* -Commission on structural racism
- \* -Clear statutory limits on police use of force
- \* -Qualified immunity reform

Thank you very much.

Regards,  
Paul Brouillette  
5 Oakland Ave.  
Somerville, MA 02145

--

Paul Brouillette  
5 Oakland Ave.  
Somerville, MA 02145  
From: Lubna Omar <o.lubna@gmail.com>  
Sent: Friday, July 17, 2020 10:30 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Madaro, Adrian - Rep. (HOU); Rivas, Gloribel (HOU); Gingras, Steven (HOU)  
Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Lubna Omar. I am a resident of East Boston and I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I am supporting this because the safety of my community depends on it. I live in an overly policed neighborhood and we don't feel safe with the police. The power of the police remains unchanged and unchecked. I have a 9-year-old Black boy and it is painful to have such hard conversations on police brutally when he shouldn't be worrying about that. But unfortunately, that is the reality of Black mothers in this country. We are EXHAUSTED and it is time to act and pass this bill to keep Black boys like my son. Everyone now wants to tackle systemic racism. That conversation starts with reforming the police and holding them accountable.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,  
Lubna Omar  
East Boston, MA 02128  
From: Timothy Norton <timothynorton2@gmail.com>  
Sent: Friday, July 17, 2020 10:30 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 Comments

To Whom It May Concern;

I stand against bill S2820 as has been presented to the Senate.

The senate version of this bill as written will seriously undermine public safety by limiting police officer's ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste, without public hearing or input of any kind, was extremely undemocratic and nontransparent.

Police across the commonwealth support uniform training standards and policies and have been requesting more training for years.

The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights and does away with protections currently set forth in collective bargaining agreements and civil service law.

Massachusetts police officers are among the highest educated and trained in the country.

This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers. It protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? The vast majority of law enforcement officers do the right thing. Yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few.

Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.

If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

Respectfully,

Timothy P. Norton II  
9 Glover St Unit 2  
Salem MA 01970

From: DL <dlselfmade@gmail.com>  
Sent: Friday, July 17, 2020 10:30 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Citizen Ask

Dear Chair Cronin, Chair Michlewitz, Vice-Chair Day, Vice-Chair Garlick and House members of the Judiciary and the House Ways and Means Committees,

Thank you for your commitment to racial justice and to the bright futures of young people in our

Commonwealth.

As a resident of the commonwealth, I urge you to support Juvenile Justice Data, Raise the Age, and Expungement.

1. Require transparency in juvenile justice decisions by race and ethnicity (as filed by Rep. Tyler in H.2141)
2. End the automatic prosecution of teenagers as adults (as filed by Rep. O'Day in H.3420)
3. Expand expungement eligibility (as filed by Reps. Decker and Khan in H.1386 and as passed in S.2820 §§59-61)

Thank you for defending and protecting the students of Massachusetts. I look forward to hearing back from you about how you voted on this bill.

Regards,  
Daniel Davis

From: Livingstone, Jay - Rep. (HOU)  
Sent: Friday, July 17, 2020 10:29 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Mills, Sarah (HOU); Ferguson, Whitney (HOU)  
Subject: comments

I am looking forward to addressing police misconduct, addressing racial discrimination, and bringing more justice into our criminal justice system. This is a timely and important topic and I am pleased that Speaker DeLeo has made addressing it one of the top priorities of the House.

I come to this issue as former prosecutor, a litigator who has prosecuted and defended civil rights cases, and has worked extensively as an employment lawyer working representing employees and employers in the public and private sectors, often involving accusations of discrimination.

First, I fully support the Black and Latino Caucus' publicly stated priorities, particularly the banning of certain police tactics such as chokeholds, no knock warrants, and use of tear gas as well as the banning of the use of face surveillance. None of these tactics should not be used on civilians at all in our state. I hope we can address all of them.

Second, I also wanted to add some specific comments on the S.2820. One of the most important issues to address accountability is to create the licensing provisions for police that the Senate proposed. The licensing of police officers, which is separate from whether a department can hire them, retain them, or discipline them, by a separate state entity with full powers to investigate is one of the best ways that we can make police more accountable.

I support repealing and replacing the qualified immunity standard as the Senate proposed. I was proud to vote for a similar proposal out of the Judiciary Committee this year and watch that bill advance through the House. This change will allow some victims who cannot recover for a constitutional violation to recover. Because all or almost all police are indemnified in Massachusetts, I do not view this as a police accountability issue.

If you have any questions, please let me know.

Best regards,  
Jay

From: Donald Caisey <caiseyd@bpdbs.net>  
Sent: Friday, July 17, 2020 10:29 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 Bill

July 17, 2020

Dear Chair Michlewitz and Chair Cronin:

We, first of all, want to applaud the Speaker for having a virtual hearing on this bill and allowing the public and all interested parties to voice their opinions and ideas. The times are difficult for all of us and we appreciate that, unlike the Senate, the House is doing its best to have a thoughtful and thorough exchange of ideas on this most important issue. We thank you for the opportunity to submit testimony on behalf of the Boston Police Detectives Benevolent Society relative to Senate Bill 2820 "An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color."

We want to begin by expressing our disappointment in the concept of an omnibus bill as put forth by the Senate. The issue of police standards, training and accountability is complicated enough without jamming it into a bill with a myriad of other equally complicated public policy and important public safety issues some of which have already been rejected in other bills that have been voted upon and enacted by both branches and signed into law by the Governor. This, coupled with them not having a hearing, and only giving the Senate membership a couple of days and a few hours of caucus explanation of an almost 80 page bill certainly wasn't in

the public interest and could hardly be called a transparent and open process.

That said we want to unequivocally state that we abhor and condemn in the strongest possible terms the outrageous conduct that has occurred in OTHER states and join we all right thinking Americans in urging that those involved be held accountable to the maximum extent of the law. We also want to be on record as supporting the general concepts of police accountability and training as core principles put forth by the Governor and the Black and Latino caucus. More precisely we support the banning of use of force techniques such as the "choke hold" etc. except in incidents where the life of the officer or a citizen is in jeopardy. We support uniform statewide training, standards and protocols. We have no problem with certification of police officers and decertification as long as it is fair, unbiased and due process is exercised. We support the duty to intervene. We encourage the accreditation of ALL departments which will hold the municipalities accountable and go a long way to insuring that the quality of public safety is maximized.

We believe that the main spokespeople for the Senate bastardized these core principles with false and misleading statements and half truths and a total abandonment of the concepts of fundamental due process and equal rights for all which have been the heart and soul of the civil rights movement that we all support. It seems that there are some in the Senate who believe, and in fact have demonstrated by their actions, words and votes, that equal rights should not apply to police officers in the line of duty. Specifically they want to create a POSAC board that is dominated by groups who have a stated anti law enforcement bias and preconceived punitive motives toward police. The board ,as proposed in S.2820 ,is unlike any of the Commonwealth's 160+ regulatory boards that the Governor, our own local Rep. Holmes and Sen. Chang Diaz ,among others , have repeatedly and publicly stated are the models for a Board which should be used for law enforcement. Now they want to treat police differently and unfairly. The proposed composition of POSAC is fundamentally incapable of providing regulatory due process. Furthermore the proposed members are completely devoid of sufficient law enforcement experience to create training policies and standards since, unlike members of the other 160+ boards, they do not have sufficient experience in the field of law enforcement.

Next ,Qualified Immunity: Their number one rationale for this, beside the stated economic punitive motive, is that it is necessary for accountability for police. Nothing could be further from the truth. Adoption of uniform statewide training , standards and policies coupled with statutory banning of use of force standards provide the necessary guidelines to define the reasonableness standard that is necessary to eliminate QI as a defense in civil cases against police officers. You do not need to change QI and open up a pandora's box of unintended

consequences . The chief spokespeople in the Senate debate were lawyers and we have been told that the plaintiffs' bar is salivating at the prospect of the changes they have proposed. It will be a new cottage industry of unnecessary ,frivolous and nuisance law suits against all public employees not jut police officers which will cost the municipalities tens of millions annually. We propose a commission of experts to analyze this and present the legislature with all of the necessary information needed to make an informed decision as to how it should proceed on this very complex issue. Even senate proponents admitted it was complex and there wasn't enough institutional knowledge to answer all the questions. In fact it took the leadership a couple of days of prodding to admit to the membership that it applies to all public employees. A basic fact that most shop stewards from the public employees unions could answer. Despite repeated assertions from the senate that this was a "stand alone" bill and was "fully vetted" by all interested parties at a public hearing nothing could be further from the truth. It was a three line section in a larger civil rights bill that did indeed have a hearing but, according to attendees, did not have any testimony pro or con. It should also be noted that the Firefighters and other public employee unions support a commission or no action on QI. This suggestion will not impact the fundamental purpose of the legislation and in fact will make it even better.

Lastly S2820 contains some dangerous concepts which will have serious consequences for public safety. The change in the no knock warrant process will most certainly protect drug dealers, kidnappers human traffickers, money launderers and other criminal enterprises from prosecution. Furthermore common sense dictates that the potential consequences flowing from changing such an important tool in major criminal prosecutions should not be made without providing the opportunity for input from all the key stake holders in the criminal justice field. Law enforcement ,the DAs and the Judiciary should have had the specific opportunity to thoughtfully weigh in on the impact of a public safety policy change of this magnitude. This is especially true with the opiod crisis and what the scourge of drug abuse is doing to our minority neighborhoods. The so called gang profiling section ignores the devastation that gang activity in the schools of our minority neighborhoods where children are bullied, exposed to drugs at an early age, beaten up and worse, yet the senate limits the use of informatation which could help improve this unconscionable situation that discourages our children from not only learning but actually going to school. The limitations on the immediate use of facial recognition technology and other sophisticated technology which is so necessary in the fight against terrorism and organized retail theft that is devastating our local business both large and small is incredibly short sighted. This is especially true since the city of Boston and it's environs is one of the top 5 or 6 potential terrorist targets in the country. This is another example of why an omnibus bill on such an important policy as public safety masked as a police accountability bill is wrong. Suffice it to say these are issues which deserve a thorough vetting not just being lumped into an omnibus bill with limited focus on the consequences of their adoption. We are more than willing to provide more information related to these issues but in the interest of your time

will conclude with the thought that we appreciate the opportunity to relate these concerns and are available to provide any more information upon request.

Sincerely,

Donald Caisey  
Martin O'Malley

President  
Vice President

Boston Police Detectives Benevolent Society  
Police Detectives Benevolent Society

Boston

434 Hyde Park Avenue  
434 Hyde Park Avenue

Roslindale, MA. 02131  
Roslindale, MA 02131

Cell: 617-285-2212  
Cell: 781-540-4309

Office: 617-325-3938  
Office: 617-325-2928

From: christina barrett <cnahatisbarrett@yahoo.com>  
Sent: Friday, July 17, 2020 10:29 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Please support our law enforcement

Sent from my iPhone

Begin forwarded message:

Subject: Please support our law enforcement



Good morning,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I implore you to take a moment and consider these following notes.

I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Christina Nahatis Barrett

49 School Street, Manchester, MA 01944

978-473-3777

Sent from my iPhone

From: Maia BrodyField <maiabf@gmail.com>  
Sent: Friday, July 17, 2020 10:29 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: An Act to Save Black Lives by Transforming Public Safety

Dear Chairman Michlewitz and Chairwoman Cronin,

I am adding my voice to those who support equity and justice for our Black and brown community members and who believe it is way past time to allow these communities to live free of fear.

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift

resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Thank you.

Maia BrodyField  
37 Boylston St.  
Jamaica Plain, MA 02130

From: Kyes, Brian <bkyes@chelseama.gov>  
Sent: Friday, July 17, 2020 10:29 AM  
To: Wynn, Michael  
Cc: Farley-Bouvier, Tricia - Rep. (HOU); Fletcher-Udel, Lisa (HOU); Gregory - Bilotta, Margaret; Testimony HWM Judiciary (HOU)  
Subject: Re: Written Testimony SB 2820

Great job Mike! Much appreciated! BK

On Fri, Jul 17, 2020 at 9:42 AM Wynn, Michael <mwynn@cityofpittsfield.org> wrote:

Please accept the attached document as written testimony for today's hearing.

Thank you.

Michael Wynn  
Chief of Police

Police Department

City of Pittsfield

<[39 Allen Street <\[Pittsfield, MA 01201\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_www.google.com\_maps\_search\_City-2Bof-2BPittsfield-2B-250D-250A39-2BAllen-2BStreet-2B-250D-250APittsfield-2C-2BMA-2B01201-3Fentry-3Dgmail-26source-3Dg&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=VaHQqH-F1bm4Sr56fR8p4NCgU9rV5V\_gJ-6jpb0odAo&s=tGAmDFwFIwZ5r6TmyGt1AfmGH502V5EVHOMMV3kx69M&e=></a></p></div><div data-bbox=\)](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.google.com_maps_search_City-2Bof-2BPittsfield-2B-250D-250A39-2BAllen-2BStreet-2B-250D-250APittsfield-2C-2BMA-2B01201-3Fentry-3Dgmail-26source-3Dg&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=VaHQqH-F1bm4Sr56fR8p4NCgU9rV5V_gJ-6jpb0odAo&s=tGAmDFwFIwZ5r6TmyGt1AfmGH502V5EVHOMMV3kx69M&e=></a></p></div><div data-bbox=)

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[mwynn@cityofpittsfield.org](mailto:mwynn@cityofpittsfield.org)

[www.cityofpittsfield.org](http://www.cityofpittsfield.org)

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<[Brian Kyes](https://lh5.googleusercontent.com/ioddqJLHOUfhaBGfww-8wwWmWnYDmF5mHvejtzkLOXjftpYRenm5TJVbFMr390Tb79aB4MzxNPLwpou23Q5toQffjdSDtHZuSjFZThJplspNL3JmV1fHjruP8mT94aLXws4z6kEt></a></p></div><div data-bbox=)

Chief of Police

Chelsea Police Department

19 Park Street

Chelsea, Massachusetts 02150

Office: 617-466-4810

Cell: 617-594-2111

Fax: 617-466-4850

bkyes@chelseama.gov

From: Posy Walton <posywalton@hotmail.com>  
Sent: Friday, July 17, 2020 10:29 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony Re: S. 2820

Dear Rep. Cronin and Rep. Michlewitz,

An 80-year-old white woman who volunteers as a reading coach for 1st graders at Martin Luther King K-8 School, I care deeply about the way African-American kids experience life in Boston. I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local superintendents of schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would

continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Sincerely,

Rosemary R. Walton

617-390-5402 (Cell 757-218-0884)

Member NAACP Boston Branch

Member Guild of the Urban League of Eastern Massachusetts

17 Florence St. Apt. 2

Roslindale 02131

From: Mike Stott <mjstott0509@gmail.com>  
Sent: Friday, July 17, 2020 10:28 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill S2820

Good morning,

I have been a police officer with the Worcester Police Department for the past 19 years, and had been promoted to Sergeant 3 years ago. This is a career that had always wanted, and have thoroughly enjoyed since appointment.

Bill S2820 as it is originally drafted does not instill confidence in my ability to effectively, safely and legally continue to do the job for which I was appointed.

I respectfully request that "Qualified Immunity", as well as Due Process and Collective Bargaining be very seriously considered. Two very important items that allow police officers to confidently perform their duties legally and appropriately without fear of termination and legal action against them. I would also request the makeup of the POSAC board include members that are qualified, objective and competent in their ability to render decisions which affect the livelihood of hard-working and honest police officers.

Respectfully,

Michael J. Stott

From: Harold Sousa <harold.sousa8867@gmail.com>

Sent: Friday, July 17, 2020 10:28 AM

To: Testimony HWM Judiciary (HOU)

Cc: Courtney Parsons

Subject: Testimony on Policing Legislation, Bill S.2820

Dear Representatives Michlewitz and Cronin,

Thank you for accepting written public testimony relating to S.2820. My name is Harold Peter Sousa Jr. I have been a Massachusetts State Trooper for 3 years and I previously worked for the Massachusetts Department of Corrections for 6 years. This statement was written by my wife, Courtney Parsons, and I.

It has been a disheartening few weeks, and it is extremely discouraging/frustrating that testimony was not accepted regarding S.2800. It feels like this bill is being rushed so the public does not have a chance to weigh in. When we reached out to our Senator, Barry Finegold, the response that we received was lacking. We reached out to him regarding proposed amendments to the bill and it was clear that he brushed it off and did not fully read the email - we are strong supporters of both racial justice/equality and some aspects of police reform (where it makes sense). But for some reason, we are made to feel like we cannot support both. If this bill will truly make a difference and have a positive impact, the people who it impacts the most should be able to contribute to it and express their opinion.

Over the past several weeks, cities and states across the United States have implemented drastic police reforms. Many of these communities have seen a staggering increase in violent crimes. S.2820 will not only have a negative effect on Law Enforcement agencies, but the communities we took an oath to protect.

On the topic of police reform specifically, there are several sections in the bill that are dangerous and will have serious negative consequences if the bill is passed as written. The sections that are most concerning are the following:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, and experts in law enforcement should oversee practitioners in law enforcement.

The law enforcement officers in Massachusetts are some of the most well trained in the country. If we limit their training opportunities and make it even more dangerous to do their jobs, it will reduce the already limited pool of qualified candidates. Many officers are already discussing retirement and others are concerned for their futures.

For those who are quick to judge law enforcement officers based on egregious behavior of a select few, please consider the safety of the officers who do what they were trained to do. Also, we ask you to think about what law enforcement and their families go through daily.



If the opportunity arises, we would be happy to discuss our thoughts in person or over the phone.

Thank you again for your consideration,

Harold & Courtney Sousa (Parsons)

Harold P. Sousa Jr., Massachusetts State Police

774-991-2720

Courtney Sousa (Parsons)

978-604-9322

From: rachel roth <rachel.roth@earthlink.net>

Sent: Friday, July 17, 2020 10:28 AM

To: Testimony HWM Judiciary (HOU)

Cc: Rogers, Dave - Rep. (HOU); Gonzalez, Carlos - Rep. (HOU)

Subject: Testimony supporting police accountability S.2820

July 15, 2020

Testimony in Support of Police Accountability in S.2820

Dear Rep. Cronin, Rep. Michlewitz, and members of the Committees,

I submit this testimony in strong support of the accountability measures in S.2820. Above all, I urge you to retain or strengthen the modification to qualified immunity and the bans on use of force, including chokeholds, tear gas, and no-knock warrants, as well as the moratorium on facial recognition software.

I also strongly support repealing the state mandate to have police officers in schools and the expungement of criminal records for youth.

We in Massachusetts are not immune to police brutality, as the US Department of Justice exposure of Springfield most recently demonstrated. Police brutality and racist harassment can happen anywhere.

We need to correct the flaws in the state's qualified immunity bill so that the courts can rule on cases presenting new situations. No woman should ever fear that she will be forcibly taken by the police to a hospital for an invasive search of her vagina only to have her claims of redress denied.

While I strongly support the above provisions to increase accountability in the Senate bill, I have concerns that I hope the House will be able to address:

- 1) Review of police misconduct and possible decertification should be removed from the Police Officer Standards and Accreditation Committee and vested in an independent civilian review board. The current set-up, as I understand it, has the Committee making decisions about whether to decertify officers, and the Committee has 6 of 14 members from law enforcement. Successful civilian review boards need to be independent from law enforcement.
- 2) The evidence on whether body cameras improve the outcomes of police-civilian encounters is lacking. The millions of dollars anticipated for body cameras would be better spent in the community reinvestment fund.

Thank you for your attention to this testimony. I hope that the Legislature will pass strong police accountability measures this session.

Sincerely,

Rachel Roth

Arlington MA

Cc: Rep. Dave Rogers, Rep. Carlos Gonzalez (Chair of Black and Latino Caucus)

## References:

On police misconduct that escaped review under Massachusetts qualified immunity standards, see *Rodrigues v. Furtado*, 575 N.E.2d 1124 (Mass. 1991).

On overall concerns with police reform proposals, see the Massachusetts chapter of the National Association of Social Workers:

<https://www.naswma.org/news/516947/Statement-Social-Work-Response-and-Recommendations-on-Police-Reforms.htm>

<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.naswma.org\\_news\\_516947\\_Statement-2DSocial-2DWork-2DResponse-2Dand-2DRecommendations-2Don-2DPolice-2DReforms.htm&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=Y5MmN1zQUENedzFtIsQUjw8hZBFauLc51573\\_mneeV4&s=mESSJc\\_GQ8hgxwL-iwPIO6FVoXOgepAR65JSf68dsw0&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.naswma.org_news_516947_Statement-2DSocial-2DWork-2DResponse-2Dand-2DRecommendations-2Don-2DPolice-2DReforms.htm&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Y5MmN1zQUENedzFtIsQUjw8hZBFauLc51573_mneeV4&s=mESSJc_GQ8hgxwL-iwPIO6FVoXOgepAR65JSf68dsw0&e=>)

On the lack of evidence for police-worn body cameras, see the American Public Health Association: <https://apha.org/policies-and-advocacy/public-health-policy-statements/policy-database/2019/01/29/law-enforcement-violence>

<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_apha.org\\_policies-2Dand-2Dadvocacy\\_public-2Dhealth-2Dpolicy-2Dstatements\\_policy-2Ddatabase\\_2019\\_01\\_29\\_law-2Denforcement-2Dviolence&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=Y5MmN1zQUENedzFtIsQUjw8hZBFauLc51573\\_mneeV4&s=UterxYg3ROxLQX6xoftfUFZON8PCQlfnGUQ1nhAMVh0&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__apha.org_policies-2Dand-2Dadvocacy_public-2Dhealth-2Dpolicy-2Dstatements_policy-2Ddatabase_2019_01_29_law-2Denforcement-2Dviolence&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Y5MmN1zQUENedzFtIsQUjw8hZBFauLc51573_mneeV4&s=UterxYg3ROxLQX6xoftfUFZON8PCQlfnGUQ1nhAMVh0&e=>)

## Excerpt:

“Increased funding for body-mounted cameras is often put forth as a measure to reduce law enforcement violence because of the presumed increase in transparency and accountability offered by these devices. An oft-cited example of body cameras’ success is in Rialto, California, where reports of use of force by law enforcement dropped by 50% in the first year of body camera implementation and citizen complaints dropped by 88%. However, more representative studies have shown harmful associations of use of force with body camera use or no associations at all. A national study of more than 2,000 departments revealed a statistically significant association between wearable body cameras and a 3.6% increase in fatal police shootings of civilians and no significant association with use of dash cameras. The largest and most rigorous randomized controlled trial on the use of body cameras, conducted by the District of Columbia’s

Metropolitan Police Department, showed that wearing body cameras had no statistically significant effect on use of force, civilian complaints, officer discretion, whether a case was prosecuted, or disposition.

Issues related to policy, protocol, and intentional sabotage raise additional questions about the efficacy of body- and dashboard-mounted cameras in decreasing law enforcement violence or increasing accountability for perpetrated violence. One third of police departments using body cameras do so without written policies, which may give officers discretion over their use and lead to selective recording. Most existing policies on body cameras do not guarantee that law enforcement agencies must make footage publicly accessible, and many other policies are inconsistent or unclear. Recordings may also be deleted by police; in Chicago, 80% of dash-camera video footage was missing sound due to error and "intentional destruction." Even when key events are recorded, these videos do not necessarily increase accountability because of the cultural, institutional, and structural barriers described above."

(Research is cited in the endnotes to the APHA document linked above.)

###

From: Benjamin Breton <bbreton@su.suffolk.edu>  
Sent: Friday, July 17, 2020 10:28 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Written Testimony

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This

bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Benjamin Breton

From: Harold Sousa <harold.sousa8867@gmail.com>  
Sent: Friday, July 17, 2020 10:27 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on Policing Legislation, Bill S.2820

Dear Representatives Michlewitz and Cronin,

Thank you for accepting written public testimony relating to S.2820. My name is Harold Peter Sousa Jr. I have been a Massachusetts State Trooper for 3 years and I previously worked for the Massachusetts Department of Corrections for 6 years. This statement was written by my wife, Courtney Parsons, and I.

It has been a disheartening few weeks, and it is extremely discouraging/frustrating that testimony was not accepted regarding S.2800. It feels like this bill is being rushed so the public does not have a chance to weigh in. When we reached out to our Senator, Barry Finegold, the response that we received was lacking. We reached out to him regarding proposed amendments to the bill and it was clear that he brushed it off and did not fully read the email - we are strong supporters of both racial justice/equality and some aspects of police reform (where it makes sense). But for some reason, we are made to feel like we cannot support both. If this bill will truly make a difference and have a positive impact, the people who it impacts the most should be able to contribute to it and express their opinion.

Over the past several weeks, cities and states across the United States have implemented drastic police reforms. Many of these communities have seen a staggering increase in violent crimes. S.2820 will not only have a negative effect on Law Enforcement agencies, but the communities we took an oath to protect.

On the topic of police reform specifically, there are several sections in the bill that are dangerous and will have serious negative consequences if the bill is passed as written. The sections that are most concerning are the following:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, and experts in law enforcement should oversee practitioners in law enforcement.

The law enforcement officers in Massachusetts are some of the most well trained in the country. If we limit their training opportunities and make it even more dangerous to do their jobs, it will reduce the already limited pool of qualified candidates. Many officers are already discussing retirement and others are concerned for their futures.

For those who are quick to judge law enforcement officers based on egregious behavior of a select few, please consider the safety of the officers who do what they were trained to do. Also, we ask you to think about what law enforcement and their families go through daily.

If the opportunity arises, we would be happy to discuss our thoughts in person or over the phone.

Thank you again for your consideration,

Harold & Courtney Sousa (Parsons)

Harold P. Sousa Jr., Massachusetts State Police

774-991-2720

Courtney Sousa (Parsons)

978-604-9322

From: BOB CIAMPA <rpchamp@comcast.net>

Sent: Friday, July 17, 2020 10:27 AM

To: Testimony HWM Judiciary (HOU)

Cc: aaron.mitchlwitz@mahouse.gov; Cronin, Claire - Rep. (HOU)  
Subject: Police Immunity Bill

Good morning and hope all is well. This is Robert P. Ciampa a retired Assistant Clerk Magistrate at Suffolk Superior Criminal Court . I clerked hundreds of criminal trials in the 20 years I served in Suffolk County and retired three years ago. In those twenty years I never saw a case that involved what happened in Minneapolis. I hope this bill does not take away what police need to do their job as they should. There are some people that would like to have a state with police not doing what they are supposed to. Massachusetts has probably the best trained and educated officers in the country. One bad police officer in another state should not paint all other police officers with the same brush. I felt obligated to write you and could not stay silent. Police are sworn to protect and serve the people and I am afraid that this bill will not allow them to do this. The judicial system has worked just fine for all the people and will continue to do so. This state and the police departments within it are not broken, please don't break them. Thanks for your great service in the Great and General Court.

Robert P. Ciampa  
1303 Lewis O. Gray drive  
Saugus, Ma. 01906  
617 -877 - 3108

From: michaeldeming1@aol.com  
Sent: Friday, July 17, 2020 10:27 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate 2820

Requiring a police officer to document age, race, gender, and physical characteristics will lead officers to police by quota. Why, because the law sets no expectation of what will be an acceptable statistical aberration. Imagine if the legislature had the same requirement for its members. Each member would be subject to investigation for statistical aberration from the demographics of their district. The law also sets of 5 committees with unclear responsibilities and accountability. The committees should represent the characteristics of the community not with focus on minority representation or advocacy representation ACLU or NAACP. The training and re-certification is a good step. Tragically this law is being raced through without adequate community input.

From: Adam <adeangelisusaf@yahoo.com>  
Sent: Friday, July 17, 2020 10:27 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: An Act to Reform Police S2820

Dear Chairman Michlewitz and Chairwoman Cronin:

My Name is Adam DeAngelis and I am a Police Officer in Lowell Ma.

I wanted to thank you for the opportunity to write to you on behalf of the upcoming police reform bill, S2820. I would like to voice my strong



opposition to this bill. If this bill is passed as is, I believe it will be detrimental to law enforcement officers throughout the commonwealth, while also causing a mass exodus of quality police officers out of the profession.

The first of my concerns, is the issue with qualified immunity. Qualified Immunity is in place to protect the actions of the officers that are acting in good faith in order to properly serve our communities. Without qualified immunity many of the officers will be second guessing their actions, which could cause the officers harm or those they are trying to serve to be harmed. We would also literally be putting our families well being on the line. I love this job and serving the people of my community but without qualified immunity, I wouldn't be able to continue this career because I cannot and will not jeopardize my family and their wellbeing.

The second concern I have is the over site committee. I feel that if there is a committee in place to over see the actions of police, they need to be trained and experienced law enforcement officers. These board members should be experienced in a variety of subjects to include, use of force, defensive tactics, and firearms training, just to name a few. It would be inconceivable to me to have an over site committee over law enforcement that has little to knowledge and/or training on how we are trained or understand our policies and procedures.

The last concern of mine is the fact that the POSAC would assume jurisdiction after only one year regardless of the status of any local investigation, not only infringes on the rights the rights of the officers involved but denies them their due process.

In closing, officers are not against police reform. We feel that the bill that is being past is a hasty knee jerk reaction to the horrific and tragic event that happened in Minneapolis.

Thank you for hearing me on this matter,

Adam DeAngelis  
Lowell Police Dept  
Badge #16770

Sent from my iPhone

From: Andrew Robertson <robertson.andrew86@gmail.com>  
Sent: Friday, July 17, 2020 10:27 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status or gang membership to any law enforcement authority.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Andrew B. Robertson  
From: Tom Kiley <tk02452@gmail.com>  
Sent: Friday, July 17, 2020 10:27 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to S.2820

I write in opposition to S.2820. A bill which the Senate passed in the dead of night borrowing a page from the playbook of the gentleman from Kentucky in the US Senate. Surely that is not who the Commonwealth would like to emulate.

The bill creates commissions, committees and councils ensuring plenty of appointments for friends of elected officials without creating any meaningful improvements.

Civil actions as expanded under section 11I will even in the best of cases, merely give the rich another way to avoid consequences for the actions. As an example see the way Robert Kraft has avoided punishment in Florida, while others guilty of the same actions have not.

Surely it is not the intent of the Commonwealth to give the rich a way to take advantage of our public servants by attacking them personally?

Should all members of the state legislature be held personally responsible if they vote in favor of a law which violates the Constitution?

The legislature should instead consider tools, training and transparency. Give officers the tools (including human resources) they need. Give them the training - don't expect a combination lawyer, social worker and mental health doctor if you don't provide the training. Ensure there are enough officers so situations can be safely de-escalated. Finally transparency will give people the confidence that Internal Affairs offices do their job and reinforce that the Commonwealth's officers are some of the finest in the nation.

Thanks,  
Tom

From: Katherine Luciano <katherineluciano17@gmail.com>  
Sent: Friday, July 17, 2020 10:27 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Work in a Child Psychiatric Unit

Hello,

I am a clinical social worker at a Child Psychiatric hospital in an acute residential unit. The children we work with are In crisis and are emotionally and behaviorally dysregulated which often results in aggressive outbursts directed towards themselves and others. These children are suffering and often have had traumatic life experiences that have burnt out their stress response systems locking them in a constant state of alert and dysregulation. The road ahead of them is long. The work we do requires great skill and a deep understanding of the context of these children's behaviors. We work tirelessly to manage our own affect, engage in deescalation and grounding interventions and respond to the human souls inside these activated bodies with deep empathy and compassion. Our children leave our program and return to a community that often misunderstands them and responds to them with fear and violence. Their need is a community that holds them, tolerates their distress and gives them hope, not one that offers punishment, shame and condemnation. Please consider this testimony and those of my colleagues as you determine a new plan for community based crisis response that does not rely on police force but on crisis teams that are funded and trained to keep these children safe in their communities and allow them to heal.

Sincerely

Katherine Luciano From: Glen Baczewski <glenbaczewski@gmail.com>  
Sent: Friday, July 17, 2020 10:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Bill

Glen Baczewski  
Worcester Police Department  
(508) 410-5468

Good Morning to all who read this,

I am a Worcester Police Officer that has served my community for approximately one and a half years. It was hard to watch the senate pass

such a life/career changing reform bill at 430 in the morning with no public hearing. In my personal opinion, this reform bill contains Anti-Labor legislation. It will remove our rights to due process and collective bargaining and has also set up a licensing board that will not allow any law enforcement or anyone with any training, experience or background in law enforcement decide our futures. Its unfortunate that the vast majority of the community are mostly unaware of what is transpiring before them. Most of the people that I have interacted with and spoke to were unaware that this reform bill even existed. The main things that I feel need to be amended in this Anti-Labor reform bill are our representation on POSAC, due process and right to appeal(collective bargaining), and our qualified immunity.

Thank you for your time.

From: Amy Clay <karmakept@yahoo.com>  
Sent: Friday, July 17, 2020 10:27 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Transforming Public Safety

Chairman Michlewitz and Chairwoman Cronin,  
MA can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in MA, public records of police misconduct, a duty of intervene policy and bans on no-knock warrants, choke holds, tear gas and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Amy Laney  
31 Barquentine Dr  
Plymouth, MA 02360  
From: Ashton Cetto <asht1415@gmail.com>  
Sent: Friday, July 17, 2020 10:27 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Concerned Citizen

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a Standards and Accreditation Committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage.

Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment but favored as a bedrock principle of fundamental fairness, procedure, and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, firefighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,  
Ashton Cetto  
245 Tom Swamp Rd  
Petersham MA 01366  
asht1415@gmail.com

From: Susan Brennan <susanbrennan769@gmail.com>  
Sent: Friday, July 17, 2020 10:27 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Please, please support this bill

Susan Brennan

617 851 5231  
From: Peter Skudlarek <pskudlarek@earthlink.net>  
Sent: Friday, July 17, 2020 10:27 AM  
To: Testimony HWM Judiciary (HOU)

Subject: I urge you to oppose SB2820, especially Section 49

Hello,

I urge you to oppose SB2820. SB2820 includes language that would make it illegal for School Resource Officers to report students who are or are suspected to be MS-13 gang members to ICE.

Gang members who attend our middle and high schools have opportunities to recruit members. Frequently, young adults are placed with much younger students because of their lack of formal education. This dangerous provision would not allow our school resource officers to report suspected gang members to law enforcement.

Section 49 of the proposed bill would prevent school officials from reporting suspected gang membership, thereby putting school officials, teachers and students at the mercy of gang leaders.

The radical Massachusetts State Senate has gone way overboard with this bill! Please House members protect law and order to protect Massachusetts from the horrific and unAmerican danger this bill would pose.

Very, very Concerned,

Peter Skudlarek

129 School Street

Watertown

From: amanda.k.hecht@gmail.com  
Sent: Friday, July 17, 2020 10:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: House bill S2820 public comment

To members of the Massachusetts state house,

I Amanda Hecht, a resident of Florence Massachusetts. In the current climate of the black lives matter movement it is exceptionally important

that we start limiting and even eliminating qualified immunity from the police departments. We need to start holding police officers accountable for their actions. I find it galling that recently a police officer was fired for sharing the instagram post of her niece at a black lives matter rally. Yet the police officers who beat a Black man to near death were only put on administrative leave then reinstated recently. Qualified immunity must be eliminated as it gives police officers undue protection and prevents true investigation into their conduct.

Thank you for you time,  
Amanda Hecht  
From: cat mcmanus <c.mcmanus3754@gmail.com>  
Sent: Friday, July 17, 2020 10:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S 2820

I am writing in lack of support for this bill. While there are ongoing issues in the country, Massachusetts remains ahead of the curve when it comes to policing and training. I stand with our police and reject this proposed bill. Further demonizing our police force is going to result in no honorable men and women serving.

Thank you,  
Caitlyn McManus  
From: Sue Munroe <munroe.sue@comcast.net>  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely, Susan C Munroe

From: paul conneely <msp3094@yahoo.com>

Sent: Friday, July 17, 2020 10:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Written Testimony Only - Reforming Police Standards

I want to thank everyone who reads this in advance, for the time to read my written testimony.

I agree that training needs to be increased for all Police Officer and Troopers.

However, there are still many issues with this bill that will destroy policing in this state. I have been in Law enforcement for 24 years, as a local police officer and now as a Trooper for the past 15 and half years.

Over the last decade I have seen the attacks on law enforcement escalate and the affects are quite obvious but rarely addressed. Police officers and Troopers are discouraged from working.

I took my first police test in 1989 for the Massachusetts State Police with nearly 36,000 other applicants. The last Massachusetts State Police test there was only 6800 plus applicants.

People no longer want to join this profession. This bill as written, and especially with the elimination of Qualified Immunity, will not only further reduce attracting quality applicants, it will drive out veteran Officers and Troopers with years of knowledge and skill.

The results of violent crime rising across this country and right here in the City of Boston, will continue. Two weeks prior, there were 7 murders in one week. As a resident of the City of Boston fear that the crime wave of the 90's and early 2000's that plagued this City and state, is not far off.

Below I have attached an article written on qualified immunity and how vital it is to law enforcement

I hope you will continue to support Law Enforcement

Thank you  
Paul Conneely  
15 Dunwell St <x-apple-data-detectors://1/0>  
West Roxbury <x-apple-data-detectors://1/0>  
Cell 6172931260

I have attached an article written on qualified immunity and how vital it is to law enforcement



The United States Supreme Court has demonstrated remarkable understanding of the very difficult and dangerous challenges that confront law enforcement officers on the streets of America today. The Court's strong interest in protecting our nation's domestic sentinels is displayed in decisions which recognize and support a "qualified immunity" legal defense for officers who must defend themselves in lawsuits arising out of life and death street confrontations.

#### The Background and History of the Qualified Immunity Defense

In *Harlow v. Fitzgerald* <[<\[officials, including law enforcement officers, from the often frivolous lawsuits that flow from their necessary official actions.\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_www.policeone.com\_legal\_articles\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\_-23-5Fftn1&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\_gUxZV\_kYGx5Bc&s=onWmhcl5ZXVzhCbRUQEKng-bArPjBz8y-Cf8XnFEEI&e=> the Supreme Court recognized the need for an objective qualified immunity defense to protect public</a></p></div><div data-bbox=\)](https://urldefense.proofpoint.com/v2/url?u=https-3A__supreme.justia.com_cases_federal_us_457_800_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv_gUxZV_kYGx5Bc&s=1daykIDw41XL8chkNwR7RyCbJEMY3wSj0vTD47Dt8WA&e=> , [1]</a></p></div><div data-bbox=)

<[officials, including law enforcement officers, from the often frivolous lawsuits that flow from their necessary official actions.](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeone.com_legal_articles_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v_-23-5Fftn1&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv_gUxZV_kYGx5Bc&s=onWmhcl5ZXVzhCbRUQEKng-bArPjBz8y-Cf8XnFEEI&e=> the Supreme Court recognized the need for an objective qualified immunity defense to protect public</a></p></div><div data-bbox=)

The Court eliminated entirely any consideration of the subjective intent of the public official at the time of an alleged constitutional transgression and focused exclusively on the actual objective facts related to the official's conduct. By eliminating consideration of an official's (including a law enforcement officer's) subjective intent, the Court made it much more difficult for a trial judge to refuse to dismiss the case against an officer prior to trial.

The Court observed that the goal of the qualified immunity defense was to allow for the "dismissal of insubstantial lawsuits without trial." [2]

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In Mitchell v. Forsyth <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_supreme.justia.com\\_cases\\_federal\\_us\\_472\\_511\\_case.html&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-](https://urldefense.proofpoint.com/v2/url?u=https-3A__supreme.justia.com_cases_federal_us_472_511_case.html&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-)

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The Court also ruled that denial of a public official's qualified immunity defense by a trial court judge" is an appealable 'final decision'...." [6]

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fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\_gUxZV\_kYGx5Bc&s=uOQergtO J7G7r0AwojHojZzzMKg\_CuxCOGmXAVUai74&e=> In so doing, the Court made clear that when a law enforcement officer's claim of qualified immunity is denied by a trial court judge, that denial is subject to an immediate appeal to the appropriate court of appeals. The defendant law enforcement officer does not have to suffer the burdens of protracted discovery and trial before an appellate court can review the rejection of the qualified immunity defense.

In Anderson v. Creighton

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fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\_gUxZV\_kYGx5Bc&s=ZhNyI2uALimZPZSmX4yYSFWd0u2gusHXe7sfJHUD-Qs&e=> the Court observed that, "qualified immunity protects, 'all but the plainly incompetent or those who knowingly violate the law'." [8]

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The Court stated, "We have recognized that it is inevitable that law enforcement officials will in some cases reasonably but mistakenly conclude [for example] that probable cause is present, and we have indicated that, in such cases, those officials ... should not be held personally liable." [9]

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This statement makes clear that law enforcement officers are entitled to qualified immunity when they have a reasonable basis to believe that their conduct was constitutional, even if their actual conduct falls somewhat short of the constitutional standard.

#### Qualified Immunity and Officer-Involved Shootings

In *Brosseau v. Haugen* <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_supreme.justia.com\\_cases\\_federal\\_us\\_543\\_194\\_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\\_gUxZV\\_kYGx5Bc&s=6gJps8D3U5GavNI-senZq33o59gLby25c4AYgCK0IJI&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__supreme.justia.com_cases_federal_us_543_194_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv_gUxZV_kYGx5Bc&s=6gJps8D3U5GavNI-senZq33o59gLby25c4AYgCK0IJI&e=>), [10]

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a Puyallup, Washington police officer, attempted to arrest Haugen for felony drug violations. Haugen entered a Jeep parked in the driveway of his mother's home and locked its doors. The Jeep was facing the street. There were two vehicles parked in front of the Jeep. Each one had two passengers inside. One contained a three year old child.

Officer Brosseau pointed her firearm at Haugen and ordered him out of the Jeep but he ignored her. She hit the driver's side window several times with her pistol. The window shattered and she hit Haugen in the head with the butt of her sidearm. Undeterred, Haugen started the Jeep and began to

move forward. Brosseau jumped back and as the vehicle continued to move forward, she fired one shot through the rear driver's side window. This shot hit Haugen in the back.

After being shot, Haugen maneuvered the Jeep out of the driveway and drove down the street for a short distance before stopping. He later pleaded guilty to felony eluding of a police officer. By so doing, he admitted that he was guilty of driving in a "wanton" and "willful disregard" for the lives of other people.

Haugen sued Brosseau in federal court pursuant to 42 U.S.C. §1983 and alleged that she used excessive force. Brosseau asserted the qualified immunity defense. The trial court judge ruled in her favor and dismissed the suit. The Ninth Circuit Court of Appeals reversed and remanded the case for trial.

The Ninth Circuit ruled that the shooting was excessive and violated the Fourth Amendment because Haugen did not represent a threat of serious bodily harm to Brosseau or others when he was shot. The Circuit Court also ruled that the state of the law was clearly established at the time and that no reasonable officer could believe that the shooting was lawful.

The Supreme Court reversed. The Court observed that the Ninth Circuit ruled that Officer Brosseau's conduct violated both prongs of the two-part qualified immunity test:

1. that she violated the Constitution (Fourth Amendment) and
2. that the law in these circumstances was "clearly established."

The Supreme Court expressed "no view as to the correctness of the Court of Appeals' decision on the constitutional question itself." [11]

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The Court framed the particular issue in this case by asking, "whether [it is permissible] to shoot a disturbed felon, set on avoiding capture through vehicular flight, when persons in the immediate area are at risk from that flight." [12] <

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The 2015 Supreme Court decision in *Mullenix v. Luna* <[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_www.supremecourt.gov\\_opinions\\_15pdf\\_14-2D1143-5Ff20h.pdf&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\\_gUxZV\\_kYGx5Bc&s=nvhGYSaikYR1C5qOUVWT64RRLKiNQnwsNumIDvU41GQ&e=>](https://urldefense.proofpoint.com/v2/url?u=http-3A_www.supremecourt.gov_opinions_15pdf_14-2D1143-5Ff20h.pdf&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv_gUxZV_kYGx5Bc&s=nvhGYSaikYR1C5qOUVWT64RRLKiNQnwsNumIDvU41GQ&e=>) [14] <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_www.policeone.com\\_legal\\_articles\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\_-23-5Fftn14&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\\_gUxZV\\_kYGx5Bc&s=twryC2E-MNwvjvSl-yQ5Q3bKjjRbgdcfaNyqeKbLx3A&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A_www.policeone.com_legal_articles_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v_-23-5Fftn14&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv_gUxZV_kYGx5Bc&s=twryC2E-MNwvjvSl-yQ5Q3bKjjRbgdcfaNyqeKbLx3A&e=>) is also highly instructive. In *Mullenix*, a Texas Department of Public Safety (DPS) Trooper shot and killed Leija to end a high speed pursuit. Leija attempted to avoid arrest by engaging law enforcement officers in a dangerous high speed pursuit. During the chase which lasted 18 minutes, he traveled at speeds between 85 and 110 mph. He called a police dispatcher twice during the chase, claimed he had a firearm and threatened to shoot pursuing officers if they continued the pursuit. Police officials ordered the use of spike strips to be deployed under an overpass along the road that Leija was traveling on. An officer was positioned under the overpass to carry out the order.

*Mullenix*, the DPS Trooper, was positioned on top of the overpass and fired six rifle shots at Leija's vehicle as it approached on the road toward the overpass. Leija was hit by four of those shots and died.

*Mullenix* was sued by Leija's survivors, who alleged excessive force in violation of the Fourth Amendment. *Mullenix* asserted the qualified immunity defense but the defense was rejected by the trial court judge and the Fifth Circuit Court of Appeals. The Fifth Circuit ruled that *Mullenix* violated clearly established law by using deadly force upon a fleeing felon who did not present a sufficient threat of harm to officers or others. The Supreme Court reversed.

The Court was highly critical of the Fifth Circuit for using a much too broad generalized standard in determining that *Mullenix* violated clearly established law. The Court observed that the Circuit Court used the standard originating in *Tennessee v. Garner*, 471 U.S. 1 (1985) which held that deadly force is not permitted against an unarmed and non-dangerous fleeing felon. The Court ruled that the clearly established law inquiry "must be undertaken in light of the specific context of the case, not as a broad general proposition."

The Court noted that, "Mullenix confronted a reportedly intoxicated fugitive, set on avoiding capture through high-speed vehicular flight, who twice during his flight had threatened to shoot police officers, and who was moments away from encountering an officer [under the overpass] at Cemetery Road. The relevant inquiry is whether existing [legal] precedent placed the conclusion that Mullenix acted unreasonably ... 'beyond debate.'" The Court ruled that clearly established law was not violated because it was not beyond debate that Mullenix acted outside the parameters of objective reasonableness. The case was dismissed in favor of Mullenix on qualified immunity grounds.

#### Conclusion

The Supreme Court's decisions in Brosseau and Mullenix are significant for several reasons. First, they once again demonstrate the Court's continued determination to give police officers the benefit of doubt when reviewing their split-second life changing decisions from the entirely safe contours of judicial chambers. Second, they reaffirm the Court's willingness to use the qualified immunity defense to adjudicate police use of deadly force cases at the pre-trial stage of litigation and spare officers from the monetary and emotional burdens of protracted discovery and trial. Third, they demonstrate the extraordinary value of the qualified immunity defense to police officers who use deadly force in the performance of their duty, even in cases where the need for such force was not absolutely clear cut and obvious.

These cases were by no means "slam dunk" victories for the involved police officers. Nonetheless, the Supreme Court evaluated the efficacy of the officers' assertion of qualified immunity in the particular circumstances of each case and ruled that their conduct did not violate clearly established law.

The value of the qualified immunity defense to law enforcement officers in use of deadly force cases cannot be understated. It is crucial for attorneys representing officers in civil rights litigation to completely understand the full contours of the qualified immunity defense and use it to successfully defend their police officer clients.

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#### Footnotes

[1] <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.policeone.com\\_legal\\_articles\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\_-23-5Fftnref1&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\\_gUxZV\\_kYGx5Bc&s=rQuHOEc28mTfU6qTVY4F8L7yn77YpB1OvsKv\\_yGY3uw&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeone.com_legal_articles_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v_-23-5Fftnref1&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv_gUxZV_kYGx5Bc&s=rQuHOEc28mTfU6qTVY4F8L7yn77YpB1OvsKv_yGY3uw&e=>)> 457 U. S. 800 (1982).

[2] <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.policeone.com\\_legal\\_articles\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\_-23-5Fftnref2&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGIInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\\_gUxZV\\_kYGx5Bc&s=p3EHliudEIYduuYNNNAatV0Bu-ErxkWNqsJPONVZAKNs&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeone.com_legal_articles_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v_-23-5Fftnref2&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGIInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv_gUxZV_kYGx5Bc&s=p3EHliudEIYduuYNNNAatV0Bu-ErxkWNqsJPONVZAKNs&e=>)> Id. at 814. (Emphasis added).

[3] <[\[4\] <\[\\[5\\] <\\[\\\[6\\\] <\\\[\\\\[7\\\\] <\\\\[\\\\\[8\\\\\] <\\\\\[\\\\\\[9\\\\\\] <\\\\\\[\\\\\\\[10\\\\\\\] <\\\\\\\[https://urldefense.proofpoint.com/v2/url?u=https-3A\\\\\\\\\_\\\\\\\\\_www.policeone.com\\\\\\\\\_legal\\\\\\\\\_articles\\\\\\\\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\\\\\\\\_-23-5Fftnref10&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-\\\\\\\]\\\\\\\(https://urldefense.proofpoint.com/v2/url?u=https-3A\\\\\\\_\\\\\\\_www.policeone.com\\\\\\\_legal\\\\\\\_articles\\\\\\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\\\\\\_-23-5Fftnref10&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-\\\\\\\)\\\\\\]\\\\\\(https://urldefense.proofpoint.com/v2/url?u=https-3A\\\\\\_\\\\\\_www.policeone.com\\\\\\_legal\\\\\\_articles\\\\\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\\\\\_-23-5Fftnref9&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\\\\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\\\\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\\\\\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\\\\\\_gUxZV\\\\\\_kYGx5Bc&s=PlNq9Q84tIpBZKHEfXUBSaDY-sEVu508-5Ep1TYyXdk&e=> Id. at 641. \\\\\\(Emphasis added\\\\\\).</p></div><div data-bbox=\\\\\\)\\\\\]\\\\\(https://urldefense.proofpoint.com/v2/url?u=https-3A\\\\\_\\\\\_www.policeone.com\\\\\_legal\\\\\_articles\\\\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\\\\_-23-5Fftnref8&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\\\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\\\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\\\\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\\\\\_gUxZV\\\\\_kYGx5Bc&s=FRcMWWPd0EkKjYSP8AkFDhpoA43t1TKHML11mrH0Z8&e=> Id. at 638 \\\\\(quoting, Malley v. Briggs, 475 U. S. 335, 344-345\\\\\). \\\\\(Emphasis added\\\\\).</p></div><div data-bbox=\\\\\)\\\\]\\\\(https://urldefense.proofpoint.com/v2/url?u=https-3A\\\\_\\\\_www.policeone.com\\\\_legal\\\\_articles\\\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\\\_-23-5Fftnref7&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\\\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\\\\_gUxZV\\\\_kYGx5Bc&s=TshTXfEpPMRkzTlVqqDpAadhHOU2Lz8T8uOm13yUmA&e=> 483 U.S. 635 \\\\(1987\\\\).</p></div><div data-bbox=\\\\)\\\]\\\(https://urldefense.proofpoint.com/v2/url?u=https-3A\\\_\\\_www.policeone.com\\\_legal\\\_articles\\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\\_-23-5Fftnref6&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\\\_gUxZV\\\_kYGx5Bc&s=UGbuZ5Edn3JmLIzOBbsnZW8I9xEE5GHQw4z5rXFsdac&e=> Id. at 530.</p></div><div data-bbox=\\\)\\]\\(https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.policeone.com\\_legal\\_articles\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\_-23-5Fftnref5&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\\_gUxZV\\_kYGx5Bc&s=sEMdVjNi5czkbqvSvRlZUAcPrQrCNUojnCmLMBnQjis&e=> Id. at 526. \\(Emphasis added\\).</p></div><div data-bbox=\\)\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_www.policeone.com\_legal\_articles\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\_-23-5Fftnref4&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\_gUxZV\_kYGx5Bc&s=wN6lnaWnNtURkOSArLbxDjKZ0aycRwEeMtWmWb5EKy4&e=> 472 U.S. 511 \(1985\).</p></div><div data-bbox=\)](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeone.com_legal_articles_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v_-23-5Fftnref3&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv_gUxZV_kYGx5Bc&s=ZHXd5R3mwjoILhaM73bMh16vQ-8DpYGwGQxfSbfffNq4&e=> Id. at 807. (Emphasis added).</p></div><div data-bbox=)

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[11] <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.policeone.com\\_legal\\_articles\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\_-23-5Fftnref11&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeone.com_legal_articles_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v_-23-5Fftnref11&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-)

fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\_gUxZV\_kYGx5Bc&s=Rrmt\_nMEUUDrOKW8LhkhTuB4AsUMDlqYbQ4X77LqbwI&e=> Id. at 198. This statement by the Court makes clear that in deciding the applicability of the qualified immunity defense, the Court did not believe it was necessary to evaluate the first part of the two pronged qualified immunity test outlined by the Court in *Saucier v. Katz*, 533 U.S. 194 (2001), i.e. whether the facts most favorable to Haugen made out a violation of the Fourth Amendment? See also, *Pearson v. Callahan*, 555 U.S.223 (2009) in which the Supreme Court stated that lower courts were free to evaluate either of the two pronged qualified immunity test to determine whether qualified immunity would exonerate a public official.

[12] <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.policeone.com\\_legal\\_articles\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\_-23-5Fftnref12&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeone.com_legal_articles_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v_-23-5Fftnref12&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-)

fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\_gUxZV\_kYGx5Bc&s=zuP3aEyuMwll3mRkG0nCmRE6Fyr5Wdg7qd-VeYq02zY&e=> Id. at 200.

[13] <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.policeone.com\\_legal\\_articles\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\_-23-5Fftnref13&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeone.com_legal_articles_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v_-23-5Fftnref13&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-)

fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=Cp4zmg4sNH1vtKQQkDff1aYGXCjdv\_gUxZV\_kYGx5Bc&s=dDZXnj6Ha7AQYqFWjAy9dvWdhldGGAAbg0mh7FTdYk5g&e=> Id. at 201. (Emphasis added).

[14] <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.policeone.com\\_legal\\_articles\\_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v\\_-23-5Fftnref14&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.policeone.com_legal_articles_protecting-2Dcops-2Dfrom-2Dfrivolous-2Dlawsuits-2Dqualified-2Dimmunity-2Dexplained-2DSI2nJjd42TkeLI6v_-23-5Fftnref14&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-)

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#### About the author

John Michael Callahan served in law enforcement for 44 years. His career began as a special agent with NCIS. He became an FBI agent and served in the FBI for 30 years, retiring in the position of supervisory special agent/chief division counsel. He taught criminal law/procedure at the FBI Academy. After the FBI, he served as a Massachusetts Deputy Inspector General and is currently a deputy sheriff for Plymouth County, Massachusetts. He is the author of two published books on deadly force and an upcoming book on supervisory and municipal liability in law enforcement <<https://urldefense.proofpoint.com/v2/url?u=https->



3A\_www.looseleaflaw.com\_catalog3\_bookdetail.html-3Fsku-3D978-2D1-2D60885-2D192-2D8&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=Cp4zmg4sNH1vtKQQkDfflaYGXCjdv\_gUxZV\_kYGx5Bc&s=MDuhS9EKPLnbZWVFI07GjusixyGLT6Ayl2EIPbLXuUk&e=> .

Sent from my iPhone  
From: RICHARD <RS456GTB@comcast.net>  
Sent: Friday, July 17, 2020 10:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Proposed bill S2820

Dear Mass Legislators,

I believe the rush into pushing S2820 without input from our current police force is not a good idea. I do believe here in Mass we have the best trained police and to pull them out of areas they have been present in with adversely do more harm. I believe this bill needs more time and input rather than rushing to pass this during this anti police climate the US is currently under

Thank you  
Ann Shaughnessy  
259 King Caesar Rd  
Duxbury Ma 781-934-9815

Sent from XFINITY Connect App

From: Matthew D <mdepari2018@gmail.com>  
Sent: Friday, July 17, 2020 10:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Opposition

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous

impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Matthew DePari  
26 Shady Lane  
Holden, MA

From: Heidi Swarts <hjswarts700@gmail.com>

Sent: Friday, July 17, 2020 10:26 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820 - urging support for police reform bill

Subject line: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Heidi Swarts  
315-558-819  
First Parish Unitarian Universalist of Arlington  
Arlington, MA

From: Tori Golden <torigolden@gmail.com>  
Sent: Friday, July 17, 2020 10:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the house ways & means and judiciary committees,

I'm writing in favor of S.2820 to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass the bill into law and strengthen it. I believe that the final bill should completely eliminate qualified immunity ( a loophole that exists only to help law enforcement avoid accountability), introduce strong standards for decertifying problem officers, and completely ban tear gas (which can't even be used in war zones, why is it allowed to be used here on citizens?!), chokeholds, and no knock raids like the one that killed Breonna Taylor.

Victoria Golden, Boston  
--

Tori  
From: Ladner, Brian <bladner@CityofMelrose.org>  
Sent: Friday, July 17, 2020 10:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Dear Sir or Ma'am,

I am a full-time sworn Police Sergeant at the Melrose PD and would like to introduce myself:

- Husband, father, son, brother, uncle. Police Officer for over 12 years, Supervisor for the last 5 of those years.

- Enlisted Marine Corps Reserves 2000-2013, attained rank of Gunnery Sergeant; 2 Iraq tours. Commissioned Officer in MAANG Infantry (2013-present), taking Company Command next month of the HHC 1-181 Infantry in Worcester. Our company just finished 75 day orders taking care of Veterans affected by Covid-19 in the Holyoke Soldiers Home and other elders in facilities throughout the Commonwealth.

- BS Marketing, Bentley University 2001; Masters in Criminal Justice, Anna Maria College.

- Board of Directors President, Lt. Norman Prince Veterans of Foreign Wars Post #1506 Melrose; "Big Brother" (Big Brothers Big Sisters of Massachusetts) to Michael.

I have never (not once) deployed any tools on my duty belt outside of training. There have been numerous calls where I could have (according to MPTC training and our department policy) sprayed pepper spray or struck assaultive people with a baton. I've also never had to strike/punch/kick or attempt any other violent action. Melrose Police has zero use of force complaints. Zero allegations of any bias or racial profiling. We receive very few complaints overall, very rare complaints of rudeness (typically resulting from directing traffic) which has improved over the years. I have never charged any person for Marijuana, criminally or civilly. It leaves me wondering what exactly should we be doing different. What are we the police doing wrong in Massachusetts? In the MPTC run Transit Academy in Quincy (23rd MPOC) Oct 2008-Apr 2009 we learned "verbal judo" and command presence. We've been "deescalating" long before it became a buzzword.

I live in Melrose where I work, I love my neighbors. We treat people encountered at work as neighbors. In my duties as an OIC booking prisoners, it is common for people to tell me candidly they've never been treated so good. Kind of a cool concept, we respect people in Melrose and then we usually get respect in return. The beautiful finished product is earned public trust. The badge is not mine, my Melrose neighbors own the badge. They trust me to wear it and speak for them with authority if necessary. The best cops, and leaders in general, are always looking for problems to solve. Interaction with the public which is required for problem solving, will be perceived as just not worth the new unknown risk this legislation will bring. As a Supervisor, it is impossible to force

officers to take that risk. The subsequent suffering is the community's to bear. Especially, in the inner city.

Boston Police are excellent at working with the community and getting guns out of kid's hands. They accomplish this almost daily without anyone getting hurt and while operating within the US and Massachusetts Constitutions. The result is an incredibly low murder rate in comparison to other urban areas around the nation. Boston Police Commissioner Gross said his officers took more than 700 guns off the street in 2019, this resulted in 38 reported homicides, compared to 56 in 2018. 29 of the killings in 2019 were fatal shootings, compared to 48 fatal shootings in 2018 (<https://www.bostonglobe.com/2019/12/31/metro/boston-homicides-were-down-2019/> [<https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.bostonglobe.com\\_2019\\_12\\_31\\_metro\\_boston-2Dhomicides-2Dwere-2Ddown-2D2019\\_&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=FTOxT2VQd1aL8TS15m8JIZnqCDCwx6Ns4har62wTn-c&s=dQZBGuzvN3tBlA\\_3XGVH5gs3tbuTOVLeVyOIcUgQRuI&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.bostonglobe.com_2019_12_31_metro_boston-2Dhomicides-2Dwere-2Ddown-2D2019_&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=FTOxT2VQd1aL8TS15m8JIZnqCDCwx6Ns4har62wTn-c&s=dQZBGuzvN3tBlA_3XGVH5gs3tbuTOVLeVyOIcUgQRuI&e=>) ). Other states should be reforming to how we in the Commonwealth do business! Please correct me where I am wrong. I write to you on behalf of the kids in our urban areas, as I'm genuinely concerned they will suffer unintended consequences this legislation will inevitably bring.

The POST certifications and additional training are beneficial, please consider removing the changes to qualified immunity. Feel free to contact me any time for further discussion.

Very Respectfully,

Brian Ladner

(781) 820-7905

Sent from my Verizon, Samsung Galaxy smartphone

Please be advised that the Massachusetts Attorney General has determined that email is a public record unless the content of the email falls within one of the stated exemptions under the Massachusetts Public Records Laws.

IMPORTANT NOTICE: This e-mail message is intended to be received only by persons entitled to receive the confidential information it may contain. E-mail messages may contain information that is confidential and legally privileged. Please do not read, copy, forward, or store this message unless you are an intended recipient. If you have received this message in error, please forward it to the sender and delete it completely from your computer system.

From: Janet M Gottler <jgottler@verizon.net>  
Sent: Friday, July 17, 2020 10:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support Senate Language in the House Police Reform Bill

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

I am Janet Gottler, a resident of Arlington, MA, and an active and motivated volunteer organizer with the Greater Boston Interfaith Organization (GBIO). I am writing to urge you and the House to pass strong police accountability measures that include:

- \* Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* A commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

PLEASE do adopt the Senate language to reform the legal doctrine of qualified immunity. Currently applicable cases cannot be heard by a jury as they are dismissed because the particular violation of 4th Amendment rights by a public official, such as a police officer, had not been previously contemplated by a statute or a court precedent. Those cases deserve to be heard on their merits, not thrown out using a non-statutory legal doctrine. It is time to put an end to this outrageous injustice preventing those who have suffered from the egregious violations of police officers from getting their day in court.

Do not be swayed by claims that qualified immunity reform will have devastating financial impact on individual police officers as they are indemnified by the municipalities that employ them. Any such claims are not based on fact.

We are calling for real reform to bring justice to our communities.

Thank you.

Janet M Gottler  
21 Jean Road  
Arlington MA 02474  
jgottler@verizon.net

From: Pavlik Mintz <pavlik@mintz.net>  
Sent: Friday, July 17, 2020 10:26 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: I urge you to support police reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Pavlik Mintz with the Greater Boston Interfaith Organization (GBIO). I live at 23 Turning Mill Rd, Lexington, MA. I am writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

I realize that Qualified immunity reform is a challenging issue. But it is essential that citizens have recourse based on the facts of their case when they are subject to abuse by the police, without their cases being dismissed out of hand due to the current qualified immunity practices.

Thank you very much.

Pavlik Mintz

Pavlik@mintz.net

781-771-9974

23 Turning Mill Rd, Lexington, MA 02420

From: Daniel Gilbert <dgmontana192@gmail.com>

Sent: Friday, July 17, 2020 10:27 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony SB2820

Chairman Michlewitz, Chairwoman Cronin and Members of the House Ways and Means and Judiciary committees,

Please accept this letter as the written testimony of the Worcester Police Patrolman's Union with regards to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color, which has been passed by the Senate and is now before your committee

I have been a Worcester Police Officer for 24 years and I am writing to you on my concerns and requesting your assistance with S. 2820. Police are not resistant to change and to make our communities safer that we Protect and Serve. That being said this bill is a toxic anti labor bill and will tie the hands of police officers across the state, which will result in a negative impact on the communities that we serve and protect. If passed this bill will see GOOD police officers retire, Good police officers just walk off the job, and Good police candidates will not take this job and we will be left with those that this Bill is trying to prevent because there will be no choice but to hire anyone willing to work. This bill was thrown together hastily and did not have any open dialogue with the community or law enforcement professionals on how to make policing better. This Bill removes Due Process and Qualified Immunity from Police who make mistakes and are acting in good faith; it also means you can be fired without any appeals process basically removes Civil Services and Collective Bargaining Rights. This also means that attorneys that make a living on suing the police are licking their chops and you will see more frivolous lawsuits and complaints against police officers which will result in terminations because of no due process and Police Officers are sued personally. Police Officers are judged for decisions made in a split second; Police Officers should be judged by a jury of their peers or people with knowledge and have gone through some type of training process in policing so they can make an educated and informed decision.

I have broken down the Bill further for you and added some information about the state of Massachusetts compared to other states.



- \* changes dozens of laws, creates and funds many new agencies and Commissions
- \* eliminates collective bargaining rights of police officers
- \* removes authority from City's and Town's to control their own employees
- \* removes the rights of police to monitor gang activity in schools
- \* removes the due process rights of public safety officers
- \* exposes police officers and their families to personal liability even when acting in good faith
- \* will open the floodgates for frivolous lawsuits against Municipalities and increase the cost to taxpayers to defend those cases
- \* puts the lives of police officers in danger unnecessarily
- \* creates a police licensing board that is staffed by organizations who sue our communities and advocate for the elimination of police services

Why are you considering passing such sweeping changes without a public hearing - what happened to transparency in Government? What happened to the voice of the citizens?

DO NOT OVERLOOK THE SUCCESS OF MASSACHUSETTS POLICING

Don't believe the misinformation about the alleged need for emergency police reform here in Massachusetts - in reality, Massachusetts is a success story on Police Training and use of force results - even according to those groups advocating national police reform. Our educated police force, competitive wages and mandatory training have produced excellent results.

For example, Massachusetts is among the very best in the nation when it comes to police use of deadly force:

- \* Massachusetts has one of the lowest annual rates for deadly use of force incidents in the Nation - at only 1.2 incidents per million people.

- \* Massachusetts Cities have excellent records when it comes to deadly force - In Worcester, there have been ZERO deaths caused by police since 2013 (excluding a taser related incident which was ruled a drug overdose)

- in fact, Worcester has an annual citizen complaint rate of only .0002% out of 140,000 calls for service. In Lowell, there has been only one police related death (justified) in that same time period.

\* During this span, the police have successfully handled many millions of calls for help, often involving, volatile and violent individuals, without incident.

\* Most Massachusetts Towns have had no law enforcement related deaths during the tracked time period.

\* When anti-police groups present data of people killed by police, they include people like the Boston Marathon Bomber, and others who murdered police officers during incidents.

Before passing a bill creating new state agencies and destroy the morale and success of our public safety officers - is it too much to ask that you first take a look at how police in Massachusetts are performing? Have you looked at your own constituencies - the Towns in your district to see what needs changing, and what is working?

WHAT DOES THE PROPOSED POLICE REFORM BILL DO?

The proposed massive Police Reform Bill IS NOT BASED ON MASSACHUSETTS performance history and NOT BASED ON MASSACHUSETTS DATA.

The proposed bill will destroy the morale of our police departments, will put our officers' safety at great risk, and will expose them and their families to personal liability, will generate thousands of frivolous lawsuits to be paid for with taxpayer money, and even has provisions to pay the lawyer's fees for people who sue our communities.

For example - the legislation:

\* Creates and funds at least 6 new Agencies, Commissions or Committees

- \* Eliminates Civil Service Protection only for Law Enforcement Officers; (Sections 41-43)
  
- \* Prohibits School Department Personnel from Providing Information to Law Enforcement regarding gang activity and affiliation; (Section 49)
  
- \* Expands the rights of individuals convicted of multiple crimes to expunge records of those crimes
  
- \* Requires that a lengthy record (receipt) be generated related to virtually any interaction between a police officer and a member of the public; (Section 52)
  
- \* Creates - but does not fund - mandates upon municipalities to gather, track, organize and report data, as well as unfunded training mandates; (Section 52)
  
- \* Creates a Police Officer Standards and Accreditation Committee to govern the conduct of police and judge police officer conduct but - unlike every other professional licensing board - is made up of individuals nominated by groups which openly advocate against law enforcement. It would be similar to staffing the Board of Pharmacy with anti-vaccine advocates or staffing a medical board with lawyers who sue doctors. The Board of Plumbers is made up by a majority of plumbers. The Board of Accountancy is made up by a majority of Accountants. Same goes for nurses, electricians, etc. Law Enforcement should be no different and the committee that can take away our careers should not be populated with nominees that include law firms who claim to have made millions suing cities and towns and their police departments (Lawyers for Civil Rights, Inc.) or the ACLU. (Section 6).
  
- \* This bill effectively eliminates collective bargaining rights for police officers - the employees that need it most given the difficulty of their job. This anti-labor, anti-employee bill essentially removes (only for police) the right to be disciplined only where there is just cause - a right enjoyed by virtually every other public employee in our state. (Section 6)

\* This bill creates a cottage industry for lawyers and another unfunded mandate upon Cities and Towns by greatly expanding liability on municipalities and officers. Under this Bill, every time a Court grants a motion to suppress evidence - because of any technical violation of the Fourth Amendment for instance - a per se violation of the Massachusetts Civil Rights Act will be created. The proposed Bill even provides for attorney fees to prosecute these actions. (Section 9). Even officers acting in good faith will be liable.

\* This bill purports to regulate the Use of Force by Law Enforcement Officers without any recognition that police officers often must make split second decisions, often under extreme stress. Good faith actions will result in lawsuits and can result in the loss of a career. Even if those actions were deemed appropriate by an internal or District Attorney's review, the new committee can decide on their own to end a career. Nowhere in the bill is there acknowledgement that the reasonableness or necessity of a particular use of force must be judged from the perspective of a reasonable officer on the scene and not from the perspective afforded by 20/20 hindsight. (Section 55). It is easy to make decisions in the comfort of a lawyer's office with the benefit of video, hindsight and knowledge of the actual outcome of an event. The law has recognized for years that hindsight judgment is unfair and not practical for the officer who may be faced with life or death situations in the heat of the moment.

These are only a few items of concern. Passing this bill without a public hearing, without considering how we are doing here in Massachusetts, without considering the impact of this massive legislation, without even a thought of how it will impact that thousands of police officers and their families, is not only negligent, but will have a residual negative impact that our state and our families cannot afford.

Feel free to contact me and discuss this matter further or if you have any other questions. Thank you for your time and dedication to resolve the challenges we are currently facing.

Respectfully,

Daniel Gilbert

President NEPBA 911

Worcester Police Patrolman's Union

From: L Martinez <l.martinez@neenrollment.com>  
Sent: Friday, July 17, 2020 10:26 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Gobi, Anne (SEN); Durant, Peter - Rep. (HOU)  
Subject: S.2820 opposition

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity

and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Lori Martinez  
7 Sydney Circle  
Charlton, Ma 01507

Sent from my iPhone

Sent from my iPhoneFrom: Branagan, Jesse J  
<Jesse.Branagan@newbedfordpd.com>  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 Bill

Rep. Aaron Michlewitz,

I am sending this email to ask you not to support Bill S2820 in its current form. This bill will have many unintended consequences as it was hastily pushed through as a knee jerk reaction to current events.

The notion that opening individual officers to lawsuits would keep them "honest" is ludicrous. This would only make Officers less likely to do their job and hesitate in a job that often requires split second judgements. This also give criminals an avenue intimidate police from doing their jobs as they will sue any Officers trying time stop crime in the cities and towns they work in. I currently work in a city with a high crime rate, and it would be cities like mine that would be hit hardest if this bill were to pass.

I have been Police Officer for 15 years and can attest to the high level of training which we have received already. I know fellow officers that have transferred to different parts of the country. Those Officers only had to complete two week training courses to familiarize with the local and state laws as our training was already greater than what they would have received in another academy.

I have also been a Use of Force and Defenseive Tactics Instructor, certified by the MPTC. I can say from training and experience that we have a well thought out and comprehensive training policy. As an instructor we welcome the thought of more training and could look at ways to further improve training.

In closing I ask that you reject this bill as it will undo many policies and laws that were written into law over many years and forever change them in a few weeks time. It will removed due process for Law Enforcement and afford criminals tools to benefit their criminal enterprises at the expense of the citizens of the commonwealth.

Jesse Branagan  
New Bedford Police Officer

From: Laura Sheppard-Brick <larabug@gmail.com>  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony

My name is Laura Sheppard-Brick, I'm a Massachusetts resident submitting testimony for the House hearing on the police reform bill.

I strongly support many provisions of the Senate bill and it is imperative that the House include these provisions in their version of the bill:

- The same limits to qualified immunity that the Senate included. This is vitally important to protect the constitutional rights of Massachusetts residents.

- Amendment 80, which gives superintendents and school committees the ability to authorize a school resource officer, rather than the current unfunded mandate for every district to have SROs. Districts should have local control over their own budgets and policies.

- Amendment 108, which prevents schools from sharing personal information about students into local, state, and federal databases. Schools should be safe places for all students.

- Amendment 65, which bans tear gas, a chemical weapon banned in warfare. This chemical weaponry should never be used against humans, especially civilians.

Laura Sheppard-Brick

Malden, MA

617-596-4133From:Erick Bettencourt <justice2526@gmail.com>

Sent: Friday, July 17, 2020 10:25 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

To whom it may concern,

I hope this letter finds you well during these troubling times. I know you are faced with many great pressures and difficult decisions. As your constituent, I'm confident that you'll maintain the highest level of integrity in regard to your handling of this bill.

Being a police officer is perhaps the most noble profession in this country. Men and women volunteer to put their lives on the line for us, all of us. Even the ones that despise them.

The death of George Floyd is nothing short of a complete tragedy. I haven't met anyone that disagrees with that. Additionally, I believe that Derek Chauvin should be punished to the fullest extent of the law. I'll repeat that, I believe Derek Chauvin should be punished. We all feel that way.

What we (the silent majority) do not believe, is that we should we should make policing any more difficult than it already is. Police officers are under an incredible amount of stress. Making split second decisions that are put under a microscope and broken down into days and weeks of discussion in courtrooms. These decisions are hard enough to make. An officer acting in good faith should not have to carry the burden of worrying about losing their livelihood to frivolous lawsuits and false accusations. Let's give the men and women protecting YOU and YOUR family the basic legal protections they need to perform their duties.

In regard to licensing and a committee, I believe this could partially be a step in the right direction. However, I think we should be cautious when selecting committee members. We need experts, we need nothing but the best. We need people with law enforcement experience, people familiar with use of force models. Not just a committee made up of citizens who oppose the police.

Policing has always been a constantly evolving profession. Law enforcement agencies have continuously changed policies, procedures, and philosophies to better serve and satisfy their communities. There's no doubt that there's always progress to be made. However, I think we can do a lot



better than a rushed bill that was politically driven and designed for the sole purpose quieting an angry mob of protesters. I live in a city in MA, and I don't want my city to look like the ones on television that are being destroyed. We ALL need the police, including all of you. They need our support.

In the paragraph above I put "silent majority" in parentheses. I did this for a reason. I feel that many of the elected officials have grossly underestimated the amount of people who oppose many aspects of this bill, and fully support the police. The silent majority are the ones shaking their heads in disbelief at reckless behavior that's been accepted all over the country. The silent majority doesn't believe we should cater to an angry mob. The silent majority are the ones talking about which elected officials are supporting this bill.

I'd like to express my gratitude for accepting input from the citizens of the Commonwealth. I'm confident that all of you support law, order, and safety for our families. Thank you for the job that you do.

Sent from my iPhoneFrom: Ellen Miller <ellen.stine.miller@gmail.com>  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: O'Connor, Patrick (SEN); Meschino, Joan - Rep. (HOU)  
Subject: S. 2820 An Act to Save Black Lives by Transforming Public Safety

Chairman Michlewitz and Chairwoman Cronin,  
I believe that systemic racism is an issue in this country and in this state, and believe that Massachusetts needs to take action to address it. I have been encouraged by people I respect to take a stance supporting this particular bill but have not researched all of its nuances. So I will say what I do support and trust my legislators to put forward whichever legislation best serves.

I do support our police, value their lives, and understand they need some protections.

I do believe that police in this country, however, have been militarized to the point of losing trust and effectiveness.

I do believe we need strong use of force guidelines for police in Massachusetts.

I do believe that we need more universal, systematic (probably statewide) training and licensing of police to better ensure consistent, proper training and accountability.

I do earnestly believe that we need a duty to intervene policy.

I do believe that no-knock warrants, if EVER warranted, should be extremely limited.

I do believe that choke holds should be banned.

I need more information on the use of tear gas and other tools used for crowd control and dispersal crowds and guidelines for their use.

I do believe that in order to earn the trust of its citizenry, the police department needs to be more transparent about discipline. I know that any institution can be difficult to change, and am reminded of Newark which took the drastic step of eliminating its police force in order to reform it.

I do believe that some funds and the services that go with them which now often default to police could more effectively be used by other agencies. I also believe that in today's climate, the legislature and governor need to show that they are listening and responding to the concerns of its citizens, and that they need to be transparent about the decisions they are making and why.

I trust in my legislators to make wise decisions based on more information than I have at my disposal.

Ellen S Miller  
206 Linden Ponds Way 733  
Hingham MA 02043  
From: Rob Mark <revrobmark@gmail.com>  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

? To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Rev. Rob Mark, Pastor of Church of the Covenant Boston with the Greater Boston Interfaith Organization (GBIO). I live at 17 Eliot Ave. West Newton MA 02465. I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Rev. Rob Mark

pastor@cotcbos.org

617-680-7013

17 Eliot Ave. West Newton MA 02465

From: Jennifer Pope <pope.jennifer2016@gmail.com>  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please do not get rid of qualified immunity

Good morning,

I am writing to ask that you please vote to keep qualified immunity on any level for our police officers. Removing qualified immunity does not allow police officers to be able to do their job effectively. Please consider the harm and counterproductive measures that this will produce for our community at a time when we need to come together, not further the divide.

Thank you,  
Jennifer Pope  
290 South St.  
West Bridgewater, MA 02379  
From: Bruce Butler <butlerb222@gmail.com>  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Police Reform Bill

Dear Rep. Cronin and Rep. Michlewitz,

I am writing in support of S.2820, the Senate's police reform bill. The House must enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools, as municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill S.2820, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. However, if police officers engage in egregious misconducts, they should be immune to prosecution, even if case law has

not previously established that this particular form of misconduct is egregious.

Most importantly, I trust that a good police reform bill will be enacted by the end of July.

Thank you for considering my testimony, and giving attention to this important priority, in addition to all the other important issues the House is addressing at this time.

Sincerely,

Bruce Butler  
First Parish in Framingham

508-877-3580

From: Gabriel Garcia Combs Morris <garcia.gab@northeastern.edu>  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for Reform, Shift, + Build Act (S.2800) Support

To Whom It May Concern:

My name is Gabe Garcia and I am emailing my support for S.2800. The Reform, Shift, + Build Act is an important first step towards police reform and is a necessity for our community to move towards future justice.

Best,

Gabe

From: Molly Duran <mollyduran17@gmail.com>  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Good morning,

I am writing to you today as a resident of Weymouth and as the daughter of a local police officer. I have gained lots of knowledge about the Police Reform Bill that was recently passed by the Senate. The subject of Qualified Immunity is one of the major concerns I have, as well as many law enforcement families. Qualified Immunity is said to protect police officers from "frivolous and "factless" lawsuits while doing their work. If Qualified Immunity is eliminated, officers will be more hesitant to make necessary arrests and actions in fear of being faced with a frivolous lawsuit that will affect them and their families. There are already many safeguards in place (Constitutional laws, federal laws, department regulations, etc.) that police officers have to follow and do a good job doing so. Adding this more stressful consequence will make officers more hesitant to do what needs to be done, which will result in less proactive policing.

By writing to you, I am asking that the Legislature approaches police reform with "common sense" and that the result does not discourage police officers from doing their job. If they are afraid of them and their families being hurt by lawsuits, proactive policing will simply cease to exist.

Respectfully,

Molly Duran

From: Ruth H. <reh468@gmail.com>  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Additions to House Bill S2820, Section 10, Page 18

To: Chair Aaron Michlewitz  
Chair Claire Cronin  
From: Ruth Hartnett Guarino  
private citizen  
617-323-3480  
Date: July 17, 2020  
Re: Written testimony to amend HB 2820

I respectfully request that the following Additions to Section 10, Page 18 be made:

(d) A Police officer with Substance Use Disorder (SUD), protected by the American Disability Act, (ADA), (i) who engages in a pattern or practice of the use of medically unauthorized, legal or illegal synthetic chemical substances or drugs, known to be mind-altering, a compromise to the Police officer's ability to perform his/her professional duties, (ii) will by his/her actions, lose his/her Qualified Immunity status for any serious misconduct alleged. (iii) A Police officer with Substance Use Disorder, protected by the American Disability Act, should be counseled to carry his/her own liability insurance.

(e) If a serious sexual misconduct allegation termed, (i) heinous sexual misconduct or (ii) egregious sexual abuse, is made against a Police officer, and, (iii) if the allegation is supported or sustained by another governmental agency, (iv) such supported allegaton will disqualify the Police officer's Qualified Immunity status in the case of a civil suit. (v) The Police officer should be advised to carry his/her own liability insurance.

From: M. Catherine Hirschbiel <mcatherinehirschbiel@gmail.com>  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: In support of Senate police reform bill, S.2820

Hello, my name is Mary Schneiderman, I live in Malden, MA but I used to live in Medford where the police notoriously staged an offensive Halloween

demonstration in 2016 in which someone wearing a Hillary Clinton mask and an orange prison jumpsuit was handcuffed and hauled away. They posted a picture on Facebook. I think the officers were suspended but no further actions were taken. The people who are supposed to be protecting us should not behave in such a manner.

Police reform is necessary and good. Please pass a strong bill ASAP

Regards,

Mary Catherine Schneiderman  
302-229-7932

From: a.polley@comcast.net  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Alice Polley with the Greater Boston Interfaith Organization (GBIO). I live at 865 Central Ave, M203, Needham, MA 02492. I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Alice L. Polley

865 Central Ave, M203

Needham, MA 02492

781-400-2684

617-921-8184 (cell)

From: Michael Reilly <m.reilly@newburypolice.com>  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: lenny.mirra@gmail.com  
Subject: Concerns to SB2820

Dear Chair Aaron Michelwitz and Chair Claire Cronin, please accept the following testimony with regard to SB2820—An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color:

I concur with all the excellent points made by Chief Farnsworth and Chief Kyes in their joint response to this bill dated July 16, 2020. I would only add that the collateral damage to all Massachusetts communities should Qualified Immunity be eliminated would be devastating. I envision a mass exodus of first responders, as they will no longer be able to obtain homeowner's insurance. I also envision that the burden of indemnification (for qualified immunity purposes) falling on each community which will in turn drastically increase insurance premiums for the individual communities. As such, operating budgets will need to be slashed to account for the premium increases, resulting in service reductions, or in the alternative, large tax increases.

I would respectfully request that before such drastic measures take place, we take the time to look at the entire picture and debate the long-term consequences of such actions. I see no long-term benefits of passing this comprehensive bill in such a rushed fashion. I would implore the legislature to engage in conversation with your law enforcement professionals on these matters. I think that if you took the time to really listen to what we have to say, you would see that we are not too far apart on many of these important issues. I thank you for your invitation for discourse on these important matters.

From: Ruth Barbosa <ruthb85@gmail.com>  
Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)

Subject: Opposition to Bill 2820

Dear Chair Michlewitz and Chair Cronin,

My name is Ruth Barbosa and I live at 61 Hancock St Dorchester, Ma. I work at Suffolk County Sheriff's Department and I am a correctional officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ???????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Ruth Barbosa From: Marian Klausner <shakethetree@rcn.com>



Sent: Friday, July 17, 2020 10:25 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass SB 2800 Police Reform

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:  
My name is Marian Klausner. I am a resident of Brookline and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety. I support bans on chokeholds, de-escalation tactics, prohibitions on the use of facial recognition, limits on qualified immunity for police, and redirecting money from policing to community investment. I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement. Thank you for your consideration of your request to give SB.2800 a favorable report.  
Sincerely,  
Marian Klausner  
24 Adams Street  
Brookline, MA 02446

Shake the Tree  
67 Salem Street  
Boston, Massachusetts 02113

617-742-0484

From: Lynnae Terrill <lynnaecherie@gmail.com>  
Sent: Friday, July 17, 2020 10:26 AM  
To: Testimony HWM Judiciary (HOU); Vitolo, Tommy - Rep. (HOU)  
Subject: Please pass a strong omnibus bill to increase police accountability

Dear Chairs Aaron Michlewitz and Claire Cronin and Rep. Tommy Vitolo,

I am writing to voice my support for the Reform, Shift + Build Act (S.2800) bill which has recently passed the Senate, and to ask you to include three essential measures in any House legislation on police accountability and racial justice. Please prohibit violent police tactics, impose meaningful restrictions on qualified immunity, and ban the use of discriminatory face surveillance.

Massachusetts is not immune to systemic racism in policing. It's long been clear that Black people in the Commonwealth are over-policed and under-served. Meanwhile, police are rarely held accountable for corruption or serious misconduct. This moment presents a significant opportunity for racial justice, and we should seize it.

First, please implement strong use of force standards as set out in Rep. Miranda's bill, An Act to Save Black Lives, including complete bans on the most violent police tactics.

Second, impose strict limits on qualified immunity to ensure that police can be held accountable when they violate people's rights. I believe this is absolutely crucial, both as a mechanism of accountability and as a way to further peace and justice in the Commonwealth. A government entity with the power of force which is currently entrusted to the police must be kept in check by the power of the people and communities they serve. The ability to hold members of law enforcement responsible for their actions in a court of law is essential for this balance of powers, and I believe we must have this ability in Massachusetts. Banning violent police tactics is meaningless if there is no way for people to hold the police accountable when they break the rules. Victims of police brutality deserve justice.

Finally, please support an unequivocal ban on the use of dangerous facial recognition technology that would supercharge racist policing. The dangers of face surveillance and systemic racism in policing will not evaporate in mere months. The moratorium on the use of this technology should not be lifted until the legislature enacts meaningful regulation to guard against racial bias, invasions of privacy, and violations of due process.

Massachusetts has an opportunity to be a leader in this nationwide movement—and as your constituent I implore you to take that opportunity to do the right thing. We need to deliver racial justice to all people in our state, and that starts with baseline police accountability through robust legislation.

Please work to include the above provisions in the final version of this bill. Thank you for your time and service to the people of Massachusetts.

Sincerely,  
Lynnae Terrill  
1454 Beacon Street, No. 742  
Brookline, MA 02446  
From: Larissa Castro <wrciaofficial@yahoo.com>  
Sent: Friday, July 17, 2020 10:24 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2800

Good Morning,

As your constituents, We write to you today to express my strong opposition to many parts of the recently passed S.2820. We hope that you will join us in prioritizing support for the establishment of a standards

and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

We are, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,  
THE WRCIA  
West Roxbury Civic Association  
617-325-0410  
Sent from my iPhone  
From: Doherty, Carol - Rep. (HOU)  
Sent: Friday, July 17, 2020 10:24 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Testimony

July 17, 2020

Dear Mr. Speaker and Chair, Representative Claire Cronin,

I feel compelled to weigh in on S2800. As a newly elected House member I have pledged to listen to my constituents regarding issues and ideas they might express that may guide my decision-making. Where we may not always agree, I have the responsibility to know what folks are thinking and be prepared to address their concerns.

Among the several hundred communications I have received regarding Police Reform, talking with the dozens of persons, both police and concerned citizens, I have not received a single message hailing the virtues of this Bill. The focus has been solely on the dangers, in their opinion, of altering Qualified Immunity thus exposing not only police but others to the effects over time. All of these messages obscure the multiple benefits of this legislation regarding Police Reform: training, certification; accreditation; uniform guidelines; use of force; duty to intervene, and so forth. These aspects of the Bill will do so much to put our policing on the right path.

Like others I feel strongly that, to allay concerns, correct misinformation and generally show the good faith of the Legislature to enact a Bill that supports our long term goals, to effectively achieve Police Reform, and to address their concerns we should consider placing Qualified Immunity into a study committee with a time certain within which to bring forth findings.

Respectfully submitted:

Carol Doherty

Representative

3rd Bristol District

From: Joy <joymikhail@gmail.com>  
Sent: Friday, July 17, 2020 10:24 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform, Shift + Build Act (S.2800)

Chair Aaron Michlewitz & Chair Claire Cronin,  
My name is Joy Mikhail and I am writing to you to address the Reform, Shift, + Build Act (S.2800). Of major importance within this bill is the point of qualified immunity (QI), which is what made it possible for Derek Chauvin to still wear his badge after facing 17 complaints, one of which was a fatal shooting. It is eventually what allowed Chauvin to brutally murder George Floyd in broad daylight and remain free until the world started demanding justice. It is what prevents victims and their families not to have a day in court. It is what shields the racist cops and allows them to violate the civil liberty of Black and Brown lives. We cannot talk about dismantling systemic racism in policing without reforming the QI. Police accountability starts with getting rid of QI.

I have the honor of serving the city of Boston as an educator in the Boston Public School system. As a member of the Brown and Black communities, both in my own, personal life, as well as in my professional life, I implore you to consider the importance of eliminating QI. I understand there are many issues of systemic racism that will not be completely remediated for my own generation, but I advocate for my young students' and my own children's generation, that they will live a life where some systemic racism is dismantled, especially within an area such as QI, where the answer seems so clear. I advocate so they can live a life with less fear, more power, where their voices are heard, and their lives are valued.

Thank you and I trust you will do what is best for the marginalized in your community.

Best,  
Joy Mikhail  
From: rbsngrp@aol.com  
Sent: Friday, July 17, 2020 10:24 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: URGENT!! S. 2820

With great urgency I ask that you exercise the utmost scrutiny to the police reform bill before you.

I have never had a complaint filed against me in nearly 20 years of service as police officer in the Commonwealth of Massachusetts. I think that's the type of officer you strive to have in policing. I have boxes of cards and letters from the community and I have kept nearly every

one as a reminder of the positive impact I have on people's lives. Nobody in my family was in law enforcement. Not one person. In fact, most of my family vehemently tried to persuade me against it. Still, after serving 4 years active duty in the U.S. Army, deploying Desert Shield and Desert Storm, I returned to Massachusetts to continue to serve yet again on a local level. When people say they support our troops but hate police, it blows my mind! In many cases, you're talking about the exact same person!

I am one of 3 females on my department. I have always been treated with respect and the utmost dignity. The men I work alongside are professional and respectful to a fault. I'm proud to belong among them in this noble profession.

The public, however has not always been so respectful. I've been called every name you can imagine. Every vulgar thing you can say to a woman has been hurled my way. I've been kicked, punched, spit on, concussed, threatened, and indecently assaulted. My family has vicariously endured this as well. The most that has ever been done over all these years to any person who has physically assaulted me or threaten to kill me and/or my entire family was probation! Even if they were already on probation, guess what happened? Just a little longer probation. What message does that send to the officer? I can tell you; it sends a message loud and clear that we aren't worth anything and our families don't mean much either! Our injuries are not taken into consideration and are "just part of the job". This is entirely unacceptable! Before now, NONE of this made me consider leaving this profession or walk away from my duty.

If you wonder why we are hyper-alert and suspicious of everyone, it's because we lose officers every day across our nation. We get the Officer Down alerts and it feels just a little bit closer. It's because courts are regularly turning people loose who are violent, carrying guns, ...stolen guns, repeatedly! We know we will surely be encountering those people; we just don't have the benefit of knowing in advance, it could be anyone at any time. I can't tell you the shock I am in when I encounter someone who is one their 2nd, 3rd, 4th or more illegal gun charge walking around free in society! What!? The public is not aware that this is even happening! We know it's happening and what these folks are capable of, and they have learned that minimal consequences, if any, will follow. The public doesn't have the benefit of this insight unless they unfortunately fall victim. These are people that have no respect or regard for us, the public or even themselves!

The same is true for the soaring mental health problem. What I'm saying is that all of these problems are continuously dumped back on police and the involved agencies are letting us down! We are in a lose-lose situation where we are being set up to fail. Police cannot cure all that ails society, but we sure are taking the bulk of the blame for it,

including race issues and claims that we are not "trained" enough. If I may agree in the training regard that when we routinely are called to a group home or ½ way house for someone that the trained professionals can no longer handle. Are we somehow supposed to be trained beyond the level of mental health professionals in that field? If it's beyond their scope, how would we ever become trained well enough that we surpass the career training of these mental health professionals?

Repeated calls to these situations are often violent and are among the most dangerous and challenging we face. Many group homes are housing people in residential area that are way beyond their ability and scope to treat in that type of environment. We are fully aware that we are likely going to be put in a situation where we need to protect ourselves and others but that any physical contact with these parties will be viewed as unnecessary or excessive. At times we have to take an officer off the road to ride in the ambulance in order to protect the paramedics, while they fight and spit, putting everyone at risk of biological hazards or injury.

Meaningful change needs to occur in our mental health response! Mental health related calls have exploded. They are the bulk of what we deal with now. If there is a belief that some funding should be moved from policing to social programs, and those programs include a SERIOUS mental health initiative, we are on board! Those calls however, need to be shifted away from police and toward those mental health agencies. They need to be removed from police responses, because that's where your calls will go bad and the liability comes in for the officer, agency and community. The things that nobody wants to deal with, routinely land in our lap. Go deal with it, but afterwards, "we don't like how you dealt with it". It's because it should not have been the police dealing with it in the first place.

Mental health is the root of the vast majority of our most serious issues. If you properly deal with mental health, you avoid the consequences of mental health problems. We have a "lack of coping skills" in this country. When people can't properly "cope", they hurt themselves, they hurt others, they abuse drugs and alcohol, self-medicate. This in turn causes people to commit property crimes, get involved in drug activity or commit offenses to accommodate the lifestyle. It all truly comes back to not being able to properly cope in life and the result of that struggle.

Again, I cannot stress enough that we are failing at dealing with this key issue and we have been for a long time! Officers are routinely put in a position to take someone into custody for drugs/alcohol/mental health for a civil commitment against their will.

The revolving door spits these folks back out without any meaningful assistance. I've personally taken some of the same individuals dozens of times. Now they are angry at the family members and they are angry at police. This doesn't make it easier. It makes it a lot harder!

Again, a recipe for disaster that does nothing to help anyone involved, builds frustration and creates a dangerous situation for everyone involved.

This reform bill that threatens qualified immunity and threatens to potentially bankrupt me and my family, makes me want to leave policing immediately.

I know I'm asked a lot of in policing, even risking my life and safety. I went into it knowing that. What I didn't know was that now they'd be asking me to potentially sacrifice my financial security on the whim of someone from the public making a claim against me, who wouldn't hesitate to lie or embellish the incident, after all, they're already willing to assault me and threaten me. Now place some monetary incentive behind it and you can imagine the potential.

How much is too much to ask of someone from their job? Well, I'll tell you that being at risk of criminal charges, and losing your assets when you believe you are doing the right thing, would be your answer. Where is the upside to this profession now? What is the incentive to keep doing the honorable thing when you are constantly vilified regardless of how you conduct yourself? Even when you're right, you could now be wrong based on a point of view from people who don't understand the pressure and circumstances of this job and what people are actually willing to do, even to a female (I'm someone's Mom).

I have been part of the CISM Peer Support Team for about 5 years. I don't get paid for this. I do it because it's important to help people. I care about the mental health of the folks in this profession who see the most gruesome, heinous, unimaginable things out there, all while trying to juggle their own lives and the inevitable struggles that come with it. A lot of folks are suffering from what they have had to respond to. This causes lasting detrimental effects. Poor mental health causes poor decision making. Not a good combination when you must do it quickly and often!

I urge you to rethink this bill and some of the extreme things it's asking of our men and women in blue. I implore you to at the very least, see that this bill includes Critical Incident Stress Mgmt. and Peer Support Programs, and preserve our due process and qualified (not absolute) immunity. Our officers are being vilified for the actions of



officers we've never even met and probably never would. I can think of no other profession that is punished across the board in this manner. We drop everything to come to everyone else's aid when they need help. Who will come to our aid? Who is helping us?

At the bare minimum, officer mental wellness needs to be a priority. We are going to need it!

I'm a member of our department's hiring board. It's a time consuming, rigorous, careful process. Over the past few years, the quality and quantity of candidates has dropped substantially. The best candidates, not surprisingly are going to jobs with better working conditions, hours, respect and pay. I worry what kind of candidates would now be willing to step up to do this job, as most intelligent, talented people will undoubtedly pass on this.

We welcome opportunities to improve our tactics and raise the standards of our chosen profession. The public needs to bring their standards up as well!

We no longer seem to be teaching respect and law-abiding behaviors. Every call we go on now is a debate or worse. It has become a sport to challenge officers in even the most minor interaction. We didn't get the benefit of safely working from home, time off or incentive checks during this COVID-19 crisis. We did what was asked of us despite the risk to ourselves and our families. We enjoyed a brief moment of gratitude from the public and then just like that, the sickening act of one distant officer made every single one of us monsters. Is that a best practice for raising the bar in any profession? Is that really how it's supposed to work?

It makes me sad for society going forward.

There are a lot a good people in our community, and many of them work alongside me. Our communities will lose compassionate, upstanding, professional officers who have years of experience and formal education. Many volunteer in the community or commit quiet acts of kindness that nobody ever hears about.

I ask that you do the right thing and consider the impact this will have on the men and women who give so much to people, who at times care so little for us.

Respectfully,

Kelly A. Chuilli  
Bridgewater Police  
508-697-6118

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From: Chris Brady <cjoe.brady@gmail.com>  
Sent: Friday, July 17, 2020 10:24 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Written Testimony for Reforming Police Standards

Hello,

I would like to speak on the part of this bill that limits qualified immunity. I, as well as many vocal classmates of mine, are in wholehearted support of limiting qualified immunity.

We are a law and order society. No one is above the law, not even police officers. While we all respect the work that they do, there are systemic problems with how bad police officers are able to infringe on a person's constitutional rights, and be protected from the justice system they are supposed to enforce.

Cops have been given immunity in cases where they have clearly crossed legal lines. For example, immunity was granted after an officer shot an unarmed 15 year old, shooting a man with cerebral palsy, and killing a teenager due to excessive handcuffing. Qualified immunity almost always allows officers who are in clear violation of the Constitution to face no legal repercussions. That is of course, unless there is a precedent to charge an officer in that situation. But how do you establish this precedent when every officer gets off on qualified immunity?

Imagine if a regular person broke the law, and used, "I didn't know I broke the law" as their defense. That isn't an excuse. Except it is, for the one group of individuals who are supposed to enforce the law.

I applaud the senate for passing this measure and I urge the house to do so as well. Ending qualified immunity allows police officers to be held to the same standard as everyone else. This will allow those most affected by police brutality to be able to collect compensation for instances where their rights are violated.

Thank you,  
Christopher Brady  
Resident of North Andover, MA.

Citations:

<https://www.newsbreak.com/news/0Npa6EYM/reversal-indianapolis-police-immune-in-teens-death-linked-to-handcuffing>  
<[<https://www.newschannel10.com/2020/02/06/perryton-officer-granted-immunity-after-shooting-man-with-cerebral-palsy/>  
<\[<https://reason.com/2019/08/22/court-rules-cop-who-shot-unarmed-15-year-old-is-protected-by-qualified-immunity/>  
<\\[From: Linda Coville <lulujean61154@verizon.net>  
Sent: Friday, July 17, 2020 10:23 AM  
To: Testimony HWM Judiciary \\\(HOU\\\)  
Subject: Reject Senate Policing bill SB 2820\\]\\(https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_reason.com\\_2019\\_08\\_22\\_court-2Drules-2Dcop-2Dwho-2Dshot-2Dunarmed-2D15-2Dyear-2Dold-2Dis-2Dprotected-2Dby-2Dqualified-2Dimmunity\\_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuk13zIs16rchf\\_GkGDD&m=OHk-NnQexxNwxU-gcHSYkvt844J5oCR5wZfAY9Q4I3M&s=NLmbsAP8trs6dq5jtWTXWyBQR EB1HjDiMRnxICjLw3w&e=></a></p></div><div data-bbox=\\)\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_www.newschannel10.com\_2020\_02\_06\_perryton-2Dofficer-2Dgranted-2Dimmunity-2Dafter-2Dshooting-2Dman-2Dwith-2Dcerebral-2Dpalsy\_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiuk13zIs16rchf\_GkGDD&m=OHk-NnQexxNwxU-gcHSYkvt844J5oCR5wZfAY9Q4I3M&s=ydhpNjxWEvIONqE1E5YQvofwjsRxODtCfHWxo914n58&e=></a></p></div><div data-bbox=\)](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.newsbreak.com_news_0Npa6EYM_reversal-2Dindianapolis-2Dpolice-2Dimmune-2Din-2Dteens-2Ddeath-2Dlinked-2Dto-2Dhandcuffing&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIs16rchf_GkGDD&m=OHk-NnQexxNwxU-gcHSYkvt844J5oCR5wZfAY9Q4I3M&s=rN8WloJ9w9jjwvKhk6qtbklyghlKEDBhsViOmrZLDCg&e=></a></p></div><div data-bbox=)

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Sent from Yahoo Mail on Android

<[hrossicone@cjbarrett.com](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.onelink.me_107872968-3Fpid-3DInProduct-26c-3DGlobal-5FInternal-5FYGrowth-5FAndroidEmailSig-5F-5FAndroidUsers-26af-5Fwl-3Dym-26af-5Fsub1-3DInternal-26af-5Fsub2-3DGlobal-5FYGrowth-26af-5Fsub3-3DEmailSignature&d=DwMCAQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=0xUZ08LileaZ9tjDD6sBdZBoSA-3jwrL4ag2WbO53rY&s=gCRksCAXeLiFcPtOVDUnXE7Euj9BtZlUV3iUACKrKLC&e=></a><br/>From: Heidi Rossicone <<a href=)>  
Sent: Friday, July 17, 2020 10:23 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S 2820

To Whom It May Concern,

Please accept this as my written testimony on Bill S 2820.

As I am strongly concerned with many aspects of this bill. Today I will focus on the potential removal of Qualified Immunity.

Although it would be removed for more than one profession, it is clear that it is a direct attack toward police officers. I am so dismayed, disgusted, I just don't have enough words. What is the goal here? To punish police for infractions they have not committed?

Before this came to the table, I wondered why anyone would want to take this position. Police and their families were always targets. Police have always been hated and their families living in fear. Now they have to live in fear of losing everything they work for if they help us. I think about instances where officers perform CPR as they are always first on scene. Will they still do this? At what risk? Everything they do must be reviewed. I would think the only way they would be safe would be in the case of doing absolutely nothing. Overlooking all crime. But can they then be sued for that?

There was an officer in our town who told a business owner to stop what he was doing, as he was taking money from predominantly elderly women. He cried racism. In a case like this, He could own that officer's house if that bill passes. Further, I read posts stating he is still doing it. Who can stop it without losing their livelihood? Nobody. As we all know, there are endless examples just like this.

This bill is detrimental to all citizens. Please think about who is pushing this. What do they contribute in a positive manner? We are always asking police to contribute in a positive manner. Yet we are going to take away their ability to contribute at all.

There is no good work an officer can do without being the target of potential lawsuits. Every person arrested thinks they are innocent. If this ruling passes, the reality is, there will be an increase in crime and a drop in arrests. There will also be a mass exit of qualified officers and a shortage of new, quality officers. If we are attempting to abolish police all together, then I think this must be the correct route.

I am a realtor and I have been hearing all week, "I need to get out of this state." What happens when we lose taxpayers? Are others coming here in droves? I tend to doubt it. Who will pay for the insurance police will have to purchase to cover frivolous lawsuits?

This bill is disturbing, insulting, shameful and and dangerous. I ask that you reject it.

Thank you for your time,  
Heidi Rossicone

From: Amy Coe <amyecoe@gmail.com>  
Sent: Friday, July 17, 2020 10:23 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support Strong Police Reform

Hello, my name is Amy Coe with the Greater Boston Interfaith Organization (GBIO). I live at 48 Aldworth St. in Jamaica Plain, 02130 . I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force

-Qualified immunity reform

Thank you very much.

Amy Coe  
48 Aldworth St.  
Jamaica Plain, MA 02130  
amyecoe@gmail.com  
(617) 901-1143

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Promise me you'll always remember: You're braver than you believe, and stronger than you seem, and smarter than you think.

-A.A. Milne, English author

From: Amy Schectman <amyschectman@gmail.com>

Sent: Friday, July 17, 2020 10:22 AM

To: Testimony HWM Judiciary (HOU)

Subject: constituent input

We hope you will consider our heartfelt input on the Police Reform Bill. We lend our strong voices in support, especially on the provisions for treating youth as youth.

Please have the state recognize the brain-science and data and raise the age at which emerging adults are processed in the juvenile system from 18 to 20 years-old.

This is a key area we see our young people, especially our young men of color, get derailed. In all the many efforts to promote racial justice and reform our criminal justice system, we need to prioritize not pushing our children into adult jail and serving them in a more developmentally appropriate juvenile system. Only 25% of Massachusetts' young adult population is Black or Latino, but 70% of young adults incarcerated in state prisons and 57% of young adults incarcerated in county jails are people of color. We need to get them out and keep them out.

The DYS census (juvenile system) is down and there is existing capacity to do this. The outcomes are better, education is required in the juvenile system, and we prevent young adults from being crippled by CORIs- all of which is better for public safety and the lives of young people.

Thank you, Amy Schectman

From: Anne Hannan <anne.hannan14@gmail.com>

Sent: Friday, July 17, 2020 10:23 AM

To: Testimony HWM Judiciary (HOU)  
Subject: Testimony for Police Reform Bill S2820

Distinguished Representatives,

Thank you for making time for citizen input on this bill, S2820. I feel as though I have a unique perspective as a clinical social worker working in the mental health field at a psychiatric unit for children in Brighton, MA.

S2820 will more effectively position law enforcement to act with only the tools, tactics, and mentalities appropriate for the job. My time in social work and in the Boston community informs this position. In my career, I work to deescalate those with mental illness without utilizing physical management. On the unit, we train and re-train all those interfacing with the children and families regarding doing everything we can to not physically manage individuals, as we know this can further re-traumatize them. Our clients often come in after their families have called the police when their children are in mental health crises. Often, unfortunately, they have negative experiences with the police who are not trauma informed and put hands-on quickly as an intervention. Unfortunately, families of color have more negative experiences with the police than other populations I serve. Families in crisis that I work with have also had many dangerous and impactful violence continue to occur and not gotten mental health treatment soon enough due to fear of calling the police and having them come into their homes. Individuals often first encounter the police in a crisis and this can change the trajectory of their openness to continue to get help.

S2820 is an important step forward in the long overdue process to establish officer accountability and modernize and humanize law enforcement. I know that many officers who wear the uniform do so with the best of intentions and a similar desire to myself, to serve the community. However, the fear and anger felt by so many, especially marginalized people, is a predictable consequence from generations of tolerance of cruel and ineffective policing. The distrust that many of my patients and families have of the police manifests in the perpetuation of poverty, generational trauma, and the inability to access community resources and supports. As a Massachusetts citizen who has also dedicated her career to the safety and well-being of her community, I urge you in the strongest possible terms to pass this bill into law.

Thank you for your time and consideration,

Anne Hannan, LICSW

Boston, MA

From: christa chapman <crc1289@icloud.com>  
Sent: Friday, July 17, 2020 10:23 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Christa Chapman  
92 Idlewell Blvd  
Weymouth, MA 02188

Sent from my iPhoneFrom: brian donaghey <donaghey.brian@yahoo.com>  
Sent: Friday, July 17, 2020 10:21 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.



(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Brian Donaghey Jr

139 Norfolk Street

Donaghey.brian@yahoo.com

From: S. Almeda <schoolmeadow@yahoo.com>  
Sent: Friday, July 17, 2020 10:22 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Oppose S2800

My Name is Susan Almeda. i am a resident of Walpole. I Oppose S2800 The Police Reform Bill. Police Reform, if necessary, needs to be deliberated for a long time with input from all parties: the police and people in the communities that will be affected. Not just politician looking to make a name for themselves without regard to the fallout. This sweeping legislation will have unforeseen consequences that will affect people in poor neighborhoods far more adversely than those the suburbs. It puts the police as well as the citizenry at risk. Please stop this bill. Thank you, Susan Almeda

1281 Washington St.  
Walpole, MA 02081

From: Eric Desrochers <edesro322@gmail.com>  
Sent: Friday, July 17, 2020 10:22 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Comment on Police Reform Bill

Honorable State Representatives

First and foremost I would like to take this opportunity to thank you for your public service and allowing me to submit written testimony on behalf of your law enforcement community in the Commonwealth relative to Senate Bill 2820.

I have been a sworn police officer in the Commonwealth for sixteen years. I am proud to be a member of this profession and look forward to coming to work every day to serve the citizens of Massachusetts. Some days are better than others, but I have never considered another career. One thing gets lost with the politicization of police reform and the recent events that have occurred in the United States. The vast majority (I'm guessing nearly 100%) of police officers are outraged at the events that occurred earlier this year in Minneapolis, Minnesota. I think you would be hard pressed to find anybody, especially police officers, that don't believe the Officer responsible for the death of George Floyd should be punished and harshly.

Another area that is lost on a lot of people is that in the nature of police work, we often must make decisions with whatever scenario we have in front of us and that decision must be made within minutes if not seconds. We proudly take on this challenge, but it is a challenge that is often forgotten when the events are revisited and replayed days, months, and/or years later with the benefit of time and reflection.

With all of that said I want to share with you that I strongly stand AGAINST S2820 in its current form. The senate version of this bill as written will seriously undermine police officers' ability to do their jobs while simultaneously allowing provisions to protect criminals. Furthermore, the process employed by the Senate to push this through with such haste and without public hearings or input of any king was extremely undemocratic and nontransparent.

With the information I shared with you above regarding the day to day challenges we face, most of us welcome uniform training as well as a uniform set of standards and policies. Quite honestly we have been requesting more training for many years.

The Senate version of a regulatory board is unacceptable as it strips officers of the due process rights that are afforded to every other citizen of the Commonwealth. The regulatory board as proposed also does away with the protections currently set forth in collective bargaining agreements and civil service law. The Senate created a board that is dominated by anti-police groups who have a long-detailed record of biases against law enforcement and preconceived punitive motives toward police. The proposed makeup of the oversight board is one-sided and biased against law enforcement. It is unlike any of the 160 other regulatory boards across this Commonwealth. I do not see how an oversight board of this makeup could be considered to be fair or impartial.

In my opinion what the Senate has tried to do is pass a knee jerk reaction to an incident which occurred half a country away and that as I alluded to, everyone agrees was egregious.

This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers, it protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few.

Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.

If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide.

I want to end this message as I began it. I have been a sworn police officer for sixteen years. During those years I have come to work every day and done my job to the best of my ability. I have never been disciplined and take the position I have and the authority granted under it very seriously. I approach every situation and scenario as its own and try to use my discretion to solve a problem not to punish or be punitive.

The legislature of this Commonwealth and quite frankly the United States as a whole, MUST understand that if these types of anti-police bills are passed into law you are punishing a community of almost 800,000 police

officers for the reprehensible actions of a small fraction of this group. I implore you to work WITH the law enforcement community in the Commonwealth. You will find a group of people who welcome training, standards, and even a review or oversight board. But, they must allow us to exercise our rights under collective bargaining and the right to due process.

Despite the negative tone that police reform is being approached with, it does not have to be. Your law enforcement officers ARE part of the solution, not the problem.

Respectfully,

Eric Desrochers  
435 Pleasant St, Bridgewater  
EDesro322@gmail.com  
From: PETER L CARNES <plcarnes@comcast.net>  
Sent: Friday, July 17, 2020 10:21 AM  
To: Testimony HWM Judiciary (HOU); plcarnes@comast.net  
Subject: Written Testimony S2820

Good Morning;

1. I write today as a citizen who has served as a Police Officer in the Commonwealth since 1973, Chief of Police in Wenham, 1984-1995, Chief of Police in Yarmouth 1995-2008, Chief of Police Director of Safety at Stonehill College, 2008-2019. Police Academy Director 2019-2020, and Adjunct Professor at Stonehill College, North Shore Community College and Cape Cod Community College. In addition, I have served as the President of the Massachusetts Chiefs of Police Association, the Essex County Chiefs of Police Association and the Cape Cod Chiefs of Police. Internationally, I have served as a Board Member for the International Chiefs of Police Association. My professional career has brought me to be a Lecturer on Community Policing, Police Ethics and a number of related Policing topics around the Country. As a Consultant, I have worked for over twenty years as an Assessor for the hiring of Command Staff of multiple ranks, in over 200 Police Agencies. I will be brief in my comments in an important effort to provide meaningful information;

2) In 2020, we already, Nationally experience a serious problems and a steady decline in the recruitment and the retention of quality employees. A National expert on the topic recently said, "the hiring pool has now become the hiring puddle" This "knee jerk" attempt at Police Reform legislation in Massachusetts, will certainly drive high quality young people away from the profession. The risk of injury, civil liability, or even the death of the Officer will be perceived as too great, or risky. These quality young people will chose other careers, they will steer away from Public Service, if the proposed legislation passes as written.

3) The Senate Bill view on Qualified Immunity is wrong. The reality of Qualified Immunity is totally misunderstood. Qualified immunity does not serve to protect illegal actions by Police Officers. Rather, it safeguards all public officials in situations where the law was unclear and does not give adequate guidance. A member of the Senate recently wrote to me that the killer of Mr. Floyd in Minneapolis maybe set "free" because he has qualified immunity. That is totally wrong, he is criminally charged and the idea that he could be freed is fueled by the false narrative that is now pushing for the rapid and not well thought out Police Reform legislation.

4) I support the effort for POST (Police Officers Standards and Training) requirements for Police Officers, this Nationally, started in our Country in the 1960's and the Massachusetts has shown little or NO interest in the effort. In the last ten years, I have testified at the State House on POST and have supported the de-certification of rogue Police Officers. The POST efforts were always deferred out to ultimately experience a slow death somewhere in the legislative process. Frustrating at best ! Now we are rushing to accomplish what we should have made law in the 80's or 90's, the current motives are suspicious, at best. Municipal Police Training in Massachusetts has been an embarrassment for years. Always underfunded and constantly operating in a deficit. A study of Local Police training performed by Attorney John Scheft of Law Enforcement Dimensions, several years ago, showed we were the forty ninth lowest, per capita in funding Police Training. Compared to the rest of the Nation, this is deplorable and has now only improved slightly. At the same time Chiefs and Police leaders were testifying yearly for funding increases in the Municipal Police Training budget. Unfulfilled promises followed. Sadly, today we rent or borrow classrooms across the Commonwealth to provide Recruit or In-service training. Most specialty training Programs have been eliminated to lack of funding. The Executive Office of Public Safety and Security did away with Police Accreditation in the 1990's. Thankfully a group of creative Chiefs have restored this effort, away from Government within a private corporation. Suddenly, we are again speaking about the need for Accreditation, decades after not supporting the concept. I find that suspicious, as well.

5) We in Massachusetts have survived while underfunding training, short changing all training programs and our community policing programs. The survival of our Officers and our citizenry has been miraculous and has been due to the fact we have great Police Officers, men and women that go to work 24/7 protecting our communities. They do this so very well, everyday. We are not Minneapolis, or Georgia or Texas. We employ good Use of Force policies that do protect all of our citizens and our Officers alike. Tactics like chokeholds are not found in those policies ! I can accept the need for reform, in our World today we need to listen to and work with the entire Community, everyday. It can be said that the Men and Women of Law Enforcement want reform as well. Please do not make our hardworking Men and Women scapegoats for Racism or years of Government inattention to the real problems and issues of our Society. Your Police

Officers will accept change to build a more, equitable, fair and just commonwealth that values Black lives and communities of color. You cannot thrust these changes forward because of actions that occurred in other States.

6) As a citizen of the Commonwealth, I ask that you take the time, listen to all sides of the issues at hand and have a thoughtful deliberation. Do not rush the process, if you do, the damage will be felt in our profession for decades to come.

Peter L. Carnes  
22 Nimble Hill Drive  
Yarmouthport, Massachusetts 02675  
From: Jim G <jgib00@hotmail.com>  
Sent: Friday, July 17, 2020 10:22 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Hogan, Kate - Rep. (HOU)  
Subject: Massachusetts House Bill S2800

As a resident of Massachusetts and your constituent I very strongly urge you to vote against the Massachusetts Bill to Reform Police, S2800.

I have read much of Massachusetts S280 and I believe that if the public were given the proper chance to voice their opinions you would find that a vast majority of your constituents would oppose many aspects of this bill. Including taking away due process for police, removing qualified immunity, making it more difficult for schools to share data with police and sending "Community Development Professionals" to respond to police calls. I believe these changes, among others, will have grave consequences for the people this bill is intend to help.

I would also like to voice my concerns about how quickly this bill was written and pushed through. Often I hear of many bills, that have far less impact on society and our institutions, that are "held up in committee" or waiting on multiple studies, research, expert testimony and public hearings before a vote is taken. But this bill seems to have skipped the typical process.

Sincerely,

Jim Gibbons  
13 Saw Mill Rd, Stow MA  
Jgib00@hotmail.com  
617-838-2521

Sent via the Samsung Galaxy S7 active, an AT&T 4G LTE smartphone

From: Claudia Mastroianni <claudia.m@gmail.com>  
Sent: Friday, July 17, 2020 10:22 AM

To: Testimony HWM Judiciary (HOU)  
Subject: S2800 comments

Hello, Representatives!

I'm writing as an individual citizen strongly in favor of the passage of this bill.

I don't know which provisions are in response to specific identified problems in the Commonwealth and which are preventative, but specific aspects of the bill that I enthusiastically support include those bringing more accountability for officer actions:

- \* limitation of qualified immunity;
- \* exempting some aspects of personnel records from privacy constraints;
- \* limitations on no-knock entrance that includes \*excluding evidence\* obtained improperly through them;
- \* various "knew or should have known" common-sense phrasings;
- \* the provision for a statewide certification body and process.

Plans for uniform body cam practice; receipts for traffic stops; banning of chokeholds; restraint on use of chemical weapons, rubber bullets, and dogs; more bars to militarization of LEO resources—these also all strike me as excellent goals, and I hope the bill passes substantially as it stands.

Sincerely,  
Claudia Mastroianni  
Somerville, MA  
857-928-9346

PS: My proofreader's eye caught something but I wouldn't want it to jeopardize the overall passage of the bill: on page 9 there doesn't seem to be anything specified for how the LEO below the rank of sergeant will be nominated. If this is actually a problem it is presumably easily amended later. From: crista nardone <cristanardone17@gmail.com>  
Sent: Friday, July 17, 2020 10:21 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony letter

Dear Senator,

My name is Crista Nardone and I live at 28 Prince Path, Sandwich MA. As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong in many ways.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation

has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Please remember that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Crista Nardone

From: NICHOLAS ZEOLI <nzeoli14@comcast.net>  
Sent: Friday, July 17, 2020 10:21 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Cronin, Claire - Rep. (HOU)  
Subject: Public Comment Police Reform Bill

Honorable Members of the Massachusetts House of Representatives:

I am writing you in hopes that you will consider my position on bill S. 280.

My name is Nick Zeoli and I am a Lieutenant for the Rockland Police Department as well as the Union President for the Superior Officers, Local 175 NEPBA.

You have before you a bill that will have considerable negative implications for Law Enforcement for years to come. This bill as written is seriously flawed and in my opinion is a "knee jerk" reaction to events that have occurred in other parts of the country and does NOT reflect policing as we know it in the Commonwealth of Massachusetts.



I am asking that you NOT support this bill as written since it changes Qualified Immunity to the detriment of Police Officers. These changes will create large numbers of state law claims against public employees in state courts, claims that could easily be dismissed by Federal judges but could now cost cities and towns significant monies which will further strain already tight municipal budgets.

I am also troubled by the statements of legislators who say that local indemnification will protect officers. This is not true. Indemnification is DISCRETIONARY for municipal police officers.

I also do not feel that the due process rights of officers should be put in the hands of political boards made up with members, many of whom have no Law Enforcement background. These boards should have as a majority, appropriate Law Enforcement Professionals. This would be consistent with the make-up of other professional boards.

I have been a police officer for nearly 27 years and have found it to be a rewarding and honorable profession. The Officers that I work with are true professionals and work hard every day to protect the citizens and property of our community. We continue to do our job day in and day out to the best of our ability and under some of the most challenging circumstances. This bill however will put an unnecessary burden on an already strained profession and for the first time I have started to hear Officers question whether it is worth staying in Law Enforcement.

I ask that you Honorable Ladies and Gentlemen consider what I have mentioned and have the courage to stand up for what is right and judge the Law Enforcement Community of Massachusetts using factual data garnered from events in Massachusetts and not on events that have happened outside of the Commonwealth nor misinformation about alleged need for emergency police reform.

Respectfully submitted,

Lt. Nicholas P. Zeoli

Rockland Police Department

From: Lena Murphy <lmurphy@suburbanelec.com>  
Sent: Friday, July 17, 2020 10:21 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill No. S2820 Police Reform

I am writing to you today regarding the police reform bill which unfortunately passed in the MA Senate and is now in the House of Representatives for debate.

In Massachusetts, we have been very fortunate that the overwhelming majority of our local police officers are not prejudice and treat everyone equally.

We do NOT want our state to become like the radical states of California, New York, Minnesota, Oregon and Washington, and the City of Chicago!!

I understand many items that will be included in this bill, and it is way too extreme and needs to be reviewed and openly discussed in detail. For example:

- \* Removing authority from cities and towns to control their own employees
- \* Removing the rights of police to monitor gang activity in schools...REALLY??? I guess the Senate didn't care about protecting our children!!
- \* Removes protecting our police officers from personal liability when they are acting in good faith and under extreme duress. How many of us put on a uniform every day that makes us a target for any and every unstable person out there?
- \* Removes their collective bargaining rights

This bill is pandering to a radical group of the public who do NOT represent the majority of the citizens of Massachusetts.

Our public safety will be dramatically and negatively affected because we will lose many of those dedicated members of law enforcement as a result of the unfair treatment. This bill also

makes them unable to perform their duties of keeping us safe.

I will not be able to support any incumbent who supports this bill in its current state or any similar radical bill such as this.

I hope the House of Representatives is able to make many needed changes to the Bill they received from the Senate that will protect the police officers' rights as well as the public.

Thank you.

Lena Murphy  
35 Page Street, Canton, MA 02021

Email: [lmurphy@suburbanelec.com](mailto:lmurphy@suburbanelec.com)  
Cell: Lena: 781-760-3968 / John: 617-694-2785

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From: Chuilli, Kelly <[KChuilli@bridgewaterma.org](mailto:KChuilli@bridgewaterma.org)>  
Sent: Friday, July 17, 2020 10:20 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Re: URGENT!!

---

Dear Madams and Sirs,

With great urgency I ask that you exercise the utmost scrutiny to the police reform bill before you.

I have never had a complaint filed against me in nearly 20 years of service as police officer in the commonwealth of Massachusetts. I think that's the type of officer you strive to have in policing. I have boxes of cards and letters from the community and I have kept nearly every one as a reminder of the positive impact I have on people's lives. Nobody in my family was in law enforcement. Not one person. In fact, most of my family vehemently tried to persuade me against it. Still, after serving 4 years active duty in the U.S. Army, deploying Desert Shield and Desert Storm, I returned to Massachusetts to continue to serve yet again on a local level. When people say they support our troops but hate police, it blows my mind! In many cases, you're talking about the exact same person!

I am one of 3 females on my department. I have always been treated with respect and the utmost dignity. The men I work alongside are professional and respectful to a fault. I'm proud to belong among them in this noble profession.

The public, however has not always been so respectful. I've been called every name you can imagine. Every vulgar thing you can say to a woman has been hurled my way. I've been kicked, punched, spit on, concussed, threatened, and indecently assaulted. My family has vicariously endured this as well. The most that has ever been done over all these years to any person who has physically assaulted me or threaten to kill me and/or my entire family was probation! Even if they were already on probation, guess what happened? Just a little longer probation. What message does that send to the officer? I can tell you; it sends a message loud and clear that we aren't worth anything and our families don't mean much either! Our injuries are not taken into consideration and are "just part of the job". This is entirely unacceptable! Before now, NONE of this made me consider leaving this profession or walk away from my duty.

If you wonder why we are hyper-alert and suspicious of everyone, it's because we lose officers every day across our nation. We get the Officer Down alerts and it feels just a little bit closer. It's because courts are regularly turning people loose who are violent, carrying guns, ...stolen guns, repeatedly! We know we will surely be encountering those people; we just don't have the benefit of knowing in advance, it could be anyone at any time. I can't tell you the shock I am in when I encounter someone who is one their 2nd, 3rd, 4th or more illegal gun charge walking around free in society! What!? The public is not aware that this is even happening! We know it's happening and what these folks are capable of, and they have learned that minimal consequences, if any, will follow. The public doesn't have the benefit of this insight unless they unfortunately fall victim. These are people that have no respect or regard for us, the public or even themselves!

The same is true for the soaring mental health problem. What I'm saying is that all of these problems are continuously dumped back on police and the involved agencies are letting us down! We are in a lose-lose situation where we are being set up to fail. Police cannot cure all that ails society, but we sure are taking the bulk of the blame for it, including race issues and claims that we are not "trained" enough. If I may agree in the training regard that when we routinely are called to a group home or ½ way house for someone that the trained professionals can no longer handle. Are we somehow supposed to be trained beyond the level of mental health professionals in that field? If it's beyond their scope, how would we ever become trained well enough that we surpass the career training of these mental health professionals?

Repeated calls to these situations are often violent and are among the most dangerous and challenging we face. Many group homes are housing people in residential area that are way beyond their ability and scope to treat in that type of environment. We are fully aware that we are likely going to be put in a situation where we need to protect ourselves and

others but that any physical contact with these parties will be viewed as unnecessary or excessive. At times we have to take an officer off the road to ride in the ambulance in order to protect the paramedics, while they fight and spit, putting everyone at risk of biological hazards or injury.

Meaningful change needs to occur in our mental health response! Mental health related calls have exploded. They are the bulk of what we deal with now. If there is a belief that some funding should be moved from policing to social programs, and those programs include a SERIOUS mental health initiative, we are on board! Those calls however, need to be shifted away from police and toward those mental health agencies. They need to be removed from police responses, because that's where your calls will go bad and the liability comes in for the officer, agency and community. The things that nobody wants to deal with, routinely land in our lap. Go deal with it, but afterwards, "we don't like how you dealt with it". It's because it should not have been the police dealing with it in the first place.

Mental health is the root of the vast majority of our most serious issues. If you properly deal with mental health, you avoid the consequences of mental health problems. We have a "lack of coping skills" in this country. When people can't properly "cope", they hurt themselves, they hurt others, they abuse drugs and alcohol, self-medicate. This in turn causes people to commit property crimes, get involved in drug activity or commit offenses to accommodate the lifestyle. It all truly comes back to not being able to properly cope in life and the result of that struggle.

Again, I cannot stress enough that we are failing at dealing with this key issue and we have been for a long time! Officers are routinely put in a position to take someone into custody for drugs/alcohol/mental health for a civil commitment against their will. The revolving door spits these folks back out without any meaningful assistance. I've personally taken some of the same individuals dozens of times. Now they are angry at the family members and they are angry at police. This doesn't make it easier. It makes it a lot harder!

Again, a recipe for disaster that does nothing to help anyone involved, builds frustration and creates a dangerous situation for everyone involved.

This reform bill that threatens qualified immunity and threatens to potentially bankrupt me and my family, makes me want to leave policing immediately.

I know I'm asked a lot of in policing, even risking my life and safety. I went into it knowing that. What I didn't know was that now they'd be asking me to potentially sacrifice my financial security on the whim of someone from the public making a claim against me, who wouldn't hesitate to lie or embellish the incident, after all, they're already willing to assault me and threaten me. Now place some monetary incentive behind it and you can imagine the potential.

How much is too much to ask of someone from their job? Well, I'll tell you that being at risk of criminal charges, and losing your assets when you believe you are doing the right thing, would be your answer. Where is the upside to this profession now? What is the incentive to keep doing the honorable thing when you are constantly vilified regardless of how you conduct yourself? Even when you're right, you could now be wrong based on a point of view from people who don't understand the pressure and circumstances of this job and what people are actually willing to do, even to a female (I'm someone's Mom).

I have been part of the CISM Peer Support Team for about 5 years. I don't get paid for this. I do it because it's important to help people. I care about the mental health of the folks in this profession who see the most gruesome, heinous, unimaginable things out there, all while trying to juggle their own lives and the inevitable struggles that come with it. A lot of folks are suffering from what they have had to respond to. This causes lasting detrimental effects. Poor mental health causes poor decision making. Not a good combination when you must do it quickly and often!

I urge you to rethink this bill and some of the extreme things it's asking of our men and women in blue. I implore you to at the very least, see that this bill includes Critical Incident Stress Mgmt. and Peer Support Programs, and preserve our due process and qualified (not absolute) immunity. Our officers are being vilified for the actions of officers we've never even met and probably never would. I can think of no other profession that is punished across the board in this manner. We drop everything to come to everyone else's aid when they need help. Who will come to our aid? Who is helping us?

At the bare minimum, officer mental wellness needs to be a priority. We are going to need it!

I'm a member of our department's hiring board. It's a time consuming, rigorous, careful process. Over the past few years, the quality and quantity of candidates has dropped substantially. The best candidates, not surprisingly are going to jobs with better working conditions, hours, respect and pay. I worry what kind of candidates would now be willing to

step up to do this job, as most intelligent, talented people will undoubtedly pass on this.

We welcome opportunities to improve our tactics and raise the standards of our chosen profession. The public needs to bring their standards up as well!

We no longer seem to be teaching respect and law-abiding behaviors. Every call we go on now is a debate or worse. It has become a sport to challenge officers in even the most minor interaction. We didn't get the benefit of safely working from home, time off or incentive checks during this COVID-19 crisis. We did what was asked of us despite the risk to ourselves and our families. We enjoyed a brief moment of gratitude from the public and then just like that, the sickening act of one distant officer made every single one of us monsters. Is that a best practice for raising the bar in any profession? Is that really how it's supposed to work?

It makes me sad for society going forward.

There are a lot a good people in our community, and many of them work alongside me. Our communities will lose compassionate, upstanding, professional officers who have years of experience and formal education. Many volunteer in the community or commit quiet acts of kindness that nobody ever hears about.

I ask that you do the right thing and consider the impact this will have on the men and women who give so much to people, who at times care so little for us.

Respectfully,

Kelly A. Chuilli

Bridgewater Police Dept.

508-697-6118

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From: Kimberly Cuzzo <Klcuzzo@outlook.com>

Sent: Friday, July 17, 2020 10:21 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Dear Mr Cyr,

My name is Kimberly Cuzzo and I live at 53 Falmouth Sandwich Rd Mashpee Ma. <x-apple-data-detectors://0> As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve. There is a silent majority that supports our officers which I hope will be considered when it come time to show your support.



Sincerely,

Kimberly Cuzzo

Sent from my iPhone  
From: Fran Godine <godine@comcast.net>  
Sent: Friday, July 17, 2020 10:20 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass Police Reform

Dear Rep Michlewitz and Rep Cronin,

Please pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification (POST)
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

By using the current Senate language to reform the legal doctrine of qualified immunity the individual officer will not suffer devastating financial impact since the cities that employ them have indemnified them. This will actually encourage the types of structural fair and safe protection practices appropriate for 2021 and beyond.

The few applicable cases being allowed to be heard by a jury without dismissal due to 4th amendment rights on the basis of it never having been heard previously by a statute or court precedent seems an outrageous offense to those who may have suffered extreme police violations and then again punished by not being allowed judicial review in our democracy.

Please base your vote on the facts of current indemnity by municipalities as above as you consider the police reform so essential at this time.

Thank you.  
Frances Godine  
19 Crofton Rd  
Newton, MA 02468

Greater Boston Interfaith Organization Strategy Team  
From: marie.f.hurd@gmail.com  
Sent: Friday, July 17, 2020 10:20 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Testimony

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Marie Hurd with the Greater Boston Interfaith Organization (GBIO). I live at 7 Alward Rd, Boston Massachusetts 02132 . I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Marie F Hurd  
marie.f.hurd@gmail.com  
617-469-8465  
7 Alward Rd  
West Roxbury, MA 02132

Sent from my iPhone  
From: Andy Medina <arojasmedina@gbls.org>  
Sent: Friday, July 17, 2020 10:12 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Andy Medina  
310 Tappan St  
Brookline, MA 02445  
arojasmedina@gbls.org

From: Meghan Murphy <meghan.murphy.5@bc.edu>  
Sent: Friday, July 17, 2020 10:10 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass a Strong Police Accountability Bill with Key Provisions  
from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Meghan Murphy  
44 Cummings Rd  
Brighton, MA 02135  
meghan.murphy.5@bc.edu

From: Carlos L <lopezrodriguez.carlos@gmail.com>  
Sent: Friday, July 17, 2020 10:20 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for Reform, Shift, + Build Act (S.2800)

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

My name is Carlos Lopez and I am a resident of Somerville, MA. I work in healthcare in Burlington, MA, and I attended school at Tufts University in Medford, MA.

I am writing to support Bill No. S2820 to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

I am a Latinx person, and it brings me to tears seeing all the instances of police misconduct, and misuse of force that end up unnecessarily hurting and killing disproportionately Black people and Latinx people. I do not feel safe calling the police in case of an emergency, because I fear the police will escalate things rather than de-escalate a situation. I fear police will hurt someone or kill someone that should have rather been arrested or taken to the hospital immediately for care.

This is why it is important to pass this bill to hold police in MA accountable for their actions by limiting qualified immunity in use of excessive force. It is also important to defund the police departments and fund social programs that will benefit Black communities and communities of color.

I urge you to pass this Bill as a start to equitable justice, and that more reform keeps coming to the floor.

Thank you for your time and service,  
Carlos Lopez  
From: helena vesterman <helenavest@gmail.com>  
Sent: Friday, July 17, 2020 10:19 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: reforming s2820

I object police reforme  
From: Pamela Underwood <pamu350@icloud.com>  
Sent: Friday, July 17, 2020 10:20 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Esteemed Representatives,  
I am writing you to express my concern about Bill S2820. As a law enforcement professional for 32 years I feel eminently qualified to offer an opinion on this groundbreaking opportunity to literally change the face of law enforcement. I recognize minority concerns as a minority within law enforcement. As a female I have sought injunctive relief in the past and welcome inclusivity and diversity.

This is an opportunity to improve recruitment and training making this bill a positive force. In Massachusetts we have avoided many of the issues that have occurred in our country by virtue of our highly educated and trained officers. In the past our state encouraged these dedicated professionals to seek higher educational degrees through pay incentives. Our academy training is accepted throughout much of the country as it exceeds most other state's requirements. That being said, we welcome any and all training opportunities which make us better at our jobs.

Qualified immunity is essential to police officers being able to perform their duties. We are tasked with difficult situations without the benefit of time to contemplate options. Allowing diminished protection from frivolous civil law suits allows us to act without hesitation. Hesitation can endanger ourselves and the public we swore an oath to protect.

Eroding the long standing collective bargaining nature of employment fails to protect the hardworking members of law enforcement. Eliminating competitive entrance examinations and allowing alternative entrance requirements fails to provide the most qualified candidates for employment. Please focus on more recruitment efforts to seek out qualified candidates. Phillips Academy in Andover has a program for summer education of inner city youths in Math and Science (MS Squared). This pool of talented driven inner city youth striving to succeed is a pool of untapped candidates who may not have considered a career in public service, more specifically in law enforcement. After school outreach programs and internships offer an opportunity for youth to interact with law enforcement in a positive context rather than the negative ones that are more prolific. Encourage individuals to be the change from within actually change the literal face of law enforcement to reflect diversity not by insulting people by lowering standards but rather by encouraging a greater pool of qualified applicants.

Allowing promotions to be arbitrary in nature by dropping several candidates below on the list created by competitive examinations allows for further politicization of our command staff. The competitive examination process was created to lessen the impact of politics within what should be a separate entity. The unique nature of Massachusetts as a long standing supporter of organized labor makes an outside appointment of a titular head of the State Police a thinly veiled attempt to erode collective bargaining and further politicize law enforcement. The inclusion of Chapter 22C revisions is ill advised.

Any review board should encompass people with a background within the particular field they are being tasked with reviewing. A basis of knowledge within the applicable field is essential in making accurate, fair and equitable assessments as to whether the actions being reviewed are reasonable from a reasonable officer's standpoint. This is in compliance with at least four US Supreme Court decisions. 20/20 hindsight with unlimited time is an unfair advantage. Allowing review by appointees without a basis of knowledge would be akin to allowing someone with no medical knowledge to serve on a medical review board for a malpractice issue.

Racial profiling statistics on traffic stops have been kept by the State Police for over twenty years. A report is generated to each unit/station commander each month and any officer assigned to their command whose statistics exceed 2 standard deviations above the statistical population demographic for their permanent assignment require review. The commanding officer must look at each issued citation, determine the location etc and determine if that officer is in violation. For example I am stationed at Belchertown, I have been assigned a federally funded speed enforcement detail on Route 2 in Fitchburg. The issued citations during this

assignment result in my statistics being more than two standard deviations above statistics for Belchertown. Upon review the location of Fitchburg is noted and an analysis of the demographic for that area indicated that the results are within the acceptable mean. For twenty years these statistics have been kept and analyzed.

This profession is a technical one, but we can not lose sight that it is at times an extremely dangerous and physical one as well. Training is key. Education is key. Recruitment is essential.

When called upon we proudly stand and serve. When hated we still stand and serve. We are the same people the public loved and venerated after the Marathon Bombing. I urge you all to resist the temptation to create knee jerk reaction, quickly crafted legislation, which often times is not effective and creates ineffective faulty laws. You have the advantage of time and resources please use that time wisely.

Respectfully,

Pamela J Underwood  
9 Ragged Hill Rd  
West Brookfield, Ma 01585  
774-200-1455  
pamu350@icloud.com

Sent from my iPhone

From: Jamie Burkinshaw <jlburkinshaw@yahoo.com>

Sent: Friday, July 17, 2020 10:17 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820 Opposition

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity

protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Jamie DePari  
26 Shady Lane  
Holden, MA  
From: Michelle Heeney <miheeney@gmail.com>  
Sent: Friday, July 17, 2020 10:19 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony in Support of S2820

Dear Chair Michlewitz and Cronin,

I am writing to you to voice my support for S2820. It's imperative that we make this first step toward racial justice. We've seen too many times abuses of our neighbors at the hands of law enforcement. I have also been personally affected by a lack of accountability in law enforcement. I ask that you preserve the language creating an independent and civilian majority police body, limit qualified immunity, and reduce the school to prison pipeline by removing barriers to expunge juvenile records. People of color, the youth, and so many more groups deserve better.

I also ask that you strengthen the use of force standard, fully prohibit facial surveillance technology and lift the cap of the justice reinvestment fund.

Thank you for taking the time to review my input

Michelle Heeney  
Hopkinton MA

From: JANET FILORAMO <jpfiloramo@aol.com>  
Sent: Friday, July 17, 2020 10:18 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

I am writing in regards to the the bill being proposed allowing police officers to be sued in a civil suit. We are going to lose good officers which will put us all at risk. In today's anti police climate this is only going to make things worse. The vast majority of our police officers are good honest people who risk their lives to keep us all safe. There are people who make a living suing people and this will be an open invitation to go after law enforcement looking for a payday. Why would anyone want to choose law enforcement for a career if this is allowed?

Janet Filoramo  
Sent from my iPad  
From: deanna dodge <mike.deanna@verizon.net>  
Sent: Friday, July 17, 2020 10:19 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: RE. BILL ON POLICING

To Whom It May Concern:

My wife and I are writing about the bill that was just passed and urging Representatives in MA to allow this bill to be reworked with feedback from more people than those that passed it without making it public.

We firmly support Black Lives Matter but we also know there are many public servants that could be negatively affected by this recent bill - changes need to be made but it needs to be done properly and thoughtful - making positive change and protecting all of the people involved.

Thank you for your time,

Michael D. Dodge

Deanna B. Dodge

Reading, MA  
From: Lubna Omar <o.lubna@gmail.com>  
Sent: Friday, July 17, 2020 10:18 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Adrian.Madaro@mahouse.gov, Gloribel.Rivas@mahouse.gov, Steven.Gingras@mahouse.gov Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Lubna Omar. I am a resident of East Boston and I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I am supporting this because the safety of my community depends on it. I live in an overly policed neighborhood and we don't feel safe with the police. The power of the police remains unchanged and unchecked. I have a 9-year-old Black boy and it is painful to have such hard conversations on police brutally when he shouldn't be worrying about that. But unfortunately, that is the reality of Black mothers in this country. We



are EXHAUSTED and it is time to act and pass this bill to keep Black boys like my son. Everyone now wants to tackle systemic racism. That conversation starts with reforming the police and holding them accountable.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Lubna Omar

East Boston, MA 02128

From: JUDITH M FLYNN INSURANCE <Judie@jflynnins.com>

Sent: Friday, July 17, 2020 10:18 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820 should not pass

My name is Stephen Ryan and I live at 43 Kelly Way, Canton, Ma. My phone number is 617-293-3117. and I am a private citizen expressing my dissatisfaction with Bill S2820.

1) This conversation is too important to "rush" into without proper AND extensive debate and dialogue. Public hearings are part of our democracy and the idea that an email received by a certain deadline provides little opportunity for the public to be heard on this issue.

2) While I agree there is room for a discussion on policing improvement, this bill simply goes too far. We should respect those that put themselves in harm's way every day and afford them the same Due Process as every other citizen.

3) Ironically, this bill will MANACLE the very people who have been hired to protect and serve our communities.

4) The POSAC (Police Officer Standards and Accreditation Commission) would be made up of far too many lay people (especially because those appointed would be from historically anti-police groups). In my opinion, POSAC should be made up of only other law enforcement members. Would a surgical review board involve a bookkeeper to determine if a surgeon did or did not perform correctly? To think that members of the general public could put themselves in the officers' positions on the streets and dictate what the proper response should be is outrageous and ridiculous!

5) Finally, the most offensive part of this bill changes the "Qualified Immunity". If officers are going to be held personally responsible, there will be a mass exodus from law enforcement and far fewer candidates to replace the departed. Officers that remain on the job will be restrained and therefore reluctant. This bill will seriously undermine public safety by limiting police officers' ability to do their job. Crime WILL GO UP and our communities WILL BE LESS SAFE.

There is no doubt that the events surrounding George Floyd horrified our nation but this bill is an attempt to "punish" all of the great men and women in law enforcement for the bad act of one.

I urge you to vote AGAINST S2820.

Thank you for your time and consideration,

Stephen M Ryan

617-293-3117

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From: Melanie Lafavre <mlafavre@thomchild.org>

Sent: Friday, July 17, 2020 10:19 AM

To: Testimony HWM Judiciary (HOU)

Subject: Support for Senate Police Accountability Bill

To whom it may concern,

I am a 20 year resident of Massachusetts, and for the past 10 years have worked in the City of Boston as an early intervention specialist. I am writing in support of the senate police accountability bill, especially section 10 regarding qualified immunity. On June 16th, the Supreme court declined to reexamine qualified immunity. This move makes it clear that the court feels it is the responsibility of congress and/or individual states to act on this matter. Qualified immunity erodes our communities access to life and liberty, and weakens the safety of all of our community, especially people of color. Our own high court said in 2016 that black men may have cause to run from police. Of course they do, the police are armed with guns and can shoot to kill with immunity. Who does that protect other than the police themselves? The police are charged with saving and protecting lives, so are doctors. We have the right to file a malpractice lawsuit when a doctor makes a mistake that leads death or injury. How can we not have the same right when police make mistakes that lead to the same consequences? I have personally supported countless Black and Latinx mothers and fathers to raise their children to meet their highest potential. How can they do so as they move through life in fear that the people who are charged to protect them can and do kill them with immunity? Police violence against Black and Latinx community is a public health crisis that must be addressed in our country. Ending police immunity is a vital step in that process.

Melanie LaFavre, MS OTR/L, CEIS, CLC

Occupational Therapist/ Team Leader

Certified Early Intervention Specialist

Certified Lactation Counselor

Certified to provide: Newborn Behavioral Observation (NBO)

617.383.6522 X214 (office)

617.935.7109 (work cell)

Preferred pronouns: she/her/hers

From: michael barton <mtb1241@gmail.com>  
Sent: Friday, July 17, 2020 10:18 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

I am sending this email to support many of my friends who are law enforcement officers in this state. I also believe this is the right thing for all of our citizens.

I would like to weigh in on the bill that is currently in the House, S. 2820. As it stands, the Senate dropped the ball by keeping police wide open for frivolous law suits by eliminating qualified immunity. As you know, unlike absolute immunity which is something you all are given and enjoy, qualified immunity is given to police officers who do their job the right way. Not rogue officers or cops who break the law. Because of that, I urge you not to pass this bill, but if you must, I ask you to keep qualified immunity.

Another ball dropped by the Senate was something that is rightfully given to all citizens of the commonwealth and this great country, and that is due process. Essentially, by eliminating due process in their bill, the Senate has deemed all police officers second class citizens. That's is outrageous, bogus and downright wrong. Please do not pass this bill, but if you must keep all due process in and please do not deem us second class citizens. In a time when the bad guy is the good guy and the good guy is the bad guy, we need your help.

I pray that you have the courage to be a beacon in a time of darkness and be the anti-panderer and keep these two important aspects in this bill if you must pass it.

Please do not be anti police, please do not open all cops in the commonwealth to frivolous law suits, please be a leader and hear the voices of your constituents and do the right thing.

Thank you ALL for your service.

Michael Barton  
13 Lovers Lane  
Harvard, Ma 01451

Sent from my iPhoneFrom: Fernanda Gomez <nandabv07@hotmail.com>  
Sent: Friday, July 17, 2020 10:18 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and

reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,  
Fernanda Gomez  
57 Forest st  
Wilmington Ma

Sent from my iPhoneFrom: Steph Ataman <sataman13@yahoo.com>  
Sent: Friday, July 17, 2020 10:16 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill S.2800

Dear Chairman Michlewitz and Chairwoman Cronin,

I am writing to you today as a wife and daughter of law enforcement officers to express my extreme concern with the passing of this Bill. As

a resident of Bridgewater, I strongly believe that the passing of this Bill will not only put my family at risk, but it will deteriorate the relationship that men like my husband and father have worked so hard to create with the community. Police officers are respected people that put their lives and the lives of their families second to protect the lives of others in need. My two year old son deserves to grow up in a state where other children can learn to idolize those who help the public just as he does. In clear conscience, I felt as though I needed to express my opinion as this Bill does not only effect the lives of the men and women that wear a uniform, but it also effects their husbands, wives, children and other family members.

I understand that progress needs to be made in this state as a whole, but as the Bill stands today I am asking you to vote NO.

I thank you for your time and consideration with this decision.

Regards,  
Stephanie Hamilton

From: Steve Paschal <spaschal@berklee.edu>  
Sent: Friday, July 17, 2020 10:18 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: SB2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin, please accept the following testimony with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color".

MACLEA seeks to include a representative of the Association to serve on the Police Officer Standards and Accreditation Committee created by section 6 of Senate Bill 2820. MACLEA's member departments are responsible for the safety and wellbeing of the hundreds of thousands who live, learn, work, and visit our member institutions. We are in favor of the creation of a Police Officer Standards and Accreditation Committee (POSAC) and our representation on this committee would add valuable insight and information. It would also ensure that the safety and security of all of those on campuses across the Commonwealth are the highest priority.

--

Steve Paschal

Police Officer  
Berklee College Police  
155 Massachusetts Ave, MS-155 PS  
Boston, MA 02215  
O- 6177472321  
Email- spaschal@berklee.edu  
From: Melissa <cyberfrog@verizon.net>  
Sent: Friday, July 17, 2020 10:18 AM  
To: Testimony HWM Judiciary (HOU)

Subject: Senate Police Reform Bill

Dear Senate Members,

I am a municipal employee for 34 years and for the last 25 years have been working as a 911 operator/dispatcher. My personal experience with Police, Fire and EMS is extremely positive. I am part of a proud team joining together with the same goal to save lives. We are a family working professionally 24/7 to get the job done.

The Senate Police Reform Bill is destructive to public safety. There are incompetent people working today in every profession. This bill will never right any harmful, injurious act done in the past. It is sure to raise the statistics of police officers killed within our own state of Massachusetts. These men and women go to work everyday to protect you. The Senate has the opportunity now to protect all of us.

Someday you or your family may have to call 911. The excellent response time and service you now receive may disappear. What is their incentive? Police, Fire, EMS and 911 dispatchers should never fear being sued or having to lose their homes just trying to do their jobs. What is next? Are we going to terminate the Good Samaritan Law?

Please consider the large groups of genuinely hard working, law abiding people who will be hurt by this bill. We do not deserve to be the victims of a reactive government and suffer life changing consequences.

In Unity,

Melissa Sullivan  
Newton PD

From: Rose Marie Cardarelli <rcardar001@gmail.com>  
Sent: Friday, July 17, 2020 10:17 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Dear Mr. Michlewitz and Ms. Cronin,

My name is Rose Cardarelli. I had written to my rep Ken Gordon to ask him to oppose Bill S2800. He told me to write to you before 11 am today in order to provide testimony.

I am strongly opposed to this bill, as I believe it seriously impacts how police officers can perform their duties as well as public school personnel. These are my reasons:

I currently work in a public school in the town of Lexington. This bill also affects the staff of any public school with the current language of eliminating school resource officers. It also provides for the qualified immunity protections to be removed from school staff. I honestly don't know who will want to go into any of these service

vocations if they do not have the protection that they need. School resource officers play an important role within the school community. I also have been a court reporter in Middlesex County for over 30 years and I know too well the level of crime in many cities throughout the Commonwealth. These resource officers have helped troubled youth and gang members over the years, and as such, have improved the relationship between the police and these young men and women. Removing them is a horrible decision.

I also have a daughter who is a teacher, and she lives in South Boston. I remember the days when you never went to Southie, as it was more of an Irish mob type of place, as well as the North End of Boston. Back then the mob made sure they took care of their own, and this bill will bring that right back into our society. I am worried for the safety of my daughter and for the future of my other children as well as grandchildren.

I also ask that it be debated in the light of day and not voted on in the dark of night.

This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage.

It will cause many good officers to leave due to the new burdens and make it harder to recruit individuals into law enforcement. S 2800 establishes a review committee with overly broad powers, including the power of subpoena, in active investigations. The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment rights against self-incrimination (see Carney vs Springfield) and constitutional protections against "double-jeopardy".

Qualified immunity protections are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections essential for the police officers we send out on patrol in our communities and who often deal with some of the most dangerous of circumstances with little or no back-up. Removing qualified immunity protections in this way will open officers up to personal liabilities so they cannot purchase a home, a car, obtain a credit card, or other things for the benefit of them and their families. Good luck with police recruitment. I was with a Somerville police officer this past weekend who told me that basically they have been told not to arrest anyone. This is just great. What happened to if a criminal commits a crime, they are arrested! When did we become a society that lets anything go, tearing down of statues, defacing religious artifacts, etc. When will it stop? I'm scared. Do we want Boston to become like New York City is right now? Where police officers are assaulted doing their jobs but the criminal gets bail immediately. I do not want this in our beloved Commonwealth. I want officers to be able to do their jobs without fear of being prosecuted in criminal court AND civil court.

In addition S 2800 failed to follow normal and appropriate legislative process of holding public hearings to accept testimony from citizens and experts.

I ask that you vote NO when S.2800 comes to the House of representatives for the reasons stated above, and others.

I agree that police reform is important and needs to be addressed but passing a poor bill for the sake of passing a bill is not in the best interest of the Commonwealth.

The actions of one bad police officer should not warrant what is going on now in our country. He was arrested and charged. The police department he works for should also be charged, as he was accused of 19 other infractions. Why was he still on the force?

I appeal to you as a mother and a public school servant, as well as a court reporter for the Commonwealth of Massachusetts to vote against this bill.

Thank you,

Rose Marie Cardarelli

Rcardar001@gmail.com

From: Boris Katsnelson <gssb11@gmail.com>  
Sent: Friday, July 17, 2020 10:17 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Reforming Police Standards

Dear representative Aaron Michlewitz and representative Clair D. Cronin,  
I strongly object to the provisions in the Police Reform Act that will restrict qualified immunity for police in Massachusetts. This is a disaster in the making.

Please consider changing the incoming legislation in a way that does not have extremely negative consequences.

Respectfully

Boris Katsnelson,  
154 Mill St, Newton MA 02459  
tel #617-969-1335.

From: Robert Noone <rmnoone@icloud.com>  
Sent: Friday, July 17, 2020 10:18 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Written testimony RE:S2820

?Good morning,

Thank you for an opportunity to submit a written testimony regarding S2820. As a proud and dedicated police officer for the town of Paxton, and union President, I am saddened and concerned for the future of my profession and the ability to serve my community in a safe and protected manner.

We go out everyday to protect the peace and tranquillity that our ya paying residents expect. We do that by the obvious reactive policing, but also through our efforts to reduce possible future crime through proactive efforts.

A small minority of people with a lot of attention right now are doing everything they can to turn this country upside down through anarchy. They're not your voting base. We, the good, the kind, the calm, the quiet



voters of all ages, races, religions, political affiliations want safe communities to simply raise our families and live in peace. The good people of this state don't want to handcuff their police by undue and uninformed regulation by people who have no idea what how to police or how to keep a community safe.

Decertification process:

Taking away our full due process rights through the current POSAC process is wrong. This erosion of our due process essentially gives the suspects we arrest more protections than we're afforded. Since when do we consider the police guilty until proven innocent?

Makeup of the board:

Any responsible person would agree that a board such as what's being proposed in this legislation must be made up of those who know the role they're overseeing, not in concept but in actual experience.

Qualified Immunity:

Taking away my qualified immunity is taking away my professional protection from the ability to frivolously bring financially impactful personal lawsuits that affect my ability to earn and the ability to provide for my family. Like so many other propositions that are brought forth for consideration this one cannot be rammed through without study. Doing so would be misguided and reckless. This matter must be put to a study which will show that it protects good officers. The bad officers like Chauvin And others in Minneapolis who murdered George Floyd would not have been protected by our QI, not should they have been. A study will show this.

This is the chance for our elected officials to show they believe in reasonableness and that they protect those good men and women that protect them by putting their lives on the line everyday. We always want to do what's right and still do it even though it's often dangerous and perilous to our personal safety. We believe in something bigger than ourselves. Help us continue to do this without fear.

Respectfully,

Robert Noone  
Patrolman, MASSCOP Local 290 President  
Town of Paxton  
Resident of Holden  
Sent from my iPhone  
From: Marc Quitadamo <mquitadamo1@gmail.com>  
Sent: Friday, July 17, 2020 10:17 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear House Committee on Ways and Means,

Hello my name is Marc Quitadamo and I have been a Worcester Policer Officer for approximately 5 years. I thank you to allow public written testimony relative to House Bill S.2820. Unlike the Massachusetts Senate, it is important to allow public testimony, without narrow time constraint, to allow all sides to be heard when the legislature attempts to deal with such an important like Law Enforcement Reform. All too often rushed legislature typically results in ineffective legislature/statutes.

As a police officer and registered voter I ask that you support the following issues of S.2820;

\* Qualified Immunity (QI) - The Senate Bill significantly alters the language would eliminate Qualified Immunity for Police Officers and many more public employees (i.e. correctional officers). At minimum a committee should be established to study the resulting profound effect on Law Enforcement if QI was eliminated. The Senate bill significantly alters language that has been historically supported by federal case law.

\* Due Process / Collective Bargaining for Police Officers - The Senate Bill as written will remove the right of due process for police officers. It will eliminate the right to be heard by an independent and neutral arbiter which has been the our right for more than 50 years.

\* Police Officer's Standards & Accreditation Committee (POSAC) - The proposed Senate Bill establishes the aforementioned committee which will have power to decertify an officer when complaints are filed, reviewed, and adjudicated. My issue with this proposal is the make-up of the committee, which will be mostly civilians with no experience or knowledge of law enforcement practices. Like all other professions (doctors, dentists, teachers, and all public employees) our goal is to ensure the make-up of the committee (at minimum the majority) include law enforcement <[Respectfully,](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.google.com_maps_search_30-2BLeela-2BLane-2B-2B-250D-250A-2BRochdale-2C-2BMA-2B01542-3Fentry-3Dgmail-26source-3Dg&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuk13zIsl6rchf_GkGDD&m=tCPJ22ry5Xi2Rqw0zuzuaVGof-QdERLl20OqSFhDemM&s=nwA6FTCgbvJYcAsGxGCjrW7h86PD5dMu4zXuWs_6XAA&e=> representatives and/or civilians with law enforcement background, degrees, and/or experience.</p></div><div data-bbox=)

Marc Quitadamo

30 Leela Lane <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.google.com\\_maps\\_search\\_30-2BLeela-2BLane-2B-2B-250D-250A-2BRochdale-2C-2BMA-2B01542-3Fentry-3Dgmail-26source-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.google.com_maps_search_30-2BLeela-2BLane-2B-2B-250D-250A-2BRochdale-2C-2BMA-2B01542-3Fentry-3Dgmail-26source-)

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(774) 272-0057

From: Hilary Waitner <[hilary.waitner@gmail.com](mailto:hilary.waitner@gmail.com)>  
Sent: Friday, July 17, 2020 10:17 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to Bill S.2800

To whom it may concern,

I am writing to you in opposition of Bill S.2800 as it currently stands.

I do agree with a certification program, as I am a Nurse Practitioner and understand the importance of upholding certain standards to maintain my professional license. I also agree with the additional training and standards set regarding our minority populations. I feel our entire country needs additional teaching on racism, sexism, ageism, gender identity, and sexual identity.

However, I am very much concerned about the limitations on a police officer's qualified immunity. I feel that there needs to be legal protection on these officers in some way. Just as there is malpractice insurance place for medical professionals, police officers deserve the same amount of protection. If an officer is put in a situation that requires a split-second decision for their own safety or the safety of others, they should not be penalized in a way that could put their family, finances, and personal safety in harm's way.

I am also concerned about this bill taking away and/or limiting certain tactics required to subdue a dangerous person, such as pepper spray, tear gas, and physical maneuvers. I do feel that strict training requirements are necessary for proper use and understanding of these tactics, as they have the potential to be used inappropriately. However, many towns and cities of Massachusetts do not have partnered officers in their cruisers. Therefore, these officers are acting alone in many situations until back up can assist, if they can even reach for their radio to call for back up. These officers need to make quick decisions to maintain the safety of themselves, any bystanders, and the person that they are dealing with. They need to be able to use certain physical tactics in these situations. Talking to dangerous people in an attempt to calm them down is not enough, and in many situations can make things much worse. I also feel that all officers should be paired up in cruisers, not only for immediate back up, but also as an extra pair of eyes and a "whistle blower" should an officer inflict unnecessary force on another human being.

I do understand and absolutely agree that it is time for reform, however I feel this bill is being rushed through without enough thought and guidance by those who have performed the job day in and day out. However, as the wife of a police officer who is truly in this field to serve and protect, and deserves protection himself, I urge you to give more consideration to this bill before allowing it to pass. I truly believe there will be serious unintended consequences to the police force should this bill pass as written.

Thank you for your time.

Sincerely,

Hilary Flynn

Quincy, MA 02171

From: Siyan Daniel Li <lidansiyan@gmail.com>  
Sent: Friday, July 17, 2020 10:16 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Constituent Public Testimony

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Siyan Li with the Greater Boston Interfaith Organization (GBIO). I live at 872 Massachusetts Ave Apartment 410, Cambridge, MA

02139. I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Siyam Li  
lidansiyam@gmail.com  
734-709-1476  
872 Massachusetts Ave, Apartment 410  
Cambridge, MA 02139  
From: Barbara Burg <b.ann.burg@gmail.com>  
Sent: Friday, July 17, 2020 10:17 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on S.2820

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Barbara Burg, with the Greater Boston Interfaith Organization (GBIO). I live at 59 Chesbrough Road, West Roxbury, MA 02132. I am writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

I urge you to adopt the Senate language to reform the legal doctrine of qualified immunity. This reform will allow the few applicable cases to be heard by a jury without being dismissed because the particular violation of 4th amendment rights by a public official, such as a police officer, has never been previously contemplated by a statute or a court precedent. Those cases deserve to be heard on their merits, not thrown out using a

non-statutory legal doctrine. It is simply outrageous that those who have suffered from the egregious violations of police officers can not get their day in court.

In addition, it is clear that qualified immunity reform will not have devastating financial impact on any police officers as they are indemnified by the municipalities that employ them. Any such claims are not based on fact and should not be considered as you consider this reform.

Thank you very much.

Barbara Burg

59 Chesbrough Road

West Roxbury, MA 02132

b.ann.burg@gmail.com

From: Dawn Kelley <dkelley@lamacchiarealty.com>

Sent: Friday, July 17, 2020 10:17 AM

To: Testimony HWM Judiciary (HOU)

To Whom It May Concern:

I am writing today to state my strong opposition to Bill S.2820. This bill contains many poor features that would be devastating to our state. Crime rates will rise drastically!!! Thank you.

Best Regards,

Dawn Kelley

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From: Scott O'Brien <1775obrien@comcast.net>  
Sent: Friday, July 17, 2020 10:16 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

Good Morning,

I am writing to to express my opposition to Senate Bill 2800. I am a lifelong Mass resident and democratic voter. I believe this bill goes too far. I do understand the pressure lawmakers are under to pass a Police reform bill. This bill is more of an Anti-Police Bill. Our Law Enforcement Officers do a great job. Several Months ago they were praised for their work. What changed in Massachusetts? Nothing! We can not judge a whole proffession because the action of a few. There are over 800,000 Officers in the U.S.. There are millions of encounters everyday. We only hear about the very few that we all agree are terrible. We would not disband or defund our legislature because of corrupt officials in other states. Please think about the ramifications of this bill. I believe it will negatively impact the people it is desienged to help. I know you will have tough choices to make over the next week or so. Good luck.

Scott O'Brien

From: mary valerio <freehnow@gmail.com>  
Sent: Friday, July 17, 2020 10:17 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

My name is Mary Valerio. I am a resident of Clinton at 13 Candice Street. I am writing to ask that you craft a bill similar to the version from the Senate on police reform. There needs to be accountability and clarity in policing. I would also ask that you add corrections officers to this as well as abuse has happened in our prisons as well, Our prisons in Massachusetts are nearly 60% Black and Brown. It is time that we took seriously the calls for reform. Clarity and oversight are badly needed. Please act to remedy the situation that exists now. This will restore confidence in the police and will make us all safer. I have confidence that you will act.

Mary Valerio (978)365-6493 13 Candice

St. Clinton, mMass.

From: Sarah Cowles <sarahcowles17@gmail.com>  
Sent: Friday, July 17, 2020 10:16 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public Testimony



To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Sarah Cowles and I am with the Greater Boston Interfaith Organization (GBIO). I live at 173 Hampshire Street Apt 7, Cambridge. I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Sarah Cowles  
Sarahcowles17@gmail.com  
781-879-0894  
173 Hampshire Street Apt. 7, Cambridge, 02139  
From: Thomas Pratt <thomaspratt1966@gmail.com>  
Sent: Friday, July 17, 2020 10:16 AM  
To: Testimony HWM Judiciary (HOU); Michlewitz, Aaron - Rep. (HWM);  
Cronin, Claire - Rep. (HOU)  
Subject: S2820, Please Read

Sirs and Ma'am,

My name is Thomas Pratt, and I am writing to ask for consideration with house bill S2820, especially in relation to the issues of qualified immunity, due process, and the makeup of the POSAC board.

I am a Sergeant Detective with the Boston Police Department. As a middle manager, I feel this bill will be detrimental to the City of Boston, citizens of the Commonwealth, and visitors and tourists. As a supervisor in the police department, I am tasked with motivating the officers in the busiest district in the city, if not the state. This bill crushes the morale of honest, hardworking police officers who genuinely want to help the community they serve.

Qualified immunity is protection against frivolous lawsuits against police officers. Though many people do not understand what it means, it is a protection for police officers who act within the scope of their office. This does not protect officers who break the law or violate someone's civil rights.

Our country and our state were built on the idea of due process. Why are we now trying to deny that same due process to police officers?

The POSAC board will include persons who have a well-known dislike of police officers. As an accused party in the Commonwealth of Massachusetts, you are given the opportunity to challenge jurors who will decide your fate, putting people on a board just because of their affiliation to an organization goes against the ideology of being judged by a jury of your peers.

Other professions in the Commonwealth who have licenses are judged by their peers, nurses by nurses, doctors by doctors, lawyers by lawyers, people with experience in their field. Why will this board be so biased that a police officer won't be given the same rights as someone who is accused of rape or murder? People in these other professions do not have to make a split-second decision, which can affect so many people's lives. They are given the opportunity to be judged by a jury of their peers, people with experience in their chosen fields.

I am asking you to look at this bill with an open mind and see that this hastily thought out bill is just that, hastily thought out. This bill not only includes police officers but every municipal employee in the Commonwealth. This is meant to crush organized labor and contracts that were bargained for with a give and take.

This is just a brief summary. If you have any questions, please reach out to Michael Muse, our legislative assistant. Mr. Muse has been working at the State House for decades and is well versed in all of these issues and more.

Thank you for taking the time to read this. I am also available if you have any questions, please feel free to reach out.

Respectfully,

Thomas N. Pratt

561 East 8th Street

South Boston, MA 02127

617-548-7571

From: Tisya Mavuram <tisya.m@gmail.com>  
Sent: Friday, July 17, 2020 10:16 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public Testimony - S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

My name is Tisya Mavuram and I'm a Cambridge resident. I'm writing to demand the legislature pass S.2820 as quickly as possible to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor. In this crucial moment in history, it's more clear than ever that we need to fundamentally change the relationship between our communities and the police, and nothing less than these reforms will do.

Tisya Mavuram, Cambridge

--

Tisya Mavuram  
she/hers  
(732) 593-7395  
tisya.m@gmail.com  
From: Jeannie Vineyard <jeannievineyard@gmail.com>  
Sent: Friday, July 17, 2020 10:16 AM  
To: Testimony HWM Judiciary (HOU); Kate Hogan  
Subject: S.2828

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing to express my support for Senate Bill S.2820, to reform our criminal justice system. The bill as it stands today is a good first step in the very much needed reform of our policing practices.

I believe that during the debate in the Senate on S.2820 and their review of many amendments to the legislation, they have crafted a bill which shows an excellent compromise over the most controversial portions of the legislation. While I would prefer to have a bill which completely eliminates qualified immunity, the use of teargas, chokeholds and no-knock raids, I believe that adoption of S.2820 as passed by the Senate is an excellent step toward the type of policing that all Massachusetts citizens wish to see.

Thank you for all of the work that you are doing during the pandemic. Since there are so many issues which need to be resolved, I also hope that you seriously consider continuing the Legislative Session past the July 31st deadline so that you have the ability to address the issues that we are facing with the opportunity for fully-considered debate.

Jeannie Vineyard  
Hudson

From: Ted Greenwood <tedgreenwood@msn.com>

Sent: Friday, July 17, 2020 10:16 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on S.2820

To: Representative Aaron Michlewitz, Chairperson, House Committee on  
Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on  
the Judiciary

Hello, my name is Ted Greenwood with the Greater Boston Interfaith  
Organization (GBIO). I live at 66 Winchester Street, Brookline, MA 02446.  
I am writing to urge you and the House to pass police reform that  
includes:

- \* Implementation of Peace Officer Standards & Training with  
certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

I urge you to adopt the Senate language to reform the legal doctrine of  
qualified immunity. This reform will allow the few applicable cases to be  
heard by a jury without being dismissed because the particular violation  
of 4th amendment rights by a public official, such as a police officer,  
has never been previously contemplated by a statute or a court precedent.  
Those cases deserve to be heard on their merits, not thrown out using a  
non-statutory legal doctrine. It is simply outrageous that those who have  
suffered from the egregious violations of police officers cannot get their  
day in court.

In addition, it is clear that qualified immunity reform will not have  
devastating financial impact on any police officers as they are  
indemnified by the municipalities that employ them. Any such claims are  
not based on fact and should not be considered as you consider this  
reform.

Thank you very much.

Ted Greenwood

66 Winchester St.

Brookline, MA 02446

617-505-5071 (h)

646-715-2082 (c)

tedgreenwood@msn.com

From: CaptJack24 <zporter473@gmail.com>  
Sent: Friday, July 17, 2020 10:15 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

Good morning,

Hi, my name is Zachary Porter. I have been a Police Officer for 10 years in the Town of Middleboro. I am writing to you today out of concern for the proposed reform bill. I am very concerned with the ideas that are being proposed and how to change police work.

Police work is an extremely difficult profession, we are required to not only enforce the law, but we are now social workers, mental health workers, peace officers, and EMT's. There are many hats the modern day police officer wears and there is a lot to be expected of us.

There are many situations that we rely on good faith to help people or make the right decisions. Qualified immunity protects us and gives us the confidence that we need to make split second decisions that are extremely hard for us to make.

Things that concern me are simple, such as, I could be called to a house by a husband or wife who is being abused. There is visible evidence that someone had just been assaulted, such as welts, bruising, or cuts. So as a Police Officer I do what is required of me by the state of Massachusetts and arrest the abuser. I have done what the State has told me and now have taken away someone's civil liberties and rights by placing them under arrest.

Now we end up in court, and the spouse who was the victim decides that they do not want to testify and the case gets thrown out. Now, without a doubt I will be sued by the arrested person for taking away their rights because, technically nothing happened the night they were arrested.

This bill opens Pandora's box and allows the good men and women in Police, Fire, and the schools. To have their lives stripped from them for doing work in good faith.

I believe in change, I really do. But, let's be logical about this. The criminal justice system is extremely weak here in Massachusetts. There are many instances where you arrest someone on Friday and you arrest them again on Monday because nothing happens. This is a vicious cycle. We

continually deal with the same people because the courts do not hold them accountable. Why do we not hold those who commit crimes accountable? If we did Officer Sean Gannon and Officer Michael Chesna would still be alive.

Police have been vilified over the past 6-8 years. There are thousands of cops who do a phenomenal job day in and day out. With that being said, at these times i do not want to be a Police Officer. I signed up to make a difference in my community, I did not sign up to be hated. I do understand there are bad apples in every bunch but the vast majority of cops are good at what they do.

If this bill passes, I will resign and find something else to do. Those are just the facts. We work long hours, nights, weekends, and holidays to provide for our families I will not put everything that I worked hard for achieving for my wife and son on the line because I did my job.

Thank you for your time,

Zachary Porter

Middleboro Police Department

From: Santangelo, Nicole <Nicole\_Santangelo@DFCI.HARVARD.EDU>

Sent: Friday, July 17, 2020 10:12 AM

To: Testimony HWM Judiciary (HOU)

Subject: Thoughts to share on Police Reform Act

Importance: High

To the Members of the House Committee on Ways and Means:

I am writing to voice my concerns on the Police Reform Act that is about be debated in House. I am the wife of a law enforcement officer we have a sweet 2 year old daughter who deserves to be considered as part of this reform as well. I think what many people don't understand about police is that it is a family commitment. This is not just a 9-5 job that you go to and come home like everyone else. This is a commitment a family makes to the citizens of this state. We sacrifice a lot for the greater good and I hope that is not lost on you or any other trusted legislator. While reform is something the system so desperately needs to address years and years of systemic racism, I beg you to think critically about ALL the items that are in this bill before you decide to cast your vote. I believe there are some well-intentioned items in this bill and there are also some not-so-well-thought-out plans included, which is what I really want you to consider.

As legislators it is your duty to ensure bills are fair, well-researched, with good intention, and above all change things for the better. I have reached out to Senator Crighton's office and Rep. RoseLee Vincent to share these thoughts as well. As a law enforcement family our biggest concerns are Qualified Immunity and non-police review boards.

All I ask is that you put yourself into a police officer's shoes for a moment. Think about all the dangers and/or tough decisions they must make daily to uphold their Oath to protect the public. In a moment's notice and without hesitation many of these officers must make decisions with nothing but a moment's notice. They put their lives on the line daily to ensure you and everyone else in the Commonwealth are safe, even if this means risking bodily harm or even worse their life. I would hate to see these officers have to add another complicated layer into their split second decision making. Should their Qualified Immunity be revoked, they would have to think of all the possible ramifications if they act because they could be subject to personal liability for their actions. This affects not only the officer, but potentially their family. How could my husband, who is well-educated, well-trained, and well-intentioned ever do his job properly if he were constantly worried about a frivolous lawsuit? Would we really want police to stop acting or hesitate because of this? Why should they be personally liable for doing their job? This does not exist in other professions, why should it exist in policing? For instance, are doctors personally liable for their malpractice cases? Physicians are personally protected from their professional actions by their insurance - what mechanism would there be for police to protect their assets/family should Qualified Immunity be removed? I think you can see where I am going with this, I beg you to think critically about this amendment.

My second concern is regarding non-police review boards. How could people who are not trained and/or educated in policing police actions? Should police actions be reviewed ABSOLUTELY, but do we let just anyone make those judgement calls? For instance, medical review boards contain medical professionals that assess a physician's actions based on their experiences and education which seems appropriate. Having a board to review police actions is not inherently a problem it's the composition of the review board that is worrisome. If these review boards exist they must contain those who are experienced and educated in law enforcement for that process to remain fair. If every day citizens want to make police-related choices they should take the civil service exam and apply. It would be completely unfair to expect an ordinary citizen to be able to assess a situation when they have no point of reference. My point being, we are all looking for reform but does that mean we make the process unfair to one group to make a statement?

We need reform to address systemic racism, but I don't think rushing a bill through is a good way to obtain lasting results. There needs to be more research and more input from stakeholders before something like this is passed through. We are not against reform, we welcome it. The police officers in this state are some of the most educated in the country. We beg you to consider these facts before you decide to act with a vote for a quick fix. These problems need more than a band aid.

Most sincerely,

Nicole Santangelo

617.308.8822

5 Lewis Street

Saugus, MA 01906

Nicole Santangelo

Division of Population Sciences

Dana-Farber Cancer Institute

44 Binney Street

Boston, MA 02115

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From: Hawkins, James - Rep. (HOU)  
Sent: Friday, July 17, 2020 10:15 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 testimony

I want to share my concerns about S2820.

I am proud of the forward thinking police department in Attleboro which is my district. They have the "POP" team that has officers without guns help people suffering from addiction and other mental health concerns locate treatment and, if necessary, even drive them to treatment. They co-organized with Fuller Hospital a monthly drop in center with local non-profits including addiction and domestic violence. And when there was a BLM protest in Attleboro there was no uniformed presence. When they marched to the police station the chief came out and listened and in the end took pictures with protesters arms around him.

Like most of us, they welcomed the Black And Latino Caucus goals. Training has always been a priority even if limited by budget constraints. Every one of them is just as sickened as all of us by the George Floyd death. Certification would only label them as one of the 99% of police who have never punched someone in the face. And added training would help them be more aware of racial bias and racial injustice. Most saw this as a way to make policing better, more effective, and more sensitive to the community.

However, the changes to QI in the Senate bill sent a chilling message to them. Now they are scared. Suddenly senior police are filling out retirement papers. Younger officers are talking about divorce so their assets can be in the wife's name. And many are thinking about previous careers and maybe there is a safer way to earn a living. I've been to the local police roll calls and all of them feel betrayed. They worked through COVID. Daily they deal with the craziest and most confrontational people in our community. And they would like to know that we have their back.

As a current union member I am troubled by parts of this bill that limit disciplinary appeals and takes away bargaining rights. These are hard won rights that generations of teachers, carpenters, steelworkers, and firefighters count on. As a teacher I feel that unless you have been in

a classroom last period on a hot Friday afternoon with 30 fifteen year olds trying to convince them that Pythagorean theorem is way cool you don't know my job and I should have a voice. Much the same policing is a very different job and they deserve a voice. We should not ever be diminishing these rights for anyone. Even the groups that represent minority police do not support these changes. They do little to advance racial justice but take a lot away from a small group of workers.

I think my biggest concern is the changes to Qualified Immunity. I've listened to lengthy explanations of the historical context and the legal cases and maybe there is reason to change it. But this is way, way too hasty. ACLU claims it only affects police but MMA lawyers claim it affects every public employee including teachers nurses and others. I know that when I was a teacher lawsuits were always a threat that we dealt with.

Also the changes in this bill around QI clearly negate the role of civil service. The police chief in Attleboro has complained that civil service procedures have made it difficult to hire and we are presently short staffed. And it's possible that by changing civil service we could change hiring and promotion procedures to help balance racial injustice. Maybe we should tackle this but not with a week's notice.

And ACLU may claim that indemnity clauses will protect police officers from financial harm but that is not true. I listened to a detective yesterday who was sued and exonerated but, while the case was pending for two and a half years all his assets were frozen. This was a young, married officer with children. He may not have had the threat of paying any possible judgement but he certainly suffered financially during the process. And I can't confirm but I'm hearing that not every community has this indemnity insurance.

I really, really appreciate all the hard work you are doing on this legislation. It would be very wrong to ignore the George Floyd incident and the very real issues of the BLM movement. But I cannot support hastily decided changes to QI that would have such a detrimental effect on all public employees. There are so many unintended consequences to that and we really need a more deliberative and comprehensive review. Please advance this legislation without QI.

Thank you,

Jim Hawkins

State Representative 2nd Bristol/Attleboro

Cell (508) 2260-1436

Jim Hawkins

State Representative

2nd Bristol District | Attleboro

State House | Room 472

Boston, MA 02133

Tel: (617)722-2013 ext. 8932 | Cell: (508)226-1436

James.Hawkins@MAhouse.gov

From: Traci Obrien <omrscubby1610@aol.com>

Sent: Friday, July 17, 2020 10:16 AM

To: Testimony HWM Judiciary (HOU)

Subject: procedure

Sent from my iPhone

From: Mark Ryan <markvryan@verizon.net>

Sent: Friday, July 17, 2020 10:15 AM

To: Testimony HWM Judiciary (HOU)

Subject: Fwd: Qualified Immunity

Dear Chair Michlewitz and Chair Cronin,

My name is Mark Ryan and I live at 25 Nevada Road, Tyngsborough, MA . I own and operate Ryan Automotive Service located in Tyngsborough, MA. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????????????????????????????????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy

or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
  
Mark Ryan

From: Kim Alpuerto <kalpuerto@comcast.net>  
Sent: Friday, July 17, 2020 10:15 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: SB 2820 comment

Good Morning Chairs Michlewitz and Cronin,  
  
Thank you for your efforts on SB 2820.

I ask that you please add a requirement to make special police officers subject to public records requests.

It is vital that they too be held accountable to the public, just like any other police officer. There must be transparency in any law enforcement matters.

Thank you for your consideration,

Kim Alpuerto  
66 Jay Rd  
North Andover MA

From: Sargent, Sarah E. <SargentSE@worcesterma.gov>  
Sent: Friday, July 17, 2020 10:15 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Ferguson, Kimberly - Rep. (HOU)  
Subject: Police Reform Bill 2820

Good morning,

I'd first like to introduce myself... my name is Sarah Sargent, I am 31 years old, living in Princeton, Massachusetts & I am a Special Crimes Detective for the Worcester Police Department. I am the proud daughter, granddaughter, niece, and cousin of Law Enforcement Officers.

I have always had a passion for social work, but as I journeyed through obtaining my Bachelors Degree in Sociology & Criminology from Suffolk University, I realized that I would have the most effective and positive impact on my community while being on the front lines, as a Police Officer.

Once on, I helped to start the Crisis Intervention Team, the Opioid Task Force, I worked directly in our poorest neighborhood with the highest crime rates, and I eventually became a Detective, solely investigating crimes against our most vulnerable... Sexual Assaults victims, Children, the Elderly, and the Mentally Disabled, as well as being one of the few specialized investigators for Human Trafficking.

Aside from work, I am approaching 10 years with my "Little" from Big Brothers Big Sisters. We were paired together before I became a police officer and she has seen me through it all. As she goes into her Senior year of college, studying Criminal Justice, I am so proud to say that she will be doing an internship with me this fall, as she hopes to continue a profession in the Criminal Justice system upon graduation.

I don't say any of this to boast, I say this all to show you a GLIMPSE of what can be accomplished in under 6 years of being on the job...Six. The good that can be done, the change that can be made, the lives that can be positively impacted, the people who can be helped.

I also say this to you so that you can understand, that despite all of these things I have listed, I write this letter to you, defeated, heartbroken, and disappointed. I never thought at any time in my career, I would consider stepping away... and especially not after only 6 years.

This Senate Bill that has been passed puts myself and my fellow Officers throughout the Commonwealth in great danger & I can promise you that, if

passed, Policing as we know it will change forever. The Bill is an anti labor legislation and it removes our right to due process, collective bargaining and inserts a board that has no training, experience or background in law enforcement. We need the amendments that were filed in the senate bill to be adopted.... Qualified immunity, Due process/collective bargaining and the make up of the POSAC board.

I fear if you allow this bill to pass, we will see what has happened in other parts of the country... Officers retiring early, low staffing, uneducated applicants. And beyond that, crime rates raising, proactive policing minimized, the trust between the police and the public, wash away.

I am proud of the Worcester Police Department for always being one that goes above and beyond; setting the standards for others and always striving for excellence. We work hard, we are good people, and we love our city... and I think that easily shows in our crime rates, community outreach, & repeated positive responses to our ever-changing world.

I have read and reread the bill many times. I know for a fact that we are willing to sit down at the table and be a part of this. But this is not a bill that should be taken lightly and this is not a bill that should be rushed through.

I thank you for allowing written testimonies to be submitted for this public hearing and I hope that you will take the time to really listen to the voices coming through on them.

I love my job and I hope to continue helping people for the rest of my career... but, right now, we need you to help us. There is a better way to do this.

Thank you.

-Sarah Sargent

(508) 340-5134From: Kristen Bowes <kmbowes@gmail.com>

Sent: Friday, July 17, 2020 10:15 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

I have been a Quincy Police Officer for 15 years and proudly serve the citizens of Quincy. This was a job a dreamed of since the age of ten. I have held positions in patrol, school resource, detectives and various community outreach programs.

I strongly urge you to not pass this bill which will have a negative impact on my professional and personal life. I took this job knowing that my life is on the line but now to have to worry about frivolous lawsuits is difficult to accept. I am married with two children and I am scared that we could lose everything by a lawsuit filed against me for doing my job. As you are aware, qualified immunity protects police officers who are NOT violating statutory or constitutional rights. By abolishing this, police officers will be sued at a rapid rate. These frivolous lawsuits

could be used as a form of harassment against officers who acted responsibly. This could cause an officer to second guess themselves and hesitate. Our jobs require split second decision making and allows no room for hesitation when your life is on the line. Please consider voting no on this bill for me, my family and all the other police officers in Massachusetts.

Sincerely,

Kristen Bowes  
Quincy, MA  
617-291-4420

From: Traci Obrien <omrscubby1610@aol.com>  
Sent: Friday, July 17, 2020 10:15 AM  
To: Testimony HWM Judiciary (HOU)

Sent from my procedure  
From: Donald Allison <donaaldallison@comcast.net>  
Sent: Friday, July 17, 2020 10:15 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform Bill Friday 17 July 2020

Legislatures,

I offer the following for your immediate actions, put this Police Reform Bill into committee where it can be discussed equally and fairly in order to structure a "Bill" which is solid, not one that in its beginnings is roaring for amendments/changes almost immediately.

We, in Massachusetts have the great opportunity to have a snap shot of what the future will look like, ie; New York City-the prominent minority civic leaders are calling for a re-do because of a knee jerk reaction. They are not the only jurisdiction.

Several years back, law enforcement was mandated to complete an extra form when encountering the public on traffic/pedestrian stop, basically it was a state wide and to answer the question, racial profiling by police. A year or so after this began. law enforcement was told they can stop. I can not offer an explanation as to why it was stopped because, no information as to why was given. My own speculation, its was determined after totaling the numbers, there was no evidence of systemic racial profiling in a illegal or criminal manner. Has any member looked for this information and if not, why not, and maybe that information should be brought up in this discussion.

The following are some issues I see from what I have been able to gather from the Senate bill and hope the House does not follow suit;

POSA Governor's Bill H.4794 - In current form, Officers are not entitled to a Fair and Professional Process that respects Constitutional Due Process

Due Process (DP)- Failure to modify appropriately to ensure Constitutional protection will lead to lengthy litigation

- Continue utilizing the processes that have been in place for decades to ensure due process: o IA/Discipline by Chief?Independent Arbitration/Appeals?Then the Oversight POSA Board. They can then review ALL facts/investigations/facts & questions of the case.

- Revocation shouldn't be mandatory - what's point of a process if outcome is pre-determined?

- Sustained IA findings alone cannot trigger revocation - employee is entitled to Due Process and Sustained IA is simply a charging document. Process should not be instituted until discipline is final.

- Non-appealed termination cannot trigger revocation - should wait until process is finalized.

- By allowing municipalities to complete disciplinary process, Committee will receive full record to consider. This will AVOID the need for a COSTLY new bureaucracy. If Committee is going to adjudicate first, there will need to be an entirely new system created, which will be costly and infeasible in the middle of a recession/possible depression.

Composition of the Committee

- Recommending from 14 to 13-person make-up. Boards should always have odd number for appropriate voting when needed. We have been suggesting 8 LE Members and 5 Non-LE members.

- Suggestions for Non-LE: Retired Superior Court Justice, Experts in Use of Force and FA analysis and discharges and Criminal Justice Academic

- Suggested LE- Stayed with much of the Gov proposal based on largest departments and calls for service daily. AG or designee, Colonel of SP or designee, Commissioner of Boston Police or designee, Massachusetts Minority Law Enforcement Designee, Mid-size Dept. Chief. And, instead of



one LE Labor Group, we are suggesting three. We want fair representation, diversity and input on the panel. Who knows the needs and reality of the men and women on the street, then the labor leaders themselves?

For the eight law enforcement members, we recommend:

- The Attorney General or her designee;
  - The Colonel of the State Police
  - The Boston Police Commissioner
  - The Chief of a Mid-sized Municipality who is a Person of Color
  - The President of MAMLEO
  - The President of SPAM
  - The President of the BPPA
- 
- A representative from the Massachusetts Law Enforcement Policy Group
- 
- Officers should be judged by those with LE experience - Same as Doctors, Lawyers, Nurses, Teachers, etc. You don't have independent oversight boards made of community activists to revoke certifications for any of these professions, why would policing be any different?
- 
- Committee should not be dominated by Chiefs - must include more representation from Police Employee Orgs that know the day to day realities of street duty.
- 
- Non-Law Enforcement Members should have experience with CJ system

Use of Force - So called "choke-holds" are currently barred by many depts, including Boston. However, any prohibition should recognize an exception for when the use of deadly force is authorized. There should be "no absolutes". We can never say never. In life or death situations, chokehold may be better than use of a duty weapon.

Accreditation: Process of standardizing policies across the Commonwealth using industry best practices. It is currently overseen by the Massachusetts Law Enforcement Accreditation Commission, which was established in 1994. If all depts. will now be accredited, then should be overseen by this Commission.

Qualified Immunity (QI): Should not be changed. This is truly a false narrative and seems to be a money grab. If a police officer commits a crime and or acts not in good faith, AS YOU ARE AWARE, they are not covered. QI is a doctrine that shields police officers and all public employees (and other governmental officials) from personal liability in civil lawsuits unless they violate "clearly established" legal principles. In cases claiming excessive force, an officer's use of force must be reasonable under the law.

I am curious why there are two standards unlike police officers who are only protected by QI in certain situations -- usually where they have to make split-second decisions in tense and dangerous situations -- some governmental officials such as judges, prosecutors, and members of Congress get absolute immunity.

As you can see throughout the Country, officer's of all ranks are retiring before they ever thought they would and not all because they had a urge to go fishing. I also have had personal conversations with law enforcement officer's in this State and they are ready to pull the plug because everything is being stacked up against them (wouldn't you). I am not saying some reform or change is not a good thing but do it in a manner that takes all the factual information into account to make respectable reform. If not it will certainly end in court.

The few thing above about amendments are not all inclusive of the issues in the Senate bill and I am sure you have heard from plenty of law enforcement so I wont get into that anymore.

I deplore you to bring everyone to the table, social distance, keep your masks on and actually meet. Have a discussion with all interested stake holders. Just do not throw those that are attempting their best to keep all our communities safe under the proverbial bus. Its the unattended consequences that do more damage, as mentioned above regarding New York City or potentially worse. This State may have some flaws but overall is better State than most.

Respectfully,

Donald Allison  
2 Victoria Ave  
Weymouth, Ma

From: glosecresources <glosecresources@gmail.com>  
Sent: Friday, July 17, 2020 10:14 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony S.2820

Chair Aaron Michlewitz and Chair Claire Cronin,

I am writing to submit testimony regarding S. 2820. I am very concerned with many of the provisions that could endanger police officers' lives, the lack of public involvement and transparency. Our goal for creating this new law is to make people safer and more accountable that includes everyone, including police officers. There is no reason to rush a bill based on a reaction to a political movement. We need to hear from experts. We need to hear from black and brown police officers. We need to

hear from the public. Together in a timely manner, we can make significant changes that will help all our communities.

Sincerely,

Carrie Pasquarello  
857-389-0033

<mailto:info@globalsecureresources.com>

Mailtrack <https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_mailtrack.io-3Futm-5Fsource-3Dgmail-26utm-5Fmedium-3Dsignature-26utm-5Fcampaign-3Dsignaturevirality5-26&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0Sck2EnIiu k13zIs16rchf\_GkGDD&m=W r4UrJamHsAwhTu7bNMD\_8cEDQtWx-Tx206BXGCWoDo&s=9vs-d94RqiOqobQOdqKg2dELsL1r6VULWVjNPmmd-J8&e=> Sender notified by Mailtrack <https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_mailtrack.io-3Futm-5Fsource-3Dgmail-26utm-5Fmedium-3Dsignature-26utm-5Fcampaign-3Dsignaturevirality5-26&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0Sck2EnIiu k13zIs16rchf\_GkGDD&m=W r4UrJamHsAwhTu7bNMD\_8cEDQtWx-Tx206BXGCWoDo&s=9vs-d94RqiOqobQOdqKg2dELsL1r6VULWVjNPmmd-J8&e=> 07/17/20, 10:13:26 AM

<https://mailtrack.io/trace/mail/deb214176ffd4f73769647ac457ef5aa3b4f7377.png?u=2434207>  
From: Kathy <kathybweinman@gmail.com>  
Sent: Friday, July 17, 2020 10:15 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Policing Reforms

To: Rep. Aaron Michlewitz, Chair, House Committee on Ways and Means  
Rep. Claire Cronin, Chair, Joint Committee on the Judiciary

Good morning. My name is Kathy Weinman and I am writing as a member of the Greater Boston Interfaith Organization (GBIO). I live at 21 Adelaide Street, Jamaica Plain. I urge you and the House to pass police reforms that include:

- Peace Officer Standards and Training with certification
- Civil Service Access reforms
- Commission on Structural Racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Kathy B. Weinman

kathybweinman@gmail.com

617-477-9972

21 Adelaide Street

Unit 1

Jamaica Plain, MA 02130From: marc maffeo <m.maffeo717@gmail.com>

Sent: Friday, July 17, 2020 10:14 AM

To: Testimony HWM Judiciary (HOU)

Subject: Officer Concerns for our well-being

We are writing to express our position on Massachusetts Senate bill S.2800. We support holding our public servants accountable and addressing systemic racism in society. However, the bill proposed by the Senate has been written without consideration of all parties involved. It paints all law enforcement across the country with the same brush not considering how it applies locally. We need to identify the problem using research and data locally to make informed decisions on changes to the law. Furthermore, the bill will have a significant impact on already strained state, city, and local budgets. Moreover, there are numerous unintended consequences of what this bill will do to our society that need to be discussed.

This bill creates a certification board that needs offices, a large number of personnel, vehicles, and employs its own investigators, all of which will be an enormous cost to taxpayers. We do not support the Senate's proposed system and rather support the POST system that was proposed by Governor Baker. Our second concern is the bill appears to eliminate the reserve intermittent police academy. This academy trains part-time town, city, and college police officers and sheriffs. Without this academy it will by default abolish small town and college police departments across the Commonwealth and defund many other departments. Small towns and cities will not be able to afford to hire full-time officers. These small departments are critical to providing community policing on the local level.

We do not support any changes to qualified immunity. The institution of a body camera program statewide is not practical as it is not needed in many areas of Massachusetts. This is because the vast majority of departments have very few serious use of force incidents and few if any citizen complaints. The institution of a body camera program is an unfunded mandate that does not address the costs to local taxpayers for the purchase, storage of data, maintenance, processing of court and public record requests, etc.. Lastly, a lateral vascular restraint aka chokehold should be restricted, however it should not be eliminated from use and left for those life threatening and deadly force situations.

We ask that this bill be tabled until adequate input is provided by local and state officials as well as conduct thorough research and utilize

evidence based methods of instituting a wide sweeping new law. Further, an economic impact study should be completed to help fully understand the cost of all the changes outlined in this bill.

Respectfully submitted,

The dedicated Men and Women of the Duxbury Police Department.

From: Kelly Macdonald <kmacsunshine@comcast.net>

Sent: Friday, July 17, 2020 10:14 AM

To: Testimony HWM Judiciary (HOU)

Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Kelly Macdonald

Sent from my iPhone

From: Helen McCrady <helen@oldsouth.org>

Sent: Friday, July 17, 2020 10:16 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Legislation

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the  
Judiciary

Hello, my name is Helen McCrady with the Greater Boston Interfaith  
Organization (GBIO). I live at 346 LaGrange Street in West Roxbury. I  
am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Helen McCrady

[helen@oldsouth.org](mailto:helen@oldsouth.org)

978.879.9282

346 LaGrange St., #2

West Roxbury, MA 02132

Helen McCrady

Old South Church

978.879.9282

Pronouns: She/Her

From: Carolyn Caveny <[caveny3@gmail.com](mailto:caveny3@gmail.com)>

Sent: Friday, July 17, 2020 10:14 AM

To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Dear Representatives Michlewitz and Cronin:

My name is Carolyn A. Caveny, and I live at 70 Pearl Street #1210 in Brookline. I am also connected with GBIO.

I am writing to urge you and the House to pass Police Reform that includes: Standards and Training with Certification; Civil Service Access Reform; Commission on Structural Racism; Clear Statutory Limits on Police Use of Force; and Qualified Immunity Reform.

Thank you in advance for your anticipated support.  
Carolyn A. Caveny

From: MANDI SAFFORD <manwil98@yahoo.com>  
Sent: Friday, July 17, 2020 10:14 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Honored Representative,

For as far back as my children can remember, they have been attending award ceremonies honoring the heroic actions of my husband, their father, Trooper Keller Williams. He is named in the 150th Anniversary Massachusetts State Police Commemorative Book as "one of the most highly decorated troopers on the State Police".

My husband has given his heart, soul, blood, sweat and tears to serving the Commonwealth of Massachusetts for over the last 16+ years. His service has taken him away from our family countless times so that he could aid in the assistance and ensure the safety of others. To say that the high stress of his job has been a hardship on my entire family would be an understatement.

We are his biggest supporters and to us he will always be our hero. The S2820 Bill not only further jeopardizes the safety and well-being of an already high risk situation, but also paints these heroes out to be villains. That is deplorable. It also speaks mountains to my very impressionable, newly registered voters, 21 and 18 year old daughters who have lived their entire lives, growing up watching these heroes risk their lives every single day, only to be stripped of their rights by the very government we elected to keep them safe.

I ask you, What is their incentive to leave their families everyday and risk their lives to serve a community, when the cost of helping could put their entire families livelihoods at risk? Who will save us from heinous acts of crime and violence if the criminals have more rights than the enforcers of the law? What will this do you the mental health of the heroes that have sacrificed everything only to be betrayed by their leaders?

I implore you to respect and protect them from the unreasonable and excessively punitive amendments (immunity) to S2028.

Sincerely, Mandi Safford Williams (wife of Trooper Keller Williams and sister of Trooper Chelsea Safford)  
9 Callender Ave



East Longmeadow, MA 01028  
413-348-2035

Sent from Yahoo Mail for iPhone

<[From: Elizabeth Siracusa <\[elizabeth.siracusa@gmail.com\]\(mailto:elizabeth.siracusa@gmail.com\)>  
Sent: Friday, July 17, 2020 9:58 AM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: S.2820 Opposition](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=vDbu_qnOM7OQF9YFdc-g4GUWW4we2gLkuCxnBhpr0w&s=bVCw24yXm3e6JGS1HeUBunvD3XALtupJYFPLC-U6Nww&e=></a></p></div><div data-bbox=)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including

termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. My husband, uncle and brother being some of them. Do not turn your back on the very ones who risk their lives daily to protect everyone, including those who do not have respect or care for them.

Thank you.

Elizabeth Proctor  
6 Wentworth Road,  
Canton, MA

From: Maria Gage <mariatgage@gmail.com>  
Sent: Friday, July 17, 2020 9:58 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition of S.2820

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you for your time,

Maria Gage  
4 Emerson Avenue  
Peabody, MA

From: marc kadis <majoka1@hotmail.com>  
Sent: Friday, July 17, 2020 9:58 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Don't defund the Police

It would be very dangerous to the public and the economy to defund the police. So I request no Police defunding. I would however eliminate the tremendous waste and inefficiency within the department. One example is to eliminate over staffed police detail. Which is a problem that has been going on for many years. And make the Police that are there do their job. And not be on their cell phones. Another answer is to use lower paid workers to do the same job. All this waste is passed down to the consumer. Run the police department like a company that is worried about their bottom line. Marc Kadis 617 686 3268

From: michael sylvester <mjsylvester1029@gmail.com>  
Sent: Friday, July 17, 2020 9:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This

provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: neeley martin <neeleymartin@gmail.com>

Sent: Friday, July 17, 2020 9:57 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Dear Sir,

My name is Neeley Martin and I live at 577 Main Street, South Dennis MA 02660. . As your constituent, I write to you today to express staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Neeley S. Martin

From: Telles, Courtney A. <CTELLES@PARTNERS.ORG>  
Sent: Friday, July 17, 2020 9:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police

officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Courtney Telles

46 Wyman Road

Abington MA

02351

Courtney Telles MHA, R.T. (N) (CT), CNMT

Technical Manager, Nuclear Medicine and PET

Massachusetts General Hospital Imaging

55 Fruit Street, Boston, MA 02114

ph. 617-726-8350, pager 34160

ctelles@partners.org <mailto:ctelles@partners.org>

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<http://www.partners.org/complianceline> . If the e-mail was sent to you in error but does not contain patient information, please contact the sender and properly dispose of the e-mail.

From: JOHN NOBERINI <jnoberini@comcast.net>  
Sent: Friday, July 17, 2020 9:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Written Testimony Re: S 2800

Good morning,

My name is John Noberini and I reside at 6 March Rd., Wilmington, Massachusetts. I am writing to you to voice my concern again that again no public hearing was held on S. 2800 and given no other choice, I am submitting this letter as my written testimony. As your constituent, I write to you today to express my disagreement with any hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote against Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to Qualified Immunity will have a serious impact on critical public safety issues.

Unintended and unnecessary changes to QI will hamstring police offices in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham!

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The Governor and supporters of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!! The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unaccepted and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

Police Officers Deserve the same Due Process Afforded to all Other Public Employees!

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in labor relations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses. We need to affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you so for your attention to this extremely important matter.

Sincerely,

John Noberini



(508) 922-7321  
jnoberini@comcast.net

From: Dalton Boglisch <dboglisch@gmail.com>  
Sent: Friday, July 17, 2020 10:14 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law

enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,  
Dalton Boglisch  
Agawam, MA

From: Dan Totten <dantotten@gmail.com>  
Sent: Friday, July 17, 2020 10:13 AM  
To: Testimony HWM Judiciary (HOU); Michlewitz, Aaron - Rep. (HWM); Cronin, Claire - Rep. (HOU)  
Cc: DiDomenico, Sal (SEN); Connolly, Mike - Rep. (HOU)  
Subject: pass S.2820 without amendments

Hello Chairman Michlewitz and Chairwoman Cronin,

I am writing to ask you to pass S.2820 without removing any critical sections including (but not limited to) ending qualified immunity, banning no-knock warrants, and banning tear gas. This bill does not go nearly far enough, but it needs to pass as is, and all eyes are on you.

Thank you,

Dan Totten  
54 Bishop Allen Drive #2  
Cambridge, 02139  
From: Carla Coan <ccoan4@gmail.com>  
Sent: Friday, July 17, 2020 10:13 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Gobi, Anne (SEN); Durant, Peter - Rep. (HOU)  
Subject: S.2820 opposition

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their

respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Carla Coan

49 Daniels Rd

Charlton, MA

From: Carl Jaena <cjaena36@icloud.com>

Sent: Friday, July 17, 2020 10:13 AM

To: Testimony HWM Judiciary (HOU)

Subject: Voicing my Opposition to S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Carlos Jaena Jr. and I live at 21 Hart Street, Wakefield, MA.

As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth.

It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms.

While there is always room for improvement in policing, the proposed legislation has far too many flaws.

Of the many concerns, three, in particular, stand out and demand immediate attention, modification, and/or correction.

Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations

2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to ALL public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers.

Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation.

Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing.

In closing once again I implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Carlos Jaena Jr.

From: Chief Jody Kasper <jkasper@northamptonma.gov>  
Sent: Friday, July 17, 2020 10:13 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: SB2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin, please accept the following testimony with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

I am the Chief of Police for the City of Northampton. I support, and many in my police department and community support, policing reform initiatives including the addition of mental health crisis responders,

the addition of a POST program that creates a database of former and current police officers and that certifies and de-certifies officers, and improving training and education opportunities in the area of fair and impartial policing, the history of racism in the United States, and procedural justice.

Under my leadership at NPD, we joined President Obama's White House Police Data Initiative and committed to making policy and police data transparent. We completed the IACP's One Mind Campaign to improve how we are responding to people in mental health crisis. We brought educational courses to our agency to learn more about Fair and Impartial Policing, De-escalation, and Implicit Bias. We started the Drug Addiction and Recovery Team (DART) program, which provides follow-up harm reduction services to individuals struggling with addiction. We adopted a model policy on Use of Force that includes all of the elements in the "8 Can't Wait" reform initiative. We've changed our recruitment and hiring practices and have increased the diversity of our staff. We made these changes on our own over the past five years motivated not by outside reformers, but based on our own insight from working within the field.

I'm sharing this with you because we are a progressive department that is always striving to best serve our community by providing professional and respectful public safety services to all. While some aspects of SB2820 are reasonable, the proposal to dramatically change and potentially abolish qualified immunity for police officers and other public servants, is something that I strongly oppose. My concerns include the potential dramatic rise in the number of state court actions, the significant financial impact on municipalities, public employees working in a state of uncertainty until courts interpret the new qualified immunity language, and the increased challenge of retention and recruitment of highly qualified officers. That last concern is my most significant. In a time when very few people are seeking to enter the field of policing and when the applicant pool is already shrinking, this change has the likelihood to decrease applicant numbers even further. This would be coming at a time when we are seeing people leaving the field completely by retiring early or transitioning into new career fields after years in policing. There is a critical need for exceptional individuals with a service-oriented, guardian mindset to join the field of policing.

We embrace reform. We value the need to examine and assess how policing services can be improved. However, it is imperative that any reform measures be thoughtfully studied and that there is an opportunity for input from many stakeholders. Change is more likely to be successful if it is evidence-based and is born out of a collaborative effort.

Thank you.

--

Chief Jody D. Kasper  
City of Northampton Police Department

29 Center Street

Northampton, MA 01060

413-587-1115

<https://www.northamptonpd.com>

<[https://urldefense.proofpoint.com/v2/url?u=https-](https://urldefense.proofpoint.com/v2/url?u=https-3A_www.northamptonpd.com_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu)

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From: keith.greener78 <[keith.greener78@gmail.com](mailto:keith.greener78@gmail.com)>

Sent: Friday, July 17, 2020 10:11 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony re: Qualified Immunity

Dear House Representatives,

I write you as a concerned Braintree citizen and ER nurse at the Carney Hospital. I feel altering qualified immunity alienates the very people this bill is trying to represent. Scaling back policing, or scaling back the incentive to do real work, is going to be detrimental to the safety of neighborhoods already struggling. I've worked 15 yrs at Carney and have seen several young men and a few women die in my trauma room from gunshots and stabbings. One thing I have heard from families is why couldn't the police have stopped it. I'm sure the police are trying hard. I see the gang and drug units as well as marked cruisers all over the place. Doing stops, using dogs to search, and trying to get that next gun off the street. I feel, if qualified immunity is gone, proactive policing will be gone with it. Why would these fine officers who do the right thing risk their families financial future ruffling feathers and risking lawsuits? Now they can simply respond to 911 calls and process crime scenes and maybe go find a bad guy. Either way, they get paid. The last thing I want to see is increases in violence and lawlessness which I truly fear if qualified immunity is altered. Remember, any public official or officer who breaks the law forfeits their immunity. So taking this away only hurts the good officers!

Respectfully,

Keith Greener

Sent via the Samsung Galaxy S7, an AT&T 4G LTE smartphone

From: Christopher Bradley <[cbradley@marlborough-ma.gov](mailto:cbradley@marlborough-ma.gov)>

Sent: Friday, July 17, 2020 10:13 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

Dear Hon. Representatives,

The Massachusetts Senate has recently passed a massive police reform bill without a public hearing. This bill was largely authored by people who consistently oppose police services. As a constituent, I request that you take the following action before your colleges on the House side vote on any such bill:

1. READ THE BILL;
2. ASK HOW POLICE DEPARTMENTS IN YOUR DISTRICT ARE ACTUALLY PERFORMING AND THE COMMONWEALTH PERFORMS AS A WHOLE.
3. AT A MINIMUM, HOLD A PUBLIC HEARING ON THE BILL TO HEAR WHAT THE PEOPLE A BILL LIKE THIS WILL EFFECT/IMPACT.

THESE ARE VERY MINIMAL REQUESTS BEFORE PASSING SUCH MASSIVE LEGISLATION THAT HAS SUCH A HUGE IMPACT.

DO YOUR OWN RESEARCH BEFORE YOU VOTE! You have been presented with a 71-page Bill that:

- ? changes dozens of laws, creates and funds many new agencies and Commissions
- ? eliminates collective bargaining rights of police officers
- ? removes authority from City's and Town's to control their own employees
- ? removes the rights of police to monitor gang activity in schools
- ? removes the due process rights of public safety officers
- ? exposes police officers and their families to personal liability even when acting in good faith
- ? will open the floodgates for frivolous lawsuits against Municipalities and increase the cost to taxpayers to defend those cases
- ? puts the lives of police officers in danger unnecessarily
- ? creates a police licensing board that is staffed by organizations who sue our communities and advocate for the elimination of police services

Why are you considering passing such sweeping changes without a public hearing and research - what happened to transparency in Government? What happened to the voice of the citizens?

DO NOT OVERLOOK THE SUCCESS OF MASSACHUSETTS POLICING

Don't believe the misinformation about the alleged need for emergency police reform here in Massachusetts - in reality, Massachusetts is a success story on Police Training and use of force results - even according those groups advocating national police reform. Our educated police force, competitive wages and mandatory training have produced excellent results.

For example, Massachusetts is among the very best in the nation when it comes to police use of deadly force:

? Massachusetts has one of the lowest annual rates for deadly use of force incidents in the Nation - at only 1.2 incidents per million people.

? Massachusetts Cities have excellent records when it comes to deadly force - In Worcester, there have been ZERO deaths caused by police since 2013 (excluding a taser related incident which was ruled a drug overdose) - in fact, Worcester has an annual citizen complaint rate of only .0002% out of 140,000 calls for service. In Lowell, there has been only one police related death (justified) in that same time period.

? In Marlborough, where I am a police officer in the last 10 years there has been only one law enforcement related death. The shooting was found to be justified. We have an average of over 500 arrests a year and less than 100 of them each year requires any use of force. The stats of our department show that the use of force incidents are highest among Caucasian population, followed by Hispanic and then finally Black population at less than single digit percentage.

? During this span, the police have successfully handled many millions of calls for help, often involving, volatile and violent individuals, without incident.



? Most Massachusetts Towns have had no law enforcement related deaths during the tracked time period. In almost 8 years of being a law enforcement officer in Marlborough there have been zero Law enforcement related deaths.

? When anti-police groups present data of people killed by police, they include people like the Boston Marathon Bomber, and others who murdered police officers during incidents.

Before passing a bill creating new state agencies and destroy the morale and success of our public safety officers - is it too much to ask that you first take a look at how police in Massachusetts are performing? Have you looked at your own constituencies - the Towns in your district to see what needs changing, and what is working?

WHAT DOES THE PROPOSED POLICE REFORM BILL DO?

The proposed massive Police Reform Bill IS NOT BASED ON MASSACHUSETTS performance history and NOT BASED ON MASSACHUSETTS DATA.

The proposed bill will destroy the morale of our police departments, will put our officers' safety at great risk, and will expose them and their families to personal liability, will generate thousands of frivolous lawsuits to be paid for with taxpayer money, and even has provisions to pay the lawyer's fees for people who sue our communities.

For example - the legislation:

? Creates and funds at least 6 new Agencies, Commissions or Committees

? Eliminates Civil Service Protection only for Law Enforcement Officers; (Sections 41-43)

? Prohibits School Department Personnel from Providing Information to Law Enforcement regarding gang activity and affiliation; (Section 49)

? Expands the rights of individuals convicted of multiple crimes to expunge records of those crimes

? Requires that a lengthy record (receipt) be generated related to virtually any interaction between a police officer and a member of the public; (Section 52)

? Creates - but does not fund - mandates upon municipalities to gather, track, organize and report data, as well as unfunded training mandates; (Section 52)

? Creates a Police Officer Standards and Accreditation Committee to govern the conduct of police and judge police officer conduct but - unlike every other professional licensing board - is made up of individuals nominated by groups which openly advocate against law enforcement. It would be similar to staffing the Board of Pharmacy with anti-vaccine advocates or staffing a medical board with lawyers who sue doctors. The Board of Plumbers is made up by a majority of plumbers. The Board of Accountancy is made of by a majority of Accountants. Same goes for nurses, electricians, etc. Law Enforcement should be no different and the committee that can take away our careers should not be populated with nominees that include law firms who claim to have made millions suing cities and towns and their police departments (Lawyers for Civil Rights, Inc.) or the ACLU. (Section 6).

? This bill effectively eliminates collective bargaining rights for police officers - the employees that need it most given the difficulty of their job. This anti-labor, anti-employee bill essentially removes (only for police) the right to be disciplined only where there is just cause - a right enjoyed by virtually every other public employee in our state. (Section 6)

? This bill creates a cottage industry for lawyers and another unfunded mandate upon Cities and Towns by greatly expanding liability on municipalities and officers. Under this Bill, every time a Court grants a motion to suppress evidence - because of any technical violation of the Fourth Amendment for instance - a per se violation of the Massachusetts Civil Rights Act will be created. The proposed Bill even provides for

attorney fees to prosecute these actions. (Section 9). Even officers acting in good faith will be liable.

? This bill purports to regulate the Use of Force by Law Enforcement Officers without any recognition that police officers often must make split second decisions, often under extreme stress. Good faith actions will result in lawsuits and can result in the loss of a career. Even if those actions were deemed appropriate by an internal or District Attorney's review, the new committee can decide on their own to end a career. Nowhere in the bill is there acknowledgement that the reasonableness or necessity of a particular use of force must be judged from the perspective of a reasonable officer on the scene and not from the perspective afforded by 20/20 hindsight. (Section 55). It is easy to make decisions in the comfort of a lawyer's office with the benefit of video, hindsight and knowledge of the actual outcome an event. The law has recognized for years that hindsight judgment is unfair and not practical for the officer who may be faced with life or death situations in the heat of the moment.

These are only a few items of concern. Passing of this bill without a public hearing by the Senate, without considering how we are doing here in Massachusetts, without considering the impact of this massive legislation, without even a thought of how it will impact that thousands of police officers and their families, is not only negligent, but will have a residual negative impact that our state and our families cannot afford.

As your constituent, I request and expect that you will represent me, and that you will do your due diligence. Please read and understand the bill. Please research how your own district's police officers are actually doing. Please hold a hearing. If you would like or need to I would be happy to discuss the issues and policing in general, via e-mail, phone (508)272-7324 or in person at your convenience.

We intend to hold ourselves accountable, and we trust that you will do the same.

Sincerely,

Resident of 105 Prospect St, West Boylston, MA and Registered voter.

Ofc Christopher Bradley 100CB

Marlborough Police Department

355 Bolton St

Marlborough, Ma 01752

Phone # 508-485-1212 ext 36821 <tel:508-485-1212;36821>

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From: Clarissa <clarissa\_mr@aol.com>

Sent: Friday, July 17, 2020 10:13 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony re S.2820

Dear Rep. Cronin and Rep. Michlewitz,

I am writing in support of S.2820, the Senate's police reform bill. The House must enact a similar bill as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July. I have engaged in multiple conversations on the Senate's policing reform bill in many online venues since May 25 2020.

I support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools, as municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill S.2820, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the taxpayers in their municipalities. However, if police officers engage in egregious misconducts, they should be immune to prosecution, even if case

law has not previously established that this particular form of misconduct is egregious.

Most importantly, I trust that a good police reform bill will be enacted by the end of July.

Thank you for considering my testimony, and giving attention to this important priority, in addition to all the other important issues the House is addressing at this time.

Sincerely,

Clarissa Rodriguez  
First Parish Unitarian Universalist of Arlington, MA

Phone: (339) 221-8578

From: Andrea O'Donnell <andreadodonnell@icloud.com>  
Sent: Friday, July 17, 2020 10:13 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony: S.2820

Chairman Michlewitz, Vice-chair Gartlick & Ways and Means Committee members,

I am writing to urge the committee to reconsider passage of S.2820. The bill was hastily written and has too many dire consequences for the citizens of the Commonwealth and for police officers. I am not against some reforms and review of current policies and procedures, but reactionary legislature, without thoughtful consideration of the complexities and consequences is irresponsible, reckless, and negligent; it does no justice for our citizens or our public servants.

I urge that you vote no for this bill, as submitted and currently written.

Andrea O'Donnell  
North Andover

617-480-0974

From: Donald Johnson <donald.johnson303@gmail.com>  
Sent: Friday, July 17, 2020 10:13 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Shayok Chakraborty  
Subject: Strong Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Donald Johnson with the Greater Boston Interfaith Organization (GBIO). I live at 46 Kings Way Unit 802B Waltham, MA. I am writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you very much.

Donald Johnson  
donald.johnson303@gmail.com  
(617) 875-9319  
46 Kings Way Unit 802B  
Waltham, MA 02451  
From: j c <grf41102003@yahoo.com>  
Sent: Friday, July 17, 2020 10:13 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Written testimony for S2820

My name is John T. Clark and I have been a police officer in the State of Massachusetts for 26 years. During this time, I have seen the job change immensely. I became a police officer because I believe in the system and in protecting the citizens of the Commonwealth and visitors to the best of my ability. I have performed this job with honor and integrity, serving as a detective for 20-plus years, and I now as a police supervisor. Never once have I ever treated anyone any different related to their race, sexual orientation, financial status, or for any other reason. I treat people the way I would have wanted to have been treated if the roles were reversed. I am not a judge and have faith in the jury system, due process, the constitution, and the rights of the accused.

Having said this, I have reviewed this legislation that is being proposed and cannot believe this is the path that Massachusetts is taking, specifically qualified immunity. I feel that if a police officer does not have the protections under qualified immunity when they are doing their job in a honest and constitutionally correct manner and still have the ability to be personally sued by someone when they have done nothing wrong is alarming. This will handcuff police and from doing amazing work they already do, and honest police officers shy away from doing their job due to the fear of an unsubstantiated and frivolous

lawsuits. Officers will be in fear that any action will result in a lawsuit and this will diminish the ability for victims to be protected and for communities to be safe. If an officer is constantly paying to defend themselves for doing their job, they will not be able to survive financially with the little money made doing this work. Officers do this job in the care of serving the community and making them safer for every citizen.

I do not believe that this will change the few officers in this nation who are police officers for the wrong reasons and actions obviously have effected all police by tarnishing the profession by being involved in egregious acts against other human beings. These individuals and acts make me disturbed and I question how these people ever became police officers or even why they did in the first place. Obviously for the wrong reasons. I am proud to say that the training received by police in Massachusetts is by far the best in the nation. This bill was forced through with little transparency or collaboration with police stake holders. Please consider taking the time to really study the effects purposed in the bill and how it will effect the safety of our communities.

Respectfully Submitted,

Sgt. John T. Clark  
181 Colrain Road  
Greenfield, MA 01301

From: Jonathon Carpenito <jon.carpenito@gmail.com>  
Sent: Friday, July 17, 2020 10:13 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

- (1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

- (2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees

who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,  
Jon Carpenito  
Salem, MA

From: Morgan, Keith N <knmorgan@bu.edu>  
Sent: Friday, July 17, 2020 10:13 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for strong police reform legislation

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Keith N. Morgan, a member of the Greater Boston Interfaith Organization (GBIO). I live at 505 Tremont Street in the South End, one of the most racially, ethnically and economically diverse areas of the city, as you know, and therefore a district that is watching the police reform legislation closely. I am writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform



Thank you very much.

Keith N. Morgan  
knmorgan@bu.edu  
(617) 351-2649  
505 Tremont Street, Unit 411  
Boston, MA 02116

From: Rena Lukoski <lrluko41@hotmail.com>  
Sent: Friday, July 17, 2020 10:12 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Regarding S.2820

Good Morning

My name is Rena Lukoski and I live at 82 Hillside Circle in Hanover, MA. I write to you today with regards to S.2820. This is a bill that has become the focus of many in our Commonwealth. Most particularly, it has become the focus of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as a supporter of Police/Law Enforcement Officers. When I look at S.2820 as it stands now there are pieces that are acceptable and appropriate when I think of the bill as one with an end goal of constructive Police/Law Enforcement reform. While here in our Commonwealth we have some of the best trained Police Officers in the country I do still support enhanced training and appropriate certification standards that apply to individual officers. There is always room for more training and education in any job. I also support accreditation of police departments. Certification of individual officers and accreditation of departments both help with the maintenance of high professional standards for all. I also support the proposed ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 seem to me to be what a bill about constructive police/law enforcement reform should aim for.

Unfortunately when I look at S.2820 as it stands now there are also pieces of it that do not provide for fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. The removal of Qualified Immunity will not serve to stop misconduct of Police Officers. It will not serve to change those Police Officers who are not inherently good. It will, instead, impact the ability of Police Officers to do the job they were trained to do in a safe and effective manner. The removal of Qualified Immunity will impact good Police Officers. The removal of Qualified Immunity will also impact all public employees, even those who are not Police Officers. This part of S.2820 is not reflective of a bill

about constructive police/law enforcement. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate to be included in a bill with an end goal of constructive Police/Law Enforcement reform. The full package of the bill as it currently stands before you is NOT acceptable. If Legislation such as that tied to S.2820 is to be effective, appropriate and just for all citizens of our Commonwealth it takes time along with careful thought and consideration. Quick and rushed decision making like that which occurred in the Senate passage of this bill does not serve the all the citizens of our Commonwealth. It only served to hurt some citizens of our Commonwealth and promote personal and political agendas. I do appreciate the willingness of the House to hear from the citizens of the Commonwealth prior to beginning debate and discussion on it. Input from the public is important with regards to a bill that stands to potentially impact all of the public.

I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth, including Police Officers and their families. S.2820 as it stands now is NOT just and equitable. S.2820 should NOT be passed in the House as it is currently written. I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Rena Lukoski

82 Hillside Circle

781-826-4667

From: Ashley Austin <ara4791@gmail.com>

Sent: Friday, July 17, 2020 10:12 AM

To: Testimony HWM Judiciary (HOU)

Subject: S. 2820 Public Comment

Hello,

My name is Ashley Austin and I am a resident of North Adams, MA. I am writing to express that we need to put an end to qualified immunity. Police accountability is extremely important and the public has a right to know that when the people hired to keep us safe are the ones in fact harming our communities that justice will be served. No one is above the law. This is priority number one and a bill needs to be passed that benefits the greater good and not a group that has decided time and again that they are abusers of power.

Thank you for taking the time and urge you to think of ALL of Massachusetts residents in regard to this issue.

Sincerely,  
Ashley Austin  
From: Nancy Hyde <nancyhhyde@gmail.com>  
Sent: Friday, July 17, 2020 10:12 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,  
Nancy H. Hyde

Salem MA

Sent from my iPad  
From: Nancy Gallant <nancy.gallant@comcast.net>  
Sent: Friday, July 17, 2020 10:12 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Hill, Brad - Rep. (HOU)  
Subject: Public Hearing Statement re Senate 2820

To the House Committee on Ways and Means, while written statement on such an important topic is a poor substitute for actually verbally voicing our input as "We the People," I submit this statement in lieu of actively sharing it in a public hearing regarding Senate 2820...

The "war on cops," is a scourge on our country since the false narrative that police are the primary threat to the safety of black lives, that they are racist monsters in search of the opportunity to abuse and even kill people who are black. This "war on cops" is alive and well in the over-reaching bill the Massachusetts Senate rushed through under cover of darkness and with no public hearing.

I am Nancy Gallant, wife of a Massachusetts State Police Sergeant Rob Gallant who has 26 proud years of service to our commonwealth and his fellow citizens that has included plenty of risks assumed during 18 years at Logan International Airport where he transferred immediately after 9/11 when the risk of anthrax and the threat of terrorism in the then soft target of airports were so great. He spent 13 of his years at Logan as a bomb detection dog handler including many hours spent in the city during those harrowing hours and days following the Marathon Bombings. He fits the now-forgotten saying of our public safety heroes who run toward the danger.

Rob recently was promoted to sergeant and now works the midnight shift in A Troop, often as the shift supervisor for the entire troop overseeing a large number of squared-away, young troopers who are the age of our own young adult children. I have NEVER feared for his safety more than now, the very real figurative target on the backs of LEOs never bigger because of the false narrative of law enforcement being permanently tainted as being born out of slavery and basically a bunch of uneducated, poorly trained and racist thugs. Rob's is the same position worked by Tulsa PD's Sgt. Craig Johnson, recently shot repeatedly and killed at a "routine traffic stop" one of so many LEOs murdered in the last 2 months that I have lost count. Sgt. Johnson was backing up a young, rookie officer who survived gun shots to his head and has a long rehab road ahead but at least he isn't paralyzed like 2 other LEOs who recently survived attacks on their lives including Officer Mark Priebe who was run over by a man who woke up and decided to "run over a cop" a few weeks ago.

When Rob leaves for work, I think about Sgt. Johnson and all of the departed LEOs killed in the line of duty, many assassinated, even set up in ambushes, these intentional murders of cops being on the rise since this marxist-led BLM's false narrative against the police started. Along with all of the physical assaults happening to LEOs every single day at

"peaceful protests" like the one this week where baseball bats were handed out and NYPD cops beaten, the murders of so many "good cops" are on the hands of all of those who, knowing the real stats, still feed into that "false narrative" that "all cops are [racist] bastards" and can be disrespected, attacked, beaten and killed and certainly should be stripped of any authority and protections they have to do their job.

This "war on cops" rages on right here in Massachusetts. Now, instead of acting on the opportunity to develop more training to improve already high police standards, instead of efforts to foster more positive relationships between law enforcement and the inner-city disadvantaged communities and instead of shining a light on the needs there where gang violence is destroying the lives not only of the gang members but of all of the innocent people robbed of their rights to live their lives fully, we saw in the Massachusetts Senate an inflation of the false narrative against the police and a shift that now also includes actually empowering and protecting the criminals even as the increase in crime, violence and lawlessness is destroying our country.

It isn't just possible but necessary as you show respect and concern for the black community to show respect and concern for the vast majority of law enforcement while adding more training on de-escalation and other important skills and putting in place measures to identify those who tarnish the badge.

I am not just concerned about the diminished safety of our LEOs that will only get worse with the passage of an over-reaching bill, but also the safety of my fellow citizens. No demographic will be impacted more by a weakened police force than inner-city disadvantaged communities as evidenced by the horrendous increase in crime and murder that has taken place in the last several weeks in other cities across our country as police have been forced by "democrat" mayors to stand down and their funding and protections have been stripped.

Further to that concern for the inner-city communities, as well as all of our commonwealth's youth, removing school resource officers or reducing their ability to effectively perform their duties is yet another over-reach that ignores not only the value of those SROs as a positive community connection with young people but ignores, normalizes and even seems to accept and then expunge the criminal activity of some young people in schools. That is just shocking in the backdrop of lawlessness we are all witnessing. The police are not the bad guys. Ignoring the real sources of lawlessness and crime is a disservice to the citizens of our commonwealth who respect and abide by the law, appreciate the role of law enforcement and just want to live our lives with the freedoms our Constitution provides us to life, liberty and the pursuit of happiness.

Respectfully Submitted,

Nancy Gallant

(As a public safety family living on the North Shore, I do not feel comfortable listing my street address. I am a constituent of Brad Hill's. Email a reply if my address info is needed.)

From: Eric Smith <sl0908@yahoo.com>  
Sent: Friday, July 17, 2020 10:11 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2820

Eric Smith  
Riceville Rd Athol Ma  
978-230-2986

Please except this email as my strong OPPOSITION to bill S.2820. It would take me too long to list all the reasos why I am OPPOSED to this bill in its current form. I am strongly OPPOSED to the specific group of listed professions that are at risk of losing qualified immunity. Please don't allow this bill to pass the way that it is currently proposed. PLEASE VOTE NO ON HOUSE BILL S.2820

Thank you

Sent from my iPhone  
From: Deb Deb <snopuoc@yahoo.com>  
Sent: Friday, July 17, 2020 10:11 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reform Bill before House of Representatives

Good morning,

I am writing regarding the Police Reform Bill before the House of Representatives. I am concerned that it was hastily written because of current events, instead of being written clearly and unbiased for the best situation for all (citizens, first responders, etc.).

Police officers should not be judged for the actions of a few situations. I do believe it is unfair to take immunity protection away for police officers. Singling police officers out is hypocritical. Other first responders, as well as government officials and employees are indemnified. Should it be eliminated for them, as well?

There seems to be a lack of support for the positive acts (protecting citizens, solving crimes, diffusing domestic disputes, community policing, etc.) by police officers.

Please do not not vote hastily based on the current environment, but with serious thought and insight. Thank you.

From: Gain Robinson <gain.robinson@gmail.com>  
Sent: Friday, July 17, 2020 10:11 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Livingstone, Jay - Rep. (HOU)  
Subject: Support for S. 2820 (Reform police standards, shift resources, and value Black lives and communities of color in MA)

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Gain Robinson

158 Magazine Street #36

Cambridge, MA 02139

From: Madeline Boyce <modean.b@gmail.com>  
Sent: Friday, July 17, 2020 10:11 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for S2820

Dear Chair Michlewitz and Cronin, I am writing to you to voice my strong support for S2820. It's imperative that we make this first step towards racial justice. We've seen too many times the abuses of our neighbors at the hands of law enforcement. I ask that you preserve the language creating an independent and civilian majority police body, limit qualified immunity, and reduce the school to prison pipeline by removing barriers to expunge juvenile records. I also ask that you strengthen the use of force standard, fully prohibit facial surveillance technology and lift the cap of the justice reinvestment fund. Thank you for taking the time to review my input. Madeline Boyce Hopkinton MA

From: Sophia Snyder <spsnyder@post.harvard.edu>

Sent: Friday, July 17, 2020 10:10 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: testimony re: police reform bill

Hello,

I'm a Massachusetts resident submitting testimony for the House hearing on the police reform bill. I strongly support many provisions of the Senate bill and it is absolutely imperative that the House include these provisions in their version of the bill:

- The same limits to qualified immunity that the Senate included. This is vitally important to protect the constitutional rights of Massachusetts residents.
- Amendment 65, which bans tear gas, a chemical weapon banned in warfare.

Thank you for your attention,

Sophia Snyder  
7 Silloway St, Dorchester Center, MA 02124  
857-928-3847  
From: Elizabeth Ullman Cohen <elizabethucohen@gmail.com>  
Sent: Friday, July 17, 2020 10:11 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support Strong Police Reform in the House

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Elizabeth Cohen with the Greater Boston Interfaith Organization (GBIO). I live at 29 Green Street, Unit 1, Brookline 02446. I am writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform



Thank you very much.

Elizabeth Cohen

elizabethucohen@gmail.com

203-988-0225

29 Green Street, Unit 1

Brookline, MA 02446

From: Leah Velleman <leah.velleman@gmail.com>

Sent: Friday, July 17, 2020 10:10 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony for today's Ways and Means committee meeting

I'm a Massachusetts resident submitting testimony for the House hearing on the police reform bill. I strongly support many provisions of the Senate bill, and in particular, I feel strongly that the House should include the same limits to qualified immunity that the Senate included.

There is now clear and abundant evidence that qualified immunity puts community members in danger by allowing police in many cases to ignore public safety, the letter and spirit of the law, and even citizens' constitutional rights. If we want our rights and our safety respected, we need our government to limit qualified immunity. Please follow the Senate's lead in doing this.

Thank you,

Leah Velleman, Medford, MA

(734) 545 0731

From: Nickie Poznauskis <nickiepoz@gmail.com>

Sent: Friday, July 17, 2020 10:10 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Good Morning

My name is Nicole Poznauskis and I live at 16 Hillside Circle in Hanover. I write to you today with regards to S.2820. This is a bill that has become the focus of many in our Commonwealth. Most particularly, it has become the focus of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as a supporter of Police/Law Enforcement Officers. When I look at S.2820 as it stands now there are pieces that are acceptable and appropriate when I think of the bill as one with an end goal of constructive Police/Law Enforcement reform. While here in our Commonwealth we have some of the best trained Police Officers in the country I do still support enhanced training and appropriate certification

standards that apply to individual officers. There is always room for more training and education in any job. I also support accreditation of police departments. Certification of individual officers and accreditation of departments both help with the maintenance of high professional standards for all. I also support the proposed ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 seem to me to be what a bill about constructive police/law enforcement reform should aim for.

Unfortunately when I look at S.2820 as it stands now there are also pieces of it that do not provide for fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. The removal of Qualified Immunity will not serve to stop misconduct of Police Officers. It will not serve to change those Police Officers who are not inherently good. It will, instead, impact the ability of Police Officers to do the job they were trained to do in a safe and effective manner. The removal of Qualified Immunity will impact good Police Officers. The removal of Qualified Immunity will also impact all public employees, even those who are not Police Officers. This part of S.2820 is not reflective of a bill about constructive police/law enforcement. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate to be included in a bill with an end goal of constructive Police/Law Enforcement reform. The full package of the bill as it currently stands before you is NOT acceptable. If Legislation such as that tied to S.2820 is to be effective, appropriate and just for all citizens of our Commonwealth it takes time along with careful thought and consideration. Quick and rushed decision making like that which occurred in the Senate passage of this bill does not serve the all the citizens of our Commonwealth. It only served to hurt some citizens of our Commonwealth and promote personal and political agendas. I do appreciate the willingness of the House to hear from the citizens of the Commonwealth prior to beginning debate and discussion on it. Input from the public is important with regards to a bill that stands to potentially impact all of the public.

I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth, including Police Officers and their families. S.2820 as it stands now is NOT just and equitable. S.2820 should NOT be passed in the House as it is currently written. I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Nicole Poznauskis

16 Hillside Circle

Hanover, MA

617-861-7957

From: Roger Stolen <rstolen@upseu.org>  
Sent: Friday, July 17, 2020 10:10 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate police reform bill testimony

To whom it may concern,

I am a Labor Relations Representative from United Public Service Employees Union that represents employees in Massachusetts that would be affected by the senate police reform bill. We represent dedicated employees in all aspects of service to their towns from drinking water, water treatment, to police and dispatchers. They play a vital role for their community to keep people safe. They go above and beyond in the performance of their duties each and every day, but like all of us they are not perfect. They can make a mistake, and that is why the law has protection built in for these individuals. They go to work each day using their training and licensing that they have acquired over the years to protect and serve the public but now we are talking about taking away their protection. How is this fair to these people who were recently hailed as heroes during the height of the pandemic in our state. They perform a vital role in our society and deserve your backing for their protection. This bill would not serve the greater good and would unintendedly hurt these individuals. We strongly urge you to reconsider enforcing this bill due to the impact that this will have on these dedicated workers.

Thank you,

Roger Stolen

Labor Relations Representative

CONNECTICUT

130 Research Parkway, Suite 201

Meriden, CT 06450

MASSACHUSETTS

20 Maple Street

Springfield, MA 01103

Phone: (203) 235-4485

Cell: (860) 462-2786

Fax: (203) 235-4507

Email: rstolen@upseu.org <mailto:rstolen@upseu.org>

<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.facebook.com\\_UPSEU.union&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiu k13zIs16rchf\\_GkGDD&m=KWdMCbCXIEPus3rb7cE03XstEZQfWnMSfNxD7BkufCM&s=27IgKstc\\_IBx-ZtDSil04r0LsxlSmHCBHBy0hdT4KBg&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_UPSEU.union&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=KWdMCbCXIEPus3rb7cE03XstEZQfWnMSfNxD7BkufCM&s=27IgKstc_IBx-ZtDSil04r0LsxlSmHCBHBy0hdT4KBg&e=>)>

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From: Laura Spooner-Fleming <lauraspoonerfleming@gmail.com>

Sent: Friday, July 17, 2020 10:10 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

Hello, my name is Laura Spooner-Fleming with the Greater Boston Interfaith Organization (GBIO). I live at 802 Center Street in Jamaica Plain. I am emailing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you very much.

Laura Spooner-Fleming

lauraspoonerfleming@gmail.com

773-573-0245

802 Centre St, Boston, MA 02130

From: Alyssa Rao <arao@gbls.org>

Sent: Friday, July 17, 2020 10:09 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Alyssa Rao  
222 Washington St Apt 5  
Brookline, MA 02445  
arao@gbls.org

From: Bethany Li <bli@gbls.org>  
Sent: Friday, July 17, 2020 10:07 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Bethany Li  
20 Arlington St Apt 2  
Somerville, MA 02145  
bli@gbls.org

From: John Callahan <jcallahan523@gmail.com>  
Sent: Friday, July 17, 2020 10:10 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: OPPOSITION TO BILL S. 2800

To the Ways and Means Committee of the Massachusetts House of Representatives:

My name is John Callahan and I live in Hyde Park, MA. I am writing this letter to voice my concern that again no public hearing was held on this matter and it lacks transparency.

The people I know who are police officers are the most compassionate and caring people I know. I trust them to protect my family and community. The police departments in Massachusetts are some of the best in the country and represent what policing should look like around the country. This bill is a slap in the face to the hard working and professional police officers and their families. This bill is not reform. It is a rushed bill to pander to the few who believe what happened across the country applies to Massachusetts. It is disheartening and shows the lack of respect the politicians of Massachusetts have for their constituents.

I am submitting this letter as my written testimony. I write to you today to express my strong opposition to the hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote AGAINST Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.

The proposed changes to QI will have a serious impact on critical public safety issues. Unintended and unnecessary changes to QI will hamstring police officers in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions. Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The Governor and support of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unacceptable and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.



## 5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in laborrelations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

John Callahan

From: Emily Saucier <esaucier19@gmail.com>  
Sent: Friday, July 17, 2020 10:10 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified

Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Emily Saucier

Sent from my iPhone  
From: Austin A <cn507688@hotmail.com>  
Sent: Friday, July 17, 2020 10:10 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: SB2820 Reforming Police Standards

To whom it may concern,

I am writing as a resident of Massachusetts who is concerned with the unintended consequences of many portions of this bill. I have been in public service for 15 years and have a graduate degree in Public Administration. I have also been involved in collective bargaining, grievance processes, disciplinary hearings, and observed criminal court cases involving public servants.

Since learning that the Massachusetts Senate passed this bill, I have been trying to read through it in its entirety. The bill is extensive and has widespread impacts on policing in the Commonwealth. There are also implications for all public servants in the Commonwealth. Over the course of the prior few days I have only had an opportunity to read through the bill once. I would need to read this bill again in its entirety several times and have extensive time and discussion to get a clearer sense of what the implications of passing this legislation would be. However, the deadline for public comment at this stage has been open for barely over 24 hours and ends in close to one hour. That is not sufficient time to absorb this material and understand the related impacts.

I am curious how many of you have read this bill in its entirety and understand all the related implications?

There are racial inequities throughout this State and Country that obviously need to be dealt with. These issues have come to a head over the prior 8 weeks, bringing much needed attention to the issue. However, from what I have read this bill radically changes what is already a very taxing occupation. Police officers, like fire fighters and other public servants, become a "catch all" responding to the many and varied calls for service from residents of the Commonwealth. The incidents that are responded to require a great deal of training and documentation. While the oversight and training that is described in this bill is at its core well intentioned to strip away bias and inequity, it adds a burden to police officers that is going to have long term, negative repercussions.

In addition to the burden on police officers is the issues that this creates in regard to collective bargaining, discipline, and civil service. This bill institutes a wide array of changes that represent material changes in the working conditions of law enforcement. At the local level, the impact of the changes will result in contractual negotiations becoming bogged down with attempts to find common ground with municipalities on how to implement and compensate for the sweeping changes outlined in this bill. As an example, mandating an additional 40 hours of training annually and completing a State recertification process, while continuing to complete all of the already required training for law enforcement and EMT duties is going to be extremely costly to municipalities that are already struggling to balance budgets in the face of the impacts from COVID-19. The Town of Nahant, where I reside, is barely able to address the many competing budgetary needs in a good year. This year will bring about service cuts and delayed infrastructure projects. A community like Nahant cannot absorb the costs associated with this bill. The 11 person police department in Nahant does not have the staffing to take on the additional required reporting and statistical data gathering that this bill requires.

Removing civil service from the process of discipline of a civil service employee is wrong. Civil Service is a necessary protection for employees of the Commonwealth. In addition to creating a level playing field for job applicants, and for promotional opportunities, it allows for a process to review disciplinary action. Stripping away those steps in the process creates an unbalanced system. I have seen poor employees who were correctly disciplined and discharged through this process. I have also seen this process provide a check against an individual who was abusing their public position to attempt discipline and discharge employees who were exercising their right to speak up against policies that placed the public at risk. Removing that process is dangerous and shortsighted.

This bill should not be moved forward towards legislation without a much more involved discussion regarding its impacts. That discussion must involve all stakeholders. All sides must be allowed to be heard and the public must have an opportunity to fully understand what each portion of this bill will mean for their community and their law enforcement. As

elected public servants yourselves, you owe the residents of the Commonwealth that opportunity.

Thank you,  
Austin Antrim  
88 Fox Hill Rd.  
Nahant, MA  
From: STANLEY HOFF <yelnatsh@comcast.net>  
Sent: Friday, July 17, 2020 10:10 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Walsh, Thomas - Rep. (HOU)  
Subject: Fwd: police legislation

Gentlemen:

Below is a letter I sent to Rep Thomas Walsh concerning the police legislation under consideration.

To summarize, I suggested that police not be used to compromise a person's rights of self defense: Illegal seizure of firearms from legal gun owners and legal protection of the police from retribution by the officer's superior for refusing to obey an unconstitutional order.

Also, in this crazy environment I would like to suggest that frivolous complaints against police be treated as a crime and penalties be imposed on the fraudulent complainer.

Thank you for considering my ideas. I trust that the Committee enact a meaningful solution.

Sincerely,

Stanley A Hoff

----- Original Message -----  
From: STANLEY HOFF <yelnatsh@comcast.net>  
To: "thomas.walsh@mahouse.gov" <thomas.walsh@mahouse.gov>  
Date: 07/12/2020 2:44 PM  
Subject: police legislation

Hi,

It's me again. This time with a question and opinions.

Question: In this period when police are subject to blatant criticism and abuse, why do they engage in unlawful actions against the people who would support them? I am referring specifically to the case in St Louis where two law abiding people, Mark and Patricia McCloskey, were harassed by police after they protected their lives and property against an unruly mob while armed with a rifle and a handgun. The police seized the legally owned firearms based on an illegal, politically motivated 'search warrant'. This action rendered the McCloskey's absolutely vulnerable to onslaughts by the mob. 'Only acting on orders'. That defense became obsolete as the Nazi War Crimes Trials in Nuremberg in 1945. A policeman is sworn to uphold the constitution and obey the 'Lawful' orders of his superior officers. The order was in direct violation of the 4th Amendment. Bad news.

Any law presently under consideration should have specific safeguards against confiscation of a firearm from a citizen who is threatened in like manner. There should also be protection for an officer who refuses to obey an illegal order.

There! I've said my piece.

Sincerely,

Stan Hoff

From: Nick Pasquarosa <nautnick@gmail.com>  
Sent: Friday, July 17, 2020 10:09 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down qualified immunity in Section 10. This

provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum it should specifically eliminate any provisions similar to sections 10, 49, and 52, as well as amend Section 63 to have more police representation. Sincerely,

Nick Pasquarosa  
Bewton Burlington  
From: Ellen Glisker <eglisker@verizon.net>  
Sent: Friday, July 17, 2020 10:09 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform legislation

To: Representative Aaron Michlewitz, Chairperson, House Committee Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name Ellen Glisker with the Greater Boston Interfaith Organization (GBIO). I live at 56 Porter, Cambridge. I am writing to urge you and the House to pass police reform that includes:

1. Implement Police Officer Standards & Training with certification
2. Civil service access reform
3. Commission on structural racism
4. Clear statutory limits on police use of force
5. Qualified immunity reform

Thank you very much. (Stay safe and healthy.....and wear your masks!!!!)  
Ellen Glisker  
eglisker@verizon.net  
56 Porter Rd, Cambridge

Sent from my iPad  
From: Cole Springate <cole.springate@gmail.com>  
Sent: Friday, July 17, 2020 10:09 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: In support of the current Police Reform bill

I would like to write in support of the police reform bill that is being considered. I urge you to pass the bill. While I support many elements of the bill, here are the parts that resonate most with me:

Licensing: Police officers have a job that requires a tremendous degree of professionalism and they wield great power - this should be a licensed profession. Good police officers who follow the law and their operating procedures will no doubt have no problem maintaining their license.

Allow communities to not have police officers in schools: This is a very important point for me. My daughter will be starting school soon and I am

very afraid to have her attend a school with a police officer. The "tools" available to police are violence and or detention / arrest. This is an appropriate tool set for some situations, but it is completely inappropriate for a school setting. I do not want my daughter and her classmates to live under the constant threat of state sanctioned violence.

Requiring officers to intervene if another officer is using unnecessary force: How this is not already a law is concerning, so there is no time to waste in getting this passed. If I was in an airplane where the pilot was disregarding safety procedures, I would be horrified to learn that the expectation was the co-pilot would not intervene. Given that if a police officer is using unnecessary force it is illegal for the victim to attempt to stop the officer, it is clearly up to the other police officers to intervene.

On a personal note, I would like to add that the current level of police violence, blatant disregard for the law, us vs. them mentality and a shocking lack of accountability has created a situation where I am personally afraid of all police.

Thank you,  
Cole Springate-Combs  
20 Acadia Park, Somerville MA

971 - 533 - 7455

From: Elizabeth Ross <lizloganross@gmail.com>  
Sent: Friday, July 17, 2020 10:09 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition to 2028

I'm writing to express my opposition to S. 2820 The hard working men and women of Massachusetts Law Enforcement deserve an open hearing on this legislation. The selfless individuals who serve our diverse communities have earned the right to be heard on these issues. Forcing this legislation through without careful consideration will not accomplish what it's intended to. Improvement can always be made but the problems with regards to today's issues are not a result of policing in our Commonwealth.

Our minority communities are not calling for these changes and they will be the ones hurt most by them. Officers deserve basic protections from frivolous law suits to enable them to do a difficult and dangerous job. I fear the lack of these protections will paralyze our police and prevent them from serving our communities for fear of second guessing and the unfair liability to their families.

We need to support our law enforcement and stop treating them like the enemy. The call for this "reform" is based on lies and I hope the good men and women that we have elected will see the truth, acknowledge the facts and choose to make the necessary amendments to this bill.

Thank you,  
Elizabeth Ross  
Dover, MA

Sent from my iPhoneFrom: Sergei Skorupa <sergeiskorupa@gmail.com>  
Sent: Friday, July 17, 2020 10:09 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: PLEASE USE COMMON SENSE REGARDING THE POLICE REFORM BILL

To the members serving in the Massachusetts State Senate & House of Representatives:

I am extremely dismayed with the contents of the recently passed Senate Bill S.2820. I am very supportive of improving standards and requirements for police officers in our state so long as they are reasonable and feasible. I am not alright (nor are most people) with arbitrarily changing MGL in what is essentially an attempt to handcuff and limit the ability our 14,000+ highly educated and highly trained police officers here in Massachusetts to safely and effectively perform their jobs - which is to enforce the rule of law in a fair and impartial manner.

Make no mistake about it, the underlying premise of this rapid and sustained push for upheaving the longstanding rules, regulations and legal protections codified by statute is to discredit our hardworking police officers and attempt to make their jobs impossible to do. Massachusetts is already among the top of all 50 US states when it comes to police standards and training. California is one of the only other states that comes close to our current standard on a statewide level. We currently require all of our full time police officers - from Barnstable to Boston to Pittsfield and everywhere in between - undergo rigorous training and screening and selection regimen as dictated by the state Municipal Police Training Committee. They are required by MGL and CMR to attend an MPTC Academy program that is 800+ hours length and includes a wide ranging and thorough curriculum.

Similar to that, Massachusetts State Police troopers attend a separate residential police academy that lasts just under six months in duration and is more than 1,100+ hours in instructional time. The MSP training academy is extremely rigorous and challenging. It is among the best in the nation. The residents of our commonwealth should be extremely proud of the men and women that we currently have working in law enforcement to serve our communities on a daily basis.

As far as reform, the eye of the Legislature should focused on the bloated and mismanaged state Trial Court system - which is in desperate need of "reform". In addition to that, the various (11) state run Sheriff's Departments perform an admirable and noble job, but they are also in dire need "reform" as they operate with little to no oversight. They are each an independent state agency, each of which is incredibly expensive to operate - especially considering they all perform duplicate tasks that are simultaneously being administered and payed for by the state Department of Correction.

I am EXTREMELY concerned at the proposed legislation as it targets fundamental protections such as due process and qualified immunity. This bill is straight up OUTRAGEOUS and will make an already dangerous and difficult job even more dangerous for the men and women in law



enforcement who serve our communities every day with honor and courage. Below are several areas of concern that need to be revised and addressed:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you for your consideration,

SERGEI SKORUPA

MONTAGUE, MA

From: Stephanie LaShoto <s.lashoto@gmail.com>  
Sent: Friday, July 17, 2020 10:09 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public testimony for Police Reform - GBIO

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the  
Judiciary

My name is Stephanie LaShoto-Westfield with the Greater Boston Interfaith  
Organization (GBIO). I live at 120 Bay State Rd in Melrose MA. I am  
writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Stephanie LaShoto-Westfield

s.lashoto@gmail.com

774-219-5147

120 Bay State Rd, Melrose MA 02176

From: Katie Hallett <katie.a.hallett@gmail.com>  
Sent: Friday, July 17, 2020 10:08 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

Hello,

I am writing in support of this legislation. As a member of the League  
of Women Voters, and in line with my strongly held principles and  
beliefs, I advocate against systemic racism in the justice system and  
support preventing excessive force and brutality by law enforcement. No  
one is above the law, and that includes those who enforce the law.

I urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public  
Safety, State Representative Liz Miranda bans choke-holds, no knock  
warrants, tear gas, and hiring abusive officers; creates a duty to  
intervene and de-escalate and requires maintaining public records of  
officer misconduct.

HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day, which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.

It is imperative that action is taken on the issue of police violence. I implore you to act and include these measures.

Thank you,  
Katie Hallett  
Secretary, LWV-Salem  
From: luey1210@gmail.com  
Sent: Friday, July 17, 2020 10:08 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Good Morning,

My name is Lori Masciovecchio and I live in Bridgewater, MA. I write to you today with regards to S.2820. This is a bill that has the attention of many in our Commonwealth. Most particularly, it has the attention of Police/Law Enforcement officers, those that love them and those that support them.

I write to you as the wife of an active Weymouth Police Officer. Years ago, Police Officers were respected and appreciated for the job they did. As the wife of a Police Officer in today's world things are different. Like all police wives, I watch my husband leave and hope and pray that he comes home safely every day. My last words to him every time he leaves are "be safe - I love you". In our world this is "normal" but not everyone lives in the same world we do, not all wives and children need to say "be safe" when their loved one leaves for work.

I also write to you as a member of a larger family - the Blue Family. This week, Wednesday July 15 to be specific, my Blue Family and I remembered one of our own, Sergeant Michael Chesna. On July 15, 2018 this husband, father, son, brother and uncle who just also happened to be a Police Officer was murdered. I will never forget where I was when I received the initial call about Mike. I will never forget where I was when I learned that news that Mike had died. I will never forget attending Mike's wake and funeral with my husband, my Blue Family and the Chesna Family. Sitting in St. Mary of the Sacred Heart Church in Hanover with my fellow police wives is something none of us will ever forget. A police wake and funeral are things NONE of us ever want to attend again.

As I noted above, S.2820 has caught our attention. There are pieces of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. Like many, I support enhanced training and appropriate certification standards that apply to individual officers. I also support accreditation of police departments. Certification and accreditation both serve as a commitment to excellence in training and promote each individual's and department's maintenance of the highest professional standards. Certification and accreditation also

serve to enhance public confidence. Public confidence, and I might offer respect, is critical to police officers being able to do their job on a daily basis. I also support the ban of the use of excessive force by police officers as well as the proposal that every individual officer has the duty to intervene if they witness excessive force. These parts of S.2820 all make sense when we focus on the idea that this bill is about constructive police/law enforcement reform.

S.2820 has also caught our attention because there are pieces of it that do not allow for the fair and unbiased treatment of Police Officers. Most importantly, the removal of Qualified Immunity for Police Officers is unfair and potentially dangerous. Qualified Immunity, as I understand it, does not excuse criminal conduct. It is, instead, a legal protection offered to all public employees and serves as a protection against losing one's home or life savings in a civil suit. As many people know, Police Officers need to make in the moment decisions every day when they put on their uniform. If they don't make those decisions quickly enough they face the very real chance of death or injury. Police Officers CANNOT do the job they were hired to do safely and effectively if they are worried about liability. They CANNOT do the job they were hired to do safely and effectively if they are worried about losing the home their family lives in. They CANNOT do the job they were hired to do safely and effectively if they are worried about how they will support their loved ones. Is there a chance that Sergeant Michael Chesna chose not to use his weapon on the morning of July 15, 2018 because he was worried that such use would have been viewed as use of excessive force? Was he worried that if he used his weapon he could potentially lose his family's home? The answers to those questions we will never know. It does seem reasonable to assume, however, that had Sergeant Michael Chesna chosen to use his weapon to shoot Emanuel Lopes he would still be here today. He would still be here with his family who miss him every single day. Police Officers need to be able to make quick decisions and act in good faith without fearing that each and every decision they make could lead to a lawsuit against them. Police Officers who are forced to stop, pause and think about potential liability before they act are Police Officers whose lives are at risk. The removal of Qualified Immunity should NOT be part of the final police/law enforcement reform package.

As I stated, there are parts of S.2820 that are acceptable and appropriate when we think of a bill with a goal of constructive Police/Law Enforcement reform. The bill as it currently stands before you is NOT acceptable as a total package. If Legislation such as that tied to S.2820 is to be effective, appropriate and just for all citizens of our Commonwealth it takes time along with careful thought and consideration. Reactive and rash decision making do not serve the citizens of our Commonwealth. The early acts in the Senate to rush a vote on this bill and to not study pieces like Qualified Immunity further have been extremely disheartening. I appreciated those Senators who called for more time and for a closer look at the bill in order to produce a product that was fair and just for all citizens of our

Commonwealth. I also appreciate the willingness of the House to hear from the citizens of the Commonwealth. Legislation such as S.2820 impacts all citizens so all of those citizens should be allowed to share their thoughts.

In closing, I urge you to take the time that is necessary to make the best decision for ALL citizens of our Commonwealth. We have some of the most well trained Police/Law Enforcement Officers in the country. They need to be able to do the job they were trained to do in a safe and effective way. I urge you to correct S.2820 so as to treat the men and women in Law Enforcement with the respect and dignity they deserve.

Sincerely,

Lori Masciovecchio

Bridgewater, MA

617-697-0634

<

Hello,

I am a resident of Boston, MA and I fully support the Reform, Shift + Build Act (S.2800). It is time to pass legislation that supports the people that live here and makes it a safer place for all residents. Massachusetts has often set the standard on "radical" and progressive decisions - like being the first state to legalize gay marriage - and I hope you will continue to set the standard by passing much needed police reforms. I hope to see this legislation pass so I can continue to be a proud resident!

Thank you,  
Natalie

From: glosecresources <glosecresources@gmail.com>  
Sent: Friday, July 17, 2020 10:07 AM  
To: HWMJudiciary@mahouse.gov; Testimony HWM Judiciary (HOU)  
Subject: Testimony S.2820

Chair Aaron Michlewitz and Chair Claire Cronin,

I am writing to submit testimony regarding S. 2820. I am very concerned with many of the provisions that could endanger police officers' lives, the lack of public involvement and transparency. Our goal for creating this new law is to make people safer and more accountable that includes everyone, including police officers. There is no reason to rush a bill based on a reaction to a political movement. We need to hear from experts. We need to hear from black and brown police officers. We need to hear from the public. Together in a timely manner, we can make significant changes that will help all our communities.

Sincerely,

Carrie Pasquarello  
857-389-0033

Mailtrack <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_mailtrack.io-3Futm-5Fsource-3Dgmail-26utm-5Fmedium-3Dsignature-26utm-5Fcampaign-3Dsignaturevirality5-26&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiu k13zIs16rchf\\_GkGDD&m=SxsGRAnNj79fQ9V8eu3V85XWFcyfZF6qc1oz-rANXhk&s=ItzphO4QFy9IEdFfOPdCgl0M3t6koDoXUqUSntT5-II&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__mailtrack.io-3Futm-5Fsource-3Dgmail-26utm-5Fmedium-3Dsignature-26utm-5Fcampaign-3Dsignaturevirality5-26&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=SxsGRAnNj79fQ9V8eu3V85XWFcyfZF6qc1oz-rANXhk&s=ItzphO4QFy9IEdFfOPdCgl0M3t6koDoXUqUSntT5-II&e=>) Sender notified by

Mailtrack <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_mailtrack.io-3Futm-5Fsource-3Dgmail-26utm-5Fmedium-3Dsignature-26utm-5Fcampaign-3Dsignaturevirality5-26&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiu k13zIs16rchf\\_GkGDD&m=SxsGRAnNj79fQ9V8eu3V85XWFcyfZF6qc1oz-rANXhk&s=ItzphO4QFy9IEdFfOPdCgl0M3t6koDoXUqUSntT5-II&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__mailtrack.io-3Futm-5Fsource-3Dgmail-26utm-5Fmedium-3Dsignature-26utm-5Fcampaign-3Dsignaturevirality5-26&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=SxsGRAnNj79fQ9V8eu3V85XWFcyfZF6qc1oz-rANXhk&s=ItzphO4QFy9IEdFfOPdCgl0M3t6koDoXUqUSntT5-II&e=>) 07/17/20, 09:50:54 AM

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From: Terrence Downing <tdowning@tauntonpd.com>  
Sent: Friday, July 17, 2020 10:07 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Dear Chairs Aaron Michlewitz and Claire Cronin.

My name is Terence J. Downing, a 13-year patrolman with the City of Taunton Police Department. Thank you for allowing me to provide testimony on House Bill 2820. Taunton is a diverse community with a population close to 60,000 and I am proud to wear the police uniform and serve the community where I was born and raised. Police want to be included in the discussions that have a direct impact on our health, safety and livelihood. In the midst of all the debate, police officers are still being ambushed, attacked, shot at and killed at an alarming rate. We have concerns over stripping away our legal collective bargaining rights and opening to the door to allowing police officers and their families to be subjected to frivolous, nuisance and retaliatory lawsuits seeking revenge against an officer who made a lawful decision. I've raised my three children to respect and honor everyone, and they have done the same with their own children. I lead by example on the streets of Taunton along with my brother and sister officers. I ask that you listen carefully to the police officers of Massachusetts and adopt a bill that includes our concerns. Thank you for listening.

Patrolman Terence J. Downing #397

Taunton Police Department

508-824-7522

From: Steven Leibowitz <steven157@gmail.com>

Sent: Friday, July 17, 2020 10:07 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony in Support of Reform - Shift - Build Act

Thank you for this opportunity. I urge the Ways & Means Committee and the House to support this bill, with some revisions.

First, the language on choke holds is not sufficiently specific in order to achieve its goal of removing that as a response option. It should be amended to do so. The same could be said for the use of tear gas.

Facial recognition needs to be banned permanently.

Qualified immunity is a practice that actually reduces trust in police.

It's a simple concept - if I do not trust an officer to protect all members of the public, at all times, regardless of the situation, then there is an inherent barrier to essential trust.

Finally, the review board must be independent and any move to reduce that independence would again reduce trust.

Thanks for your attention to these matters

Kind Regards,

Steve Leibowitz

1 Independence Way, Brewster, MA 02631

774-521-9384

From: Dorothy Stoneman <dstoneman@youthbuild.org>

Sent: Friday, July 17, 2020 10:07 AM

To: Testimony HWM Judiciary (HOU)

Subject: Support for S. 2920 and for a comparable bill in the House

Dear Rep. Cronin and Rep. Michlewitz,

I am writing to express support for S.2820, the Senate's police reform bill. I urge the House to enact a similar bill and get it signed into law by the end of July.

I support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers.

Most importantly, I hope the House and Senate can agree on a good police reform bill which will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Dorothy Stoneman

617 645 1366; 617 484 3441  
366 Marsh Street

Belmont, 02478

From: Jodi <jlavita2@verizon.net>  
Sent: Friday, July 17, 2020 10:07 AM  
To: Testimony HWM Judiciary (HOU); Tarr, Bruce E. (SEN)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of



diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Jodi LaVita  
2 Oxford Road  
Wilmington

Sent from my iPhone  
From: ernesto andrade <vern233@yahoo.com>  
Sent: Friday, July 17, 2020 10:07 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

July 17, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Ernesto Andrade and I live at 13 Harrison st New Bedford, MA 02740. I work at Bristol County Sheriff's Office and am a Correctional Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Ernesto Andrade

Sent from Yahoo Mail for iPhone  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_overview.mail.yahoo.com\\_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-](https://urldefense.proofpoint.com/v2/url?u=https-3A__overview.mail.yahoo.com_-3F.src-3DiOS&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-)

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k13zIs16rchf\_GkGDD&m=Z71K8n\_F8Ph87xnw19ltPULSbv4AQdnxGHOEaGV28fs&s=ReFVvU  
OITB7TJHcQYEpIC7VbYJMQudNMkMbHxNTiLwI&e=>

From: Rachel Hawkins <rachelhawkins815@gmail.com>  
Sent: Friday, July 17, 2020 10:07 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support S. 2820 and Reform Qualified Immunity

Dear Chair Michlewitz, and honorable members of the Committee,

I write today in support of the S. 2820 the Reform, Shift, and Build Act. Please support a strong bill that improves police accountability, including:

- \* A ban on racial profiling and racial data collection on all traffic and pedestrian stops, including ones that do not result in a citation;

- \* Creation of the Police Officer Standards and Accreditation Committee to certify and decertify police officers, and to ensure that police officers who commit misconduct cannot simply move from town to town and remain officers;

- \* A moratorium on the use of facial recognition technology;

- \* Restrictions on the use of tear gas (which the Geneva Convention holds to be a chemical weapon, the use of which is banned in warfare) and other use of force policies; and

- \* Reform of qualified immunity so that officers are no longer immune from violating our basic constitutional rights.

Most importantly, please retain the qualified immunity reform in Section 10 of S. 2820. Under current law, a plaintiff virtually cannot sue unless a previous court has found that the exact same conduct, in the exact same circumstances—no matter how egregious—was a constitutional violation. This includes situations such as the one Senator Brownsberger described in detail on the Senate floor in which officers in Massachusetts forced a woman to have her vagina searched. Civilians deserve the ability to hold police officers accountable for egregious violations of their rights.

Sincerely,

Rachel Hawkins  
929 Broadway #1  
Somerville, MA 02144  
From: D Pink <dp3341@gmail.com>  
Sent: Friday, July 17, 2020 10:06 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

Good morning,

I just learned that the public hearing/ email will only be accepted until 11:00am today. I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you

will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now. In these times knee jerk reactions are not needed. Those will have unintended consequences. What we need is civility on all sides of the issue to address matters and not make rash decisions.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

David Pinkham

2 Leslie Ln

Millbury, MA 01527

email: dp3341@gmail.com

phone: 413-262-1036

From: Jessica Strasnick <jmstrasnick@gmail.com>

Sent: Friday, July 17, 2020 10:07 AM

To: Minicucci, Christina (HOU); Testimony HWM Judiciary (HOU); Nguyen, Tram - Rep. (HOU)

Subject: S 2820

Dear Representatives,

Thank you for taking the time to read and consider my input as it relates to S.2820. My name is Jessica Strasnick and I live in North Andover. I am the mother of three small children and my husband is a police officer. In addition, I have the honor and privilege of working each and everyday with law enforcement officers throughout the Commonwealth and with victims of violent crimes.

Last week when I first read the proposed bill being presented to the Senate I was in shock that members of our Commonwealth, people that were elected to make sound and responsible decisions to better our communities actually thought this bill was a good idea. That shock has turned to anger, sadness, confusion and fear over the past week. There has not been a night that I don't wake up thinking about it and worrying about the catastrophic effects this is going to have on our communities, our children and our safety.

The supporters of this bill are talking about stripping police of qualified immunity as if qualified immunity protects police and allows them to do bad things. That is not the case at all and if any of you are sitting here and believe that you should be ashamed of yourselves. The only ones that have that type of immunity are you. Qualified immunity protects GOOD police officers for doing what we as a society hope and expect them to do. Bad officers who do bad things already aren't protected and can be held liable. Our law enforcement officers need and deserve qualified immunity to properly do their jobs and protect the citizens of the Commonwealth. Please remember OUR police are who we are talking about, not those in other parts of the country. Massachusetts is NOT Minnesota.

Another important consideration that no one in favor of this bill seems to be talking about or caring about is the detrimental effect this will have on victims of crimes in our communities. Without qualified immunity police will not arrest or investigate anyone. Why would they with the risk of being held personally liable?

Think about the child rape victim who finally has the courage to report to police the years of abuse she has been living with. All the police officer has is her word. Unfortunately this is the case with most child sexual abuse cases because of delayed disclosures. Now that perpetrator likely won't be charged because if the officer can be held personally liable for arresting the perpetrator if he is found not guilty or the case gets dismissed why would he take the chance? That child's voice and safety will be taken away as a result of this bill.

We are still in the midst of a huge opiate problem. People are dying throughout the Commonwealth at an alarming rate because of these drugs. Do you think police officers are going to risk liability for executing a search warrant on a fentanyl dealer's home? Absolutely not! In the back of their mind there will always be the concern a judge may suppress what was found and they will be sued. Drugs will run rampant on our streets and people will continue to die.

Everyone is complaining about fireworks going off at all hours and want the police to get them to stop. Have you talked to any police officers about how they are being treated when they respond? They are being threatened and sworn at all these calls. If they try to stop people for lighting them off and get attacked and someone gets arrested an officer should risk being personally liable? Why should someone be put in that position?

I could go on and on. The reality is that the people who are going to be the most harmed are the people this bill is supposed to be protecting. Take a look at who makes up the majority of murder victims, the rape victims, and other serious assault victims.. day in and day out our police work tirelessly for justice for them and their families. This bill is not looking out for victims at all.

The supporters of this bill want to prohibit school officials and school resource officers from sharing gang information with police. Do you have any idea how dangerous this is for our communities? Law enforcement officers are able to prevent so many shootings and so many deaths in our communities by having this valuable information and being proactive. This information protects our communities and saves lives.

I think more training is a great idea and I am sure every law enforcement officer would agree. Training makes people better and we can always be better no matter what our job is. A think a review board could be a good idea if set up properly. The way it is written now is not the right way to do it. You are going to have a police review board made up of people that have no law enforcement background or experience? Are they going to attend a police academy? Are they going to participate in the same training as our police? Have these people ever even done a ride along? I have. I have watched how our police are treated, what they have to deal with and how dangerous the most innocent seeming encounter can actually be. Until you have the knowledge, training and experience as to what really happens you can not and should not be the person making passing judgment. When a doctor's judgment is called into question isn't his/her conduct reviewed by other doctors to see if it was reasonable? When a lawyer's judgment is called into question isn't his/her conduct reviewed

by other lawyers to see if was reasonable? Why should police be treated any differently?

I can only imagine the pressure you are all receiving from all sides. The way I see it is if a bill creates such a divide in our communities from all views it is not a bill that is in the best interest of anyone. There is so much potential with a bill like this if it was done properly and responsibly. Throwing this together without any real or meaningful research or discussion is not only irresponsible but it's dangerous. This is really a missed opportunity for some real and positive change in our communities.

I urge you to take a step back and get this right because what is currently before you is far from that. Both our communities and police are depending on you to put your political motivations aside and do what is actually right for the Commonwealth of Massachusetts.

Thank you for your time.  
Jessica Strasnick  
(978)655-5374  
From: Comcast <captain.bob@comcast.net>  
Sent: Friday, July 17, 2020 10:07 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Bruce.Tarr@state.ma.us  
Subject: Bill S2820

Chair Michlewitz, Chair Cronin,  
I'm writing to state my opinion that Bill S2820, has many excellent sections; however,  
a Bill of this importance with longterm consequences, should be fully vetted, hearings held, and input from the law enforcement community enlisted. The Senate passage of this Bill, in the wee small hours of the morning, without benefit of the proper usual procedures, does not reflect well on our democratic system.  
I urge you to delay passage of this Bill until it can be carefully researched, vetted, and amended as necessary.  
Thank you very much,  
Robert M. C. Smith, Private Citizen  
88 Marmion Way  
Rockport, MA 01966  
508-284-0382  
captain.bob@comcast.net  
Sent from my iPad  
From: Becky Wright <becky.c.wright@gmail.com>  
Sent: Friday, July 17, 2020 10:06 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: police reform bill testimony

I'm a Massachusetts resident submitting testimony for the House hearing on the police reform bill. I strongly support many provisions of the Senate bill, including the limits to qualified immunity and the ban on

tear gas. It is imperative that the House include those provisions in their version of the bill.

Rebecca Wright  
610-416-8204  
Northampton, MA  
From: Arnotis, Andrew (HOU)  
Sent: Friday, July 17, 2020 10:06 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Good morning,

Please see Rep. Walsh's testimony below, it bounced back from his original email.

Thank you!

Andrew Arnotis

Office of Representative Thomas P. Walsh

12th Essex District

State House, Room 276

617-722-2676 Ext.7115 <tel:617-722-2676;7115>

Begin forwarded message:

From: "Walsh, Thomas - Rep. (HOU)" <Thomas.Walsh@mahouse.gov>  
Date: July 17, 2020 at 8:58:51 AM EDT  
To: Testimony@HWMJudiciary@mahouse.gov  
Subject: S2820

?

Dear Chairman Michlewitz and Chairwoman Cronin,

It should come as no surprise that I too am hearing from my constituents through email, and many more in person, about their concerns regarding the magnitude of this bill and the timeframe with which we are expected to enact this legislation. While many acknowledge that there are positive sections of the bill, I share the concerns of many about now eliminating qualified immunity. As you know, an individual can currently access the federal court system to file a complaint against a police officer or department. We should not eliminate qualified immunity.



Additionally, I need clarification on the impact this bill has on civil service and about the appeals process on decertification. It is my opinion that we need a full vetting of this legislation and that we should take advantage of the next several months to craft a comprehensive bill where all stakeholders have the opportunity to participate.

I appreciate the time, hard work and emotion so many have expended to get to this point. I am hopeful that we will ultimately come to a fair resolution for all.

Thank you,  
Tom Walsh

Sent from my iPad

From: Curtis Weaver <curtisweaver00@gmail.com>  
Sent: Friday, July 17, 2020 10:06 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement

field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Officer Curtis Weaver #4-3  
Bernardston Police department  
256 South Street, Bernardston, MA 01337

Sent from my iPhone From: Steven xiarhos <steven.xiarhos@gmail.com>  
Sent: Friday, July 17, 2020 10:06 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public Testimony Concerning the Police Reform Bill (S. 2820)

Steven G. Xiarhos  
67 Saddler Lane  
West Barnstable, MA 02668  
E-mail: steven.xiarhos@gmail.com  
Tel. (774) 205-5956

Via e-mail to: Testimony.HWMJudiciary@mahouse.gov

July 17, 2020

Hon. Aaron Michlewitz, Chair  
Cronin, House Chair  
House Committee on Ways and Means  
Massachusetts State House  
House  
24 Beacon Street, Room 243  
Room 136  
Boston, MA 02133  
02133

Hon. Claire D.  
Joint Committee on the Judiciary  
Massachusetts State  
24 Beacon Street,  
Boston, MA  
02133

Re: Public Testimony Concerning the Police Reform Bill (S. 2820)

Dear Representatives Michlewitz and Cronin:

I write to provide public testimony to you, and through you to the Honorable Members of the House Ways and Means Committee and the Joint Committee on the Judiciary, regarding S.2820, "An Act to reform police standards and shift resources to build a more equitable, fair and just

commonwealth that values Black lives and communities of color" (the so-called "Police Reform Bill").

First off, I would like to sincerely thank you for opening up an opportunity for the public to provide comments to your committees regarding this legislation prior to its consideration by the House of Representatives. I respect your willingness to hear from different public viewpoints before this bill is debated by the House. I am extremely concerned and troubled by the lack of accountability and democratic process demonstrated by your colleagues in the Senate when they recently debated and passed this bill without any opportunity for public comment. Public input on legislation is essential to the success of our democratic process. On all matters, our government must live up to its foundational purpose of being, in the words of Lincoln, an institution "of, by, and for the People."

I also would like to make it very clear up-front that I have serious concerns about certain specific provisions of the existing Police Reform Bill, but that I generally support the passage of legislation to reform standards applicable to policing in our Commonwealth.

I spent forty years working as a police officer in the Town of Yarmouth up until my retirement in late 2019. I rose up through the ranks of the Department from working as a seasonal Summer Reserve Police Officer to eventually becoming Deputy Chief of Police. Essentially, I spent a great deal of time as a rank-in-file officer and then working in a supervisory capacity, so I saw different viewpoints within the law enforcement system. My son, Alex, also continues to work as a police officer in the Town of Yarmouth.

During my many years of police work, I can honestly say that I was always proud to wear the badge of a police officer, and that I constantly regarded the men and women around me as not only persons of integrity and professionalism, but also as true heroes. Police officers go to work every day not knowing if they will return home safely due to the hazards of their occupation. They work long hours and staggered shifts, often away from their families overnight and during holidays. They venture out to patrol the streets when darkness and inclement weather keep everyone else indoors. They subject themselves to enhanced risk of cardiovascular disease and mental illness due to the stressful circumstances they deal with every day. They volunteer themselves to answer the call whenever something goes tragically wrong in the normal routine of daily life which we all take for granted. Incredibly, police officers do all of this for one noble and selfless purpose - to protect and serve their community.

As someone who wore the badge and blue uniform of a police officer for four decades, these words are more than just mere platitudes. In my days of service, I responded to countless motor vehicle accidents and serious crime scenes. I was there for people to talk to when they were the victim of a crime or when they or a cherished loved one were seriously injured. And, tragically, I know what it feels like when a police officer within your own department is murdered in the line of duty.

One of the best ways to prepare officers to deal with such rigors in the field is to provide law enforcement with adequate training. For years, I worked with the Massachusetts Municipal Police Training Committee (MPTC) to train fellow police officers on issues including proper crisis intervention, the use of force, the investigation of crimes, and the prevention of cruelty to animals. In my opinion, officer training is essential to the successful performance of officers' missions. This is an area that has been seriously neglected over many years. To the extent the Police Reform Bill increases resources, support, and opportunity to better train police officers for the challenges that await them in the field, I wholeheartedly agree we need such training.

Obviously, there is also more at stake. Our state - our nation - has been profoundly moved by the recent deplorable acts of certain police officers in Minneapolis responsible for the killing of George Floyd, together with similar tragedies elsewhere. These acts were committed by bad people, people who dishonor the badge they wore and the community they swore to protect and serve, and who do not represent the high integrity of the people I was privileged to work with. Nevertheless, their acts have not only shaken our communities to their core, but also caused law enforcement to re-examine best practices.

Again, I believe training is key to help officers prepare to deal with difficult situations appropriately and to avoid tragic acts like those in Minneapolis. I also strongly condemn any act by any officer that constitutes police brutality, or the application of force or abuse of power on the basis of racial bias or any other suspect classification. There is absolutely no place for hate or bias in our society generally, much less in our police departments. And, while I trust that the horrible wrongs committed by officers in Minneapolis are rare and not indicative of police generally, that does not make them acceptable.

It is a worthy goal of the Police Reform Bill to make sure that we do everything possible to prevent racism and police brutality, and that any such incidents are dealt with appropriately. There are some provisions of the bill, such as a ban on choke holds, that make sense and should be passed. However, I also believe the Legislature should take care not to over-regulate police in the performance of their duties in the best interest of public and officer safety. Let us be careful not to overstep and overreact to current events, however well-intentioned our response. Current events bring forth a needed opportunity for reexamination and reform, and there should be a demand for the highest levels of accountability by all public servants, including our police. But, we should resist calls to defund our police or undermine their ability to properly and responsibly perform their work as professionals while in the field.

One example is the amendment added to S.2800 by Senator Jehlen, which would severely restrict the ability of local school districts to share information with police departments, even if there is reason to suspect a student is a gang member. I do not expect teachers to act as cops. However, policies like this are reckless and irresponsible. In the name of public safety, this amendment should be removed from the bill. Likewise, as a former school resource officer myself, I strongly

encourage you to maintain a police presence in our schools. School resource officers perform an incredibly important function in the name of school security, and they build important bridges between police and youth. These relationships are very important in the name of restoring trust and confidence between officers and students.

Massachusetts is one of few places where there is not a certification / de-certification program for police officers. I am not necessarily opposed to the creation of such a system here, so long as it is well-composed. It goes without saying that any officer who is not properly credentialed or who falls out of favor with expected standards should not serve as an officer, whether or not there is a certification system. However, I also believe this system should rely heavily on professional expertise to make its judgments. Also, the system should be crafted such that it does not undercut existing civil service and collective bargaining rights. In my view and experience, not only does civil service generally work, it also provides important local discretion while also giving a hiring preference to veterans who have served our nation.

With that in mind, I also have concerns about the removal of qualified immunity protections for law enforcement. Right now, qualified immunity protects a variety of public employees from having to defend themselves against frivolous lawsuits and claims that are without merit. This is an important protection. Qualified immunity does not shield fundamentally bad people from real claims lodged against them for actual wrongdoing - nor should it. While I am open to the idea that our Commonwealth might need a better system to determine the merit of individual claims to make sure that wrongs are properly addressed, I also believe that qualified immunity protections should not be entirely removed for law enforcement officials in the performance of their duties.

Our police serve a critical function to preserve order and protect citizens in our society. As such, they must always represent the highest and best standards of our community. Constant reexamination of best practices, along with the adoption of reforms when needed, is a good thing. This is personally very important to me, both as a former police officer and also as the parent of someone who still wears the badge. But, police officers must not be undercut in the performance of their work. As a general matter, police deserve our support and encouragement, not our ire. While I acknowledge the need for certain reforms, I also proudly continue to "Back the Blue." I sincerely hope the end product of your deliberation will be a bill that supports these principles and of which we can all be proud.

Thank you for your consideration of these comments.

Sincerely,

Steven G. Xiarhos  
Former Deputy Chief of Police (Ret.), Town of Yarmouth

From: Walter Sweeney <walter.sweeney@hanover-ma.gov>

Sent: Friday, July 17, 2020 10:06 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: DeCoste, David - Rep. (HOU); Joseph Colangelo; John Tuzik; DeLeo, Robert - Rep. (HOU); Cronin, Claire - Rep. (HOU); Michlewitz, Aaron - Rep. (HWM)  
Subject: Police Reform Testimony

July 17, 2020

Chairman Aaron Michlewitz

Chairwoman Claire Cronin

An Act to reform police standards and shift resources to build a more equitable, fair and just Commonwealth that values Black lives and communities of color.

I write to express my desire for you to consider some information during your hearing on the above proposed legislation. I have served as a police officer in the Town of Hanover for the past 40 years, 38 of those years as a full-time police officer. I have been the Chief of Police for the past 12 years. I am a level 3 instructor in multiple subjects (cultural diversity, hate based crimes, problem solving, community policing, juvenile issues and domestic violence) at several MPTC police academies. I hold a BA in Criminal Justice from Stonehill College (1982) and a MS in Criminal Justice Administration from Western New England University (2002). I currently serve on the Board of Directors of Plymouth County Outreach. I have presented in 2019 at the U. S. House of Representatives Office Building on behalf of Plymouth County Outreach specifically regarding community engagement and partnerships. In March of this year I presented at the Bureau of Justice Assistance Opioid Abuse Program National Forum in Arlington, VA.

In Hanover, the department similar to many other departments has adopted the principles established in the President's Task Force on 21st Century Policing. All officers have completed training on fair and impartial policing, implicit bias, leadership, procedural justice, mental health first-aid and de-escalation tactics. These specific topics support many of the principles that were established in the President's Task Force.

We have a very robust and cooperative School Resource Officer Program with our partners in the Hanover Public Schools and the South Shore Technical High School. Our partnership is guided by the legislation enacted in 2014 under the Safe and Supportive Schools Law. These

officers serve as role models in our schools and community while providing safety and security.

The Hanover Police Department participates and reports to the FBI National Use of Force Data Collection Registry. The department began reporting monthly when the initiative was launched in 2019.

The Hanover Police Department is a member of Plymouth County Outreach. Plymouth County Outreach is a multi-faceted collaboration of the 27 municipal police departments in Plymouth County, as well as Bridgewater State University Police Department, working together to make treatment more accessible to those suffering from Substance Use Disorder. Each department commits to assign Outreach Officers, who will respond, usually within 12-72 hours to the residence of the overdose victim in plainclothes and an unmarked cruiser, alongside a PCO Recovery Coach, licensed clinician and/or social worker. Each department also assigns data designees to work to keep the Critical Incident Management System updated. All officers are certified to administer Naloxone and the department provides this important overdose reversal drug. The program was recognized and the department received the International Association of Chiefs of Police Leadership in Community Policing Award in 2018 for these efforts.

Through a grant from South Shore Health, P.A.A.R.I. is partnering with Plymouth County Outreach to enhance their program to launch the nation's first county-wide Hub model. The HUB model aims to assist those struggling before they reach a crisis point, and to provide outreach and linkages to care for individuals at acutely elevated risk for a variety of behavioral health concerns. The new model is designed to increase collaboration, reduce calls for service, and improve access to care for those struggling with substance use disorders, mental health concerns, and a variety of other risk factors. The model launched earlier this month during five days of training for Plymouth County law enforcement officers and field personnel (outreach officers, recovery coaches, resource and partner clinicians, social workers and others). Representatives from ten police departments outside of Plymouth County also attended the training to prepare to launch the model in their own communities in the future.

While serving on the Southeast Massachusetts Police Chief's Training Advisory Board I have supported and lobbied for improvements to police training facilities, increased course offerings and regular funding sources for essential police training. I agree with and have endorsed a fair and comprehensive Police Officers Standards and Training (POST) certification process for all police officers in Massachusetts.

In 2010, the Commonwealth of Massachusetts saw fit to eliminate the police career education incentive program, commonly referred to as the

"Quinn Bill". The elected officials in the town of Hanover worked in a collaborative manner to fund the program locally in order to maintain a well -educated, professional police department. This was a true collaboration with members of the police department bargaining unit forgoing any salary increases for a period of 3 years in exchange for continued local funding of career education incentive funding by the town. The objective has been achieved. In a department of 30 officers, 9 officers hold Master's Degrees, 14 officers hold Bachelor's Degrees, 3 officers hold Associates Degrees and 2 officers are working towards degrees.

I strongly oppose any attempts to categorically label police officers in Hanover or the Commonwealth of Massachusetts as being discriminatory or inherently bias. Attempts through legislation to interfere with the police department's ability to protect our communities or provide professional services are not acceptable. Much of the current discussion involves actions and responses which occurred thousands of miles from Massachusetts.

I am committed to efforts that are supported by evidence based improvements to our profession. If there is to be any effective change in the profession of policing, all aspects of the criminal justice system must be involved. Courts and corrections should be considered relative to any systematic change. Government must commit to adequate funding for costs associated with any requirements placed on local communities.

I believe the mission statement which was a collaborative effort of department members best describes the department's objective in the community. It provides a standard each and every officer is held to every day. Interestingly these are not new words, the mission statement was adopted in 1999.

The Mission of the Hanover Police Department is to prevent crime, preserve order, and to protect the rights, lives and property of the citizens of Hanover. We will cultivate partnerships within our community to identify and effectively respond to the diverse, ever-changing social and cultural demands. Together we will accomplish this with emphasis on integrity, fairness and professionalism.

It is my hope that as the House of Representatives debates this proposed legislation some of the important information provided by professionals in the law enforcement community will be considered and debated in an open and public forum. It is important that both citizens and members of the legislature have an accurate understanding of what law enforcement standards are in the Commonwealth. This is a debate which deserves to be open and available to members of the public as well as the profession of policing and public safety.

Thank you for taking the time to consider this testimony.



Walter L. Sweeney, Jr

Chief of Police

E911/Emergency Dispatch

Hanover Police Department

781-826-3811

Secretary-Treasurer Southeast Massachusetts Chief's of Police Association

From: Chief Ted Ross <tross@norwellpolice.com>

Sent: Friday, July 17, 2020 10:06 AM

To: Testimony HWM Judiciary (HOU)

Subject: SB2820

"Dear Chair Aaron Michlewitz and Chair Claire Cronin, please accept the following testimony with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color".

I stand with the Mass Chiefs of Police on this matter. There are many sections of the Bill that will have a detrimental impact on Norwell if not addressed, including sections having to do with Special Police Officers (POST), School Resource Officers, Accreditation, Qualified Immunity and training. The negative impact this will have on our profession will be catastrophic. The amount of officers that will leave will the profession will be dangerous for cities and towns never mind the recruitment will be near impossible-who would want this job?

Thank you for the opportunity to weigh in with our concerns and recommendations and hope that you would give due consideration to what we has been proposed and outlined in more detail with the Mass Chiefs of Police letter. It is truly a critical time for Public Safety.

Sincerely,

Chief Ted Ross

Norwell Police Department

300A Washington Street

Norwell, MA 02061

1-781-659-7979 (phone)

1-781-659-2496 (fax)

Chief@norwellpolice.com <mailto:Chief@norwellpolice.com>

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From: Robert Aufiero Jr <rob821af@yahoo.com>  
Sent: Friday, July 17, 2020 10:06 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,  
Robert Aufiero  
From: Blossom Francis <bloss1602@yahoo.com>  
Sent: Friday, July 17, 2020 10:06 AM

To: Testimony HWM Judiciary (HOU)  
Subject: Passing S. 2820

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820. An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Blossom Francis

166 Carl Ave,

Brockton, MA 02302

617-980-2799

From: Caitlin B <cbyrne12345@yahoo.com>  
Sent: Friday, July 17, 2020 10:06 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Immediate attention for bill S.2800

Dear Aaron Michlewitz and Claire Cronin,

?I am writing in great opposition to Bill S.2800. I believe this bill was hastily thrown together in an attempt to please protestors. I fully believe there is always room for reform and the actions of a few cops have been despicable, but this bill will not solve the problem. Not to mention, it not only negatively effects police officers, it also effects fire fighters, nurses, educators, etc. I am disgusted by the lack of respect the men and women who put their lives on the line are receiving from politicians. Do you not remember when Barack Obama praised the Boston Police Department?

Below are three issues that need to be revisited and rewritten.

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants. Due process and the appeal process are fundamental rights for all US citizens. You cannot take this right away from one job sector.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits. This is not be limited to police officers. Getting rid of qualified immunity will effect firefighters, EMTs, nurses, teachers, etc.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

(4) Schools can no longer give information about students to law enforcement officers. Youth spend majority of their time in schools, so teachers learn a lot about their personal lives. Sometimes they learn things that must be reported. Taking this option away from educators can put the teachers and youth at risk.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2800 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Caitlin Byrne

From: Katelyn Griffin <katelyngriffin34@gmail.com>

Sent: Friday, July 17, 2020 10:06 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

Dear Honorable Committee Chairs:

I am a resident of Hudson, MA and I oppose the Senate bill that was passed with regard to police reforms. It is not a reform bill it is a dismantling of law enforcement in our communities and it will make communities unsafe.

Just a mere 8 weeks ago we were applauding our first responders for working through a worldwide pandemic. We were requesting they drive by with their lights and sirens on to lead "Happy Birthday" car parades during stay at home orders.

Unfortunately the vast majority of our judges and elected DA's act more like criminal advocates than part of the criminal justice system. There is no telling how damaging or far reaching this legislation could be. Below are some issues to consider related to actual Law Enforcement issues. Bills like this will result in more violence, lower quality policing, and greater divide between police and the community.

#### BILL:

Allows a person to institute and prosecute a civil action for injunctive and other appropriate relief for infringement upon their rights by a person acting under color of law.

Specifies that qualified immunity shall not apply to claims of monetary damages under the Massachusetts Civil Rights Act unless no reasonable defendant could have had reason to believe that such conduct would violate the law.

#### Consequence:

The consequences of this portion of the bill reach beyond our streets and into the court rooms. When someone envisions a civil rights violation they picture Rodney King being arrested in the street. They don't think of a gang member stopped for a legitimate reason. Having his vehicle towed because the registration is expired. Then subsequently being charged with the illegal large capacity firearm located under his seat during a motor vehicle inventory prior to towing.

Unfortunately when a judge decides that the towing of the vehicle may have violated department tow policy for some reason the inventory is invalid or dismissed. Now the firearm, which is still very real, is lost and the charge disappears. It used to end there....cops lose in court, the defendant is not punished, and the gun is off the street.

Under this new Bill however, it appears the Officer may be "per-se" guilty of a civil rights violation for search and seizure. That individual officer, back-up officer, or supervisor may now be liable for "appropriate relief" all because a judge disagrees with the towing of a vehicle. Further cops will now push ADA's for enhanced prosecution of formerly "dismissable" violations. Charges like resisting arrest,

disorderly conduct, and A&B on a police officer were all likely to be dismissed based on the severity of the act or resulting injury. Now it is unlikely any officer will agree to have charges dismissed, especially when force was used, and potentially expose themselves to financial liability. Unfortunately this will likely affect those members of the community this bill seeks to protect at a much higher rate.

BILL:

\*Clarifies that a person may petition for expungement of more than 1 record pertaining to certain charges or cases that occurred before the person's twenty-first birthday.

- Allows a person to re-file a petition for expungement if such petition was denied before the effective date of this act solely because the petitioner had more than 1 record as an adjudicated delinquent or adjudicated youthful offender or of a conviction.

But.....

- Requires the Police Officer Standards and Accreditation Committee to maintain a publicly available searchable database containing information about a law enforcement officer's appointing authority and certification status.

- Requires the Police Officer Standards and Accreditation Committee to maintain a publicly available searchable database containing de-identified information about complaints filed against individual law enforcement officers.

Consequence:

This is simply the concealment of criminal records and exposure of non-criminal complaints against officers. Cops are criminals and Criminals are not. This is also a nice response to the likely outcome of the previously discussed portion of the bill. While now more likely to be charged with crimes those individuals can also have them expunged from their record. All it means is more court/overtime/waste and fundraising for the criminal justice system. All on the backs of minority communities. In addition if there is a database the likelihood of bad actors and paid activists to assert a complaint against individual police officers will skyrocket in an attempt to remove as many of them from serving the public as possible in this climate of defund the police. It is a back door way to accomplish that goal.

BILL :

- Requires law enforcement officers to record statistical data whenever a person is stopped and frisked or searched.
- Requires a law enforcement officer to provide a receipt after a stop of a vehicle or pedestrian that did not result in a citation.
- Requires a police department to do a quarterly review of each officer's stop and search documentation and the entire department's stop and search data.

Consequence:

Any legislation regarding motor-vehicle stops has a direct effect on proactive policing and the seizure of Drugs and Guns. Restrict or hamstring police in the use of interdiction stops and you will see an immediate rise of gun violence and violence specifically related to gangs and drugs. Increased liability and rumored "per-se" civil rights violations, if seizures/searches are dismissed in court, will destroy violent gang suppression and VICE Narcotic units.



For politicians and wealthy communities this rise in violence will only be seen on TV. For those, largely minority black/hispanic communities, the violence will be in their neighborhoods taking their children. This is seemingly a simple concept but not the only unintended consequence for poor minority communities.

The legislature has also sought to eliminate the "verbal warning" from the tool belt of Officers. As the assault on officer discretion continues this is another element of the bill that is completely ill conceived.

-Minority Black/Hispanic communities account for some of the poorest areas in our State. Poor people drive older model vehicles.

-Those vehicles are more likely to have a broken windshield or rear view mirror, no blinker, headlight taillight out, no blue tooth capability. The people living in those communities are also struggling to pay for vehicle registration, inspection stickers, and license fees. All are reasons for potential stops.

-Now those stops under new legislation will require detailed paperwork and a receipt. The recourse for officers, to protect themselves from unfounded complaints, will be to issue a citation and allow the operator to fight it in court.

-As tickets pile up on drivers from poor communities they see their licenses suspended and are now subject to arrest while simply driving to work to pay their tickets.

How is this helping? It is a nice fundraiser for the state and Courts though.

You're seeing the direct effects of this in New York City as the city spirals into chaos, infants and children in minority neighborhoods shot and killed, all to further a political agenda. Now we're seeing leaders of the Black community asking for those units disbanded by the Mayor of

NYC be reinstated so halt the bloodshed. Is that what we want for Massachusetts? I know it's not what I want to see as someone who resides in one of the poorer communities in Massachusetts.

Who will want to be a police officer if our lawmakers continually make them the scapegoats and villains? I have many friends who are officers and family members. They want out and they're the good ones. They're going to bide their time, avoid making any arrests, and retire or find a new career. Enough is enough. Every person with an ax to grind and those with political motives will sue cops indiscriminately.

If you pass this, which I plead you not to, include a database of those individuals that sue every police officer so that the officers know what they're dealing with. If you don't I can assure you one will be created by the officers themselves since these are personal civil lawsuits. I guarantee you it will be the same names over and over. This will also open up the ability of officers to sue the people they arrest if they are injured as well. It's a double edged sword.

Officers are acting on behalf of their communities i.e. "the state". They can't afford to pay for "malpractice" insurance like a doctor who can add it into the cost of doing business and pass that on to insurance companies. Officers do not make a lot of money. This bill also takes qualified immunity away from firefighters, EMT's and nurses. What a way to treat those individuals on the front lines of a pandemic. It's so disheartening.

I ask that you reject this ill conceived bill and maintain qualified immunity for our police, fire, EMT's, nurses and all of those folks that are serving our community and trying to make it a better place to live for everyone.

Sincerely,  
Katelyn Griffin  
Hudson, MA  
978-888-4961

From: Lauren Saunders <laurensaunders85@gmail.com>  
Sent: Friday, July 17, 2020 10:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: opposition to Bill S.2820

I am writing to express my opposition to Bill S.2820. First responders must be protected!

From: Mark Benoit <markbenoit14@gmail.com>  
Sent: Friday, July 17, 2020 10:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Testimony

Dear Chairman Michelwitz and Chairwomen Cronin,

Please allow me to introduce myself. My name is Mark Benoit. I am the father of three, a husband and a brother. I spend many of my off hours working with the youth of my community. I have been a Police Officer for twenty years and I am the Vice President of the Grafton Police Alliance, the union that represents the Patrol Officers and Sergeants of the Grafton Police Department. I am writing to you on behalf of the Men and Women of the Grafton Police Alliance. Thank you for allowing us to be heard.

This legislation is attempting to fix a problem that we do not have in Massachusetts. Let me explain further. To the best of my knowledge the last time a Massachusetts Police Officer shot an unarmed person was more than 40 years ago, June 21, 1979 to be exact. That Police officer, Hiram Estremera, was prosecuted and sent to State Prison. I have attended the Police Academy and yearly in-service training for approximately twenty years and I can tell you that in all my years on the job "chokeholds " have never been part of the training and is not an approved technique. Moreover, I do not know of any incident in which a Massachusetts Police Officer used a choke hold. What has been part of the training is dealing with the mentally ill, Procedural Justice, Use of Force and De-escalation...

While on the topic of De-escalation, this is nothing new. When I was starting my career in law enforcement in the late 1990s it was called Verbal Judo. But there is one important factor, both the Police Officer and the suspect must both de-escalate for it to work.

This Bill will also severely limit Qualified Immunity leaving Police Officers personally liable. It is unreasonable that Police Officers be held personally liable for split second decisions made in the line of duty. This will result in officers hesitating and putting themselves and the public at risk. The Supreme Court has ruled that the Police have no duty to protect individual citizens, therefore why would any intelligent Police Officer put themselves in harms way, due the right thing and lose everything to a civil lawsuit, when there is no liability in inaction.

Another major issue with this Bill is the lack of due process for Police Officers facing discipline or decertification. Police Officers like all public employees are entitled to have a fair, reasonable and objective investigation into any accusations of wrongdoing. This includes the ability to appeal any decision to a neutral arbitrator. This bill removes these basic protections afforded to all public employees.

S. 2820 creates the Police Officer Standards and Accreditation Committee. This in itself is not an issue however; this Bill will create a Licensing Agency that will NOT be made up of a majority of industry professionals. Massachusetts has various Licensing agencies and boards for many trades and occupations and they are made up of professionals from their respective occupations with a minority stake on such boards made up of lay people. 2820 does just the opposite with the overwhelming majority of the 15-member committee having ZERO experience in policing. This would be like having a Police Officer make up the majority of the Board of Registration in Medicine, or having Landscapers in charge of the Board of State Examiners of Plumbers and Gas Fitters. It makes no sense whatsoever.

I can tell you that in more than 20 years as a Police Officer I have never seen morale this low. Every Police Officer I know, myself included, is talking about retirement or contemplating changing careers. The Police Reform Bill is nothing short of an attack on Police Officers and it will be those we serve and protect who will be most affected.

Respectfully,

Mark Benoit

145 Millbury St

Grafton, Ma

774-696-7346

Vice President Grafton Police Alliance

<[https://ssl.gstatic.com/ui/v1/icons/mail/no\\_photo.png](https://ssl.gstatic.com/ui/v1/icons/mail/no_photo.png)> ReplyForward

From: Karen Cruz <kamaccruz16@gmail.com>  
Sent: Friday, July 17, 2020 10:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony re S.2800

Representatives;

I'm writing in support of the Police Reform bill passed in the Senate yesterday, S.2800. I urge you to pass this through the House as soon as possible, and get it through a conference committee and signed by Governor Baker by the end of July.

I particularly support the Senate bill's approach to the creation of a state-wide certification board and state-wide training standards, limits on use of force, the duty to intervene if an officer witnesses misconduct by another officer, banning racial profiling and mandating the collection of racial data for police stops, civilian approval required for the purchase of military equipment, the prohibition of nondisclosure agreements in police misconduct cases, and allowing the Governor to select a colonel from outside the state police force, as well as all of the provisions requested by the Black and Latino Legislative Caucus. These reforms will be a very important step in lessening the disastrous effects of systemic injustice in the treatment of non-white minorities in the Commonwealth.

I support allowing local Superintendents of Schools, not a state mandate, to decide whether police officers (school resource officers) are helpful in their own schools. Municipalities should be able to make this decision for themselves.

I also support the Senate bill's small modifications to qualified immunity for police officers. Under this bill, police officers would continue to have qualified immunity if they act in a reasonable way, and they would continue to be financially indemnified by the tax-payers in their municipalities. Police officers should not, however, be immune to prosecution if they engage in egregious misconduct, even if case law has not previously established that this particular form of misconduct is egregious.

Most importantly, I hope a good police reform bill will be enacted by the end of July. Thank you for giving attention to this important priority, along with all the other important issues the House is addressing.

Karen Cruz  
6 Main St. Extensión 263  
Plymouth MA 02360  
774-297-3832  
From: Judy Zaunbrecher <jrzaunbrecher@gmail.com>  
Sent: Friday, July 17, 2020 10:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony in support of S.2800

Dear Chairs Michlewitz and Cronin,

I write to you in support of S.2800.

Blacks, indigenous, and people of color suffer systemic racism in our society, including in Massachusetts. The police is one of the primary tools used to enforce white supremacy against BIPOC. The video of George

Floyd's murder at the hands of a police officer is example of police violence against Blacks.

The only way this violence will stop is for the government, who is the organization responsible for the police, to set new rules and stop this violence. S.2800 is a start to prevent the use of excessive force and brutality by law enforcement.

I also urge you to include the following measures in the comprehensive bill:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety, State Representative Liz Miranda

<[HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth, State Representative Michael Day which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_voteliz_-3F-5F-5Ftn-5F-5F-3DK-2DR-26eid-3DARAoqrvxbqxcHkbaGFFDal2duSLy5lzQwskyvWjSckN0ysQRjD-5FhYuVo9hUS8qQ7GsXpQxRtDfuqyFxu-26fref-3Dmentions-26-5F-5Fxts-5F-5F-255B0-255D-3D68.ARCpDWxSSsBCAr4mlQWUG89eamUATJiOejOVVzTb-5Fh5TYPotPwTxxZ2JtqfZoMTFI-2D1fSGgJE-5FAdM69hnlW0GxpWGCmB-2DDeQIkK4gMQFDv9KdbZTqybbTQab81GKdWQqCJl6NpVz0rWrm5Tat7OE-2Dj1U99acZZdP8YctIDWcI-2DQfxYjvYfn5aO-5F-2DtZqgE1N7OCvfaYTnFPi6&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=sYiWt-LfFIiltOeSJDgOsmCCiDjqnKBlxGVPW0kX-es&s=E9Ah_AJh5hYcE1lFWuPL_hDYscq4M1cjmW7zv3Ifh04&e=> bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.</p></div><div data-bbox=)

I am a member of the League of Women Voters. We advocate against systemic racism in the justice system and support preventing excessive force and brutality by law enforcement. We will continue and organize and advocate for racial justice to ensure everyone regardless of the hue of their skin can achieve the promise of the Declaration of Independence to have the right to life, liberty and the pursuit of happiness.

Judy Zaunbrecher  
Concord, MA  
978-371-7466  
League of Women Voters member

--

<<https://lwvma.org/wp-content/uploads/2020/02/100-years.png>>

From: Irene Gibbons <[ikgibbons31@gmail.com](mailto:ikgibbons31@gmail.com)>

Sent: Friday, July 17, 2020 10:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820.

I am a constituent from Stow, MA. I have grave concerns about the passing of bill The Act to Reform Police Standards S2800 as it stands. I don't believe it will have the effect you would like and believe it will have unintended consequences.

I have worked in poor neighborhoods of Dorchester, Mattapan, and South Boston. At that time, the wonderful residents I visited in their homes to help take care of their children, would let me know that they didn't feel it was safe to take their children to the playgrounds. Not because of police, but because of gun violence. There were in fact shootings during the day at the playground, BEFORE police were called to the scene. People at that time were asking for more police and I remember people being upset that police "wouldn't come into their neighborhoods".

Passing this bill without qualified immunity will most certainly turn good people away from becoming police officers. Many people would not want to put their families and livelihood that they have worked so hard for put at risk over a frivolous lawsuit. We have good samaritan laws to protect those who administer CPR. I think police officers who are trying to help should be extended this same privilege. I am sure you understand the importance of this as you have absolute immunity.

Our country is based on due process. Innocent until proven guilty. This does not matter if the person is a police officer or not. Improving and being more stringent so that EVERYONE gets due process is the answer, not removing this right for police officers.

I respectfully ask that you do not pass bill The Act to Reform Police Standards S2800.

Respectfully a consistent voter,  
Irene Kounelas Gibbons  
Saw Mill Road  
Stow, MA  
617-291-4801

From: mkmfarrell@comcast.net  
Sent: Friday, July 17, 2020 10:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation.

Sincerely,

Mark Farrell

From: Laura Pawle <lhpawle@yahoo.com>

Sent: Friday, July 17, 2020 10:05 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass comprehensive police reform now!

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Laura H. Pawle with the Greater Boston Interfaith Organization (GBIO). I live at 159 Concord Ave., Cambridge.

I am writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism



- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

The time for action is NOW. Thank you very much.

Laura H. Pawle  
159 Concord Ave., 4-A  
Cambridge MA. 02138  
lhpawle@yahoo.com  
617-285-7944

From: Cindi Anderson <lucyanderson4@icloud.com>  
Sent: Friday, July 17, 2020 10:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Strong Opposition to many parts of S.2820!!

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police

officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

LuCinda Anderson

35 Willard Avenue Worcester, MA 01602

774-535-3302

Sent from my iPadFrom: Yuriy Bukhenik <ybukhenik@gmail.com>

Sent: Friday, July 17, 2020 10:05 AM

To: Testimony HWM Judiciary (HOU)

Subject: S 2 8 2 0

Dear Representatives,

I thank you for your time and diligence in this matter. This is the most important bill, which needs the most attention and consideration in our recent history. The unintended results from this law will impact not only law enforcement, but all of our communities, and most importantly our children's futures. I write to you not only as a diligently voting constituent, but also as a first generation proud immigrant, US Marine Corps Veteran and Law Enforcement professional for over seventeen years. My training and experience spans years of service honorably enforcing the law in the Armed Forces, Federal facilities, local Massachusetts Police Departments and now Massachusetts State Police for over nine years. I take immense pride in serving my community and this great Commonwealth of ours.

Aside from the key concerns outlined in detail below, I fear that these laws will dramatically impact all of us in ways that could be irreversible. The reason it strikes such fear into me is that ultimately everything boils down to dollar signs. For years I have seen chiefs of police and colonels beg and plea for appropriate funding for training, equipment, and recruited personnel. Each and every year the police budget line item has been on the chopping block. Whenever there was a cut to be made, police departments suffered that loss. Not only lacking appropriate training and equipment funding but being stripped of what was already

insufficient. Under Gov. Patrick, MSP did not see a Recruit Training Troop in 6, SIX years!! That sacrifice and burden ultimately fell on the shoulders of the rank and file, but the commonwealth as a whole suffered and continues to pay dividends for those decisions. Fast forward to 2020 and we are hearing cries to "Defund" the police, when images of inappropriate training and tactics are clearly displayed on national media and social platforms. Please keep in mind that as all of our United States are independent and sovereign jurisdictions, those departments thousands of miles away are also far from the quality of police we are so fortunate to have serving us here in Massachusetts. If as proposed S 2820 goes into law, we will absolutely see drastic deterioration in the quality of police services, quality of personnel seeking the profession and most importantly immense deterioration in all of our safety. Simply put, look at what is happening in New York. If you disagree and say, "That's New York, it will never happen here." Then please subscribe to the same logic and say "That's Minneapolis, it will never happen here!" We as law enforcement professionals feel this fear, not only because we suspect that the aforementioned negatives will come true, we wholeheartedly know they will. We work these streets, we live in this environment each and every day, and not simply through the camera lens of the local TV News station.

Having spoken to several professionals in the insurance industry, it is very clear that police officers already have a difficulty obtaining home owner's policies, since some companies will not insure them simply because of the risks and liabilities that come along with the profession. Here we have those that put on a uniform and go out into the night serving and protecting our communities doing an honorable job, but yet they struggle in obtaining insurance for their homes where their loved ones lay their heads. How unfair and quite honestly disgusting is that? If Qualified Immunity is altered in any way, NO INSURANCE COMPANY WILL COVER Law Enforcement member's home policy. Now we are stripped from the right to own a home in this great land and our pure pursuit of happiness. The insurance wholesalers are licking their chops at the bit to sell additional liability policies to officers at \$7,500/ year for 1 Million in coverage. Some of us already struggle with putting bread on the table and now have to worry about yet another expense that will be inevitable if S. 2820 passes unchanged and we public servants lose Qualified Immunity. If my personal liability insurance expenses do not tug at your heart strings, I assure you that frivolous suits will not stop at simply taking my house and property, they will continue to pass that expense onto the cities, towns and the state when they go after all of our tax dollars.

I believe in good police service and know that accountability is absolutely necessary within our profession. Peace, Safety, Equality and Justice are all stitched into the fabric of every civilized society and we as citizens of Massachusetts should absolutely strive for same. What I

cannot understand is that S. 2820 is calling for Equality and Accountability through MSP construction detail assignment procedural changes. What does Construction Details and Safety have to do with racial equality and police accountability? The sly tactics of union busting and stripping bargaining power from associations through maniacal laws is absolutely sickening. Again, allow those that do the job, and live in the environment 24/7 <x-apple-data-detectors://1> continue to service the commonwealth, and not a civilian agency that has no business in law enforcement. This agency will simply incur another needless and careless expense.

Sir Robert Peel, the father of modern policing wrote that "Police are the Public and the Public are the Police". We are the public, we are citizens of this great land and we deserve the same rights under the constitution as anyone else. We as public servants deserve due process and should be treated with the same justice as anyone else being "accused" of improprieties. Why should we pick and choose who deserves protection under the law? Are we all not created equal? With that said, when cases go to trial, the defendants are judged by jurors of their peers. When Law Enforcement members go before a panel of POSA, it too should be their peers in Law Enforcement that do the job, work the streets, walk the beat and serve the community.

We, as the voting public, tax paying residents watch the actions of Beacon Hill. We take note of what happens up under with careful examination, since we understand that it effects us a great deal more than what happens on Capital Hill. Please take note of my points within this communication, to include the detailed explanations below when you draft the house version of the bill.

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Yuri Bukhenik

60 Jamie Lane <x-apple-data-detectors://4/1>

Stoughton <x-apple-data-detectors://4/1>

YBukhenik@gmail.com

Sent from my iPhone  
From: Peter DiPietro <dipietro409@aol.com>  
Sent: Friday, July 17, 2020 10:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

To whom it may concern:

As a lifelong resident of Massachusetts I would like to express my displeasure with the current police reform bill that was passed through the Senate. While I do not oppose A reform of the police and criminal justice system, the amendments laid out before us would more negatively impact our communities than provide positive change.

Specifically taking away qualified immunity for police officers will result in those officers being afraid to take proper action while enforcing the law. Please officers will be deterred from doing proactive work which will result in an increase in crime across the state. Qualified immunity does not protect an officer who violates the law while conducting his or her duty. I believe that there needs to be open dialogue between the state and police unions across the state in drafting a better proposed reform bill.

Thank you for your time,  
Peter DiPietro  
Tewksbury , MA  
From: Orin Nisenson <orin@nisenson.com>  
Sent: Friday, July 17, 2020 10:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: police reform

As a RN I had to obtain a college degree in nursing, take and pass a national standardized test and every year since take required continuing education credits.

We require similar paths for doctors and teachers.

I think it is time we require police officers, of all ranks, to do the same.

Thank you,  
Orin Nisenson  
61 Amherst Rd.  
Pelham, Mass. 01002

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U.S. Virgin Islands Snow Plowing Service  
Serving St. Croix, St. Thomas & St. John  
Fast reliable service  
Driveways and parking lots / No job too small or large

From: JUDITH M FLYNN INSURANCE <Judie@jflynnins.com>  
Sent: Friday, July 17, 2020 10:05 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 SHOULD NOT PASS!

My name is Judie Flynn and I live at 43 Kelly Way, Canton, Ma. My phone number is 617-412-7073 and I am not part of any organization. I am a private citizen expressing my dissatisfaction with Bill S2820.  
1) This conversation is too important to "rush" into without proper AND extensive debate and dialogue. Public hearings are part of our democracy

and the idea that an email received by a certain deadline provides little opportunity for the public to be heard on this issue.

2) While I agree there is room for a discussion on policing improvement, this bill simply goes too far. We should respect those that put themselves in harm's way every day and afford them the same Due Process as every other citizen.

3) Ironically, this bill will MANACLE the very people who have been hired to protect and serve our communities.

4) The POSAC (Police Officer Standards and Accreditation Commission) would be made up of far too many lay people (especially because those appointed would be from historically anti-police groups). In my opinion, POSAC should be made up of only other law enforcement members. Would a surgical review board involve a bookkeeper to determine if a surgeon did or did not perform correctly? To think that members of the general public could put themselves in the officers' positions on the streets and dictate what the proper response should be is outrageous and ridiculous!

5) Finally, the most offensive part of this bill changes the "Qualified Immunity". If officers are going to be held personally responsible, there will be a mass exodus from law enforcement and far fewer candidates to replace the departed. Officers that remain on the job will be restrained and therefore reluctant. This bill will seriously undermine public safety by limiting police officers' ability to do their job. Crime WILL GO UP and our communities WILL BE LESS SAFE.

There is no doubt that the events surrounding George Floyd horrified our nation but this bill is an attempt to "punish" all of the great men and women in law enforcement for the bad act of one.

I urge you to vote AGAINST S2820.

Thank you for your time and consideration,

Judith M Flynn

617-412-7073

From: John Gilmore <jzgj022@yahoo.com>

Sent: Friday, July 17, 2020 10:03 AM

To: Testimony HWM Judiciary (HOU)

Subject: Senate Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,



John Gilmore

Resident

3 Hunter Ln

Medway, MA. 02053

From: mcokell189@yahoo.com  
Sent: Friday, July 17, 2020 10:04 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Important House Vote

Good morning Representative Mahoney,

We just wanted to send our thoughts as taxpayers in your area, We feel very strongly about the Criminal Justice Bill that is presently in the House. The bill as it is worded now is going backwards for our brave law enforcement professionals who protect our community. We are fortunate to have extremely intelligent and highly trained professionals that go out everyday and put themselves in harms way so that the community can live without fear. They leave their loved ones at home and their families have to pray that they make it home safely. They do this because they love their careers and the community that they protect. The law enforcement community has made great strides and now a lot is at stake. Massachusetts has the best trained law enforcement officers in the country and the issues that have taken place in other parts of the country are unfortunate and deplorable that do not happen here where the officers are partners in the community. These officers have made partnerships with the young disadvantaged youths who need it the most. To take away some of the tools that have been achieved like qualified immunity without due process or collective bargaining is anti labor union and we feel that taking a knee jerk reaction would harm all taxpayers in Massachusetts and it is not the democratic way. If the bill pass as it is written law enforcement as we know it will change and not for the better. We ask that you and your colleagues take all the time that is necessary to make an intelligent and informed decision. To pass a bill of this magnitude without due process for all citizens of this state is a mistake that will have long standing repercussions for years to come. So please take your time with this extremely important decision that will impact ALL citizens of Massachusetts.

Sincerely,  
Michael & Lisa Coakley

From: Becky Danning <beckydanning@gmail.com>  
Sent: Friday, July 17, 2020 10:04 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Strong Police Reform from the House

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello,

My name is Becky Danning and I am a member of the Greater Boston Interfaith Organization (GBIO). I live at 55 Eustis Street #3, Cambridge. I am writing to urge you and the House to pass police reform that includes:

- \* Implementation of Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you very much.

Becky Danning  
beckydanning@gmail.com  
617-797-6538  
55 Eustis Street #3, Cambridge

From: Debby Dugan <debbyrdugan@gmail.com>  
Sent: Friday, July 17, 2020 10:04 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives:

I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership.

Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP.

To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated.

SB 2820 endangers our police by dramatically watering down qualified immunity in Section 10. This provision should be eliminated.

Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status.

Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers.

I oppose SB 2820, and at a minimum it should specifically eliminate any provisions similar to sections 10, 49, and 52, as well as amend Section 63 to have more police representation.

Sincerely,

Debby Dugan  
Republican State Committeewoman  
Second Suffolk-Middlesex  
Renew MASS Coalition, Board Chairwoman

Sent from my iPhoneFrom: FayeRuth Fisher <fayeRuth.fisher@1199.org>  
on behalf of Tim Foley <tim.foley@1199.org>  
Sent: Friday, July 17, 2020 10:04 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: 1199SEIU S.2820 Testimony

July 17, 2020

Dear Chairs Michlewitz and Cronin,

Thank you for the opportunity to testify on S.2820, An act to reform police standards and shift resources to build a more equitable, fair, and just Commonwealth that values Black lives and communities of color. We are committed to working with you and all stakeholders to ensure we pass meaningful police and other reforms furthering our goal of racial equity.

As frontline healthcare workers, we are committed to delivering quality healthcare services to all people and to eliminating social determinants of health based on what one looks like, how much money one earns, and where one lives. We know that racism is a public health crisis.

Consistent with our mission, 1199SEIU is committed to building a racially, economically, and just world. We advocate for policies and investments that will help dismantle racism and end police brutality that has threatened Black lives. We support and advocate for policies that are centered on Black voices and experiences.

We have developed several principles on reform efforts that reflect both our member's lived experiences as a multi-racial union and the concrete policy priorities of organizations and coalitions led by communities of color and elected leaders of color. These principles informed our support of S.2820 and shape our policy priorities for the upcoming House debate.

In this moment, we must accelerate transparent, accountable police reform, which includes:

- \* Establishment of a strong, statewide police certification, de-certification, accountability and oversight process
- \* Statutory limits on use of force including, banning of choke holds
- \* Require independent investigations of deaths and injuries resulting from officers
- \* Limiting police use of face surveillance technology until the state enacts regulations
- \* Reforms to qualified immunity, including redefine the standard of clearly established law
- \* Expand youth expungement

Further, it is critical for us to increase community voice by ensuring any laws or reforms enacted are reflective of the demands of communities of color and Black lead organizations that have historically led this work and to help create and support spaces for communities to impact on-going systemic reforms.

We understand there is much debate on the impact of this bill on public employees and collective bargaining rights. During Senate debate we were supportive of the clarifying amendment adopted to ensure indemnity protections remain for public employees and continue to be supportive of this provision. We do not believe the potential limited impact on collective bargaining rights outweighs the urgency and necessity of passing these reforms. The impact of inaction on our Black and Brown lives is far greater—we must make difficult decisions in the pursuit of justice and equity for all.

Again, thank you for your time and careful attention to these critical and urgent issues. As always, we are ready to work with you to ensure any final bill moves all of us towards our shared vision of an inclusive and just Commonwealth.

Sincerely,

Tim Foley, 1199SEIU Executive Vice President

From: Amanda and Jon-Richard Gibson <gibson2017@yahoo.com>  
Sent: Friday, July 17, 2020 10:01 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Good morning,

I'm not going to copy and paste a paragraph or two like I'm sure thousands of your constituents have done, and like I've done for other "battles" I've been passionate about.

What I am going to do is ask you, with all of the respect in the world, to reconsider all aspects of S.2820.

I've always had the utmost respect for those in public service, especially our police officers. I told myself I would never marry one (or active military) because I couldn't help thinking, "what if something happened, and it left me raising children all on my own? It left my children without a father?" Well, I'm sure you know this by now, but you can't help who you fall in love with. So yes, I married a police officer (and Veteran). He has worked incredibly hard since well before the day we met. He currently serves the city of Revere as an officer in the Criminal Investigation Division as well as on the North Metro SWAT team (the team, if you recall, that was able to apprehend Dzhokhar Tsarnaev after the Boston Marathon Bombings).

Parts of S.2820 brings these fears that I had to a greater likelihood. I, like most, watched too much "cop tv" before realizing how far away from reality they are. No, most officers aren't shot at on a daily basis. And most officers aren't involved in high-speed chases more often than not. But they are put in danger in many other ways. Situations that make a single second too much time to waste when trying to decide if you'll be able to make it home to see your family again.

I think many of us are well aware of frivolous lawsuits to all professions. For example, we've seen a drastic decrease in those applying to medical school simply because the malpractice insurance is just too

high. Law enforcement officers do not have salaries even close to that of physicians. Removing Qualified Immunity and forcing these officers to obtain their own private insurance would bankrupt police families. Removing Qualified Immunity would allow an increase in abuse toward police officers, resulting in injuries that could be life or career threatening. Removing Qualified Immunity will without a doubt increase frivolous lawsuits against police. Imagine a police officer handcuffing a suspect, and now that suspect decides that he or she has PTSD from being in the back of a police car and not having the ability to use her hands. Ridiculous, but it seems to be the way things are heading.

I beg you to reconsider the points in S.2820. I beg you to discuss this with our other representatives and ask them to say no to dismantling qualified immunity as well. You have many more amazing police officers than bad ones. This will effect their families, their livelihood, and most importantly, the safety of the community.

I am more than happy to discuss this with you further if you would like to hear from someone this would directly effect; the wife of a very good police officer.

Thank you for your time,

Amanda Gibson

7 Cherry Tree Lane <x-apple-data-detectors://3/1>  
Groveland, MA 01843 <x-apple-data-detectors://3/1>  
860.877.8097

From: DJ <dpjoseph4@gmail.com>  
Sent: Friday, July 17, 2020 10:03 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Citizen testimony

Dear Chair Michlewitz, and honorable members of the Committee,

I write today in support of the S. 2820 the Reform, Shift, and Build Act. Please support a strong bill that improves police accountability, including:

- \* A ban on racial profiling and racial data collection on all traffic and pedestrian stops, including ones that do not result in a citation;

- \* Creation of the Police Officer Standards and Accreditation Committee to certify and decertify police officers, and to ensure that police officers who commit misconduct cannot simply move from town to town and remain officers;

- \* A moratorium on the use of facial recognition technology;

- \* Restrictions on the use of tear gas (which the Geneva Convention holds to be a chemical weapon, the use of which is banned in warfare) and other use of force policies; and

- \* Reform of qualified immunity so that officers are no longer immune from violating our basic constitutional rights.

Most importantly, please retain the qualified immunity reform in Section 10 of S. 2820. Under current law, a plaintiff virtually cannot sue unless a previous court has found that the exact same conduct, in the exact same circumstances—no matter how egregious—was a constitutional violation. This includes situations such as the one Senator Brownsberger described in detail on the Senate floor in which officers in Massachusetts forced a woman to have her vagina searched. Civilians deserve the ability to hold police officers accountable for egregious violations of their rights.

Sincerely,

Daniel Joseph  
30 Evergreen Ave, Somerville MA 02145  
From: Anne Erde <anne.erde@gmail.com>  
Sent: Friday, July 17, 2020 10:03 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Please pass S. 2820

Chairman Michlewitz and Chairwoman Cronin,

I am very concerned about the issue of police violence and the use of unnecessary force by police officers against citizens of color. Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Thank you,

Anne Erde

39 Boylston St.

Jamaica Plain, 02130

From: Emily Buck <horowiem@gmail.com>  
Sent: Friday, July 17, 2020 10:03 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony for the House on Police Reform in Massachusetts

Dear Representatives Aaron Michlewitz and Claire Cronin,

I would like to first thank you for hearing my testimony and allowing me to express my thoughts regarding our police reform. I am a resident of Somerville, Massachusetts. I was born in Boston and have spent my entire life, including upbringing, education, and career thus far in Massachusetts. I am a Psychiatric Mental Health Nurse Practitioner, working with children and adolescents in crisis and have been doing this work for the past 12 years.

Working with children, adolescents, and their families in crisis has opened my eyes to how much of an impact our health care, welfare, education, and police systems (among other systems) have had on this population. As a health care and mental health provider, I, along with my colleagues, am trained in Crisis Prevention - the word Prevention is very important. In my line of work, I am constantly working with people in extreme emotional distress and at times these people are aggressive and dysregulated. Yet we manage to help provide support and care to these patients with compassion, empathy, and avoid hands-on intervention as much as possible. When we use hands-on or physical intervention, we are required to follow strict guidelines in order to reduce the risk of harm to ourselves and others. The goal is always to help provide immediate safety and this is only used as a last resort, if the person is actively trying to hurt themselves or others and we were unable to deescalate using non-physical intervention and de-escalation techniques. Physical intervention is certainly not without risk and we have noticed over time that as we have utilized less and less of this intervention within our program, there has been a decrease in escalations, our patients have been able to reach a level of stability and return home more quickly, and there have been less staff injury.

Unfortunately, many of my patients and their families have had negative experiences with their local police. While working in various psychiatric facilities in Massachusetts, I have had first-hand experience of how the police have worked with some of my patients. I have seen children with known mental illness taken by police in handcuffs (from a psychiatric facility to an Emergency Room in order to have further psychiatric evaluation). These children were not committing crimes and needed additional mental health treatment and therapeutic interventions. I have seen police use physical force, ignoring the advice of mental health professionals about the risks of using physical intervention with a



child, a person with mental illness and trauma, and specific risks for the individual, including asthma or obesity, placing the person at increased risk for asphyxiation.

On discharge from the psychiatric program and when I work with children and their families around creating safety plans for when they are back home and in the community, our recommendations often include contacting their local police department when in crisis and if they are at immediate risk. However, these children and families do not always feel safe or comfortable calling the police for help. They have shared stories of trauma associated with police brutality, particularly patients and families of color. I am currently working with a 6 year old male with a history of trauma who expresses his experiences and emotions through play. This child's play consistently includes themes of good versus evil and a sense of wanting to protect others and be protected. The police in his play do not represent protection, safety, or comfort but rather, he fears the police. This child is 6 years old. So what do these children and families do when in crisis, including being at risk of harm to self or others but they feel that the risk of police involvement or intervention exceeds their current risk? What does that say about our current system?

According to a study conducted in the Commonwealth of Massachusetts by the National Institute of Mental Health (grant MH-65615), which included examining the arrest records of 13,816 individuals receiving services from the Massachusetts Department of Mental Health from 1991 to 1992 over roughly a ten-year period. In this study, approximately 28 percent of the cohort experienced at least one arrest and the number of arrests for those individuals ranged from one to 71 (Fisher et al., 2006). According to the National Alliance on Mental Illness (NAMI), 2 million people with mental illness are booked into jails each year and approximately 15% of men and 30% of women in jails suffer from serious mental illness (NAMI, 2020).

It is essential that the police force have requirements in place to have ALL police trained in crisis prevention and minimal use of physical intervention. This testimony is not about a dislike or disrespect for our police officers. I have friends and family in the police force and I have also had positive experiences working with police throughout my career. This includes the Boston Police Department helping us recently with a child who ran from our psychiatric program. The police officers at the scene allowed the mental health professionals to continue to work with the child, as we were also on scene, and to provide support based on our expertise. These police officers were compassionate and heard our concerns, allowing us to continue to do our jobs and help keep this child and everyone else safe.

This testimony is to advocate for appropriate training for ALL police with regards to use of physical intervention, de-escalation techniques, and how to effectively work with people who suffer from mental illness. It is also essential for ALL police to have training with regards to racism within the police system and how to provide safety and protection for EVERYONE in Massachusetts, including Black and Indigenous People of Color. These trainings need to be mandatory. There need to be consequences for those who do not follow the guidelines in place to help keep everyone safe, this must include use of physical force or physical intervention. If people are injured or killed at the hands of police, there need to be thorough, independent, and non-bias investigations.

Thank you again for hearing my testimony and taking my experiences and concerns into consideration.

A concerned citizen,

Emily Buck

Somerville, Massachusetts

Citations:

Fisher, William H., Roy-Bujnowski, Kristen M., Grudzinskas, Albert J., Clayfield, Jonathan C., Banks, Steven M., & Wolff, Nancy (2006). Patterns and Prevalence of Arrest in a Statewide Cohort of Mental Health Care Consumers. *Psychiatr Serv.* 57 (11), 1623-1628. DOI 10.1176/appi.ps.57.11.1623

Jailing People with Mental Illness. National Alliance on Mental Illness. Retrieved July, 2020 from <https://www.nami.org/Advocacy/Policy-Priorities/Divert-from-Justice-Involvement/Jailing-People-with-Mental-Illness> <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_www.nami.org\\_Advocacy\\_Policy-2DPriorities\\_Divert-2Dfrom-2DJustice-2DInvolvement\\_Jailing-2DPeople-2Dwith-2DMental-2DIllness&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiu k13zIs16rchf\\_GkGDD&m=z3pbU28Rj6xkMRFpg8aEHoWd\\_H-NnWic3VlWEW9rThc&s=nLJo2rLQD3apa\\_Xo6Pqe6dX1404WhF36hpyaOaRQ3fE&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A_www.nami.org_Advocacy_Policy-2DPriorities_Divert-2Dfrom-2DJustice-2DInvolvement_Jailing-2DPeople-2Dwith-2DMental-2DIllness&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=z3pbU28Rj6xkMRFpg8aEHoWd_H-NnWic3VlWEW9rThc&s=nLJo2rLQD3apa_Xo6Pqe6dX1404WhF36hpyaOaRQ3fE&e=>) .

From: matt anderson <andersson\_34@hotmail.com>

Sent: Friday, July 17, 2020 10:02 AM

To: Testimony HWM Judiciary (HOU)

Subject: OPPOSE BILL S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,  
Ryan Anderson  
35 Willard Avenue, Worcester Ma  
Andersson\_34@hotmail.com

Sent from my iPhone  
From: Christine Powers <christine.p.powers@gmail.com>  
Sent: Friday, July 17, 2020 10:02 AM

To: Testimony HWM Judiciary (HOU)  
Subject: Comprehensive Police Accountability

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello,

My name is Christine Powers with the Greater Boston Interfaith Organization (GBIO). I live at 4 Lester Place, Jamaica Plain, MA 02130.

I am a social worker in the state of Massachusetts working at Boston University providing outpatient therapy for adults. Part of the National Association of Social Workers Code of Ethics states - "(a) Social workers should engage in social and political action that seeks to ensure that all people have equal access to the resources, employment, services, and opportunities they require to meet their basic human needs and to develop fully. Social workers should be aware of the impact of the political arena on practice and should advocate for changes in policy and legislation to improve social conditions in order to meet basic human needs and promote social justice."

I believe it is part of both my civic duty and my ethical duty as a part of the social work profession to urge the House to pass reform that includes -

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Police violence and structural racism needs to be addressed now, before another black life is lost.

Thank you very much.

Christine Powers  
christine.p.powers@gmail.com  
978-697-6845  
4 Lester Place, Jamaica Plain, MA 02130

From: Lesley Cogswell <lescogs@gmail.com>  
Sent: Friday, July 17, 2020 10:02 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Hi

July 17, 2020

To Whom It May Concern:

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Lesley and Kyle Cogswell

21 Norman Circle

Turners Falls, MA 01376

lescogs@gmail.com

From: Jane H <jmarquedos4@gmail.com>  
Sent: Friday, July 17, 2020 10:02 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: I Support S2820!

Chair Michlewitz, Chair Cronin and Honorable Members of the House Ways and Means and Judiciary Committees:

My name is Jane Hucks. I'm a resident of Haverhill and a member of the League of Women Voters of Greater Haverhill, the UU Church of Haverhill, Greater Haverhill Indivisible and the Merrimack Valley Project. I am writing today to express my support for the Senate police reform Bill S. 2820.

It's time to pass these much-needed, overdue reforms in how police officers are certified, how they interact on our streets with residents and how our courts will consider their actions when they are charged with using excessive force, breaking the law or otherwise abusing their power. It also notably includes provisions that would reduce student criminalization and cut off the school-to-prison pipeline. The past six weeks have brought into clear focus how much these, and the many other reforms included in the bill are needed.

The voices of black and brown MA residents must be heard and the time is now! For too long, racial profiling, harassment, inexplicable brutality and wanton disregard for human lives has been all too prevalent in the policing of POC. It is time to begin to right what has been an accumulation of injustice done to families and communities.

I urge the committee to report this bill out favorably and that the House members take swift action to pass it thereafter.

Thank you for your consideration,

Jane Hucks  
1 S Maple Ave  
Haverhill MA  
978-857-9261

From: Julianna Cogswell <julianna.cogswell@gmail.com>  
Sent: Friday, July 17, 2020 10:02 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on  
Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the  
Judiciary

Good morning,

My name is Julianna Cogswell with the Greater Boston Interfaith  
Organization (GBIO). I live at 247 Pearl Street in Somerville. I am  
writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much.

Julianna Cogswell

julianna.cogswell@gmail.com

518-209-3045

247 Pearl Street Somerville, 02145

From: Meg Glazer <meg@glaconcontracting.com> on behalf of  
megglazer@gmail.com  
Sent: Friday, July 17, 2020 10:00 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Meschino, Joan - Rep. (HOU); O'Connor, Patrick (SEN)  
Subject: support and passing of S.2820, an Act to reform police  
standards

Importance: High

Good morning Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in  
policing by passing S. 2820, An Act to reform police standards and shift  
resources to build a more equitable, fair and just commonwealth that  
values Black lives and communities of color.

We need strong use of force guidelines for police in Massachusetts,  
public records of police misconduct, a duty to intervene policy, and bans  
on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Meg Glazer

28 Liberty Pole Rd

Hingham, MA 02043

617.290.6322

From: Sandra Lord <sandra.h.lord@gmail.com>  
Sent: Friday, July 17, 2020 10:02 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Blais, Natalie - Rep. (HOU)  
Subject: House Bill 2820 Police Reform

Dear Members of the MA House of Representatives,

While there are many needed and valid improvements included in the police  
reform bill S2800 I find certain of these amendments problematic.



The majority of police officers are good officers and while egregious behavior can never be tolerated, these men and women, who put their lives on the line every day to protect each and every one of us, deserve qualified immunity so every interaction with the public, when people's behavior can be so unpredictable, doesn't have to include the thought "am I going to be sued for my actions or should I just let this go?" It takes only 1 second for an individual to travel 19 feet. A police officer then has 1 second to decide on their reaction. If police have to worry about lawsuits this will compromise their ability to react speedily and appropriately. Once police can no longer be proactive, crime will increase. This portion of the bill was rushed through Senate. It needs further study.

Allowing the public access to the police officer database makes all police officers a target. It puts them at a disadvantage as knowledge of a complaint provides fodder for further complaints, whether or not the first complaint is justified. It can also place their families at risk. Unsatisfactory performance should be dealt with by a supervisor, not the public, where there is so much ignorance about what this job entails.

Police deserve our support and respect. No one will want to be a police officer if we continue to bow to extremist's demands. By failing to protect the people who protect us, all of the citizens of this state are at risk. Please stand up for them.

Sandra Lord  
Deerfield, MA  
July 17, 2020

From: john jarzowski <jjjjarzowski@yahoo.com>  
Sent: Friday, July 17, 2020 10:01 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only

3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,

From: Steven Thomasy <sthomasy@hotmail.com>  
Sent: Friday, July 17, 2020 10:01 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: POLICE REFORM

To Chairs Michlevitz and Cronin :

I support the bill S2820, to reform police standards and shift resources to build a more fair and just Commonwealth. I believe that we need strong use of force guidelines for police in MA, public records of police misconduct, duty to intervene policy, and bans on chokeholds, no-knock warrants, tear gas and other chemical weapons.

We need you to pass a bill to enact these reforms.

Steven Thomasy 17 Longwood

Ave. Brockton, MA 02301

From: Patrick hanlon <phanlon1855@gmail.com>  
Sent: Friday, July 17, 2020 10:01 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820

Dear House,

I am writing you to express my utter disappointment with bill S2820. With that said, I thank you for allowing public and personal input in this matter. I feel as though you have create a pathway for due diligence that your colleagues in the senate failed to do. As a born democrat, I find their actions extremely detrimental not only to the safety of our community but to the future of the Democratic Party in this state. I find it hard to believe a person that was "on the fence" looked as their actions as inclusive and adherent to democratic values. The right was in the right when confronting a bill that will greatly affect this state going forward. A monumental piece of legislation that will have a deep impact on party affiliation if not pushed with bipartisan support. I have major concerns with the bill. The anti-labor rhetoric that is palpable as I read. This state's principles should not be circumvented due to the noise of a few. It is evident in Massachusetts we are reacting to a national hysteria that is not supported by statistical analysis here in this state. Officers are highly educated and trained as well as paid accordingly. I reject the notion that the police are brute enforcers of subjective law. Officers respond to a plethora of situations at the behest of State and local official expectations. Officers do so in a society of constant surveillance and entitlement. Qualified immunity protects the vetted, trained, and monitored from the radical, irrational, and ill willed public. An officer that breaks the law is held to the same standard if not higher as those in society. There shouldn't be any confusion about that. Finally, a expert committee with the power to impact an officers livelihood should be comprised of just that. Colleagues that are are experienced and trained with the expertise far beyond that of an average citizen. I thank you for time and ask you

reject the hysteric rhetoric that is not supported by the good and common people of this state.

Respectfully,  
Patrick Hanlon  
508-450-4534  
Worcester, MA

Sent from my iPhoneFrom: Sarah Henderson  
<sarahmhendersonlicsw@gmail.com>  
Sent: Friday, July 17, 2020 10:01 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Sarah Henderson I am a resident of Boston and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I am deeply concerned about racial profiling, the militarization of local police departments, and the school to prison pipeline. All of which disproportionately impact low income and communities of color. Without legislation prohibiting facial recognition and limiting qualified immunity excessive force will continue to present unnecessary and unethical risks to men, women, and children of color. Let's please ensure that there is necessary funding and political leverage to support the passing of this bill.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Sarah M. Henderson, LICSW  
11 Bradfield Avenue

Boston, MA 02131

March like a Mother: for Black Lives

--

Sarah M. Henderson, LICSW, RYT-200

\*Confidentiality Notice: \*This e-mail and any files transmitted with it are intended solely for the use of the individual or entity to which they are addressed and may contain confidential, privileged health information governed by the Health Insurance Portability and Accountability Act of 1996. If this e-mail contains PHI, it is being sent to you after appropriate authorization by the person referenced or under circumstances that do not require that person's authorization. If you are not the intended recipient, the employee or agent responsible to deliver it to the intended recipient, the employee or agent responsible to deliver it to the intended recipient of this e-mail, its use, disclosure, copying or distribution is strictly prohibited. If you have received this e-mail in error, please contact the sender immediately and destroy all copies of the original message and any attachments from your system. Thank you.

From: Camille Provenzano <camillepro606@gmail.com>

Sent: Friday, July 17, 2020 10:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: OPPOSITION TO BILL S. 2800

To the Ways and Means Committee of the Massachusetts House of Representatives:

My name is Camille Provenzano and I live in Hyde Park, MA. I am writing this letter to voice my concern that again no public hearing was held on this matter and it lacks transparency.

The people I know who are police officers are the most compassionate and caring people I know. I trust them to protect my family and community. The police departments in Massachusetts are some of the best in the country and represent what policing should look like around the country. This bill is a slap in the face to the hard working and professional police officers and their families. This bill is not reform. It is a rushed bill to pander to the few who believe what happened across the country applies to Massachusetts. It is disheartening and shows the lack of respect the politicians of Massachusetts have for their constituents.

I am submitting this letter as my written testimony. I write to you today to express my strong opposition to the hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth and encourage you to vote AGAINST Senate bill 2800 submitted to the House of Representatives. It deprives police officers of Massachusetts any basic protections afforded to all other public employees in Massachusetts. It is a rush to judgment being developed behind closed doors. Issues of policing, health and human services, and race are too important to be rushed. Of the many concerns, the following in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

1. The senate version will seriously undermine public safety because police officers may become more concerned about personal liability than public safety.  
The proposed changes to QI will have a serious impact on critical public safety issues. Unintended and unnecessary changes to QI will hamstring police officers in the course of their duties because they will be subjected to numerous frivolous nuisance suits for any of their actions.

Officers may second guess doing what is necessary for public safety and protecting the community because of concerns about legal exposure.

2. The process employed by the senate of using an omnibus bill with numerous, diverse, and complicated policy issues coupled with limited public and policy participation was undemocratic, flawed and totally nontransparent.

The original version of the bill was over 70 pages and had multiple changes to public safety sections of the general laws. It was sent to the floor with no hearing and less than a couple of days for Senators to digest/caucus and receive public comment. This process was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased.

The Governor and support of the bill promised to use the 160 or so professional regulatory agencies as a guide for police certification. The senate instead created a board without precedent. The 15-member board proposed to oversee, and judge police officers includes no more than six police officers and four of those police officers will be management/Chief representatives. The remainder of the committee will be dominated by groups critical of law enforcement, if not parties that regularly sue police and law enforcement. The civilian members on the board will lack any familiarity with the basic training, education or standards that apply to police officers. All the other 160 boards include a strong majority of workers from the profession supplemented by a few individuals to represent the general public. Imagine if police officers were appointed to a board to oversee teachers licenses!

4. The removal or any change to Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques that all police personnel unequivocally support.

All police organizations support major parts of the bill: strengthening standards and training; having a state body that certifies police officers; banning excessive force techniques and enhancing the diversity process. Once we have uniform standards and policies and a statutory ban of certain use-of-force techniques then officers and the public will know the standards that apply to police officers and conduct that is unacceptable and unprotected by QI.

This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets.

5. Police Officers Deserve the same Due Process Afforded to all Other Public Employees

Public employees and their unions have a right for discipline to be reviewed by a neutral, independent expert in laborrelations - whether an arbitrator or the Civil Service Commission. This bill makes the Commissioner's decisions or the new Committee's decisions the final authority on certain offenses.

We should affirm the right of all employees to seek independent review of employer discipline at arbitration or civil service.

Thank you for your attention to this important matter.

Sincerely,

Camille Provenzano

From: Jennifer Brody <jennifer.brody@gmail.com>  
Sent: Friday, July 17, 2020 10:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony in Support of Police Accountability

July 17, 2020

The Honorable Rep. Aaron Michlewitz

Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin

Chair, Joint Committee on the Judiciary

Re: Testimony in Support of Police Accountability -- Use of Force Standards, Qualified Immunity Reform, and Prohibitions on Face Surveillance

Dear Chairs Michlewitz and Cronin,

As a primary care physician caring for people experiencing homelessness in Boston, I write in strong support of the many provisions in S.2820 designed to increase police accountability. In particular, our organization urges you to:

1. Adopt strict limits on police use of force,
2. End qualified immunity, because it shields police from accountability and denies victims of police violence their day in court, and

3. Prohibit government use of face surveillance technology, which threatens core civil liberties and racial justice.

As a physician taking care of unhoused people, many of whom are living with substance use disorders, and mental health challenges, including complex trauma, I have borne witness first hand to the harms of a police force that is not held accountable to their mandate to protect and serve the least of us with dignity and respect. I have seen first hand physical evidence and heard stories from my patients of both physical abuse (one schizophrenic woman that I care for had her arm broken by a police officer in recent years, another was pinned to the ground during arrest while other officers taunted him.). I see surveillance cameras being used in spaces that are meant for harm reduction and public health interventions. It is unclear if such technologies are being used for "safety" or to criminalize and jail people who use drugs, many of whom are people of color and all of whom are homeless. I could go on. Many of my patients have been so traumatized by negative interactions with police, that they do not trust our health center's security team, which makes providing health care to this community more complicated and difficult.

George Floyd's murder by Minneapolis police brought hundreds of thousands of people into the streets all around the country to demand fundamental changes to policing and concrete steps to address systemic racism. This historic moment is not about one police killing or about one police department. Massachusetts is not immune. Indeed, Bill Barr's Department of Justice recently reported that a unit of the Springfield Police Department routinely uses brutal, excessive violence against residents of that city. We must address police violence and abuses, stop the disparate policing of and brutality against communities of color and Black people in particular, and hold police accountable for civil rights violations. These changes are essential for the health and safety of our communities here in the Commonwealth.

Massachusetts must establish strong standards limiting excessive force by police. When police interact with civilians, they should only use force when it is absolutely necessary, after attempting to de-escalate, when all other options have been exhausted. Police must use force that is proportional to the situation, and the minimum amount required to accomplish a lawful purpose. And several tactics commonly associated with death or serious injury, including the use of chokeholds, tear gas, rubber bullets, and no-knock warrants should be outlawed entirely.

Of critical and urgent importance: Massachusetts must abolish the dangerous doctrine of qualified immunity because it shields police from being held accountable to their victims. Limits on use of force are meaningless unless they are enforceable. Yet today, qualified immunity protects police even when they blatantly and seriously violate people's civil rights, including by excessive use of force resulting in permanent



injury or even death. It denies victims of police violence their day in court. Ending or reforming qualified immunity is the most important police accountability measure in S2820. Maintaining Qualified Immunity ensures that Black Lives Don't Matter. We urge you to end immunity in order to end impunity.

Finally, we urge the House to prevent the expansion of police powers and budgets by prohibiting government entities, including police, from using face surveillance technologies. Specifically, we ask that you include H.1538 in your omnibus bill. Face surveillance technologies have serious racial bias flaws built into their systems. There are increasing numbers of cases in which Black people are wrongfully arrested due to errors with these technologies (as well as sloppy police work). We should not allow police in Massachusetts to use technology that supercharges racial bias and expands police powers to surveil everyone, every day and everywhere we go.

As a physician caring for unhoused people, the majority of whom are Black and Latinx, the most crucial health intervention that I can make is to assist them in obtaining supportive, low threshold housing, access to healthy foods, dignified, high quality substance use disorder treatment, job retraining and educational resources, and mental health services. But there is no room in the budget for such services, if so much of our city and state budget goes to policing and imprisonment.

There is broad consensus that we must act swiftly and boldly to address police violence, strengthen accountability, and advance racial justice. We urge you to pass the strongest possible legislation without delay, and to ensure that it is signed into law this session.

Sincerely,

Jennifer K. Brody, MD, MPH, AAHIVS

Director, HIV Services, Boston Health Care for the Homeless Program

Director Social Justice Curriculum, Division of General Medicine Primary Care Program, Brigham and Women's Hospital

Instructor of Medicine, Harvard Medical School

From: james mackey <mrjamesmackey@gmail.com>  
Sent: Friday, July 17, 2020 10:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: I urge you to support Juvenile Justice Data, Raise the Age,  
and Expungement

Committee on the Judiciary  
House Committee on Ways and Means  
The State House  
Boston, MA 02133

Dear Chair Cronin, Chair Michlewitz, Vice-Chair Day, Vice-Chair  
Garlick and House members of the Judiciary and the House Ways and Means  
Committees,

Thank you for your commitment to racial justice and to the bright  
futures of young people in our  
Commonwealth.

As a tax-paying resident of the commonwealth, I urge you to support  
Juvenile Justice Data, Raise the Age, and Expungement.

1. Require transparency in juvenile justice decisions by race  
and ethnicity (as filed by Rep. Tyler in H.2141)
2. End the automatic prosecution of teenagers as adults (as  
filed by Rep. O'Day in H.3420)
3. Expand expungement eligibility (as filed by Reps. Decker and  
Khan in H.1386 and as passed in S.2820 §§59-61)

Thank you for defending and protecting the students of  
Massachusetts. I look forward to hearing back from you about how you  
voted on this bill.

Respectfully,

?

James Mackey  
Founder of #StuckOnReplay  
<[Social Philanthropist  
Community Builder  
National Activist  
Consultant  
Facilitator](https://urldefense.proofpoint.com/v2/url?u=http-3A__stuckonreplay.org_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiuKl3zIs16rchf_GkGDD&m=0XOzUQDn3ZRr-X3R-145daKsaXuVAoft0UZufyLvBJo&s=uFezzJbxuXgObbEBloNSMALPo_Lgbz6QtkJfHrHanug&e=></a>></p></div><div data-bbox=)

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Summer of 2019: ?I ?facilitated a conversation with Obama's??

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From: Emily Benson <ejbenson4@gmail.com>

Sent: Friday, July 17, 2020 9:59 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Emily Benson  
22 Barr St  
Salem, MA 01970  
ejbenson4@gmail.com

From: Ezra Fischer <ezrafischer@gmail.com>

Sent: Friday, July 17, 2020 10:00 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

Hello,

My name is Ezra Fischer and I'm a home owner in Arlington, MA. My phone number is 732-429-8802. I'm writing to urge house to pass the bill that got through the Senate as is, or stronger. In particular, I am concerned about these parts of the bill:

\* The same limits to qualified immunity that the Senate included. This is vitally important to protect the constitutional rights of Massachusetts residents. If we do nothing else, we have to change qualified immunity, which makes police officers essentially above the law.

\* Amendment 80, which gives superintendents and school committees the ability to authorize a school resource officer, rather than the current unfunded mandate for every district to have SROs. Districts should have local control over their own budgets and policies.

\* Amendment 108, which prevents schools from sharing personal information about students into local, state, and federal databases.

\* Amendment 65, which bans tear gas, a chemical weapon banned in warfare.

Thank you,

Ezra Fischer

From: Lili Ibara <lilianaibara@gmail.com>

Sent: Friday, July 17, 2020 10:00 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

Thank you for your leadership. My name is Lili Ibara am a resident of Jamaica Plain and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

Massachusetts should do these basic things to ensure the safety of all residents.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits

qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Lili Ibara

19 Kingsboro Park, Apt. 1, JP MA 02130

March like a Mother: for Black Lives

From: Caroline Sherrard <cbsherrard@gmail.com>  
Sent: Friday, July 17, 2020 10:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support S. 2820 including Qualified Immunity Reform

Dear Chair Michlewitz, and honorable members of the Committee,

I write today in support of the S. 2820 the Reform, Shift, and Build Act. Please support a strong bill that improves police accountability, including:

- \* A ban on racial profiling and racial data collection on all traffic and pedestrian stops, including ones that do not result in a citation;

- \* Creation of the Police Officer Standards and Accreditation Committee to certify and decertify police officers, and to ensure that police officers who commit misconduct cannot simply move from town to town and remain officers;

- \* A moratorium on the use of facial recognition technology;

- \* Restrictions on the use of tear gas (which the Geneva Convention holds to be a chemical weapon, the use of which is banned in warfare) and other use of force policies; and

- \* Reform of qualified immunity so that officers are no longer immune from violating our basic constitutional rights.

Most importantly, please retain the qualified immunity reform in Section 10 of S. 2820. Under current law, a plaintiff virtually cannot sue unless a previous court has found that the exact same conduct, in the exact same circumstances—no matter how egregious—was a constitutional violation. This includes situations such as the one Senator Brownsberger described in detail on the Senate floor in which officers in Massachusetts forced a woman to have her vagina searched. Civilians deserve the ability to hold police officers accountable for egregious violations of their rights.

Sincerely,

Caroline Sherrard  
45 Josephine Ave, #3  
Somerville, MA 02144  
From: Hughes Pack <hpack2249@gmail.com>  
Sent: Friday, July 17, 2020 10:00 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Please help.

As your constituent and a parent with two sons in Massachusetts law enforcement professions, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolous lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers,

experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Hughes Pack

Northfield

hpack2249@gmail.com

--

Hughes Pack  
Northfield, MA

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Hello,

I am writing today to let you know that I oppose Bill S.2820 being passed. We, as MA residents and US Citizens, need more time to vet through the contents of what the bill represents and the lasting impact it will have if passed.



Please listen to the people and do NOT pass this bill.

Thank you for your consideration,  
Celina Leger  
29 Turnpike Road  
Westminster, MA 01473  
978-874-0458

From: Miller, Tara <tkingmil@bu.edu>  
Sent: Friday, July 17, 2020 9:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on the Policing Omnibus Bill S.2820

Dear members of House leadership,

S.2820 does almost nothing to prevent state violence against Black people or stop the flow of Black people into jails and prisons.

I believe S.2820 will cause more harm than good by increasing spending on law enforcement through training and training commissions, expanding the power of law enforcement officials to oversee law enforcement agencies, and making no fundamental changes to the function and operation of policing in the Commonwealth. Real change requires that we shrink the power and responsibilities of law enforcement and shift resources from policing into most-impacted communities. The definition of law enforcement must include corrections officers who also enact racist violence on our community members.

Instead of funding for police training and commissions, communities need investments in businesses, jobs, healthcare, mental health, parks, transit, arts, community programs, and so much more.

If the Massachusetts legislature were serious about protecting Black lives and addressing systemic racism, this bill would eliminate cornerstones of racist policing including implementing a ban without exceptions on pretextual traffic stops and street stops and frisks. The legislature should decriminalize driving offenses which are a major gateway into the criminal legal system for Black and Brown people and poor and working class people. Rather than limiting legislation to moderate reforms and data collection, the legislature should shut down fusion centers, erase gang databases, and permanently ban facial surveillance by all state agencies including the RMV. I also support student-led efforts to remove police from schools.

The way forward is to shrink the role and powers of police, fund Black and Brown communities, and defund the systems of harm and punishment which have failed to bring people of color safety and wellbeing. S.2820 does not help us get there.

Thank you,  
Tara Miller, Allston MA

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Tara King Miller

she / her

Ph.D. Candidate

Primack Lab

Boston University

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From: Laurie Kiley <lkiley15@gmail.com>  
Sent: Friday, July 17, 2020 9:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Qualified immunity

An enlightened person I'm in favor of qualified immunity. If you expect any municipal employee to do their job they can not be in fear of a civil suit.

Laurie Kiley

Waltham

From: Bob Sansoucy <bsansoucy41@gmail.com>  
Sent: Friday, July 17, 2020 9:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

To the members of the Massachusetts House of Representatives,

I ask that you please listen to the many MA police officers reaching out as we voice our displeasure over the recently proposed police reform bill.

I believe the members of the POSAC committee should be represented by members of law enforcement, as they are the only ones that have the proper knowledge and experience to set the standards for professional policing.

I also feel the decertification process presented so far infringes on our collective bargaining and right to due process.

Lastly, qualified immunity is a necessity for all public employees. This is a very complicated topic that must be addressed with the appropriate amount of time and effort. It should not be rushed.

Thank you for your attention regarding this matter.

Respectfully submitted,

Bob Sansoucy  
Worcester Police Department  
From: Gerard Shea <gerardshea50@yahoo.com>  
Sent: Friday, July 17, 2020 9:59 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill SB 2820

Good morning,

My name is Gerard Shea and I am a Firefighter. I am writing to you today in regards to the recent Bill Which is now assigned SB 2820. This Bill that is under review and looking to be pushed into actual legislation is troublesome to myself as a member of a municipal organization, not only myself, but to all other members as well. Whether that be Police Officers , Firefighters, Teachers , Nurses, etc. As you see I capitalized all of them due to their importance in our community. Although we all agree that changes need to be made throughout our nation to address certain situations regarding racial equality and justice for all in a fair and equitable manner, this Bill to me is an attack on the 99.9 percent of good Police officers. We are all aware that there are some officers that should not be on the force and that some have acted inappropriately. We all also know that these type of people exist in every type of field. With that being said , it just isn't fair for our states Police officers and I mean all of them , to be lumped into this because of the actions of another Police Officer in a different state.

The men and woman of law enforcement in this state do a fine job day in and day out to protect our communities in Massachusetts. Now we

are looking to take their job security and push them to a place where they are not going to want to act due to the fact that every bit of scrutiny will come down on them and they could potentially lose their job for doing there job. Not only that but they can be held possibly into a civil lawsuit, if qualified immunity is attacked. I feel that individuals in public and maybe even some elected officials don't quite understand what qualified immunity is and just attack whatever they feel necessary to appease themselves. Qualified immunity is what gives us protection from any John Doe from suing us and taking our houses due to us acting a certain way during performing our duties, and what I mean by that is what if we are attacked while given emergency medical care , and someone decides from a far that they are going to film us, and it is perceived we are in a fight. Well that individual is now going to potentially sue us for what he claims is assault and what ever other nonsense they can come up with to get a pay day. Well, qualified immunity prevents that from happening. I consider it "reasonable immunity " because it only makes sense that we are protected from potential nonsense that may arise from emergency situations. Not all emergencies are pretty , by nature they are not, that's why they are emergencies, and sometimes things can go in a certain direction that are not ideal however not controllable. To take away a Municipal employees protection and life security on the whole is outrageous. The men and woman who serve our municipalities have families , children , husbands , wives , bills to pay, and we're going to potentially put them in a situation where they could lose everything if they don't have the proper protection they need in the judicial process? We can not do that, we can not allow it. I ask that you all reconsider this Bill or at least fine tune it to a point where we can all agree that everyone is still protected and the needs of the community are being met. Thank you

Gerard Shea  
617 699 9351  
From: Brifreeman@comcast.net  
Sent: Friday, July 17, 2020 9:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Today's police reform bill

I am simply asking for you to slow down and to at least listen to members of law enforcement, school officials, health officials, etc about what they think the consequences of these changes will be. Please give the people who these changes will affect a chance to tell you what they think.

Some of these changes can be implemented with little or no consequences. However some will destroy our communities and endanger the vulnerable.

Lastly, Taking school resource officers out of schools is ridiculous. The only reason we are not reading about school shootings is because of covid. Cops in schools is not a problem, it's an answer.

Sincerely

Brian Freeman  
Police officer/ concerned parent  
Westfield.

Sent from my iPhone  
From: Vincent E <vgolemme@gmail.com>  
Sent: Friday, July 17, 2020 9:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reforming Police Standards Bill

Please,

Emotional reactions cloud judgement. We need a conversation, not rush legislation.

Please see reason and at least allow for everyone to communicate appropriately.

--

Vgolemme@gmail.com  
From: LUDMILA STAROSELSKY <l.staroselsky@comcast.net>  
Sent: Friday, July 17, 2020 9:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Dear representative Aaron Michlewitz and representative Clair D. Cronin,

We raise our voice in strong objection to the provisions in the Police Reform Act that will restrict qualified immunity for police in Massachusetts. The negative effects of such provisions are obvious - frivolous lawsuits against the policemen who attempt to use legitimate force against the people who violate the laws This, inevitably, will make police less willing to enforce the laws (the major function) and to impede their recruitment efforts. This is a disaster in the making, in our opinion.

Please consider changing the incoming legislation in the way that does not have these extremely negative consequences.

Respectfully

Ludmila Staroselsky  
Brookline, MA

From: Janine Young <janineyoungbos@gmail.com>  
Sent: Friday, July 17, 2020 9:57 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Tarr, Bruce E. (SEN)  
Subject: 2820 Qualified Immunity

Good morning,

I am emailing you to voice my opposition to Police Reform Bill regarding the removal of Qualified Immunity for Police. I've been in correspondence or have called Senator Keenan , Senator Tarr, Representative Mariano and the Governor to express my sincere concern what the ramifications of this provision will do to EVERYONE in our beautiful state of Massachusetts. Since March 15, when the Governor put the state in lockdown we have been told , " thank our first responders " they are ESSENTIAL people in ESSENTIAL jobs. This is how our legislators and politicians thank them. I see and read of other major cities defunding and not supporting the police. I see and hear of deaths of innocent citizens and attacks on the police who are trying to help. I don't want to see the beautiful state that we live in look like, New York, Chicago, L.A, and Portland. I view this bill as being very hurried with no thought at all to all of the citizens of our beautiful state of Massachusetts. This issue isn't should not be about what happened in another state, party affiliations or a movement. There is so much going on here and in the country. The Boston Police Department is looked at as an example of how to police. That is what President Obama said of them. I find it troubling that in a matter of months the people that represent all of us have a change of opinion. If you are determined to handcuff our Police, Firefighters, Nurses and any one else who may try to help and aid us, I suggest you put yourselves, the Governor into this bill and ALL OF YOU lose your Qualified Immunity. This just is not right. I want to thank Senator Tarr for letting me know of this hearing. I just started back to work last week and I'm not in the situation to take a day off to be there in person today. Thank you for listening and please understand I'm just a very concerned citizen about where the direction our Beautiful state is going. Thank you for your time.

Sincerely,

Janine YoungFrom:Chris Williams <chrisew76@gmail.com>

Sent: Friday, July 17, 2020 9:57 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820

Honorable Representatives,

I am the proud mother of a highly decorated State Trooper, Keller Williams, who has been awarded three Medals for Valor. He is currently on the Violent Fugitive Apprehension Section which apprehends the most dangerous criminals in our society often requiring split-second decisions to accomplish this important mission safely and successfully.

It terrifies me that the Qualified Immunity amendment could result in a deadly distraction while performing his perilous duty. I implore you to keep the Qualified Immunity intact.

Please insure that our courageous Law Enforcement Officers are provided Due Process as every other citizen is granted. It is the fair and right thing to do.

Common sense dictates that you include experts and rank-and - file members of the law enforcement community to bring their first-hand knowledge and experience to a POSA Committee.

I am trusting you with the safety and well-being of my beloved son and his fellow law enforcement colleagues. Bring understanding, compassion, and respect for the commendable, demanding service our brave men and women provide every day to your vote amending and correcting S2820.

In anticipation of your support,

Christine Williams

58 Maplehurst Ave.

East Longmeadow 01028

413-525-0078

From: Elise Balzotti <balzottielise@gmail.com>  
Sent: Friday, July 17, 2020 9:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: please vote no to s. 2820

To members of the house and all others whom this message may concern,

I am taking the time to respectfully ask you to stand against the proposed police reform bill s.2800, now s.2820, that has passed in the Senate. I know that you have received a lot of outreach both for and against the bill, but I believe it is not only in the interest of our local police, but all of our state's residents, that we do not allow this bill to proceed further.

I have received a copy of the seventy-two page bill, I conferenced with a senator for two hours (one that strongly supported and voted for the bill), and watched the voting process live. I was appalled by the statements made by many in defense of the bill, and the outlandish examples given to persuade others into supporting the nullification of qualified immunity. I believe that much of the public is misinformed, not only in regards to what qualified immunity really means, but also the fact that this not only affects police, but all municipal workers. I think that they are also misinformed about the other amendments and things that are included in the bill aside from the qualified immunity piece.

I am an educator in middlesex county, which is an inner-city demographic, that can be characterized as being very diverse. I am concerned with this bill as it directly relates to me in my position in many ways. In terms of qualified immunity, I fear for my job. I have, on various occasions, been made aware of instances in which students have wrongfully accused teachers of being racist. For example, there have been times in which students who were simply moved to the back of the classroom in order to dispel an argument or negative behavior have claimed that they were moved simply because of their race. Although this action may seem as one that would be deemed inconsequential, I believe that in today's climate, even this instance could bring about a problem for a teacher.

When diverging from the topic of qualified immunity and moving onto school safety, I think there are also measures that are very troubling for me and my staff. The bill advocates for the removal of school resource officers from the building, while advocating to replace them with school adjustment counselors. While I recognize the value in school counselors, I do not think that school resource officers should be replaced, and I believe this for a few reasons. Firstly, school resource officers are vital in the event of a school shooting. They are vital when it comes to detaining a student who may be violent towards others. They are vital when it comes to breaking up large scale fights within our building. There are simply situations that a school counselor cannot adequately hand on his or her own.

As having been a victim of sexual assault at 17 during my junior year of high school, I relied on the security that my school resource officer provided for me.

At the time, in having filed a temporary restraining order against my perpetrator, my school resource officer very literally saved me and my sanity. I conferenced with many school adjustment counselors concerning my situation. They provided me with a lot of mental help that I valued greatly. However, it was solely the school resource officer that made me feel PHYSICALLY safe in my school environment. I fear for the children who may have a restraining order against a parent, another family member, or a perpetrator, as in my case, who will feel the loss of this physical protection in a place where they are meant to thrive.

I am deeply concerned with a portion of the bill that discusses officers' ability to communicate about gang members. In my opinion, this is an attempt to protect the criminal, and not the potential victims. I think that this lack of communication will also create a more dangerous environment in schools, as schools are largely a place of recruitment for gang leaders.

I am an educator who is in a relationship, and lives with, a police officer. Given the current climate of our country, and more specifically of our state, I am deeply concerned with what we have "going against us." I am concerned for our welfare and security within our jobs, and what that could mean for the trajectory of our lives. I plead with you to vote down this bill. There is room for improvement in policing. I think everyone can agree to that. However, maintaining a level of respect for our officers and all municipal workers is vital in order for us to come together as a people to improve in unison. Let us vote this down, have a discussion together with all sides being represented, to come to a solution we can all stand behind.

Respectfully submitted,

E.B.

From: Alex Taylor <alextaylor2008@yahoo.com>  
Sent: Friday, July 17, 2020 9:57 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

I'm writing to express my opposition to the police reform bill recently passed by the Senate. While I understand why the state legislature is



acting, I'm not happy about how it is acting. Hastily passing a bill with no public hearings that has the potential for serious negative unintended consequences does not seem to be a responsible way to legislate. Please consider the unintended consequences that the legislation will have as it stands.

Sincerely,

Alex Taylor

6 Shawsheen Rd

Andover, MA 01810

From: Susan Provenzano <slprovenzano@icloud.com>

Sent: Friday, July 17, 2020 9:57 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony for Bill S2820

To whom it may concern,

Please reconsider the ending of qualified immunity for police, nurses, and fire fighters that is part of Bill S2820. Eliminating qualified immunity will prevent these heroes from doing their jobs, which is saving our lives. For example, if you are in a car accident and the car is burning, a police person or firefighter might pull you from the car but in the process injure your spine. Without qualified immunity you could sue the rescuer, so why should one joined the police or fire departments if there's this risk. Yes there are a few bad apples, but don't destroy the whole department. We don't want to be like NYC or Portland.

Thank you,

Susan Provenzano

Sent from my iPadFrom: NATHAN HAWKINS <nhawkins26@verizon.net>

Sent: Friday, July 17, 2020 9:56 AM

To: Testimony HWM Judiciary (HOU)

Subject: Do Not pass S.2820

Dear representatives,

Please do not pass this rushed bill from the Senate the way It is written. Many concerns inside of this bill will not only effect police work but all other public servants. Qualified Immunity has never protected officers who violated the law or constitutional rights. It protects public servants who, in the scope of their duties, did something under good faith and prevents them from frivolous law suits. Removing QI will only result in a massive stop to proactive policing and public servants protecting and saving citizens because of the fear that they'll be sued.

There are also concerns with the removal of the use of force standard "reasonable officer" and changed to "reasonable person". An officer has training and experience that the regular citizen does not when It comes to violent encounters. Officers can tell by body language and indicators of an impending attack and can't prevent them. With the change to this language, you will place officers in a situation where they need to be assaulted first before allowing them to defend themselves or others.

Please do not pass this bill and speak to ALL stakeholders that will be affected by this bill!

Sincerely,

Nathan Hawkins  
Westminster Ma  
From: Tiffany Lemon <tiffanylemon2@gmail.com>  
Sent: Friday, July 17, 2020 9:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Hello Representatives Aaron Michlewitz and Claire Cronin,

My name is Tiffany Lemon with the Greater Boston Interfaith Organization (GBIO). I live at 80 Fort Ave in Fort Hill, Roxbury. I am writing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

Thank you very much for your time and service, and I look forward to the positive change that will result from these reforms.

Tiffany L. Lemon  
tiffanylemon2@gmail.com  
(337) 692-0311  
80 Fort Ave, Roxbury, MA 02119

Tiffany L. Lemon, MSPH  
Student | Ph.D. in Population Health Sciences (PHS)

tlemon@g.harvard.edu | 337-692-0311  
LinkedIn: [www.linkedin.com/in/tiffanyllemon](http://www.linkedin.com/in/tiffanyllemon)  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.linkedin.com\\_in\\_tiffanyllemon&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiuK13zIs16rchf\\_GkGDD&m=BN4UQiwe4ysG18xFTRf9xAMeh7ba-8bnH3LWSJIGbro&s=lemIf9Nexf0801eF92KSCuyVJGq80fxFjN4ik0gYAb0&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.linkedin.com_in_tiffanyllemon&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiuK13zIs16rchf_GkGDD&m=BN4UQiwe4ysG18xFTRf9xAMeh7ba-8bnH3LWSJIGbro&s=lemIf9Nexf0801eF92KSCuyVJGq80fxFjN4ik0gYAb0&e=>)>

"How wonderful it is that nobody need wait a single moment before starting to improve the world." - Anne Frank

From: Office <Office@teammr8.org>

Sent: Friday, July 17, 2020 9:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: SB2800

Dear House Ways and Means Chairman Aaron Michlewitz and Judiciary Committee Co-chair Rep. Claire Cronin:

Please pass SB2800, a police reform bill, passed in the Senate and now at the House floor, with no changes.

Thank you for your attention.  
Denise Richard

Sent from my iPhoneFrom: Lenka Zbruz <lenkamusictogogether@gmail.com>  
Sent: Friday, July 17, 2020 9:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: police reform

"Hello, my name is Lenka Zbruz with the Greater Boston Interfaith Organization (GBIO) and I am your constituent. I live at 81 Wells Road, Lincoln. I am emailing to urge you and the House to pass police reform that includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

I would like to know your position on the proposed legislation. Please email me back or I can be reached at 781-859-8327.

Thank you very much.

Lenka Zbruz  
director  
Music Together of Belmont  
781-859 8327  
www.musictogetherofbelmont.com  
<

<https://www.facebook.com/MusicTogetherBelmontMA/>  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.facebook.com\\_MusicTogetherBelmontMA\\_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0Sck2EnIiuK13zIs16rchf\\_GkGDD&m=0rsPPJ7MtRgCKHXNm672Tl\\_hMq\\_8r4DmPRmRrx6IRtU&s=ykJco\\_VnAIAowNdnPDOpeil\\_GudERbtzUhsHGF9F1Vo&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_MusicTogetherBelmontMA_&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiuK13zIs16rchf_GkGDD&m=0rsPPJ7MtRgCKHXNm672Tl_hMq_8r4DmPRmRrx6IRtU&s=ykJco_VnAIAowNdnPDOpeil_GudERbtzUhsHGF9F1Vo&e=>)>

"If you can walk, you can dance. If you can talk, you can sing."  
(Zimbabwean proverb)

"If your heart is beating, you can feel the rhythm of the dance. If your heart is open, the song will fill you up."  
(Jim True-Frost, father of a Music Together child with disabilities)

From: Jen Rogers <jllunsford@googlemail.com>  
Sent: Friday, July 17, 2020 9:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill No. S2820 - Written Testimony

To Chair Aaron Michlewitz and Chair Claire Cronin,

I strongly support many provisions of the Senate bill and it is imperative that the House include these provisions in their version of the bill:

- The same limits to qualified immunity that the Senate included. This is vitally important to protect the constitutional rights of Massachusetts residents.
- Amendment 80, which gives superintendents and school committees the ability to authorize a school resource officer, rather than the current unfunded mandate for every district to have SROs. Districts should have local control over their own budgets and policies.
- Amendment 108, which prevents schools from sharing personal information about students into local, state, and federal databases.
- Amendment 65, which bans tear gas, a chemical weapon banned in warfare.

Jennifer Rogers  
Member of Framingham Families for Racial Equity in Education  
617-982-8841

From: Mitchell Rosenberg <mitchellrosenberg9@gmail.com>  
Sent: Friday, July 17, 2020 9:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Raising the age at which individuals enter the adult justice system

Dear Committee Members

I am writing to you today to request that you and your colleagues in the MA House of Representatives consider an amendment to the Police Reform

bill that recently passed the Senate to raise the age at which emerging adults are processed in the juvenile system from 18 to 20 years-old.

This is a key area we see our young people, especially our young men of color, get derailed. In all the many efforts to promote racial justice and reform our criminal justice system, we need to prioritize not pushing our children into adult jail and serving them in a more developmentally appropriate juvenile system. Only 25% of Massachusetts' young adult population is Black or Latino, but 70% of young adults incarcerated in state prisons and 57% of young adults incarcerated in county jails are people of color. We need to get them out and keep them out.

The DYS census (juvenile system) is down and there is existing capacity to do this. The outcomes are better, education is required in the juvenile system, and we prevent young adults from being crippled by CORIs- all of which is better for public safety and the lives of young people.

Moreover, this change is supported by research into cognitive development and brain science.

Adolescents' brains are measurably different from adults. Adolescents are more likely to be influenced by peers, and engage in risky and impulsive behaviors. Courts, agencies and practitioners should use this knowledge to ensure a developmentally appropriate response. An overly punitive approach leads to more offending:

Toxic environments, like adult jails and prisons, increase problematic behaviors and recidivism. Teens and young adults incarcerated in Massachusetts' adult correctional facilities have a 55% re-conviction rate, compared to a similar profile of non-incarcerated teens whose re-conviction rate is 22%.

In short there are many reasons to amend the Police Reform Bill to make the justice system both more fair and more effective.

Thank you for your consideration.

Mitchell Rosenberg  
484 Washington Street  
Brookline, MA 02446

From: Gabriel Camacho <GCamacho@afsc.org>  
Sent: Friday, July 17, 2020 9:56 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800 Expungement  
Attachments: image004.emz

July 17, 2020

The Honorable Rep. Aaron Michlewitz Chair, House Committee on Ways and Means

The Honorable Rep. Claire D. Cronin Chair, Joint Committee on the Judiciary

Re: Public Testimony on S.2800 to the House Ways and Means and Judiciary Committees

Dear Chair Cronin, Chair Michlewitz, Vice Chair Day, and Vice Chair Garlick,

On behalf of the American Friends Service Committee (AFSC), a 1947 Nobel Peace Laureate, I am writing to request your consideration to expand the existing expungement law (MGL Ch 276, Section 100E) as the House takes up S.2800 to address Racial Justice and Police Accountability. S.2800 includes this expansion and we hope you will consider it as it directly relates to the harm done by over-policing in communities of color and the over-representation of young people of color in the criminal legal system.

Our criminal justice system is not immune to structural racism and we join you and all members in the great work needed to set things right. The unfortunate reality is that people of color are far more likely to be subjected to stop and frisk and more likely to get arrested for the same crimes committed by whites. Black youth are three times more likely to get arrested than their white peers and Black residents are six times

more likely to go to jail in Massachusetts. Other systems where people of color experience racism are exacerbated, and in many ways legitimized, by the presence of a criminal record. Criminal records are meant to be a tool for public safety but they're more often used as a tool to hold communities of color back from their full economic potential. Expungement can be an important tool to rectify the documented systemic racism at every point of a young person's journey through and past our justice system.

We also know that young adults have the highest recidivism rate of any age group, but that drops as they grow older and mature. The law, however, does not allow for anyone who recidivates but eventually desists from reoffending to benefit. Young people's circumstances and cases are unique and the law aptly gives the court the discretion to approve expungement petitions on a case by case basis, yet the law also categorically disqualifies over 150 charges. We also know that anyone who is innocent of a crime should not have a record, but the current law doesn't distinguish between a dismissal and a conviction. It's for these three main reasons we write to you to champion these clarifications and now is the time to do it.

Since the overwhelming number of young people who become involved with the criminal justice system as an adolescent or young adult do so due to a variety of circumstances and since the overwhelming number of those young people grow up and move on with their lives, we are hoping to make clarifying changes to the law. We respectfully ask the law be clarified to:

\* Allow for recidivism by removing the limit to a single charge or incident. Some young people may need multiple chances to exit the criminal justice system and the overwhelming majority do and pose no risk to public safety.

\* Distinguish between dismissals and convictions because many young people get arrested and face charges that get dismissed. Those young people are innocent of crimes and they should not have a record to follow them forever.

\* Remove certain restrictions from the 150+ list of charges and allow for the court to do the work the law charges them to do on a case by case basis especially if the case is dismissed of the young person is otherwise found "not guilty."

Refining the law will adequately achieve the desired outcome from 2018: to reduce recidivism, to remove barriers to employment, education, and housing; and to allow people of color who are disproportionately represented in the criminal justice system and who disproportionately experience the collateral consequences of a criminal record the

opportunity to move on with their lives and contribute in powerfully positive ways to the Commonwealth and the communities they live, work and raise families in. Within a system riddled with racial disparities, the final step in the process is to allow for as many people as possible who pose no risk to public safety and who are passionate to pursue a positive future, to achieve that full potential here in Massachusetts or anywhere.

Thank you for your consideration,

Gabriel Camacho

American Friends Service Committee

2161 Massachusetts Av

Cambridge, MA 02140

(617) 947-7019

gcamacho@afsc.org

From: Michelle Bickerton <michellembickerton@gmail.com>  
Sent: Friday, July 17, 2020 9:55 AM  
To: Hwmjudiciary@mahouse.gov; Testimony HWM Judiciary (HOU)  
Subject: Re: Police Reform Qualified Immunity-Testimony S2820

Please see below Thank you

On Fri, Jul 17, 2020 at 9:47 AM Michelle Bickerton <michellembickerton@gmail.com> wrote:

Dear Judiciary Committee:

I am writing with hopes you will consider reevaluating keeping the indemnification clause in the reform bill and keeping the protections in place for our officers. I don't feel officers should be personally held liable or sued for doing their job of protecting you, me and our families. A friend of mine (an officer on the Boston Police Dept) wrote a very powerful statement about qualified police immunity and its



importance to our officers and why, which I included in this email (see below). All I ask is that you read it in it's entirety. It not only is impactful but opens our eyes to what our officers encounter on a daily basis to protect and serve the great citizens of Boston. They spend their days and nights protecting us, who is going to protect them if our political leaders aren't?

From a friend and officer serving our great city of Boston MA:

"Two years ago in our own back yard, a US Army combat veteran, a husband and father and a professional Police Officer was murdered by an "unarmed person". After being struck in the head with a large rock and rendered unconscious, he was disarmed and his weapon was used to kill him and an elderly woman in the neighborhood who was just sipping her morning coffee.

Since we'll never be able to ask him, we don't know if he hesitated to use force because he didn't want to be the next police-related dramatic headline... after all it was "just a rock", not a knife or a gun. Perhaps thoughts of being benched and investigated and unable to provide for his young family were all factors.

The fact is events such as Ferguson, MO and other sensationalized events have created doubt in many officers. They may survive the fight but will they survive the witch hunt after? And how do we Thank this warrior for paying the ultimate sacrifice? We go after qualified immunity for those still here serving with pride, dignity and respect.

Sure, there are bad apples as there are in any field, any job. Cops are a cross section of society. Absolutely, there is room for improvement and those who are in the wrong need to be held accountable. The answer is not to vilify an entire profession and go after qualified immunity...one of the very few things that is still right about public service (for now).

Understand the concept before you demand that it is removed. Believe me, qualified immunity does not give police officers carte blanche to violate policy and law. And unions do not defend cops who act outside the scope of their duties or who are grossly negligent or violate the law. Qualified immunity protects the few who are willing to risk virtually EVERYTHING that is important to them to help complete strangers. It doesn't give them a veil of anonymity to hide behind a badge like some coward in the Midwest. It protects them from the harsh reality of incidentals that happen in the course of performing a vital public service.

The reality is the average citizen doesn't interact with the police during their best hour. Bad shit happens in life. When people lose the ability to control a situation, they call on police to take charge and restore calm and order. Sometimes it isn't pretty.

We are already experiencing an unprecedented recruitment and retention crisis in American law enforcement. Why on earth we want to

exacerbate that problem is beyond me. The vast majority of professional police officers don't tolerate shitty cops either and we are willing to accept some changes. Just don't force this rushed bill through the house and make it law. You will not be happy with the results in the short term and the long run.

Some examples of when police are called...

Your car slides off an icy road into a ditch and you need help. Now the responding officer has to navigate the same road conditions and gets in a crash on the way to help you. Driving a government owned vehicle on government time clock but you think they should be personally liable for an on duty crash with no negligence or intent to do harm?

A member of your household isn't breathing and police/fire/ems are simultaneously dispatched. While providing life-saving chest compressions, a rib is broken. Someone in the family isn't happy about the broken rib even though the loved one lives. Now the individual first responders can be sued?

Just everyday examples. I won't even get into the egregious examples of actual criminals who fight cops and are injured in the process of unlawful activity and while resisting lawful arrests. That may be too unpleasant for some people to think of...

Pay attention to what's going on folks. Be careful what you wish for. None of us, not even the cops, want government overreach or big brother watching everything....but the reality is a society without police will crumble under anarchy. Open your eyes and your ears. READ. Understand concepts. VOTE. Participate in the process. Stop blindly following party line and actually do your homework on issues.

And not that it's anyone's business, but I'm not an "evil Republican"..... there really is no such thing as a Republican in Massachusetts anyhow. I'm a registered Independent who votes for individuals based on issues. Sure I tend to be more conservative, but again it's Massachusetts so doesn't mean much to the political machine."

Thank you for reading this and I beg you to reconsider this bill.

Sincerely  
Michelle Bickerton

From: Allyson Jaena <cajaena@gmail.com>  
Sent: Friday, July 17, 2020 9:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Voicing my Opposition to S.2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Allyson Jaena and I live at 21 Hart Street, Wakefield, MA.

As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth.

It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms.

While there is always room for improvement in policing, the proposed legislation has far too many flaws.

Of the many concerns, three, in particular, stand out and demand immediate attention, modification, and/or correction.

Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations

2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to ALL public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation.

Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing.

In closing once again I implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Allyson L. Jaena

From: Carolyn Magid <cmagid@gmail.com>

Sent: Friday, July 17, 2020 9:55 AM

To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I am writing in support of S2820 but to urge the House to pass a stronger version that includes eliminating qualified immunity for police officers. The House bill should also ban use of choke holds, tear gas and no knock raids and introduce strong standards for decertifying problem officers. This is a moment when the attention of the public is rightly on reforming our criminal justice system to end racial injustice. I urge you to strengthen and pass S2820 now before this session ends. We will all be watching.

Carolyn Magid

71 Reed St

Cambridge MA 02140

From: Wrecky2 <wrecky2@gmail.com>  
Sent: Friday, July 17, 2020 9:55 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

Hello

I'm writing to state that I wholeheartedly oppose the police reform bill as passed by the Senate earlier this week.

The bill as I see it will make Massachusetts far less safe as it will handcuff police officers from doing their job effectively. I am afraid for this state and our entire country as to what will happen if we take away the ability for police to carry out their regular duties.

Please do not let this bill pass as it stands. Something this drastic can not be decided on the whim of a knee jerk reaction to one incident thousands of miles away. There needs to be conversation from all sides with all options being weighed out.

It's time to protect those who protect us.

Thank you for your consideration.

Michael Marra

Lynnfield, MA

From: Stephanian, Robert <rstephanian@pcsdma.org>

Sent: Friday, July 17, 2020 9:55 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Orrall, Norman - Rep. (HOU)  
Subject: S.2820 | Written Testimony

Sergeant Robert Stephanian  
Bureau of Criminal Investigation  
Plymouth County Sheriff's Office  
24 Long Pond Road  
Plymouth, MA 02360  
(508) 326-7814

July 17, 2020

Chair Aaron Michlewitz  
Chair Claire Cronin  
Rep. Norman Orrall

I hope this written testimony finds you all well - as I am sure you can all guess, I am you writing in opposition of certain aspects of S.2820. I have included Rep. Orrall on this testimony as I am his constituent.

To serve as a brief introduction, my name is Robert Stephanian and I am a Sergeant (I.D. Officer II) in the Bureau of Criminal Investigation (BCI) at the Plymouth County Sheriff's Office. This title may resonate with all of you as it is no secret that former Rep. Rhonda Nyman, now employed by the Sheriff's Office, has been assisting with championing a bill (H.2333) that would afford I.D. Officers in BCI the same Group 4 retirement benefits that our fellow law enforcement officers throughout the Commonwealth enjoy.

The intention of bringing up H.2333 is not to distract from the testimony of S.2820 at hand, however I would like to point to my first issue with the new legislation: Section 6 of S.2820 (Line 266) lists among its definitions of law enforcement officers in the Commonwealth "deputy sheriffs". This is great, and this is accurate, however this discounts the lack of equality (i.e. retirement classification, 111F injury-on-duty

protections, etc.) that deputy sheriffs are currently faced with, and it is my hope that if we are to be held to the same standard going forward that this be amended so that we may also be compensated with equal benefits.

Second, I would like to express my displeasure with Section 10 and Qualified Immunity (QI). I have taken the time to conduct my own research, to read opinions on this from both sides, and to read opinions that legal experts have rendered in recent days. To hastily enact any law(s) that change QI as we know it today will undoubtedly have unintended consequences, and my only request would be that if the legislature is so focused on this change that they at least have a 90-day study conducted so that we may all defer to the true subject-matter-experts.

I apologize that this testimony is very brief and matter-of-fact. Since the window has opened for this testimony I have wanted to write this - yet I find myself trying to get my voice heard at the last minute due to the nature of this job. In the past forty-eight hours I have worked my regular shifts and have also acted as a search manager coordinating the search for a missing young man in Canton that is still ongoing. I would welcome the opportunity for further public input at a later date if possible - as this window has made it nearly impossible for me to properly state my thoughts on this matter.

In closing, I want to make it known that I do agree reform is needed, I do agree that Black Lives Matter, and I do agree that law enforcement needs to be held accountable for their actions. In contrast, I wholeheartedly disagree with caving to the pressure of this political climate by quickly passing omnibus legislation such as this that has not been properly vetted. As I mentioned previously, this is only a mere subsection of what I would have liked to include in my testimony, however my duties to those I serve have taken precedent during this short window and have not allowed that happen.

Respectfully,

Sergeant Robert Stephanian

Bureau of Criminal Investigation

Plymouth County Sheriff's Department

24 Long Pond Road

Plymouth, MA 02360

(508) 830-6224 Office

(508) 326-7814 Mobile

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From: Patrick O'Keefe <patrokeefe@gmail.com>  
Sent: Friday, July 17, 2020 9:55 AM  
To: Tarr, Bruce E. (SEN); Testimony HWM Judiciary (HOU)  
Subject: Re: Opposition of S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important

liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Patrick O'Keefe

47 AGOSTINO drive  
Wilmington ma 01887

From: DEMET HAKSEVER <dhaksev@comcast.net>

Sent: Friday, July 17, 2020 9:54 AM

To: Testimony HWM Judiciary (HOU); Vargas, Andy X. - Rep. (HOU)

Subject: Testimony in Support of Bill S.2820

HOUSE WAYS AND MEANS AND JUDICIARY COMMITTEES  
TESTIMONY IN SUPPORT OF

Bill S.2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

July 17, 2020

Honorable Chair Michlewitz, Chair Cronin, and the members of the House Ways and Means and Judiciary Committees,

As a coordinator for the Greater Haverhill Indivisible and a member of the Indivisible Movement in Massachusetts, I am writing to you in support of Bill S.2820 (" An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color"). Greater Haverhill Indivisible is an independent and nonpartisan grassroots organization focused on local advocacy about 600 members in the area, which works to promote an inclusive agenda based on racial, environmental, social and economic justice.



As you know, the present language of the bill shifts some funding from policing and prisons to education and workforce opportunities that promote equity. It also includes several overdue reforms. The bill strengthens the use of force standards and increases de-escalation training. It creates a majority-civilian Police Officer Standards and Accreditation Commission (POSAC) that would certify and decertify officers. It establishes stronger oversight and limitations on the procurement of military equipment. It bans racial profiling and places a moratorium on racist facial recognition technology. And it includes measures that would reduce student criminalization and cut off the school-to-prison pipeline. These last six weeks have brought into clear focus how much these, and the many other reforms included in the bill, are needed.

I also would like to emphasize that we are in no way against our police officers or deny the value of service police departments provide for each and every city. We recognize that officers have demanding jobs and are often faced with dangerous situations and greatly appreciate their willingness to sacrifice their lives while they protect and serve our communities. However, when officers break the law, use excessive force, and otherwise abuse their power, they should be held civilly liable for their misconduct. I urge House members to keep the current language of the Senate bill that places limits on qualified immunity intact.

I strongly urge the House Ways and Means and Judiciary Committees report this bill out favorably, and that members of the House chamber take swift action to pass it thereafter.

Thank you for your consideration.

Demet Haksever, Coordinator at Greater Haverhill Indivisible  
10 Rosewood Dr.  
Haverhill, MA 01832  
(978) 241-1001  
dhaksev@comcast.net  
From: Kaitlin Porter <kmporter24@gmail.com>  
Sent: Friday, July 17, 2020 9:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S2800

To Whom It May Concern,

My name is Kaitlin Porter, and I am the wife of a 10 year veteran of the Middleboro Police Department. My husband, Zachary Porter, has proudly served as a Patrolman for his hometown since 2012, after paying his own way through the Plymouth Police Academy. He has wanted to do this job since he was a child, after watching his uncle work for the same department for years. He wears his uniform with pride, does his job knowing he could sacrifice it all at any moment to save another person's life, also knowing that he is protected to do what it takes to save a life.

He has done the impossible job of informing our neighbor that his daughter was killed by a drunk driver; he has seen entire families lose

their lives in accidents, doing everything he can to save them from a crushed vehicle after a head on collision; he has talked people down from suicide; he has saved life after life from drug overdoses - an ever-growing problem in this state and country. He has seen more than your eyes would ever want to witness, and this reform bill is attempting to take away all the GOOD that police officers can do on a DAILY basis.

Bill S2800 would not allow my husband to perform any duty of his job without fear of civil lawsuit, so why would anyone want to stay? If your child were to go into anaphylaxis at the park, and a police officer arrived before EMS, you would want them to administer life-saving EPI-PEN, would you not? Bill S2800 would make them think twice about doing anything beyond their scope due to fear of civil litigation.

Police officers, who have a duty to serve their community, should not do so with their hands tied behind their back, with the fear that everything they have worked so hard for will be taken away in an instant for simply doing their jobs.

What happened to George Floyd is an absolute tragedy, but I can assure you, bad cops like that are few and far between and 99.9% are good, hardworking people who signed up for the job so they can HELP people, regardless of skin color. This bill you are trying to pass has nothing to do with Black Lives Matter or equality across communities of color, it's a way to take away the power of the police, but at the end of the day if you do that, there will be no one left to protect us, in all communities.

Cities who have already moved to defund the police and police reform bills are seeing gun violence in excess of 200% over last year's statistics. I urge you, do not let Massachusetts fall into that gory statistic. If you want to be the change, do not pass a bill at 4 am without the input from the community it directly affects. If you cannot put yourself in a dangerous situation and fully understand how you can handle it, then do not try to pass a bill without understanding it's direct cause and effect.

I appreciate your time in reading this email. I urge you to reconsider the removal of qualified immunity for police officers, as it would result in an inability for police officers to proactively do their jobs to the fullest and therefore the communities in the Commonwealth would not be protected to the extent they are now. Massachusetts would turn into another state of chaos, and that is not what this country needs. We need to come together and support those who protect us, because if you ask any police officer in this state, they do not care what the color of your skin is or what community you live in, they were sworn to protect you, and they cannot do so under Bill S2800.

Thank you,  
Kaitlin Porter, wife of Patrolman Zachary Porter  
Middleborough Police Department  
508-947-1212

From: Kerri Babish <kerri.babish@gmail.com>

Sent: Friday, July 17, 2020 9:54 AM

To: Testimony HWM Judiciary (HOU)  
Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Kerri Babish. I am a resident of Medford, MA and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

As a citizen, a parent and a former educator, I support this bill for a number of reasons. When I was teaching, our staff was trained annually on de-escalation strategies that focused on maintaining the safety of ourselves, the student exhibiting unsafe behaviors, and bystanders (other students and staff). Only a small number of staff were trained and allowed to use restraint maneuvers and these could NEVER involve anything that might impair a student's airway. If this sort of training and moderation in use of force can be expected of teachers (as well as other professionals, such as nurses and health aides) working with vulnerable populations, why should it not be expected of our police.

Again, as educators we are required to certify (and recertify frequently) with the state. Additionally, we are not shielded from consequences of actions that bring harm to those we serve. Should we not be able to expect the same from our police?

It is time to hold our police to the same level of expectations and scrutiny that we hold our other public servants.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Kerri Babish  
25 Hancock St, Medford, MA 02155

March like a Mother: for Black Lives  
From: Matthew Seymour <mseymour@worcester.edu>  
Sent: Friday, July 17, 2020 9:53 AM  
To: Testimony HWM Judiciary (HOU)

To whom it may concern,

My name is Matthew Seymour and I live at 121 Root Rd in Barre Ma, I am writing you in opposition of s2820. This back door bill is absurd and will ruin police officers and policing in this beautiful state. Please reconsider this outlandish bill. Massachusetts is home to some of the best trained and highest educated officers in the nation. To do something like this that will change the way police respond and dictate their future is wrong in so many ways. Nobody wants to come to work and feel like they are walking on egg shells.

Thank you

Sent from my iPhone From: Mike McGonagle <mjmcgoo@gmail.com>  
Sent: Friday, July 17, 2020 9:53 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:  
(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

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(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including

termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you

Michael McGonagle

611 East 8th St Boston MA 02127 <x-apple-data-detectors://1/1>

Mjmcgoo@gmail.com

From: Patrick O'Keefe <patrokeefe@gmail.com>

Sent: Friday, July 17, 2020 9:53 AM

To: Tarr, Bruce E. (SEN); Testimony HWM Judiciary (HOU)

Subject: Opposition of S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Name  
Address  
City state

Sent from my iPhone  
From: R Baetzel <rbaetzel@hotmail.com>  
Sent: Friday, July 17, 2020 9:53 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Ryan Baetzel

117 Edgemere rd Lynn,ma 01904

Rbaetzel@hotmail.com

Get Outlook for iOS <[heisny.moscat@gmail.com](https://urldefense.proofpoint.com/v2/url?u=https-3A_aka.ms_o0ukef&d=DwMGaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=HtbO_fZO90y62IWA2gUW89upk-Q2xQia9yBHwvn4zaw&s=J_TFSmBYAgaNSnfMtJLf8wCusiKzbBnmhF87AR31MpE&e=> ><br/>From: Heisny Moscat <<a href=)>  
Sent: Friday, July 17, 2020 9:52 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Heisny Moscat - Lawrence, MA

From: Nida S <nidashut@gmail.com>  
Sent: Friday, July 17, 2020 9:52 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Policing Reform

Hello,

My name is Nida Shuttari and I am a resident of Boston. I am hopeful things will get better but first we must all hold ourselves into account. One thing I really hope is that we can have increased police transparency and accountability. Maybe police officers could keep a daily log of events and someone could overlook this log. If something seems skewed, there should be greater conversations as to why this is happening. We could have more community discussions together to better understand one another. Also, I hope for less use of violence and more community engagement/building.

Thank you for the opportunity to voice my thoughts!

Best,  
Nida Shuttari  
--

Nida Shuttari

From: Keisha Jagroop <ktjagroop@roxbury.edu>  
Sent: Friday, July 17, 2020 9:52 AM  
To: Testimony HWM Judiciary (HOU)

Dear Chair Michlewitz and Chair Cronin,

My name is Keisha Jagroop and I live at 87 Wellington hill st  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.google.com\\_maps\\_search\\_87-2BWellington-2Bhill-2Bst-3Fentry-3Dgmail-26source-3Dg&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoenvGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiu k13zIs16rchf\\_GkGDD&m=U4PCglHP8N2Ti2RwQyMEPPL3HP98AilKXhUDZw5Nx1w&s=ywR6FL LEZdMxQt6\\_ISBMgSZtKhPSj\\_UO7wkvGdMVLkA&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.google.com_maps_search_87-2BWellington-2Bhill-2Bst-3Fentry-3Dgmail-26source-3Dg&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoenvGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=U4PCglHP8N2Ti2RwQyMEPPL3HP98AilKXhUDZw5Nx1w&s=ywR6FL LEZdMxQt6_ISBMgSZtKhPSj_UO7wkvGdMVLkA&e=) . Apt2 mattapan Ma. I work at the Suffolk County Sheriffs Department and am a Correction Officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified



Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Keisha Jagroop  
From: Michael Hoffman <michael.joel.hoffman@gmail.com>  
Sent: Friday, July 17, 2020 9:54 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Bill S.2820

To whom it may concern:

My name is Michael Hoffman, and I am a resident of Westford, MA. I am emailing to say that I support the policing bill, S.2820, recently passed by the Massachusetts senate and that I specifically support limiting qualified immunity for police officers.

My wife and I are both teachers, and I have several doctors in my family. All of us can be held accountable for actions we take in our professional lives in a court of law. Why should police be different?

Although teachers and doctors perform jobs that are significantly less dangerous on a day-to-day basis than a police officer, these professions all carry a consistent risk of lawsuits, so I do understand the difficulties of working in a field where a well-intentioned mistake could bring about legal trouble. I will not lie and say that having the ability to just hand wave away any issue sounds appealing, but I believe that such a lack of accountability would make me a worse teacher and my family members worse doctors. The knowledge of my culpability under the law ensures that I watch for signs of home abuse in my students more carefully (as I am a mandated reporter) and that I am even more vigilant against disciplinary issues that could lead to student injury (as such an event could put me in legal trouble, if I were negligent).

Qualified immunity has its place and was granted to police officers with good intentions, but it has clearly become a system that can be abused to make police officers feel above the law. None of us should be above the law--especially not those who are paid to uphold it. I therefore ask that you vote for this bill and continue the fight to remove systemic racism in our policing force. Thank you for your time.

Best,

Michael Hoffman

From: Rachel Amaral <rachel.a.amaral@gmail.com>

Sent: Friday, July 17, 2020 9:52 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

?

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified

immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections. In a troubled economy, asking this community to carry additional insurances and worry to their already stressful jobs is an abomination.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

On a personal note, I feel this bill is reactionary rather than being of action. It is overcompensating for actions of officers not even in the state of Mass. Trust your training practices, trust your employees. As a former teacher, I look at it as punishing an entire class for one child's decisions. Does reform need to happen? Of course, everything can be better in almost every job on the planet. This is by far overreaching and needs to be reigned back. Taking qualified immunity away won't help bad people, it will only hurt the good people that care about their job and the communities they love.

Thank you,

Rachel Amaral

Rachel.a.amaral@gmail.com

11 5th Ave, Lakeville, MA 02347

From: denadimarzo <denadimarzo@gmail.com>

Sent: Friday, July 17, 2020 9:52 AM

To: Testimony HWM Judiciary (HOU)

Subject: My opinion on the bull..I mean bill you snakes passed in the dead of night.

First let me say to all senators...I wish you all put this much effort in any and all bills drafted in the Commonwealth. But we all know that wont happen. Anyway...

My name is Dena DiMarzo and I am extremely curious why 30 voted yes on the police reform bill. And I would like to know why the 3 coward Senators voted present? I understand you all have a cushy job with tons of perks but do you have any idea what it's like to go out and fight crime every day? Every night? Run into burning buildings? Treat the sick? Have you ever missed family functions or child milestones just to PROTECT THE PUBLIC? Do you have any idea what it's like to live in a violent

neighborhood WHEN NOONE SPEAKS OUT AFTER SOMEONE...even children ARE SHOT DEAD? So tell me something Senators, what are your reasons for voting yes for this bill? Boston, in my opinion is the best police force along with the best commissioner that city has ever seen, so explain to me and the VOTERS why this bill is such a good idea? How much police brutality is really in Lexington? Winthrop? Belmont? Ipswich? Statistics show that Massachusetts has one of the lowest police brutality complaints and police muder/shootings IN THE COUNTRY!! Why are we as a STATE not praising and encouraging other states to follow our police procedures. Facts dont lie! So why would you and your cronies decide this at 4 in the morning and without a public hearing? Please explain to the voters of Massachusetts why ALL public officials including judges, district attorneys or even you and your buddies are not included in the immunity portion of this bill? I think if all 30 senators who showed such strong work ethic in getting this done in 24 hours and put so much work into this bill, you would all be willing to stand up and put yourselves in the same bill as the people who serve and protect. Limited immunity should also be handed to you and the rest of you snake politicians. You passed this bill in the dead of night and its disgusting. I know I wont get an answer but I will be looking into each and every one of your campaign contributions and see what first responder services donated to your campaign. This way, that will give you a solid number on the amount of money you should be giving back. We as a people, should be standing up for our amazing low record of police brutality. We should be praising the men and women that run into burning buildings and especially in today's covid crisis..nurses should be paid double. But, I'm speaking to a politician..and in your cushy neighborhood and on your beautiful street and in your lovely summer home or gated residence im sure you must come across so much crime to be such a strong advocate for this bill. What you and your fellow "for the people" cohorts did with this bill was a waste of time was an absolute disgrace. Reform comes with public opinion and real discussions. Not snakelike actions to disarm a class of people..thought we are trying to make MA a better place? This bull just divides us and the police further apart. LOOK AT THE STATISTICS!!! You want to ban choke holds, then have a PLAN IN PLACE to help police subdue an unruly criminal. You want racism training, fine, but to take away their immunity to stand up for one cause is not fair and it's not what Massachusetts is about. Please enlighten me with your response..I'll be waiting holding my breath.

Sincerely,  
Dena DiMarzo  
Peabody, MA  
Denadimarzo@gmail.com

Sent from my Sprint Samsung Galaxy S9.

From: nicole mainey <namainey@gmail.com>  
Sent: Friday, July 17, 2020 9:52 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S 2800

As a nurse at Mgh I am Greatly opposed Limiting qualified immunity aspect of this bill. As I do agree that SOME police reform is needed this is not

the way. Opening up all first responders to civil suits is reckless and in no way beneficial to us or the people of this commonwealth. Having entered into this career because of The desire to care for the public in the best way possible I truly believe that this will hinder the care and decisions we as the front lines make everyday. I ask you to reconsider and take more time to review what a devastating impact limiting qualified immunity will have on ALL, nurses, firefighters and police officers. There is little room for any of us to be second guessing our actions and decisions when someone's life/health is at stake.

Nicole Mainey  
Registered Nurse  
Massachusetts General Hospital  
617-413-4172

Sent from my iPhoneFrom: Rachel Gordon <rachel.h.gordon@gmail.com>  
Sent: Friday, July 17, 2020 9:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on Police Reform Bill

To Whom It May Concern:

I'm a Massachusetts resident submitting testimony for the House hearing on the police reform bill. I strongly support many provisions of the Senate bill and urge the House to include these provisions in your version of the bill:

- Qualified immunity must be limited. This is vitally important to protect the constitutional rights of Massachusetts residents.
- Amendment 80, which gives superintendents and school committees the ability to authorize a school resource officer, as opposed to the current unfunded mandate for every district to have SROs. Districts should have local control over their own budgets and policies.
- Amendment 108, which prevents schools from sharing personal information about students into local, state, and federal databases.
- Amendment 65, which bans tear gas, a chemical weapon banned in warfare.

It is imperative that you keep these important provisions in the bill. We are watching, and we know the danger is real that the House might pass a watered-down bill that does little to actually change policing and protect Black and brown and other marginalized communities. Please do what is right for your most vulnerable constituents and for us all.

Thank you,  
Rachel Gordon

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"Work as if in the early days of a better nation."

-Alasdair Gray

<mailto:Rachel.Gordon@tufts.edu> From: Gena Michael  
<gena.michael@gmail.com>  
Sent: Friday, July 17, 2020 9:52 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony S.2820

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law

enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Gena Hayes

Reading, MA 01867

Sent from my iPhone

From: Samantha Gasbarro <sjgasbarro@gmail.com>  
Sent: Friday, July 17, 2020 9:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S 2820

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is Samantha Gasbarro and I live at 36B Valley St Wakefield, MA. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

Samantha From: donna marchand <dlgmarchand@gmail.com>  
Sent: Friday, July 17, 2020 9:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Dear Chairman Michlewitz and Chairwoman Cronin,  
Massachusetts can take a positive step forward to help end systemic racism in policing by passing S. 2820. This Act will help reform police standards and move resources to build a more equitable, fair, and just commonwealth that values Black lives and communities of color. Please provide our communities with strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, chokeholds, tear gas, and other chemical weapons. Please pass a bill that includes each of these critical reforms. It is so important to protect all families in Massachusetts.  
Donna Marchand  
1 Queen Anne Lane  
Hingham, MA 02043

From: Loftus, Bridget <bloftus@worchester.edu>  
Sent: Friday, July 17, 2020 9:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: [EXT] RE: [External]: Bill S.2820

Hello,

I strongly oppose the passing of bill S2800.

Thank you,  
Bridget Loftus

----- Forwarded message -----

From: Berthiaume, Donald - Rep. (HOU) <Donald.Berthiaume@mahouse.gov>  
Date: Fri, Jul 17, 2020 at 8:14 AM  
Subject: [EXT] RE: [External]: Bill S.2820  
To: Loftus, Bridget <bloftus@worchester.edu>



Hi Bridget,

Hi,

Thank you for your email regarding the Senate's police reform Bill S2800. I am opposed to this bill in current form. Please consider offering your testimony to the committee by 11:00am today.

Please email comments to Chair Aaron Michlewitz and Chair Claire Cronin at :Testimony.HWMjudiciary@mahouse.gov

Thank you,

Donnie

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From: Loftus, Bridget [bloftus@worchester.edu]  
Sent: Friday, July 17, 2020 3:00 AM  
To: Berthiaume, Donald - Rep. (HOU)  
Subject: [External]: Bill S.2820

Hello,

I strongly oppose the passing of bill S.2800.

Thank you,

Bridget Loftus

From: Annahid Dastgheib-Beheshti <annahiddb@gmail.com>  
Sent: Friday, July 17, 2020 9:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony in Support of Senate Bill S.2820

Dear Representative Michlewitz and Representative Cronin,

My name is Annahid (Anna) Dastgheib-Beheshti and I am a resident of Brookline, MA. I am writing in support of Senate Bill S.2820. Over the years, the ability of our City and Town governments to create and manage policing that meets the needs and aspirations of our communities has been dismantled by the non-statutory judge-made doctrine of qualified immunity, the Chapter 150E collective bargaining law, and the Joint Labor Management Committee statute. Together, these essentially eliminate local government options for effective police accountability.

This bill provides important legislation that begins to return those rights to our communities. It also creates a much needed system for the training and certification of police officers, and makes other necessary changes to law and policy to improve and enhance the accountability of policing in the Commonwealth. This is landmark legislation that would

help transform how law enforcement is practiced in Massachusetts, with a long overdue focus on racial equity in our justice system.

Thank you for your consideration on this matter.

Sincerely,  
Anna Dastgheib-Beheshti  
Brookline, MA  
From: beth trout <troutnbaby@gmail.com>  
Sent: Friday, July 17, 2020 9:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Good Morning Mr. Straus,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:  
(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Beth Trout  
3 Garbie Dr.  
Rochester, Ma 02770  
From: James D'Andrea <james.dandrea87@yahoo.com>  
Sent: Friday, July 17, 2020 9:51 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S. 2820

Good Morning,  
I am emailing to speak about my deep concern about the Police Reform Bill, S. 2820. I am currently in the Army National Guard and am active Police Officer in Massachusetts. This bill is what I perceive as an anti labor legislation. It removes our rights to due process, collective bargaining and inserts a board that has no experience, background or knowledge of what Police do on a day to day basis. Nurses, accountants, doctors all have review/certification boards that consists of people, atleast partially consisting of individuals with some type of experience or back ground in that profession.

Recruiting and retention will become a bigger problem than it already is in a non desirable occupation this day and age. The lack of qualified immunity in the daily performance of my duties makes me question my position. The fact that I will have to worry about paying for a lawsuit, frivolous or not and risk my home, children's welfare and just anxiety that the senate passed that is saddening. I have seen numerous cases where a judge has let a violent, career criminal back on the street that resulted in a serious injury, some deaths (even Police Officers in this state) with immunity from being held liable at all.

I deeply appreciate your time for reading this. I hope the House of Representatives puts deeper thought, input and consequences if the bill is not amended. Thank you again for your time and consideration.

Very Respectfully,  
James D'Andrea  
774-230-3535  
From: Laura Durgin <ldurgin4@gmail.com>  
Sent: Friday, July 17, 2020 9:50 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Police Reform Bill

My name is Laura Durgin, I am a voter from Plymouth MA and a member of Indivisible Plymouth. I am writing to urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety (State Representative Liz Miranda  
<[HB.3277 An Act to Secure Civil Rights through the Courts of the Commonwealth \(State Representative Michael Day\) which ends the practice of qualified immunity, making it possible for police officers to be personally liable if they are found to have violated a person's civil rights.URGENT ACTION!](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.facebook.com_voteliz_-3F-5F-5Ftn-5F-5F-3D-2DUK-2DR-26eid-3DARAoqrvxbqxcHkbaGFFDal2duSLy5lzQwskyvWjSckN0ysQRjD-5FhYuVo9hUS8qQ7GsXpQxRtDfuqyFxu-26fref-3Dmentions-26-5F-5Fxts-5F-5F-255b0-255d-3D68.ARCpDWxSSsBCAr4mlQWUG89eamUATJiOejOVVzTb-5Fh5TYPotPwTkxZ2JtqfZoMTFI-2D1fSGgJE-5FAdM69hnlW0GxpWGCmB-2DDeQIkK4gMQFDv9KdbzTqybbTQab81GKdWQqCJl6NpVz0rWrm5Tat7OE-2Dj1U99acZZdP8YctIDWcI-2DQfxYjvYfn5aO-5F-2DtZqgE1N7OCvfaYTnFPi6-26-5F-5Fcft-5F-5F-255b0-255d-3DAZVrEulvheuMcI2S7TrBUn5XMf8gKfSnQvRoH5zy4iOJ3gCWSGJKylav6WHruE3wFD3YEzu-5FP4xYQspN7wXDfFq6E9Q6aVALFVy6FVFu-2DPVlyVlbnWNQGQfz-2DEQ9my8bvbKuiPNa38fQcvQPPaU0Hy9BRnKvsPcx47HJ6MhH2D48IY6esoUtCfw-5Fw5utGUg7K2w&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=1Viq4U0xR61HoaNorCe5r4qtSxnN6eWNzFjEcDBUjgU&s=Eq5003 Tty4tCzqtPqBlh8rJsRil4BtH4QqkcCCpinP4&e=> ) bans chokeholds, no knock warrants, tear gas, and hiring abusive officers; creates a duty to intervene and to de-escalate and requires maintaining public records of officer misconduct.</p></div><div data-bbox=)

Right now we have a chance to make a positive cultural change to support the lives of POC in our community and reform our police force. Let's make sure Massachusetts is investing in our future and upholding the civil rights of all.

Thank you for being our voice.

Laura Durgin

Plymouth, MA

Member Indivisible Plymouth.

From: Samantha Tennaro <[stennaro@gmail.com](mailto:stennaro@gmail.com)>  
Sent: Friday, July 17, 2020 9:50 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Re: Police reform Constituent testimony!!

My name is Samantha Tennaro and I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the

establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous. Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you.  
Samantha Tennaro  
Uxbridge, Ma,  
18 year old new Voter "Do the right thing"!!!  
774-280-3250  
(registered voter)  
From: sam porter <spporter560@outlook.com>  
Sent: Friday, July 17, 2020 9:50 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on S.2820

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the  
Judiciary

Hello, my name is Samuel P. Porter and I am with the Greater Boston  
Interfaith Organization (GBIO). I live at 241 Perkins Street, Boston, MA  
02130. I am writing to urge you and the House to pass police reform that  
includes:

- Implement Peace Officer Standards & Training with certification
- Civil service access reform
- Commission on structural racism
- Clear statutory limits on police use of force
- Qualified immunity reform

I urge you to adopt the Senate language to reform the legal doctrine of  
qualified immunity. This reform will allow the few applicable cases to be  
heard by a jury without being dismissed because the particular violation  
of 4th amendment rights by a public official, such as a police officer,  
has never been previously contemplated by a statute or a court precedent.  
Those cases deserve to be heard on their merits, not thrown out using a  
non-statutory legal doctrine. It is simply outrageous that those who have  
suffered from the egregious violations of police officers can not get  
their day in court.

In addition, it is clear that qualified immunity reform will not have  
devastating financial impact on any police officers as they are  
indemnified by the municipalities that employ them. Any such claims are  
not based on fact and should not be considered as you consider this  
reform.

Thank you very much.

Samuel P. Porter

241 Perkins Street C505

Boston, MA 02130

sporter560@outlook.com

From: Tara McKenna <taralynnckenna@gmail.com>  
Sent: Friday, July 17, 2020 9:50 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support for Police Reform Bill S.2820

Dear MA House of Representatives,

My name is Tara McKenna and I am a resident of Westford. I am writing to encourage you to support the police reform bill S.2820. I believe that police need to be held accountable for their actions, especially in light of the Black Lives Matter movement and the fact that too many black people have been killed due to police violence. I do not think police should be protected by qualified immunity, which has been used to protect police who have abused their power. No one, not even our police, should be above the law.

Thank you,

Tara McKenna  
From: Crystal O'Keefe <crystalaokeefe@gmail.com>  
Sent: Friday, July 17, 2020 9:50 AM  
To: Testimony HWM Judiciary (HOU); Tarr, Bruce E. (SEN)  
Subject: Please support our heroes

Mr. Tarr,

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill: (1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Crystal O'Keefe  
47 Agostino Drive Wilmington MA

Thank you

From: ED J ROSS <ej\_ross@comcast.net>  
Sent: Friday, July 17, 2020 9:50 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Reject Senate Policing bill SB 2820

Dear Members of the Massachusetts House of Representatives: I am writing to ask you to reject the Policing Bill, SB 2820. It endangers public safety, removes important protections for police, and creates a commission to study and make recommendations regarding policing with a lopsided membership. Section 49 alters our education laws to prohibit school officials from reporting immigration or citizenship status to any law enforcement authority or GANG MEMBERSHIP. To think that school authorities would be prohibited from telling the police that a student might be a member of MS-13 or any other dangerous gang is extremely dangerous. Section 49 should be eliminated. SB 2820 endangers our police by dramatically watering down "qualified immunity" in Section 10. This provision should be eliminated. Section 52 should also be eliminated as it hinders an officer's ability to protect our roadways as well as him- or herself by not allowing them to ask someone who they have stopped about their immigration or citizenship status. Section 63 creates a fifteen-member commission to make recommendations on policing. But, only 3 of the 15 are associated with policing. It should have more equal representation of law enforcement officers. I oppose SB 2820, and at a minimum, it should specifically eliminate any provisions similar to



sections 10, 49, 52, and amend Section 63 to have more police representation. Sincerely,  
" And miles to go before I sleep." Ed & Marie  
From: Karen Cirillo <ka.cirillo.10@gmail.com>  
Sent: Friday, July 17, 2020 9:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Former Lowell City Councilor Karen Cirillo - Support of the Juvenile Justice Expungement Law Included in the Senate Racial Justice Bill S.2800

Good Morning,

I am Former Lowell City Councilor Karen Cirillo and I thank you for committing to confront racial injustice in our communities. I am writing asking you to urge the Speaker to include these youth-focused policies in the House race equity bill. These proposals will address racial disparities in our justice system and hold law enforcement accountable when interacting with young people in our communities and in our schools:

\* Require transparency and accountability by reporting race/ethnicity data at each major decision point of the juvenile justice system, as filed by Rep. Tyler (H.2141). Require law enforcement and other juvenile justice agencies to report data on young people at major decision points with the juvenile justice system to improve the state's policy and planning. For too long, we have waited for transparency  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.cfjj.org\\_just-2Dthe-2Dfacts&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0Sck2EnIiu k13zIs16rchf\\_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=uRc3KGPgRkutT8G8X85g0jZm1HEFljtkk6y3T8xeSSQ&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_just-2Dthe-2Dfacts&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=uRc3KGPgRkutT8G8X85g0jZm1HEFljtkk6y3T8xeSSQ&e=>) on how our legal system responds to children and youth by collecting and reporting race and ethnicity data  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.cfjj.org\\_data-2Dcollection&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0Sck2EnIiu k13zIs16rchf\\_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=sINgFX\\_BmXt4YjuDn7-sEXXwQ7uMsvGIRQ1Yi9pKpl8&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_data-2Dcollection&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=sINgFX_BmXt4YjuDn7-sEXXwQ7uMsvGIRQ1Yi9pKpl8&e=>) to allow us to see disparities where they occur and to identify policies or practices to reduce these disparities.  
FACT SHEET <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.cfjj.org\\_s\\_FACT-2DSHEET-2DData-2DCollection.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0Sck2EnIiu k13zIs16rchf\\_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=pvKvAe9Dd066gKk2Soo\\_HKv9o6hhc3oXK1qDhjvUeXA&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_s_FACT-2DSHEET-2DData-2DCollection.pdf&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=pvKvAe9Dd066gKk2Soo_HKv9o6hhc3oXK1qDhjvUeXA&e=>)>

\* End the automatic prosecution of older teens as adults, as filed by Rep. O'Day and Rep. Khan (H.3420): Massachusetts' youth of color bear the harshest brunt of our legal system with their over-representation in the adult criminal justice system. By raising the age at which a teenager can be automatically tried as an adult, we can hold young people accountable in a more developmentally appropriate setting, giving them a better chance to succeed and turn away from offending and reduce the harms of

legal system involvement all while reducing crime in our communities.  
FACT SHEET <[\\* Expand eligibility for expungement to rectify the collateral consequences of the over-policing and criminalization of communities of color, as filed by Rep. Decker and Rep. Khan \(H1386\) and as passed in S.2800: There is overwhelming evidence  
<\[https://urldefense.proofpoint.com/v2/url?u=https-3A\\\_\\\_www.washingtonpost.com\\\_graphics\\\_2020\\\_opinions\\\_systemic-2Dracism-2Dpolice-2Devidence-2Dcriminal-2Djustice-2Dsystem\\\_-23School&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\\_gq1YmKr0Sck2EnIiu k13zIs16rchf\\\_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=TN3JtgRnous31Jd3aMR6q8VV0nTojEotmZF-7lzo1Cg&e=>\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_www.washingtonpost.com\_graphics\_2020\_opinions\_systemic-2Dracism-2Dpolice-2Devidence-2Dcriminal-2Djustice-2Dsystem\_-23School&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0Sck2EnIiu k13zIs16rchf\_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=TN3JtgRnous31Jd3aMR6q8VV0nTojEotmZF-7lzo1Cg&e=>\)> that racial disparities against Black individuals at every stage of the legal system - from policing and profiling, court proceedings to sentencing and every stage in between. Expungement is an important tool to rectify the over-policing and disparate treatment of people of color be expanding. The current law limits does not distinguish if a case ended in a conviction or a dismissal. We ask that eligibility is modified so that \(1\) all non-convictions are eligible for expungement; \(2\) change the limitation on the number of cases on a record, to length of time since last conviction \(3 years for misdemeanors and years for felonies\); and \(3\) limit the list of offenses ineligible for expungement to only those resulting a felony conviction. FACT SHEET  
<\[https://urldefense.proofpoint.com/v2/url?u=https-3A\\\_\\\_www.expungema.org\\\_s\\\_FACT-2DSHEET-2DExpungement-2Dv2-2Dwith-2DSponsors.pdf&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\\_gq1YmKr0Sck2EnIiu k13zIs16rchf\\\_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=9aglkJZcI5JS-31yc7OaZubSEn\\\_j4KcdRoLQy\\\_Eb3uk&e=>\]\(https://urldefense.proofpoint.com/v2/url?u=https-3A\_\_www.expungema.org\_s\_FACT-2DSHEET-2DExpungement-2Dv2-2Dwith-2DSponsors.pdf&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0Sck2EnIiu k13zIs16rchf\_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=9aglkJZcI5JS-31yc7OaZubSEn\_j4KcdRoLQy\_Eb3uk&e=>\)>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.cfjj.org_s_FACT-2DSHEET-2DRtA21-2Dwith-2Dsponsors.pdf&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=pW6y9rahh6zH0LgQcCUSF3zwHfwvH1gVATXI3K7SpAA&e=></a>></p></div><div data-bbox=)

\* End the surveillance and profiling of students in schools as amended in S.2800 Section 49 by prohibiting school police from sharing student information they gather through their interactions with students with the Boston Regional Intelligence Center (BRIC) and the Commonwealth Fusion Centers that are accessed by local, state and federal law enforcement. FACT SHEET  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_docs.google.com\\_document\\_d\\_1YmlnfAJUax0GO3Qo05Ch4IUiBYbVb2q1fUC1v4WF0EM\\_edit-3Fusp-3Dsharing&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0Sck2EnIiu k13zIs16rchf\\_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=Xy4Snv\\_ZFFApHuMKebERXOsoZKCgpNBV2grQo8KNXa0&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__docs.google.com_document_d_1YmlnfAJUax0GO3Qo05Ch4IUiBYbVb2q1fUC1v4WF0EM_edit-3Fusp-3Dsharing&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=PuDI5MP-GQQ-0cWqR-n360ajCqFBRF31m8fziQbbiEw&s=Xy4Snv_ZFFApHuMKebERXOsoZKCgpNBV2grQo8KNXa0&e=>)>

\* Prohibit law enforcement restraints of minor children in a prone or hog-tie position and require that de-escalation techniques are developmentally appropriate and require that law enforcement consider calling parents/guardians to de-escalate a situation with a child. Some of these provisions passed in S.2800 amendment 41.

\* National and local studies have overwhelmingly shown that Black and Latinx students are significantly more likely to be suspended, expelled, and arrested in school than their white peers. Repeal the state mandate that every school district be assigned at least one school resource officer; require school committee approval by public vote for assigning SROs; require that law enforcement officers be stationed in a police station and on-call for schools, rather than being stationed on school property; and mandate that school districts and police departments comply with the reporting requirements of school-based arrests to qualify to have an SRO. These provisions passed in S.2800 amendments 25 and 80.

Thank you and I look forward to hearing back from about your position on these priorities.

All of my very best,

Former Lowell City Councilor Karen Cirillo

ka.cirillo.10@gmail.com

From: Tom Green <tgreen.inhudson@gmail.com>  
Sent: Friday, July 17, 2020 9:49 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: stowkate@gmail.com  
Subject: Support for S.2828

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to reform our criminal justice system.

I believe that during the debate in the Senate on S.2820 and their review of many amendments to the legislation, they have crafted a bill which shows an excellent compromise over the most controversial portions of the legislation. While I would prefer to have a bill which completely eliminates qualified immunity, the use of teargas, chokeholds and no-knock raids, I believe that adoption of S.2820 as passed by the Senate is an excellent step toward the type of policing that all Massachusetts citizens wish to see.

Thank you for all of the work that you are doing during the pandemic. Since there are so many issues which need to be resolved, I also hope that you seriously consider continuing the Legislative Session past the July 31st deadline so that you have the ability to address the issues that we are facing with the opportunity for fully-considered debate.

Best regards,

Tom Green

Hudson, Massachusetts

From: romaniukrebecca@gmail.com  
Sent: Friday, July 17, 2020 9:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate bill 2800

Hello,

I am writing in to give you my thinking of senate bill 2800.

First I'd like to ask, are any of you police officers? Have family in law enforcement? Friends in law enforcement? I'd like you to think of them in this time, and realize how much of a burden you are putting on them.

I am a police officer. I have worked for my police department for four and a half years. I have worked inside the high school protecting, answering calls, deescalating situations for two of those years. I'd like you to think of me before voting on this bill.

When I am asked why I became a police officer, my answer is and has always been, to help people. I wanted to help people my whole life, I take pride in it. I want you to now think of what will happen if you pass 2800. I can no longer help people, because now I have to think of my family, my children, my house, my livelihood. I can no longer help someone seek refuge from their abuser, because I will be sued. I can no longer help someone's child, maybe your child, or your friends child, who is choking, because I could be sued. I can no longer protect you from someone breaking into your house, from violently assaulting you, because now I have to worry about how I will feed my family, my children. Will this be the time I get sued? This will constantly be in the back of my head, and my coworkers heads.

I want you to take a moment to imagine if this bill passes. Honestly. Think about the reality. A mass exodus of police officers. No new recruits. Who would want this job? It's already thankless enough, now add on the reality of being sued. Ask yourself, would you honestly take ANY job where you could be sued over absolutely everything and anything? You would be lying to yourself if you said you would. And you would be naive to think that no bad things would happen to you. Because in reality, if this bill passes, you have to realize no more cops will come to help you. Are you prepared to take down your own home intruder? What about all of those domestic violence victims? Who will help them?

I want you to take into consideration how hard it is already to find new recruits for this job. It takes MONTHS to find people, who pass background checks, physical checks, and mental tests. Now add in the removal of QI, you can bet that those numbers are going to plummet. I hope you are all prepared to protect yourselves and your family.

Do you know what the elements needed to commit a crime are? A willing offender, a target/victim, and an opportunity. Take a step into a

criminals shoe. They'll know that the police in Massachusetts won't respond to things due to fear of being sued. Right there your opportunity has sky rocketed. Massachusetts will be the perfect place to commit crimes now, I hope you are ready for those repercussions.

I sincerely hope you think of all that this bill will bring to Massachusetts, mainly the bad, before you vote on this. Because I sure will not be staying in policing, or Massachusetts for that fact, if this passes.

Sincerely,  
Rebecca  
Attleboro Massachusetts

Sent from my iPhoneFrom: Aaron Manzali <aaron.manzali@gmail.com>  
Sent: Friday, July 17, 2020 9:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony in support of Senate bill S.2820

Dear Chair Michlewitz and Chair Cronin,

I am writing in support of Senate bill S.2820.

Over the years, the ability of our city and town governments to create and manage policing that meets the needs and aspirations of our communities has been dismantled, including by the non-statutory judge-made doctrine of qualified immunity, and the Chapter 150E collective bargaining law and the Joint Labor Management Committee statute that together eliminate local government options for effective police accountability.

This bill provides important legislation that begins to return those rights to our communities. It also creates a much needed system for the training and certification of police officers, and makes other necessary changes to law and policy to improve and enhance the accountability of policing in the Commonwealth. This is landmark legislation that would help transform how law enforcement is practiced in Massachusetts, with a long overdue focus on racial equity in our justice system.

Thank you for your consideration on this matter.

Sincerely,  
Aaron Manzali  
254 Saratoga St Apt 3  
617 866 9479  
From: Cara Steinborn <steinborncarav@gmail.com>  
Sent: Friday, July 17, 2020 9:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the  
Judiciary

Hello, my name is Cara Steinborn with the Greater Boston Interfaith  
Organization (GBIO). I live at 13 Kernwood Ave in Beverly. I am writing  
to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

It is crucial that we work toward ending systemic racism and the systems  
of oppression that exist today. We have to make changes to support the  
BIPOC of our wonderful commonwealth.

Thank you very much.

Cara Steinborn

SteinbornCaraV@gmail.com

781-708-2192

13 Kernwood Ave, Beverly, MA 01915

From: beth trout <troutnbaby@gmail.com>  
Sent: Friday, July 17, 2020 9:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

Good Morning Mr. Rodrigues,

As your constituent, I write to you today to express my strong opposition  
to many parts of the recently passed S.2820. I hope that you will join  
me in prioritizing support for the establishment of a standards and  
accreditation committee, which includes increased transparency and  
reporting, as well as strong actions focused on the promotion of  
diversity and restrictions on excessive force. These goals are  
attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting  
fundamental protections such as due process and qualified immunity. This  
bill in its present form is troubling in many ways and will make an  
already dangerous and difficult job even more dangerous for the men and  
women in law enforcement who serve our communities every day with honor  
and courage. Below are just a few areas, among many others, that  
concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Beth Trout  
3 Garbie Dr  
Rochester, Ma 02770

From: robert gillan <rpgillan@gmail.com>  
Sent: Friday, July 17, 2020 9:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: LEGISLATION TO CHANGE QUALIFIED IMMUNITY FOR PUBLIC SERVANTS

Dear Reviewing Official:

I'm hoping that the citizens can count on your support to fix the severely flawed legislation labeled S2800.

If qualified immunity is changed from its current definition, the safety of the public will be severely jeopardized.

It is unfair and immoral to change current collective bargaining agreements without negotiations

When you view these considerations along with other problems with the bill, no one will desire to be (or will be able to afford to be) a police officer, firefighter or nurse.

Look around the country and see what's happening. New York City Police Officers are retiring in droves. Minneapolis Police Officers are leaving on medical stress. Atlanta Police Officers stopped answering calls on shifts.

Do you really want inevitable similar events to occur here in the Municipalities of Massachusetts?

If the subject bill passes in its present form, no young person with any sense of self-preservation will enter public service.

When the police are gone, there will be no one to protect innocent civilians of all colors from the evil that the political radical left refuses to acknowledge.

Please consider your actions on this issue extremely carefully. Be completely aware of the unintended consequences. The Citizens of the Commonwealth do not want to live in a society of complete chaos due to the inability of public servants to do their jobs. Your careful review and consideration is critical.

Sincerely

Robert Gillan

Quincy Ma

From: Paula Wiseman <paulawisewoman@gmail.com>  
Sent: Friday, July 17, 2020 9:49 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: I oppose Bill S2800



As your constituent, Paula Wiseman of East Walpole, I am writing to you today to express my strong opposition to S.2800 which was passed by the Senate. I ask that you oppose this bill as constituted when it is debated in the House of Representatives. This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities. It will cause many good officers to leave due to the new burdens it imposes and will likely only encourage poor candidates for the job.

S2800 establishes a review committee board with overly broad powers, including the power of subpoena, in active investigations. Review boards typically review a process or an event after it has occurred for the purpose of implementing a change. Reviews should not be conducted during the course of an investigation as that would in all likelihood jeopardize the investigation. Why is this language part of the bill?

The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment right (see Carney v. Springfield) and constitutional protections against double jeopardy. Qualified immunity protections (which are really the hallmark of sound and reasonable protections against frivolous lawsuits) are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections for the police officers we send out to protect our communities and who often deal with the most dangerous of circumstances with little or no backup. Removing qualified immunity protections in this way will open up officers to personal liabilities the likes of which they cannot withstand. That is a standard that makes no sense and are unnecessary as current laws today adequately address any overreach by law enforcement officers.

I am also demanding that this bill be debated in the light of day and not in the cover of darkness. If you have to resort to sneaking a debate and vote in the middle of the night, then I assert it is "prima facie" a bad bill and "prima facie" bad faith on your part as my Representative.

In summary, this bill is ill conceived, and quite frankly, it is a cornucopia of drivel. If you could set aside for one moment your partisan loyalties, perhaps you will admit to yourself that it is a bad bill and bad policy. Further, how can you or any other Representative reform something of which you know little. Until and unless you have taken substantive police training, I would again ask that you oppose this bill. While I agree that some policing reform should be addressed (good policing should always be evolving as new things are learned) but passing a poor bill for the sake of passing a bill is not in the best interest of the good people of Massachusetts.

I would also encourage you and all your colleagues in the House to perhaps live in a poor urban community with a high crime rate for one month before you decide to change something about which I am going to assume you have little to no knowledge or experience.

For all the reasons stated above, I ask that you oppose this bill.

Sincerely,

Paula Wiseman  
East Walpole, MA  
339-206-8484  
From: Caroline Bays <cjbays@gmail.com>  
Sent: Friday, July 17, 2020 9:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on Policing Bill S.2800

Dear Chairs and Members of the Committee,

There is a gap in the Senate policing bill that I hope you will address

Several years ago when I was first elected as a town councilor, the police chief invited me to take a tour of the police facilities in Watertown. As we were touring the building he described some of the training that they did with the police and one aspect of the training struck me as counter-productive at the time, but now, in retrospect, strikes me as horrific. He told me about how they trained the police to deal with "dangerous" situations and as he talked, it became clear to me, that in our relatively small town, with almost no gun violence, the police officers were trained to be afraid! In our peaceful town, they are trained to see the people they are supposed to protect as potential deadly threats. And our town is not alone - all police are trained this way.

In a WBUR interview this week, Michael Sierra-Arévalo described what an officer told him about their mental state when making a simple traffic stop.

"... One officer in Elmont proposed to me the hypothetical, 'You don't know if the person that you're stopping is coming from a murder or if they've just finished kidnapping somebody.' You don't know. And so this uncertainty is core to their understanding of what makes every interaction dangerous. You simply do not know. And the potential cost is so high that they must take steps to keep themselves alive."

People keep asking why these officers keep killing people and the answer is very simple because we train them to act from a place of fear and when you let fear control your responses, you kill people.

I strongly encourage you to look at the way we are training our police force and end the use of trainings that promote the preparedness of using violence in just about every situation that can possibly be considered dangerous - which in their current training is just about every interaction with the public.

When you consider your bill on policing in Massachusetts, please consider dis-allowing this type of training in order to receive certification from the state.

I am including a few links that further elaborate on this problem.

<https://commonwealthmagazine.org/criminal-justice/how-we-can-build-better-police-departments/>  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_commonwealthmagazine.org\\_criminal-2Djustice\\_how-2Dwe-2Dcan-2Dbuild-2Dbetter-2Dpolice-2Ddepartments\\_&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0Sck2EnIiu k13zIsl6rchf\\_GkGDD&m=HPVZeHuSE7uAECxodoob6m-PjCPOclf2KOWKxo9nwkI&s=3iK1EETG1R4ACw8FEgenEevPtMiXPcN1\\_kPulbxKr9s&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__commonwealthmagazine.org_criminal-2Djustice_how-2Dwe-2Dcan-2Dbuild-2Dbetter-2Dpolice-2Ddepartments_&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIsl6rchf_GkGDD&m=HPVZeHuSE7uAECxodoob6m-PjCPOclf2KOWKxo9nwkI&s=3iK1EETG1R4ACw8FEgenEevPtMiXPcN1_kPulbxKr9s&e=>)

and you can find the interview with Mr. Sierra-Arévalo here -

<https://www.wbur.org/onpoint/2020/07/16/sociologist-michael-sierra-arevalo-on-how-police-expectation-of-danger-drives-brutality>  
<[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.wbur.org\\_onpoint\\_2020\\_07\\_16\\_sociologist-2Dmichael-2Dsierra-2Darevalo-2Don-2Dhow-2Dpolice-2Dexpectation-2Dof-2Ddanger-2Ddrives-2Dbrutality&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0Sck2EnIiu k13zIsl6rchf\\_GkGDD&m=HPVZeHuSE7uAECxodoob6m-PjCPOclf2KOWKxo9nwkI&s=VBTZ8IP9m-JLwRkDK8ww66CooMwXdFyYl4p0VjxQtDs&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.wbur.org_onpoint_2020_07_16_sociologist-2Dmichael-2Dsierra-2Darevalo-2Don-2Dhow-2Dpolice-2Dexpectation-2Dof-2Ddanger-2Ddrives-2Dbrutality&d=DwMFAQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIsl6rchf_GkGDD&m=HPVZeHuSE7uAECxodoob6m-PjCPOclf2KOWKxo9nwkI&s=VBTZ8IP9m-JLwRkDK8ww66CooMwXdFyYl4p0VjxQtDs&e=>)

Thank you to the chairs and the committee for "hearing" my testimony

Caroline Bays  
Councilor-at-Large, Watertown  
617-894-0045  
From: Sean Dore <sdorefreme@gmail.com>  
Sent: Friday, July 17, 2020 9:47 AM  
To: Testimony HWM Judiciary (HOU)

Representative Aaron Michlewitz, Chair of the House Ways and Means Committee

Representative Claire Cronin, Chair of the Joint Judiciary Committee

House Ways and Means and Judiciary Committees Boston, MA 02133

This letter is written testimony regarding the Police Reform Bill

While I believe some reform is needed in law enforcement, this legislation as written has serious flaws and is not in the best interest of law enforcement or the citizens of the Commonwealth. My concerns relate not only to substance but to process.

Regarding process, this proposed legislation came out of committee in the Senate without a public hearing, some debate and vote was not done in the light of day but after midnight with a vote taking place at 4:30 AM. While I appreciate the House scheduling a hearing, I disagree with the House requesting testimony just being submitted by email. It limits discussion and free flow of ideas. Much more can be learned through oral testimony and questions by legislators.

It appears that substance is taking a backseat to speed of passage of this legislation. It does not seem passage is being done in a manner that is thoughtful and deliberate manner. Rushed legislation is flawed legislation that will have long term negative consequences.

Regarding substance I will just focus on a couple sections which I have concerns.

How is an amendment included in the bill that bans schools from collaborating with law enforcement to identify students who are known gang members. This clearly is not in the best interest of student safety let alone public safety. This is a recipe for disaster.

I believe the qualified immunity section of the senate bill that removes this protection for law enforcement is a drastic and dangerous overreach because it wrongfully puts them at risk for lawsuits targeting their personal assets. Currently we live in a litigious society.

Law enforcement as a whole seems to be being punished and attacked for the actions of a small minority.

Many seem to have very short memories, just a few weeks ago police officers were hailed among the COVID heroes.

It was on July 3 the officers from multiple departments rushed into harms way at the South Shore Plaza to protect the public when individuals decided to shoot at each other.

Thank you for your time

Sean Dore, MS MPH  
Z S Consulting Group  
781 956 6108

From: William Auger <walnut2210@icloud.com>  
Sent: Friday, July 17, 2020 9:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2800/2820 Reform Bill

To whom it may concern,

Not sure when they say don't paint one group w a broad brush and here we are. We are having a hard time now trying to fill positions with qualified people and now you want to take away or alter Qualified Immunity. Talk about handcuffing us, it is a tough enough job as it is never mind to think now you could lose your house for doing your job with good intentions. I really hope the House drafts a much better bill that allows us to keep what we have with collective bargaining, Qualified Immunity and most importantly Due Process. Thank you and please think if this does pass good chance we will look like NY.  
Respectfully Submitted,  
Concerned Mass Resident  
William Auger Worc PD  
(774) 535-1674

Sent from my iPhoneFrom: Emily Radwin <emilyradwin@gmail.com>  
Sent: Friday, July 17, 2020 9:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Testimony on s. 2820

the House needs to preserve Senate language on:  
?Creating an independent and civilian-majority police certification/decertification body  
?Limiting qualified immunity so that victims of police brutality can sue for civil damages  
?Reducing the school-to-prison pipeline and removing barriers to expungement on juvenile records

And go further than the Senate bill with regard to  
?Strengthening use of force standards  
?Fully prohibiting facial surveillance technology  
?Lifting the cap on the Justice Reinvestment FundFrom: Shemiram Fabian <shfabian@gmail.com>  
Sent: Friday, July 17, 2020 9:47 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform

Generally speaking I have a lot of respect for our police. The system has imposed endless responsibilities, and expectations, and this is wrong:

Police, and policing has to go under a heavy review and reform. We live in a country where civilians are allowed to carry gones. This situation makes it extremely difficult for police to fight crime, and at the same time to protect themselves from getting shot or injured. We need to pull our resources wisely, and dissect the situation. Not all the 911 calls require to have the police presence directly, but for a backup.

I happened to call 911 twice yesterday.  
Both of the situations were required for EMTs to get involved with the presence of Boston police. Luckily everything went smoothly.

Teaching the public to comply with rules, and conduct of civility is a major task for those of us who want to see reforms in our society. It takes two to tango.

Thanks for the opportunity.

Shemiram Fabian

From: Stacey Ober <Stacey.Ober@akc.org>  
Sent: Friday, July 17, 2020 9:47 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: Phil Guidry  
Subject: Public Records Law Changes in Reforming Law Enforcement-  
Comment to HW&M and Judiciary Committees  
Attachments: Screenshot MA Puppy Mill Coalition 1.jpg; Screenshot MA  
Puppy Mill Coalition 2.jpg

Good morning Chairs Michlewitz and Cronin, and Members of House Ways and Means and the Judiciary Committee:

It has come to our attention that your committees are being asked to increase transparency for special state police officers with inclusion of the following change to the public records law in SB 2820:

SECTION 1. Chapter 66 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 21 the following section:-

Section 22. A document made or received by special state police officers as defined in Chapter 22C, including but not limited to, special state police officers as defined in sections 51, 56, 57, 58, and 63 shall be considered a public record under this chapter and under clause twenty-sixth of section 7 of chapter 4 and subject to all applicable exemptions. See attached social media posts from July 16, 2020.

As a courtesy, we are writing to acknowledge that the Human Society of the United States (HSUS) is party to litigation currently before the New Hampshire Supreme Court regarding the distribution of photos taken during the execution of a search warrant they assisted with resulting in the seizure of dogs. The question before the court is whether the distribution of those photos online to solicit donations to the non-profit resulted in a violation of the defendant's constitutional rights to a fair trial and privacy. The docket can be viewed here.

<https://www.courts.state.nh.us/caseinfo/pdf/fay/index.htm>

<[https://urldefense.proofpoint.com/v2/url?u=https-](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.courts.state.nh.us_caseinfo_pdf_fay_index.htm&d=DwMFAG&c=1DF7oMaP)

[3A\\_\\_www.courts.state.nh.us\\_caseinfo\\_pdf\\_fay\\_index.htm&d=DwMFAG&c=1DF7oMaP](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.courts.state.nh.us_caseinfo_pdf_fay_index.htm&d=DwMFAG&c=1DF7oMaP)

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Pending the court's decision in the NH Supreme Court case, the defendant  
filed suit last month requesting \$25 million in damages against HSUS.  
[https://www.concordmonitor.com/Tina-Fay-hopes-the-doggone-story-ends-soon-35165146?fbclid=IwAR2jMBHe8OgRaw5mEL1Fb36Qlmg5dMIz6wNoofAf1P4VrvLdA9hI6lu5n\\_c](https://www.concordmonitor.com/Tina-Fay-hopes-the-doggone-story-ends-soon-35165146?fbclid=IwAR2jMBHe8OgRaw5mEL1Fb36Qlmg5dMIz6wNoofAf1P4VrvLdA9hI6lu5n_c) <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_www.concordmonitor.com\\_Tina-2DFay-2Dhopes-2Dthe-2Ddoggone-2Dstory-2Dends-2Dsoon-2D35165146-3Ffbclid-3DIwAR2jMBHe8OgRaw5mEL1Fb36Qlmg5dMIz6wNoofAf1P4VrvLdA9hI6lu5n-5Fc&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiu](https://urldefense.proofpoint.com/v2/url?u=https-3A__www.concordmonitor.com_Tina-2DFay-2Dhopes-2Dthe-2Ddoggone-2Dstory-2Dends-2Dsoon-2D35165146-3Ffbclid-3DIwAR2jMBHe8OgRaw5mEL1Fb36Qlmg5dMIz6wNoofAf1P4VrvLdA9hI6lu5n-5Fc&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu)  
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Our recommendation is that you not include changes to the public records  
law for special police officers identified in the above text, without a  
full vetting by legislative committee and a public hearing process to  
fully understand the consequences of such a change in law here in  
Massachusetts.

Thank you for your consideration,

Stacey Ober, J.D.

Legislative Analyst & Community Outreach, New England Region

Government Relations

t: 919-816-3348 | e: [stacey.ober@akc.org](mailto:stacey.ober@akc.org)

AKC's website: [www.akc.org](http://www.akc.org)  
<[https://urldefense.proofpoint.com/v2/url?u=http-3A\\_\\_www.akc.org\\_&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiu](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.akc.org_&d=DwMFAg&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu)  
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NYSUFHArUNFdPK5o3CmlleZby4yiBVopI\_kVs&e=>

AKC GR's website: [www.akcgr.org](http://www.akcgr.org)  
<[From: Anne Licciardello <\[kerfuffles@gmail.com\]\(mailto:kerfuffles@gmail.com\)>  
Sent: Friday, July 17, 2020 9:46 AM  
To: Testimony HWM Judiciary \(HOU\)  
Subject: Police Accountability Hearing Testimony](https://urldefense.proofpoint.com/v2/url?u=http-3A__www.akcgr.org_&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=_VmOXwOSra8XLHXbqnh6K6quHgN6dFImu5tcZAiB0ys&s=jOx_lqR9ahS3FcSqrKnWWVZr8hckZAxlimVFdPsgv7E&e=></a>></p></div><div data-bbox=)

I am Anne Licciardello, a resident of Arlington, MA, and an active and motivated volunteer organizer with the Greater Boston Interfaith Organization (GBIO). I am writing to urge you and the House to pass strong police accountability measures that include:

- \* Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* A commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

PLEASE do adopt the Senate language to reform the legal doctrine of qualified immunity. Currently applicable cases cannot be heard by a jury as they are dismissed because the particular violation of 4th Amendment rights by a public official, such as a police officer, had not been previously contemplated by a statute or a court precedent. Those cases deserve to be heard on their merits, not thrown out using a non-statutory legal doctrine. It is time to put an end to this outrageous injustice preventing those who have suffered from the egregious violations of police officers from getting their day in court.

Do not be swayed by claims that qualified immunity reform will have devastating financial impact on individual police officers as they are indemnified by the municipalities that employ them. Any such claims are not based on fact.

We are calling for real reform to bring justice to our communities.

Thank you.



Anne Licciardello  
61 Newport St  
Arlington MA 02476  
603-494-2507  
kerfuffles@gmail.com

From: tea wellbeing <tea.wellbeing.healing@gmail.com>  
Sent: Friday, July 17, 2020 9:46 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Teaka Isaac. I am a resident of Roxbury and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

Transformation of police departments, their role and relationship to our communities requires a change in culture, accountability, training, policies and practices. It also requires STRONG leadership and transparency! Without organizing and authentically engaging our black and brown communities to build new systems centered around people from this population and persons with lived experience of oppression by the Police system of MA - nothing will change.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Teaka Isaac

18 Park View Street

Boston, MA 02121

March like a Mother: for Black Lives

From: Jennifer Bartak <jen.bartak@gmail.com>  
Sent: Friday, July 17, 2020 9:46 AM  
To: Testimony HWM Judiciary (HOU)  
Cc: jpaciorek@police.deerfield.ma.us; Blais, Natalie - Rep. (HOU)  
Subject: Written Testimony for S2820

Honorable Chair Aaron Michiewitz and Chair Claire Cronin,

My name is Jennifer Bartak, and I am a police supervisor in Deerfield Massachusetts. I have had the privilege to serve my community since 2003. Working in the town in which I was raised has been such a rewarding opportunity to give back to the community that has given so much to me. I go to work everyday with compassion, empathy, integrity, and an open mind to keep striving to be better.

First let me start by saying what happened in Minneapolis to George Floyd was deeply disturbing. I was speechless, angry, confused, and saddened for the senseless loss of his life. I was so angry at the Minneapolis Police Department for allowing that officer to still be on the streets terrorizing the community. It made me question my identity as a police officer, and I contemplated leaving the profession. However, I saw that all of my coworkers were feeling the same anger and sadness I was and it led me to remember why I chose this career. I chose this career to be a change for the positive in the world. I chose this career because I deeply care about my community, and strive to make each and every interaction as compassionate, respectful, and empathic as possible, even in a person's darkest life moments. I want to be on the forefront of making the criminal justice system better for everyone and finding solutions and avenues to difficult problems. I believe that Massachusetts has some of the best officers in the nation and our training model should be a catalyst for a national standard moving forward.

I have some grave concerns about S2820 and how it will impact policing and the safety of citizens in Massachusetts. No officer in

Massachusetts feels that the policing can't improve and we can work to do better. We want the communities we serve to feel trust in their police departments, and some things outlined in this bill will work to achieve this. I believe having a recertification process for working officers is a positive way to make sure each officer is receiving the most current and up to date training. After the shooting of Michael Brown in Ferguson Missouri, I started to do my own research on how other States train their police. I was disturbed to find that many states have a police academy that is less than four months and no training thereafter to keep officers current on national trends and developments. I was relieved to learn that in Massachusetts, we do it right. Our officers are held to a high training standard from day one attending the MPTC or MSP academies. We have yearly classroom and hands on training in-service which needs to be completed by each working officer. Many officers starting the profession come through the doors with a bachelor's degree or higher. I feel that in S2800 and S2820, these standards were not even looked upon or even researched when pushing the training outlined in the bill. I also have concerns that moving to a POST state would inevitably lead to the loss of "part-time" officers. Working in a smaller community, my department has only nine full-time officers and relies heavily on the part time staff to fill in almost sixty shifts a month. Moving to a POST would all but eliminate part-time employees. In the larger cities, this is a non issue, but for the small hilltowns in the western and central part of the State, you would see many departments dissolve and rely on the State Police for coverage. This would increase response times to emergencies and towns would lose the community aspect of knowing who their police are in their communities.

I was also taken back about the "optional" school resource officer portion of the bill. During the criminal justice reform act implemented a few years back, it was mandated that school districts bring in school resource officers (SRO). Our town did this, and we have seen such a positive outcome from having an SRO in the schools. We were all taken back by this positive effect, and our SRO deeply cares about the wellness of the students. Our SRO goes above and beyond for these kids, sometimes helping them purchase items needed with his own money, or bringing them to doctors appointments on his own time because the family does not have the means to. In S2820, I was also concerned about not allowing school officials to inform police about juveniles who are suspected to be getting involved in gang activities. Who is this protecting? Clearly not the student, other students, teachers, staff, or families in the school district. If an SRO is aware of possible gang activity, then this gives them the opportunity to get involved with the student and show them different avenues, or to find out what is going on at home to make a child want to get involved with a gang.

My next concern was about the data collection portion of the bill. If every single interaction with a citizen needs to be documented and put into a database, or citizens receiving a receipt of the interaction, police are going to be losing valuable time they could spend focusing on other community concerns. After the passage of the hands free bill earlier this year, data collection was a major portion of the new law. Obviously, the pandemic stuck, and the State and police departments have not had the same amounts of interactions to analyze the data. There are

many avenues already in place to obtain police interactions data points, and these can be explored instead of making an interaction with a citizen prolonged collection data for the State.

The bill talks about having cameras worn by each officer and honestly, I am a huge proponent for this. In today's modern world of everything being recorded, and with the national hostile attitude towards police, I feel having a recorded record will help citizens will feel their departments will have more transparency. It will also protect officers who are doing amazing police work everyday in the Commonwealth. However, recording systems are costly, and smaller towns finding the funds to buy the systems and technology is going to be difficult. Please consider more grants and funding to help all Massachusetts officers get cameras implemented, as well as clear and defined language in the legislature on what is for public dissemination and what is not. For example, I got into a house for a medical emergency, information seen and obtained there would fall under HIPPA. Or I respond to a domestic disturbance or sexual assault and my camera is on, if a neighbor or landlord wants to know what happened and requests this information through the freedom of information act, is the camera footage subject to be released? Please make the language clear and concise on this.

Finally, I wanted to address qualified immunity (QI). As the law as it is written currently, if a public servant violates someone's civil rights, or is subject to an excessive use of force incident, QI is lost. In the bill as it is written in S2820 leaves very vague language on QI, which will only open the door for numerous and frivolous civil lawsuits. I have never been subject to an excessive use of force or a police misconduct complaint, but I fear that with QI removed, and the vague language left for interpretation, any interaction can be "perceived" one way and now I am open to a civil lawsuit. It will be costly to defend myself, as many towns do not have the budget to pay for this. With the passage of S2800, I have already seen myself second guessing decisions on calls, and this could lead to getting hurt, or even killed. I have said for years that police are emergency social workers. We respond to sometimes violent and chaotic scenes, and we need to act quickly and then find avenues to solve the problem. This may mean the arrest of a domestic violence suspect, rendering aid to a drug overdose victim, removing children from abuse households while waiting for assistance from DCFS, and a host of other scenarios. Please do not forget, police are the first ones through the door in these chaotic situations. I would be remiss if I did not say that some of the things we witness changes the core of your person. I have seen deceased decomposed bodies, abused and sexually exploited children, horrific crashes, and I have to hold strong with families who try to make sense of it all. I have also cried with the loved ones of victims who try to come to grips with the incident. It is easy for everyone to sit back and point fingers at police on how we are doing it wrong, although they are not the ones who go through the door into the unknown and try to make a horrible situation better. Removing QI will only make it harder for us to perform our emergency social work to the community. We will be second guessing every single move, or not providing adequate protections to victims and families because we are concerned about a civil lawsuit to follow. If an officer acts outside of the law, is negligent, violates someone's constitutional

rights, or uses excessive use of force then QI is removed and the officer should be punished accordingly. Please don't make officers concerned to do their job they have been trained so well to do.

I am proud to be a police officer in Massachusetts. I am proud of the fact that if you become a full time officer in Massachusetts, you can work in any other State in the nation because our training is so superior. Let's build on this. Let's not allow the incident in Minnesota or other States change what we do so well here. We can improve, we can always do better, and every day we strive for this. As I outlined, some parts on S2800 and S2820 will hinder police with protecting their communities. This bill was rushed through without adequate collaboration with the stakeholders immediately affected by these changes or even transparency. You have the opportunity to make this bill something other States can model their own reform on. Please take the time to really research, collaborate with stakeholders, community leaders, and Police Chiefs State wide to make this bill the pillar of modern policing. Thank you for your time and consideration.

Respectfully Submitted,

Jennifer Bartak  
266 Whately Road  
Conway, MA 01341

cc: Representative Natalie Blais and Chief John Paciorek Jr.

From: Kyle Kobierski <kylekobierskik@gmail.com>  
Sent: Friday, July 17, 2020 9:46 AM  
To: Testimony HWM Judiciary (HOU)

I am a firefighter/EMT of the past 5 years working on an ambulance. This bill was hastily written and in my opinion is absurd. Politicians don't know the risks of walking into a situation at 0300. We face risks and dangers everyday in our job while we work alongside police. There are changes that need to be made to this bill. I needs input from those that actually work in these positions, all the public servant employees who this will affect should have a say. Please take into consideration the trickle affect this will have on all of us. No more middle of the night secret votes. You work for us, it's time to act like it.

Regards,  
Kyle Kobierski

From: Nicholas Hayes-Mota <nick.nc@gmail.com>  
Sent: Friday, July 17, 2020 9:46 AM

To: Testimony HWM Judiciary (HOU)  
Subject: Please Pass Strong Police Reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means; Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Nicholas Hayes-Mota with the Greater Boston Interfaith Organization (GBIO). I live at 51 Langdon St, Cambridge (02138). I am writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you very much.

Nicholas Hayes-Mota

nick.nc@gmail.com  
781.866.3309  
51 Langdon St, Cambridge, MA 02138  
From: chouli1372 <chouli1372@aol.com>  
Sent: Friday, July 17, 2020 9:46 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Stand up for the police

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill: (1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Corinne Murphy  
45 Teresa Drive  
Holden, MA

Sent from my iPhone  
Sent from my Verizon, Samsung Galaxy smartphone

From: Gaetana Magliozzi <magliozzigaetana@gmail.com>  
Sent: Friday, July 17, 2020 9:46 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: DO NOT DEFUND THE POLICE

My name is Taylor Melanson, my residences is Beverly mass.  
DO NOT DEFUND THE POLICE. PEOPLE NEED THEM THEY PROVIDE SAFETY AND SECURITY. WE SHOULD HAVE A REFORM LIKE TRUMP SIGNED NOT DEFUND THEM. ALSO I FIND THIS EXTREMELY IRRITATING WE ARE CONSTANTLY SILENCED AND FORCED TO APPEASE A MINORITY WE ARE BEING CALLED RACIST THE DEMOCRATIC PARTY DOESNT SHOW ALL THE WHITE PEOPLE BEING KILLED AND BEATEN RIPPED FROM THEIR CARS BECAUSE THEIR WHITE. THATS RACISM NOT EQUALITY I WILL NOT APOLOGIZE FOR BEING WHITE. I WILL NOT WEAR A MASK OR FORCE OTHERS TO WEAR THEM TO BE SILENT YOU CALL YOURSELF A GOVERNOR OR A MAYOR BUT CHOOSE TO STIFLE THE MAJORITY ON EVERYTHING AND I'M SO FED UP WITH YOUR NARRATIVE IF YOU DEFUND THE POLICE, OR TRY TO MAKE MASKS MANDATORY WHEN THE RATE SHOWS 90% SUCCESS IN GETTING BETTER IM TAKING MY FAMILY. AND MOVING TO ANOTHER STATE OR WE THE SILENT MAJORITY WILL STORM THE STATE HOUSE THIS IS NOT OK YOUR RIPPING OUR COUNTRY APART AND ILL DO WHATEVER IS NEEDED TO MAKE SURE IT DOESNT CONTINUE.

From: ROBERT NUSS <robertnuss@comcast.net>  
Sent: Friday, July 17, 2020 9:46 AM

To: Testimony HWM Judiciary (HOU)  
Subject: bill S.2820

Good morning representatives,

I write to make sure that you are informed by the events of yesterday in New York City.

The city council passed, and the mayor signed, a measure that does most of what you are contemplating with this bill. The head of the New York State Police responsible for NYC immediately withdrew all of the state police who are policing in NYC and would be subject to this new law. You are playing with fire and will be held responsible by the electors if you pass this bill and the obvious consequences appear.

Respectfully,

Robert Nuss  
764 Route 6A  
YarmouthPort, MA 02675

508 362 3306

From: Shira Abramovich <sabramovich9@gmail.com>  
Sent: Friday, July 17, 2020 9:45 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820: Pass Meaningful Police Reform!

Dear Chairs Aaron Michlewitz and Clare Cronin,

I am writing as a Massachusetts voter, imploring you to keep the Senate's proposed policing reforms by passing bill S2820.

This bill would strongly limit qualified immunity, a practice which routinely allows police forces across the country to get off scot-free for murder and assault of Black and Brown bodies. Allowing victims of police brutality to sue for damages is a good first step to eliminating qualified immunity entirely.

Further, I believe it is high time to pass stronger use-of-force standards, preventing police from using tear gas or chokeholds, as well as prohibiting no-knock raids like the one that caused Breonna Taylor's murder.



I also would press the chairs to look hard at the way police interact with our schoolchildren. Having been a young adult in public schools five years ago, I do not see a reason as to why the kinds of issues found within schools could not be handled by trained staff such as school counselors, mental health professionals, or social workers. Doing so would help cut off the school-to-prison pipeline which devastates young Black people's lives and the health of their communities.

Further, I would ask that the chairs take the courageous step to fully prohibit facial recognition technology in its use by law enforcement. These technologies are an unambiguous infringement on civilian privacy, and are already threats to rights of free speech and free assembly.

Finally, I implore the chairs to create an independent, civilian-majority police certification and decertification body. This cannot be a body from within the police force; it must be fully independent and able to dole out meaningful checks and consequences on police power and behavior. Only a civilian review board will be able to take us forward towards the goal of minimizing police and their harm to Black and brown communities.

Sincerely,

Shira Abramovich  
Brown University (student; resident of MA)  
Newton, MA 02461  
617-244-4974  
From: Andrew Kularski <akularski@ayer.ma.us>  
Sent: Friday, July 17, 2020 9:45 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

Please accept the following testimony with regard to SB2820 - An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color".

I writing you as a Police Officer.

The tumultuous events this country has dealt with over the past several months have been hard on all of us. Police Officers were hailed as heroes only a few short months ago during the beginning of the pandemic. More recently, we have all been grouped together and vilified because of the actions of one bad cop on the other side of the country simply because we wear a similar uniform.

I am urging you to closely inspect the language in the bill S2820 you will be debating about police reform. Massachusetts police officers have long been better trained and better equipped than many other parts of the country.

The specific language on Qualified Immunity is problematic for all of us. The existing language of qualified immunity does not defend the wrong doings of officers. It only defends actions taken that another reasonable officer in a similar situation would do as well. If this is changed there will be a mass exodus of law enforcement. We are not paid enough to go out and buy private liability insurance, and to be honest, I doubt most insurers would want to write that policy. This will have major negative implications in a career that is already under appreciated and under paid.

Any Officer will tell you no one dislikes a bad cop worse than a good cop, that being said it is imperative that police officers are given due process during any desertification process. A board of civilians will not be able to examine what is the right or wrong thing because they do not have the expertise or knowledge of police work to make an educated decision. Our Commonwealth has boards made up of experts in the field who makes decision on cases of misconduct for lawyers, doctors, barbers and dentists but for some reason when it comes to police this decision is going to be given to a civilian.

Please, I am asking for your support in re writing this bill and having experts in the profession of police work to aid in the process so we are able to have a bill the achieves the desired goals of this bill without undesired consequences.

Detective Andrew S. Kularski

Ayer Police Department

54 Park Street

Ayer, Ma 01432

978-772-8200 ext 506

978-772-8202 (F)

Akularski@ayer.ma.us <mailto:Akularski@ayer.ma.us>

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From: Bill Cohen <bill4cohen@gmail.com>  
Sent: Friday, July 17, 2020 9:45 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Feedback on S2800

Comments on S2820 from Bill Cohen, private citizen, 20 Taft Ave, Maynard, MA

For the past 41 years I have been working as an electrical engineer designing computer and communication systems that hopefully make the world a better place to live in. This past decade, most of my colleagues have been from other parts of the world, a very talented set of individuals. They migrated to this country from Asia, Africa, and even Haiti. They are migrating not only for the technical prowess of this country and commonwealth, but also because of the promise of a more equitable society. One where their families can live in a state where freedom of expression and fairness dominate.

The legislation contained in S2820 is important to show that people on the margins are not to be treated as lesser citizens than people with power and money. People that do not look European can go about their business in Massachusetts without fear from the Police.

It is important in every organization to continuously improve the quality of that organization. My engineering company constantly improves on the quality standards and procedures. S2820 will improve the quality and standards of police departments across the commonwealth. Change is always hard to deal with. There will be a lot of push back as there was in my private firm when policy changes were instituted.

The twentieth century way of doing business will not work in today's twenty-first century world. We need to move forward with the S2820 legislation to create a better living environment for all the peoples of this commonwealth.

Thank you for considering my opinion.

Bill Cohen

From: Mark Schafer <msmexico2@gmail.com>

Sent: Friday, July 17, 2020 9:46 AM

To: Testimony HWM Judiciary (HOU)

Subject: Facial recognition should be banned as a part of the police reform bill

Dear Reps. Cronin and Michlewitz,

I believe that facial recognition automates discriminatory policing and exacerbates existing injustices in our criminal justice system. It is unjust and threatens my civil rights. Facial recognition should be banned as a part of the police reform bill.

Yours,

Mark Schafer

13 Highland Ave. #3

Roxbury, MA 02119

617 238-5776

msmexico2@gmail.com

From: Trinidad Baca <trinidad.baca@gmail.com>

Sent: Friday, July 17, 2020 9:45 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police reform Bill - repeal it

Hello,

I am writing to you as a concerned citizen of Massachusetts as well as of the United States of America.

Please stop the current police reform Bill and vote against it.

We the people do not want our police to be subject to false accusations and scrutiny that the compromise of qualified immunity will bring.

This is not the time to compromise on public safety.

There is too much tumult in the world to compromise the position of the police in Massachusetts nor in the rest of the United States.

We stand by and should cultivate a civil society and the police are our first line of defense.

Massachusetts police are doing a great job and have not been at the center of any of the civil unrest going on in the country.

Protect Massachusetts, it's citizens as well as the duty of our police that we truly cherish and need.

Sincerely,

A concerned citizen and supporter of the police across this great nation as well as within the United States of America.

Trinidad Baca

From: Paul A Thompson <milu83@mit.edu>  
Sent: Friday, July 17, 2020 9:45 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: BILL S.2820

Dear Sirs,

I implore you to please consider the suggestions below.

As your constituent, I write to you today to express my STRONG opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1) Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3) POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same

way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Paul A. Thompson

56 Sawyer Way

Leominster MA 01453

milu83@mit.edu

From: Lauren Welch <lwelch820@gmail.com>

Sent: Friday, July 17, 2020 9:45 AM

To: Malia, Liz - Rep. (HOU); Chang-Diaz, Sonia (SEN); Testimony HWM Judiciary (HOU)

Subject: I'm a police officer and a Democrat (for now)

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

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protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Lauren Welch

65 Tower St #2

Jamaica Plain, MA

LWelch820@gmail.com

From: Jess G. <mamagregg3@gmail.com>  
Sent: Friday, July 17, 2020 9:45 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Opposition of S.2820

Dear Sir or Madam,

I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:  
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arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

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In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Jessica Gregorczyk  
14 Valley View Circle  
Rutland, MA 01543

From: amy weinberg <amycraigs@gmail.com>  
Sent: Friday, July 17, 2020 9:45 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: police reform

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means  
Representative Claire Cronin, Chairperson, Joint Committee on the Judiciary

Hello, my name is Amy Shulman Weinberg with the Greater Boston Interfaith Organization (GBIO). I live at 25 Copley Street in Brookline . I am writing to urge you and the House to pass police reform that includes:

- \* Implement Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* Commission on structural racism
- \* Clear statutory limits on police use of force



\* Qualified immunity reform

Thank you very much

Amy Shulman Weinberg  
a <mailto:ajsweinberg@gmail.com> mycraigs@gmail.com  
617-645-8891  
25 Copley Street  
Brookline, MA 02446

From: Kenneth Hughes <kenneth.hughes1@comcast.net>  
Sent: Friday, July 17, 2020 9:45 AM  
To: Testimony HWM Judiciary (HOU); Sean Garballey; Rogers, Dave - Rep. (HOU); Friedman, Cindy (SEN); dianemahon@verizon.net  
Subject: Police Reform

Dear Committee Members,

Please allow me the privilege of introducing myself, my name is Kenneth W. Hughes, and I am a retired Lieutenant of the Arlington, MA Police Department. I am sending this correspondence to you because I see great troubles ahead if the legislation that you are currently entertaining in regards to police reform is passed in its current form. Most notably, the elimination of "Qualified Immunity" piece of the bill will severely hamper how policing is done in the future. I acknowledge the noble intent of this legislation for many of our State Legislators is for greater accountability of policing in Massachusetts. I too believe in accountability, in policing, as well as in all other professions. Legislation with the scope and impact of police reform should not be hastily rushed through the legislative process but instead is worthy of thorough deliberation by all sides of this highly emotionally-charged issue. Contrary to the belief of some, there are many control measures already in place that hold police officers accountable for their actions, and that if properly used, would guarantee what most good people want, fair and equal protection under the law without having to eliminate "Qualified Immunity". The Civil Rights of ALL people are guaranteed under the United States and Massachusetts Constitutions and there are many Federal, State, and Local laws and Regulations that further support that guarantee. Having been a law enforcement officer for over 26 years I vehemently resent the characterization that the Criminal Justice System is "Systemically Racist" throughout. That belief is such a broad-brush attempt to tarnish the image of so many people who have given so much to protect and serve ALL people. I am not a racist and I was part of the Criminal Justice System. I worked with some of the finest police officers

in Massachusetts and they were not racists either. By logical extension of the "Systemic Racism of the Criminal Justice System Theory " that would imply that not only those that not only those people who enforce the laws, but by also those people that try, judge, and even write the laws are racists and should therefore be also eliminated from "Qualified Immunity". I am not naïve enough to believe that the Criminal Justice System is perfect, it does have its share of problems, and those problems should and must be addressed but not in a "throw out the baby with the bath water" approach. Eliminating "Qualified Immunity" of police officers will drive many good people out of a noble profession and make those who chose to remain more tentative to respond in a situation in which will get themselves and others hurt and killed. Let cooler heads prevail, slow down, have more open hearings , bring all sides to the table , expand Education/Training and enforce existing Laws and Regulations in a humane and impartial manner. If you would like to discuss this matter with me please do not hesitate to contact me. Thank you.

Sincerely Yours,

Kenneth W. Hughes,

Retired Arlington, MA Police Lieutenant

From: Leonard Tshitenge <leonard@fathersuplift.org>  
Sent: Friday, July 17, 2020 9:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Juvenile Justice Data, Raise the Age, and Expungement

Committee on the Judiciary  
House Committee on Ways and Means  
The State House  
Boston, MA 02133

Dear Chair Cronin, Chair Michlewitz, Vice-Chair Day, Vice-Chair Garlick and House members of the Judiciary and the House Ways and Means Committees,

Thank you for your commitment to racial justice and to the bright futures of young people in our

Commonwealth.

As a resident of the commonwealth, I urge you to support Juvenile Justice Data, Raise the Age, and Expungement.

1. Require transparency in juvenile justice decisions by race and ethnicity (as filed by Rep. Tyler in H.2141)
2. End the automatic prosecution of teenagers as adults (as filed by Rep. O'Day in H.3420)
3. Expand expungement eligibility (as filed by Reps. Decker and Khan in H.1386 and as passed in S.2820 §§59-61)

Thank you for defending and protecting the students of Massachusetts. I look forward to hearing back from you about how you voted on this bill.

--

Leonard Tshitenge - M.S. In Psychology/Behavioral Health  
Director of Coaching Services & Family Interventions  
Fathers' Uplift Inc.  
12 Southern Ave <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_maps.google.com\\_-3Fq-3D12-2BSouthern-2BAve-2BDorchester-2C-2BMA-2B02124-26entry-3Dgmail-26source-3Dg&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0Sck2EnIiu k13zIs16rchf\\_GkGDD&m=Lfv9nWcQ6ih-EGg0qTBr\\_zW0VG4VxZmKmvT20fm5D7U&s=GhNMQbmk1nhGVjrnRhtJgZvco8\\_JHh87IGkK3iI10wk&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__maps.google.com_-3Fq-3D12-2BSouthern-2BAve-2BDorchester-2C-2BMA-2B02124-26entry-3Dgmail-26source-3Dg&d=DwMFaQ&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0Sck2EnIiu k13zIs16rchf_GkGDD&m=Lfv9nWcQ6ih-EGg0qTBr_zW0VG4VxZmKmvT20fm5D7U&s=GhNMQbmk1nhGVjrnRhtJgZvco8_JHh87IGkK3iI10wk&e=>)>  
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Phone: 617-708-0870  
Fax: 617-516-8274

www.fathersuplift.org <[Origins of Fathers' Uplift, Inc.: <https://youtu.be/c9JSBSLGJ60>  
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Uplifting Fathers and Strengthening Families Nationally

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From: Anthony <Scrunoap@aol.com>  
Sent: Friday, July 17, 2020 9:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820

Dear Honorable State Representatives,  
I am the Vice President of the IBPO Local 504 Worcester Police Official's Union.

?I am respectfully writing to you asking that you do not support Senate bill 2800-2820 as it is currently written.

This bill has so many far reaching dangerous affects on policing and organized labor in this bill.

If passed in its current form this bill gives the POSAC board the right to take away an

officers livelihood without Due Process. The make up of the POSAC board needs to be made of individuals who have the background, training and education in law enforcement, not members who have never walked a day in any of our boots.

I ask you this question, is there any public or private sector profession that doesn't have an allegation/ complaint investigated by an internal employer prior too going to a board; e.g. nurse/lawyer/dr/judge, are all afforded the opportunity to be heard before their employer. If the employee's complaint was sustained they had the right to appeal their complaint before a full panel/civil service commission for final disposition The senate & governor's bill eliminates this process thus taking away our rights to arbitration & due process. How can this POSAC board have the ability to conduct investigations and subpoena people without having any experience on how to even conduct an investigation? We were hired as civil service employees which gave us the right to arbitration. This senate legislation takes that right away without bargaining, which is another violation of union rights under collective bargaining. The Governor Baker's own admission when asked about this at his press conference he stated he would visit elimination of Civil Service at a later time, really, then how did this happen now?

This senate legislation weakens the standard on the Qualified Immunity. With all the debate that took place in the senate, we really believe amendment 137 should have been adopted and placed in a study where the right vetting could take place, with the right people with experience in this particular field.

In conclusion we are respectfully asking that when you do vote on any legislation you consider all the facts that have been presented to you. As it's been mentioned so many times, there isn't one police officer who condoned what happened to Mr.Floyd but it must be stated, it didn't happen here in our commonwealth and we shouldn't have our profession turned upside down. We have stated many times there are things in the senate bill we have no issues with, body cameras, no choke holds, more training.

After 26 years on the Worcester Police Dept I've never thought I would see the day when this noble profession would have so many individuals jump to conclusions that are not supported by real data. Prior too May 25th, police officer's & other front line personnel were being called hero's for actions being conducted during Covid-19. On May 26th we became the enemy and it's just not right. The things that have taken place in our commonwealth to police officer's, our families and across our nation is disheartening to say the least. We hope this legislative body will make the right decision and fix the other sides calculated mistakes.

Respectfully,  
Sgt Anthony Petrone  
Vice President IBPO Local 504  
Worcester Police Officials  
C 774-696-4974

Sent from my iPhone

From: Janet DeCarlo-Staples <janetdecsta@gmail.com>

Sent: Friday, July 17, 2020 9:43 AM

To: Testimony HWM Judiciary (HOU)

Subject: S. 2820 Reforming Police Standards

Good Morning;

I am writing with respect to S. 2820, and other police reform bills that may be proposed, one of which is Qualified Immunity.

I found the changes were rushed through by the Senate, without careful understanding of each and of what Qualified Immunity is and what it already does not protect police from.

Qualified Immunity protects not just Police Officers but all Government Officials from personal liability of civil lawsuits UNLESS HE OR SHE VIOLATES "Clearly established "legal principles.

Due Process - Police Officers as well as all citizens should be given DUE PROCESS in disciplinary proceedings.

Police Officer Standards and Accreditation Committee - Committee should be objective, with members who are actively working in Law Enforcement, both as Administrators and working on the Front Lines.

If we continue to attack our Police as being done now, both physically and by harmful legislation, we will not get the GOOD Police, we will lose.

No Good Cop likes a Bad Cop.

My son is a well educated Good Police Sergeant who I am so proud of and he is being attacked and treated unfairly by a few BAD cops.

Get the Bad Cops but not at the expense of our Good Cops as if you do this, we all lose.

Janet DeCarlo-Staples

Winthrop, MA

From: Cynthia Columbus <cynthia.a.columbus@gmail.com>

Sent: Friday, July 17, 2020 9:43 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony in support of Senate bill S.2820

Dear Chair Michlewitz and Chair Cronin,

I am writing in support of Senate bill S.2820.

Over the years, the ability of our city and town governments to create and manage policing that meets the needs and aspirations of our communities has been dismantled, including by the non-statutory judge-made doctrine of qualified immunity, and the Chapter 150E collective bargaining law and the Joint Labor Management Committee statute that together eliminate local government options for effective police accountability.

This bill provides important legislation that begins to return those rights to our communities. It also creates a much needed system for the training and certification of police officers, and makes other necessary changes to law and policy to improve and enhance the accountability of policing in the Commonwealth. This is landmark legislation that would help transform how law enforcement is practiced in Massachusetts, with a long overdue focus on racial equity in our justice system.

Thank you for your consideration on this matter.

Sincerely,

Cynthia Columbus

978-332-4315

Resident of Norwood, MA (11 Allen Rd.)

From: Elise Barry <elisebarry@outlook.com>

Sent: Friday, July 17, 2020 9:43 AM

To: Testimony HWM Judiciary (HOU); Comerford, Joanne (SEN)

Subject: Testimony Against S2820

Dear Chairman Michlewitz and Chairwoman Cronin,

The MA Senate has recently proposed a massive police reform bill that it intends to pass without a public hearing. This bill was largely authored by people who consistently oppose police services. As a constituent, I request that you take the following action before voting on any such bill:

1. READ THE BILL
2. ASK HOW POLICE DEPTS IN YOUR DISTRICT ARE ACTUALLY PERFORMING
3. AT A MINIMUM, HOLD A PUBLIC HEARING ON THE BILL

These are VERY MINIMAL requests before passing such massive legislation that has such a huge impact.

As your constituent, I request and expect that you will represent me, and that you will do your due diligence. Please read and understand the bill. Please research how your own district's police officers are actually doing. Please hold a hearing.

We intend to hold ourselves accountable, and we trust that you will do the same.

Sincerely,

Elise Barry  
Northampton, MA

<From: Igor Feinberg <igorfein@gmail.com>  
Sent: Friday, July 17, 2020 9:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 Reforming Police Standards Hearing Notice - HWM and Judiciary Committees

Dear Chair Aaron Michlewitz and Chair Clair Cronin,

I am writing in regards to the S.2820 Reforming Police Standards bill that is passed MA Senate. The measure, in my opinion, is counterproductive and would not lead to improving public safety especially in the current environment of elevated public unrest. Policemen should have necessary protection to perform their duties and should not hesitate to intervene in situations that require their involvement because they are uncertain whether they are protected or not.

I urge you to reconsider the bill.

Sincerely,

Igor Feinberg  
781-799-2971



From: Nathan Hedberg <nhedberg@gmail.com>  
Sent: Friday, July 17, 2020 9:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: support for HD.5128 and HB.3277

We urge you to support the inclusion of the following measures:

HD.5128, An Act Relative to Saving Black Lives and Transforming Public Safety (State Representative Liz Miranda)

HB.3277, An Act to Secure Civil Rights through the Courts of the Commonwealth (State Representative Michael Day)

Thank you,  
Nathan & Theresa

Nathan Hedberg  
5 Post Ct, Kingston MA 02364  
From: WILLIAM CREED <williamccreed@aol.com>  
Sent: Friday, July 17, 2020 9:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Police reform bill

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From: williamccreed <williamccreed@aol.com>  
Date: Friday, July 17, 2020  
Subject: Police reform bill  
To: Testimony.HMWJudiciary <Testimony.HMWJudiciary@mahouse.gov>

Please do not include the provision to limit immunity for our public servants. This would handcuff our police officers trying to do their job. People can already sue for egregious actions. This would jeopardize public safety as police would be afraid to do their jobs effectively.

Thanks,  
Bill Creed  
29 Blake rd  
Weymouth Ma

Sent from my Verizon, Samsung Galaxy smartphone

From: Jamie St. Martin <jamiestmartin@yahoo.com>  
Sent: Friday, July 17, 2020 9:43 AM  
To: Testimony HWM Judiciary (HOU)

Subject: S.2820 - REJECT THIS BILL

I write to you today to express my strong opposition to the recently filed S.2820. This bill is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of this bill:

This bill authorizes for treble damages if a police officer is found to have submitted a false pay record. This would make police officers the ONLY public employees subject to this punishment. The courts will have a field day in overturning this.

This bill the POSAC Committee is granted broad powers, including the power of subpoena, in active investigations- even when the original law enforcement agency has conducted it's own investigation. The current language sets the groundwork for unconstitutional violations of a police officer's 5th amendment rights against self-incrimination (see Carney vs Springfield) and constitutional protections against "double-jeopardy".

Qualified immunity protections are removed and replaced with a "no reasonable defendant" qualifier. This removes important liability protections essential for the police officers we send out on patrol in our communities and who often deal with some of the most dangerous of circumstances with little or no back-up. Removing qualified immunity protections in this way will open officers up to personal liabilities so they cannot purchase a home, a car, obtain a credit card, or other things for the benefit of them and their families. Good luck with police recruitment.

Regards,

Jamie St. Martin

\*\*\*A law abiding, tax paying citizen of Mass. who values the services police provide. Who doesn't?? Criminals? Once again, it seems like we punish the good in this state and reward the bad. It is not a good look for our state.

From: Stacey Wood <woody1732@icloud.com>

Sent: Friday, July 17, 2020 9:43 AM

To: Testimony HWM Judiciary (HOU)

Subject: Bill S.2820

July 17, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Stacey Wood and I live at 12 Mount Vernon street Saugus. I work at the Suffolk County Sheriff's Department and am a corrections officer. As a constituent, I write to express my opposition to Senate Bill 2820. Please take serious consideration of the full ramifications this could have if it were to pass. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your

support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Stacey Wood

Sent from my iPhone From: Beth Thulin <bethul55@gmail.com>  
Sent: Friday, July 17, 2020 9:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: s2800

To Whom It May Concern:

I am writing this letter as an extremely concerned, frightened, and disappointed resident of Massachusetts. This bill essentially strips our police officer of the ability to do his/her job. Citizens are now on their own, and this is through no fault of the law enforcement officers. Who can blame them for not taking any risk and endangering themselves? No one will be standing up to defend them. They are automatically guilty of abusing their authority before the facts of the situation are even provided! Officers are retiring from many departments at an alarming rate. NO ONE wants this job! People say we need educated officers, well you just lost them. And the opportunity to provide officers with additional training along with expectations and detailed consequences has been lost. Good officers will be hard to find. The new "recruits" wanting this job will be criminals and other simply bad people wanting a legal gun in their hands.

I have been in education for over 20 years and I cringe at mandates from those who have no experience or knowledge in that field. I sense that this is happening to our law enforcement field. Has anyone talked to them? Of course there are bad cops. They need to be removed with a zero tolerance policy. But this is not the time for politicians to cave to these outrageous global demands. If this increase in crime we are witnessing right now is any indication, I shudder to think of how many lives will be lost in the coming weeks and months if this continues. This is the time to come together and communicate with all concerned. Voices need to be heard and talked through calmly, rationally, and realistically.

Thank you for your time.

H. Beth Thulin  
From: sean o <seanhockey1514@gmail.com>  
Sent: Friday, July 17, 2020 9:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform

Good Morning

I am writing to you today in disappointment regarding the bill the senate passed regarding the Police Reform. This bill is an anti labor legislation. It removes due process, collective bargaining and qualified immunity. All key components to a steady and secure job, to which

police officers deserve. It also inserts a licensing board with little to no experience. Any board in charge of any group of people should be trained, experienced and respected by the people it licenses.

Thank you  
Sean ORourke  
774-696-9231

Sent from my iPhoneFrom: Maxwell Huber <huber.max@northeastern.edu>  
Sent: Friday, July 17, 2020 9:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: I support bill S2820

Hello,

I am writing to voice my support for S2820 - "An Act to reform police standards and shift resources to build a more equitable, fair, and just commonwealth that values Black lives and communities of color". I think the name alone contains sufficient reasons to support this bill.

Thanks,  
Maxwell HuberFrom: Kinda touma <kindatouma@gmail.com>  
Sent: Friday, July 17, 2020 9:42 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Regarding defunding the law enforcement

Hi,

As a female business owner that immigrated from Syria, and America welcomed and made me feel safe and protected as a female and a citizen, i know the value of having law enforcement protecting us.

My story of how the police officers stood by me and all Bostonians to protect and serve since the day i moved in here 12 years ago cannot described in words the appreciation and respect that i hold for them

I got attacked by 2 men to rob me 8 years ago, and police was there for me and protected me and even drove me home, and made sure i am safe.

A year later My friend was lost and we reported her, the police went above and beyond to find her but unfortunately someone already killed her.

And boston marathon bombing them e cannot even describe how we could have overcomes it, if it wasn't for law enforcement keeping us safe.

I see homeless needs help or ppl on drug needs help i call police they are there for them with EMS in seconds

We own business and the rioting that happened last month made us think do we really need less policing, businesses have lost a lot due to the DA low on crimes, and they keep repeating the same assaults on law obeying citizens because of the DA do not prosecute policy

It's not right or fair for low obedient tax payers that all they want is a safe environment to live in.

We are all in for more police training but no to defund the police

Just 3 days ago i got attacked by a male around 9:45 pm walking on newbury street, cussing on me for walking on the sidewalk, and didn't hear the honking as he was riding his bike on the side walk while empty streets, he even threaten to hit me, is that what the mayor and governor wants citizens to not feel safe anymore in their city, to businesses free the city !

They are attacking our religion and churches  
I do not feel safe anymore after 12 years here as a citizen and a woman, if the governor and mayor do not step up and help us soon all of us will flee the city and the state to a state that values its citizens

Please start prosecuting offenders and do not defund the police

Boston and MA rise with its safety and without it will turn to another big crime city

Thank you

Kinda Touma

Sent from my iPhoneFrom: Kelley Saucier <eksauce120@gmail.com>  
Sent: Friday, July 17, 2020 9:41 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820

To whom it may concern:

As your constituent, I write to you today to express my strong opposition to many parts of the recently passed S.2820. I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity. This bill in its present form is troubling in many ways and will make an already dangerous and difficult job even more dangerous for the men and women in law enforcement who serve our communities every day with honor and courage. Below are just a few areas, among many others, that concern me and warrant your rejection of these components of this bill:

(1)?Due Process for all police officers: Fair and equitable process under the law demands the same rights of appeal afforded to all citizens and fellow public servants. Due process should not be viewed as an

arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability.

(2)?Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously lawsuits. This bill removes important liability protections essential for all public servants. Removing qualified immunity protections in this way will open officers, and other public employees to personal liabilities, causing significant financial burdens. This will impede future recruitment in all public fields: police officers, teachers, nurses, fire fighters, corrections officers, etc., as they are all directly affected by qualified immunity protections.

(3)?POSA Committee: The composition of the POSA Committee must include more rank-and-file police officers and experts in the law enforcement field. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee lawyers, teachers oversee teachers, experts in law enforcement should oversee practitioners in law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Thank you,

Kelley Saucier

Sent from my iPhone

From: Patrick Hennessy <pathennessy@comcast.net>

Sent: Friday, July 17, 2020 9:40 AM

To: Testimony HWM Judiciary (HOU)

Subject: Police Reform Bill

I am asking for you to not support S.2820 as written. This bill was hastily written, with insufficient public comment. More so, it will impede law enforcement officers to fulfill their duties as they do today. Massachusetts has some of the best trained officers in the U.S. If this bill passes as written, all officers will now be second guessing every decision they have to make, which could take precious seconds away from them, possibly resulting in serious injury or death, either to themselves, or the public they are trying to protect and serve. Almost

every officer I know, of which I am father to two of them, are considering leaving the profession they love if this bill passes as written. Again I ask you not to support this bill. Thank you.

Patrick M. Hennessy

636 Chickering Rd,

No. Andover, Ma. 01845

978-771-6473

From: Lisa Sawyer <lks109@gmail.com>  
Sent: Friday, July 17, 2020 9:41 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: NEW BILL S 2820 OPPOSITION

Dear Rep. Aaron Michlewitz and Rep. Claire Cronin,

My name is LISA SAWYER and I live at 20 VALLEY STREET, WAKEFIELD, MA 01880. As your constituent, I write to you today to express my staunch opposition to S.2820, a piece of hastily-thrown-together legislation that will hamper law enforcement efforts across the Commonwealth. It robs police officers of the same Constitutional Rights extended to citizens across the nation. It is misguided and wrong.

Like most of my neighbors, I am dismayed at the scarcity of respect and protections extended to police officers in your proposed reforms. While there is always room for improvement in policing, the proposed legislation has far too many flaws. Of the many concerns, three, in particular, stand out and demand immediate attention, modification and/or correction. Those issues are:

(1) Due Process for all police officers: Fair and equitable process under the law. The appeal processes afforded to police officers have been in place for generations. They deserve to maintain the right to appeal given to all of our public servants.

(2) Qualified Immunity: Qualified Immunity does not protect problem police officers. Qualified Immunity is extended to all public employees who act reasonably and in compliance with the rules and regulations of their respective departments, not just police officers. Qualified Immunity protects all public employees, as well as their municipalities, from frivolously unrealistic lawsuits.

(3) POSA Committee: The composition of the POSA Committee must include rank-and-file police officers. If you're going to regulate law enforcement, up to and including termination, you must understand law enforcement. The same way doctors oversee doctors, lawyers oversee



lawyers, teachers oversee teachers, law enforcement should oversee law enforcement.

In closing, I remind you that those who protect and serve communities across Massachusetts are some of the most sophisticated and educated law enforcement officials in the nation. Let me remind you that in 2015 President Obama recognized the Boston Police Department as one of the best in the nation at community policing. I again implore you to amend and correct S.2820 so as to treat the men and women in law enforcement with the respect and dignity they deserve.

Sincerely,

LISA SAWYER

Sent from my iPhoneFrom: Melissa Ganley <melganley@gmail.com>  
Sent: Friday, July 17, 2020 9:41 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Melissa Ganley. I am a resident of Somerville, MA and a member of March like a Mother: for Black Lives. I am writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

I believe that many of our systems, including how we have come to police our communities, are set up to disenfranchise people of color. I believe that this bill is a first step in ensuring that all people, but particularly our black and brown neighbors are safe. Black lives matter and we must put an end to practices that allow the police to murder black folks in the street without repercussions.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment. I urge you to ensure that all aspects of this bill are intact. We are in a historical moment and this bill ensures that we in Massachusetts meet the demand of this movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Melissa Ganley

55 Adams St #1

Somerville, MA 02145

From: Maggie Roth <margareteroth@gmail.com>  
Sent: Friday, July 17, 2020 9:41 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: SB.2800

Dear Chairman Aaron Michlewitz and Co-chair Rep. Claire Cronin:

My name is Maggie Roth and I'm a resident of Boston. I'm also a member of March like a Mother: for Black Lives. I'm writing this virtual testimony to urge you to pass SB.2800 the Reform, Shift, Build Act in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

As a parent of a mixed-race toddler, the idea of someone -- whose job it is to PROTECT my child -- causing my child bodily harm makes me ill. And as an extension, it makes me ill to think of ANYONE's child being treated that way. White communities are already policed way less than Black communities and are "safe." We need to invest the same money and time into Black and Brown communities because they matter, too. It's important that we ban violent restraint and encourage de-escalation for the humanity of us all.

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment. I urge you to ensure that ALL aspects of this bill are intact. We are in an historical moment and this bill ensures that we in MA meet the demand of this movement. It means being on the right side of history. Let's do it together, for all of us.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,  
Maggie Roth  
62 Patten Street  
Boston, MA 02130

March Like a Mother: for Black Lives  
From: Kristen Vezeau <03kristen@gmail.com>  
Sent: Friday, July 17, 2020 9:41 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2800

To the House Committee,

I am writing to express that as a Massachusetts resident, I do not support a "Bill to reform police standards and shift resources to build a

more equitable, fair and just commonwealth that values Black lives and communities of color".

Although there is always room for changes that bring improvement, this bill has not been given thorough consideration. Such radical changes will leave first responders unable to do their jobs effectively, thereby endangering the general public - including minorities.

As both a resident who will be affected and wife of a first responder, I urge you not to pass this bill.

Sincerely,  
Kristen Vezeau  
Waltham, MA

From: Gerry Sullivan <gerrysullivan506@gmail.com>  
Sent: Friday, July 17, 2020 9:41 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill S2820

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

I ask that you support amendments 114,116,126,134,129, and 137 to the Senate Bill S2820. The amendments deal with due process and fair representation on the board as well as uniform accreditation standards. I support enhanced training and appropriate certification standards and policies that promote fair and unbiased treatment of all citizens, INCLUDING POLICE OFFICERS. The original version of the bill undercuts collective bargaining rights and due process. These amendments are an attempt to improve the bill in these areas. They do not lessen the training protocols and standards or general accountability for law enforcement as originally proposed. Thank you for your time and consideration.

These are the important points that I would really like to highlight and bring to everyone's attention:

1. The senate version will seriously undermine public safety. The false narrative that QI prevents the public from suing Pos and holding them accountable which dominated the senate debate masked provisions in the bill which will have a serious impact on critical public safety issues. Not only will the unintended and unnecessary changes to QI hamstring police offices in the course of their duties due t the fact that they will be subjected to numerous frivolous nuisance suits for any of their actions but hidden in the bill are various provisions which will protect drug dealers, human traffickers, gang activity in minority neighborhood schools ,organized retail theft and terrorists.

2. The process employed by the senate of using an omnibus bill with numerous, diverse and complicated policy issues coupled with limited public and professional participation was undemocratic, flawed and totally non transparent. The original version of the bill was over 70 pages, had hundreds of changes to public safety sections of the general laws and sound public policy sections ,it was sent to the floor with no hearing and less than a couple of days for the members to digest/caucus and receive public comment thus creating a process which was a sham.

3. Police support uniform statewide training standards and policies as well as an appropriate regulatory board which is fair and unbiased. The senate created a board that is dominated by groups who have stated anti law enforcement biases and preconceived punitive motives toward police. The board as proposed is unlike any other of the 160 professional regulatory boards in the Commonwealth that the Black and Latino Caucus and its individual members as well as the Governor repeatedly and publicly stated should be used as the example of the model o be use. Its composition is fundamentally incapable of providing regulatory due process. Furthermore, the proposed members are completely devoid of sufficient experience in law enforcement to create training policies and standards unlike members of the other 160 professional boards.

4. Qualified Immunity is unnecessary if the Legislature adopts uniform statewide standards and bans unlawful use of force techniques which all police personnel unequivocally support. Once we have uniform standards and policies and the statutory banning of use of force techniques both the officers and the individual citizens will know what is reasonable and have a clear picture of what conduct is a violation of a citizen's rights and that conduct cannot be protected by QI. This will also limit the potential explosion of civil suits against other public employee groups Thus reducing costs that would otherwise go through the roof and potentially have a devastating impact on municipal and agency budgets. Police officers are already subjected to suits and suits that are successful when their conduct warrants it. There is no legitimate need to change the law particularly when we get uniform standards

Sincerely,

Gerald D. Sullivan

319 Washington St.  
Canton, MA 02021  
From: Tod Hibbard <hibbard79@gmail.com>  
Sent: Friday, July 17, 2020 9:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public Testimony

To: Representative Aaron Michlewitz, Chairperson, House Committee on Ways and Means

Representative Claire Cronin, Chairperson, Joint Committee on the  
Judiciary

Hello, my name is George Hibbard with the Greater Boston Interfaith  
Organization (GBIO). I live at 23 Ellsworth Ave. in Cambridge, MA. I am  
writing to urge you and the House to pass police reform that includes:

- \* Implementing Peace Officer Standards & Training with certification
- \* Civil service access reform
- \* A Commission on structural racism
- \* Clear statutory limits on police use of force
- \* Qualified immunity reform

Thank you very much.

George Hibbard

hibbard79@gmail.com

617-797-2467

23 Ellsworth Ave, Cambridge, MA 02139

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From: Helena R <hifitica@gmail.com>  
Sent: Friday, July 17, 2020 9:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 Public Testimony

To The Chair of the House Committee on Ways and Means, Rep. Aaron  
Michlewitz, in cooperation with Rep. Claire Cronin, Chair of the Joint  
Committee on the Judiciary ,

I am writing to you today to express my concerns with bill S2820 that is  
before you and I sincerely hope that you will not let this bill move  
forward as it stands. I am extremely disappointed and concerned at how  
the Senate moved this through so quickly without any public hearings or  
transparency in the matter. I have faith that you will not do the same.

This letter expresses my personal views and not that of my employer or  
department.

I immigrated to this country in 2001 with my family from Albania. Growing up in a poor country definitely had its challenges, one of them being police violence. What I witnessed in my childhood, pushed me to make a change in the world, and growing up in the City of Boston and seeing the numerous positive interactions police officers had with the community, pushed me to become a police officer in the Commonwealth of Massachusetts.

I currently work at a community college in Boston, which has given me the opportunity to help so many people, including many Albanian immigrants. I can sincerely say that although policing as a whole does need some changes and reform, the many police officers I have worked with and trained with in this state, show up and do good every single day for their communities. Many, myself included, give their ALL to this job so that they can make a difference. The passing of this bill, would put these same officers in jeopardy, and many reconsidering staying in the profession, myself included.

This bill directly attacks qualified immunity and due process. Qualified immunity does not protect bad officers, it protects good officers from civil lawsuits. We should want our officers to be able to act to protect our communities without fear of being sued at every turn, otherwise why would they put themselves at risk? A large majority of law enforcement officers do the right thing and are good officers, yet there is a real push to end qualified immunity to open good officers up to frivolous lawsuits because of the actions of a few who, by their own actions, would not be covered by qualified immunity anyway. It just doesn't make any sense why we are endangering the livelihood of many for the actions of a few.

When people ask me why I became a police officer, I have a cliché answer, to make a change and help people. If this bill passes as it stands, how can I still go out there with the same passion, while fearing that I will be held liable for just doing my job in good faith? I give more to this job than sometimes I do to my family, but this bill would put their lives in jeopardy too by removing the protections and due process I am currently afforded for simply doing my job.

As I stated earlier, reform is needed, but I stand against S2820 as it is currently presented because it undermines public safety by limiting our officer's ability to do our jobs effectively. Police officers across the state support uniform training standards and policies and we have always pushed for it because it improves our quality of policing. We are already some of the most educated and best trained officers across the country. However, we do not support our due process rights and qualified immunity being taken away. Changes to qualified immunity would be unnecessary if the legislature adopted a uniform statewide standard and bans unlawful use of force techniques which all police personnel unequivocally support.

The senate version of a regulatory board is unacceptable as it strips officers of due process rights and does away with protections currently

set forth in collective bargaining agreements and civil service law. Their version of a regulatory board would be made up of people that are anti-police and have an explicit bias against police, which would make any reasonable person believe that it will not give officers a fair chance.

If the senate bill is passed in its current form the costs to municipalities and the State will skyrocket from frivolous lawsuits and potentially having a devastating impact on budgets statewide. On top of the negative financial impact, many police officers will leave the profession to protect their families, and I think it will be extremely hard to get people to fill their spots.

I love this job, I truly truly do. I am part of a Community Engagement Unit at my department because I love helping my community. This has been an emotional time for me because of the chance that I might have to make the hard decision of whether I can stay in this profession or not, knowing that I will not enjoy any other job as much as this.

Please do not move this bill forward as is. There are many positive aspects of the bill, but the negative aspects, such as removal of due process and qualified immunity for ALL PUBLIC EMPLOYEES not even just police officers, far outweighs the good.

Thank you for taking the time to listen to me. I hope you will do the right thing.

Sincerely,  
Helena Rezendes  
Bunker Hill Community College Police  
617-458-6483  
From: Linda Guinee <lguinee@gmail.com>  
Sent: Friday, July 17, 2020 9:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Pass SB.2800, Reform, Shift, Build Act

Dear Chairman Aaron Michlewitz & Co-chair Rep. Claire Cronin:

My name is Linda Guinee. I am a resident of Jamaica Plain. I am writing this virtual testimony to urge you to pass SB.2800, the Reform, Shift, Build Act, in its entirety. It is the minimum and the bill must leave the legislature in its entirety.

We are at an historic moment in this country and in this state - a time when it is finally possible to reckon with our history and transform

policies and shift hearts and minds to live up to our highest ideals as a nation. It is time to do this work!

This bill bans chokeholds, promotes de-escalation tactics, certifies police officers, prohibits the use of facial recognition, limits qualified immunity for police, and redirects money from policing to community investment.

I urge you to ensure that all aspects of this bill are intact. As I mentioned above, we are in an historic moment and this bill ensures that we in Massachusetts meet the demand of the movement.

Thank you for your consideration of your request to give SB.2800 a favorable report.

Sincerely,

Linda Guinee  
27 Kingsboro Park #1  
Jamaica Plain, MA 02130  
From: Kerri Martell <kerrimartell@gmail.com>  
Sent: Friday, July 17, 2020 9:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820

Bill S.2820 An Act to reform police standards and shift resources to build a more equitable, fair and just Commonwealth that values black lives and communities of color.

I am perplexed at the rush to pass such an important piece of legislation at 4am without public hearing, but more so at the over reaching to include all public services EXCEPT yourselves from qualified immunity. Disgraceful.

You have included in the bill nurses, firefighters and other public service members yet the reason for the bill was Police reform due to police brutality of colored people. So if I understand this correctly a nurse can now be sued by a patient for care they received while under her care. As a result the nurse and her family could lose their home or be financially ruined because of her attempt to care for a patient. An 18 year old lifeguard could mistakenly injure a person in while saving their life while rescuing them from riptides and can be sued. Imagine being 18 years old and being sued while working a summer job that pays maybe \$20 an hour because you in good faith rescued a person.

As legislators you have a job to enact laws that protect all lives and pass bills for police reform for all people. You have again shown how out of touch you are with the real world. Most cops are good cops but I agree that there are others that are not. Pass reforms for more training and accountability and a system for tracking complaints and disciplinary actions.

As for "no knock" I would suggest you go with a police office and you knock and nicely announce you have warrant and to open the door. Live the



life of a police officer or undercover agent or a member of the gang force for a week. Let's knock and announce ourselves so the criminal has time to flee or perhaps retrieve a gun and shoot randomly at the door. Or maybe you could ride along and respond to a domestic violence call and see what actually occurs.

On another note voting "present" should not be allowed in any bill or piece of legislation EVER. Imagine if a police officer reports for duty and is just "present". Vote yes or no and if you need more time then put a motion forward for that. For the love of all things good take the necessary to get this bill right for all people.

I implore as the sister of a retired State Police Trooper and mother of an aspiring Nurse that you take the time to have public hearings and hear from ALL stakeholders for such an important piece of legislation.

Kerri Martell  
Reading MA 01867 From: Bob Brower <bbrower831@aol.com>  
Sent: Friday, July 17, 2020 9:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S.2820

As a parent of two Law Enforcement officers, Virginia Beach PD, please consider that the systemic racism referenced in the MSM only applies to a small number of police officers. The only provision, that I've seen thus far, that I can absolutely get behind is a citizens review board for problematic officers. Note that the Chief of Minneapolis PD stated that he's hogtied most of the time by the Union. In only 10% of cases is he able to properly discipline, that would mean fire/dismiss, overly forceful officers..

As a side note.. My daughter was one of 5 first responders to last years VB Courthouse shooting. She's an outstanding officer who if she sees something says something to get things rectified..

Please lets not be to hasty in correcting a problem that might not be as pervasive in Massachusetts..

Best Regards,

Robert Brower Gardner Ma  
From: Francesca Miles <ffmiles40@gmail.com>  
Sent: Friday, July 17, 2020 9:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police Reform Bill

To Whom It May Concern,  
Please allow the Massachusetts Police an opportunity to present their concerns about the recent police reform bill that passed the Senate. In my opinion and many other citizens, this was a rushed legislation that requires a more thorough examination of what the revisions to "Qualified

Immunity" will mean to the police and their ability to protect the public with out fearing unjust legal action. Police deserve to be heard, and share their testimony and concerns because they are the ones out on the streets facing real time situations.

Sincerely,

Francesca Miles  
7 Wabanaki Way  
Andover, MA 01810  
978-886-0152  
From: Clare Kelly <a.clare.kelly@gmail.com>  
Sent: Friday, July 17, 2020 9:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Support of S 2820

Chairman Michlewitz and Chairwoman Cronin,

Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

Massachusetts should be a leader on these issues across the country.

We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons.

Please pass a bill that includes each of these critical reforms.

Clare Kelly

196 Chestnut Ave, Unit J

Jamaica Plain, MA 02130

From: Kristin Hicks <smallhix@gmail.com>  
Sent: Friday, July 17, 2020 9:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Bill 2820

July 16, 2020

Dear Chair Michlewitz and Chair Cronin,

My name is Kristin Hicks and I live at 163 Rockland St, North Easton MA. I work for Suffolk County Sheriff's Department as a correction officer. As a constituent, I write to express my opposition to Senate Bill 2820. This legislation is detrimental to police and correction officers who work every day to keep the people of the Commonwealth safe. In 2019 the Criminal Justice System went through reform. That reform took several years to develop. I am dismayed in the hastiness that this bill was passed but I welcome the opportunity to tell you how this bill turns its back on the very men and women who serve the public.

????????????????????? ??????????????????: Qualified immunity doesn't protect officers who break the law or violate someone's civil rights. Qualified Immunity protects officers who did not clearly violate statutory policy or constitutional rights. The erasure of this would open up the flood gates for frivolous lawsuits causing officers to acquire additional insurance and tying up the justice system causing the Commonwealth millions of dollars to process such frivolous lawsuits.

????????? ?????????? ?????????????????? ??????????????: The fact that you want to take away an officer's use of pepper spray, impact weapons and K9 would leave no other option than to go from, yelling "Stop" to hands on tactics and/or using your firearm. We are all for de-escalation but if you take away these tools the amount of injuries and deaths would without a doubt rise.

????????????????????? ??????????????????????: While we are held to a higher standard than others in the community, to have an oversight committee made of people who have never worn the uniform, including an ex convicted felon is completely unnecessary and irresponsible. When this oversight board hears testimony where are the officer's rights under our collective bargaining agreement? Where are our rights to due process? What is the appeal process? These are things that have never been heard or explained to me. The need for responsible and qualified individuals on any committee should be first and foremost.

I am asking you to stop and think about the rush to reform police and corrections in such haste. Our officers are some of the best and well-trained officers anywhere. Although, we are not opposed to getting better it should be done with dignity and respect for the men and women who serve the Commonwealth. I ask that you think about the police officer you need to keep your streets safe from violence, and don't dismantle proven community policing practices. I would also ask you to think about the Correction Officer alone in a cell block, surrounded by up to one hundred inmates, not knowing when violence could erupt. I'm asking for your support and ensuring that whatever reform is passed that you do it responsibly. Thank you for your time.

Sincerely,  
Kristin Hicks  
From: Stephanie Smith <stephs5391@gmail.com>  
Sent: Friday, July 17, 2020 9:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Public Comment for bill S2820

Thank you Chairpersons, Representatives, Senators, Committee members, and interested citizens for the opportunity to voice my opinion regarding S. Bill 2820.

My name is Stephanie Duggan, a person who was born and raised in the beautiful state of Massachusetts, and who is now a mother, wife, and homeowner choosing to raise my family in this state. I'm also the wife of a Police Officer, who loves his community and who strives to be the greater good in the world every day - in or out of uniform. Being a Police Officer, I'm sure you are all willing to admit, is a very high stress job in the best of times, never mind the climate now where Police are seen as the enemy and racist as a whole. But even on the hardest of days, the officers I know take solace in the lives they have saved, and the positive impacts they have had on the people in the community, or neighboring communities.

When we saw bill S. 2800 pass through the Senate our hearts hurt and we felt betrayed by the Senators. We felt concerned that the life we built together and everything we have worked and sacrificed for is at risk now. To "water down" qualified immunity and blur the language so it's not clear what it stands for or protects now is a slap in the face to the amazing officers in our state, as well as all public employees. The doctrine exists for a reason. Whether people want to admit it or not, there are bad people in the world, and if this weakening of qualified immunity stands there will be people who take advantage of that. Please reconsider this portion of the bill.

Another issue I have is with the lack of Due Process and attack on Collective Bargaining. To eliminate Due Process for Police Officers and put sole discretion in the hands of the "Accreditation Committee" is unfair and un-American. Every single union has the right for disciplinary actions to be reviewed by a neutral arbitrator. Police officers should not be exempt from this.

My final issue I want to voice today is that this bill would create a Licensing Agency in which the majority of the members are not Police Officers. To only require 1 member of the board to be a Trooper or Patrol Officer is unjust. There needs to be more representation of people who actually do the job patrolling the streets on this board - as there are with other Licensing Boards in the State.

Thank you for your time, and thank you to the Senators and Representatives who were brave enough to stand up for our Law Enforcement

Officers when the popular thing now is to vilify them and punish them as though they are all evil people. I would recommend to anyone listening to my words and perhaps rolling their eyes, to request to go for some ride-a-longs at some of our Police Departments across the state to "take a walk in their shoes" and gain some perspective on what it means to be a Police Officer.

Respectfully,

Stephanie Duggan

Sent from Mail <[https://urldefense.proofpoint.com/v2/url?u=https-3A\\_\\_go.microsoft.com\\_fwlink\\_-3FLinkId-3D550986&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\\_w&r=uoevGInjCfTlguYncQubxpi5R6db\\_gq1YmKr0SCk2EnIiu k13zIs16rchf\\_GkGDD&m=gE55vqUtHT0UEQFuuFsp9QBoX9MDKvnTCRgTWlpo89o&s=P1s145VAYrsp0ISCctUbmjQ3MEwhCTXggaRmF4Jwbs0&e=>](https://urldefense.proofpoint.com/v2/url?u=https-3A__go.microsoft.com_fwlink_-3FLinkId-3D550986&d=DwMFaQ&c=lDF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns_w&r=uoevGInjCfTlguYncQubxpi5R6db_gq1YmKr0SCk2EnIiu k13zIs16rchf_GkGDD&m=gE55vqUtHT0UEQFuuFsp9QBoX9MDKvnTCRgTWlpo89o&s=P1s145VAYrsp0ISCctUbmjQ3MEwhCTXggaRmF4Jwbs0&e=>)> for Windows 10

From: danielthomasford@aol.com  
Sent: Friday, July 17, 2020 9:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Fwd: Bill 2800 police reform

Sent from AOL Mobile Mail

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From: danielthomasford <danielthomasford@aol.com>  
Date: Friday, July 17, 2020  
Subject: Bill 2800 police reform  
To: hwmjudiciary <hwmjudiciary@mahouse.gov>

My name is Daniel Ford. I am 69 years old and have been a resident of Mass my entire life. I am currently still teaching high school and have taught in Mass for nearly 30 years. I have never felt stronger about an issue than I do about this bill. This is the first time that I have requested ANYTHING from the people that represent me. I am an English teacher, so I could write 3 or 4 pages about the outrageous things requested in this bill.. Please be aware that I have queried most of the 60 teachers that I teach with ( I have been at my current high school for 16 years) and over 90% of them are firmly AGAINST this bill... Everyone feels awful about what happened to Floyd! The police need improvements..

So do teachers, firemen, nurses and even representatives... Thanks for your time.. Dan Ford

Sent from AOL Mobile Mail

From: P Donahue <donahue.mp@gmail.com>  
Sent: Friday, July 17, 2020 9:39 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Police reform Constituent testimony!!

My name is Michael Donahue and I write to you to express my support for our many first responders who put their lives on the line for the Commonwealth every single day. As the House and Senate consider legislation revolving around public safety, and in particular police reform, I hope that you will join me in prioritizing support for the establishment of a standards and accreditation committee, which includes increased transparency and reporting, as well as strong actions focused on the promotion of diversity and restrictions on excessive force. These goals are attainable and are needed now.

I am, however, concerned at the expansion of this legislation, targeting fundamental protections such as due process and qualified immunity - legal safeguards that have been established over decades and refined by the some of the greatest legal minds our country has known. Due process should not be viewed as an arduous impediment, but favored as a bedrock principle of fundamental fairness, procedure and accountability. Qualified immunity is the baseline for all government officials and critical to the efficient and enthusiastic performance of their duties. Qualified immunity is not a complete shield against liability - egregious acts are afforded no protection under the qualified immunity doctrine. Further, qualified immunity is civil in nature and provides no protection in a criminal prosecution. The United States Supreme Court and the Supreme Judicial Court of Massachusetts through numerous cases have continued to uphold the value and necessity of qualified immunity. To remove or modify without deliberative thought and careful examination of consequence, both intended and unintended, is dangerous. Due Process and Qualified Immunity are well settled in the law and sound public policy dictates that the Legislature not disturb these standards - certainly not in this bill so abruptly and certainly not without a vigorous debate both in the Legislature and in the court of public opinion.

We must remain focused on passing legislation that includes a standards and training system to certify officers, establish clear guidelines on the use of force by police across all Massachusetts departments, to include a duty to intervene, and put in place mechanisms for the promotion of diversity. This does not detract or reject other reforms, but rather prioritizes those that can be accomplished before the end of this legislative session on July 31st.

Please join me in demanding nothing less than sound, well-reasoned and forward-thinking legislation.

Thank you for your consideration.  
Michael Donahue

Uxbridge, Ma, 01569

My voice matters, Silent majority!!!

(registered voter)

From: Logan Williams <lshewilliams@gmail.com>

Sent: Friday, July 17, 2020 9:39 AM

To: Testimony HWM Judiciary (HOU)

Subject: S2820 Concerns PLEASE READ

Dear Senate and State Representatives,

I am sending this email regarding S2820. I would like to first start off by saying how deeply disappointed and appalled I am that this bill was even a viable option in taking steps towards preventing police brutality. These men and women are putting their lives on the line for YOU every single day. They wake up and decide to go to work and be you and the communities protection and now with this bill all you are doing is preventing them from doing their one sole duty, enforcing the law and protecting their fellow citizens. Let me ask you a question, do you think if this bill is passed an officer is going to risk their entire life, not just their life but their families and all of their belongings, just to arrest some gang member in a neighborhood for someone to witness it and decide to sue them because they weren't "comfortable" with the arrest that was made. Say this gang member was a cold blooded murderer, rapist, pedophile, etc., and the officer who made the arrest gets sued for it; That is not just disgusting to only me but the other half of the community that is feeling fear and loss of protection in our towns, states, or cities. If this bill were to pass, you would not only lose many officers of the law, but the sole support of any politician to sign off on this. I come from a family of law enforcement. I have had diagnosed anxiety from an extremely young age due to my father leaving the house everyday in a bullet proof vest, not knowing if he will ever come home again. He's been in countless shootings, one where his cruiser was pelted with over 50 bullets, one where he had to save a fellow officers life after being shot multiple times from inside his cruiser with an automatic rifle. He has searched for missing children, and came upon a locked car in the woods filled with carbon monoxide with a mother and her child inside.. the mother attempting to kill them both. I wake up every day not knowing if I will ever see my father again. Now, due to this bill, my anxiety has never been worse, watching the news hearing about 5+ law enforcement officers being murdered a day. I am so disheartened to have to even be sending this email. You are giving anyone the option to sue my father and take our home, belongings, everything away from us solely based on my father doing his job. That is utterly terrifying. My father is an outstanding law enforcement officer, he is decorated with the highest of medals, including the medal of valor in which Brian Ashe presented him with. My aunt is also a Massachusetts State Trooper, it had been her dream to get into the academy and she was one of the best there. She has officially been a trooper for a year this past June, and now due to this bill I'm sure all of law enforcement are contemplating why they should stay in this profession; Risking their lives, all to lose everything in their's because someone didn't like the way they did something during an arrest, raid, etc. All this outrageous bill is doing is causing more fear, more anarchy, more confrontation, more separation in communities. This bill is not

beneficial, for anyone, including the oppressed. Please reconsider and continue allowing our only source of daily protection to do their job correctly without being penalized. There are other solutions to our day to day problems, this isn't it. All this is doing is causing a larger divide among communities. Please reconsider for the sake of not only law enforcement but the citizens who are absolutely terrified of this bill passing. Thank you for your time.

Sincerely,

Logan Williams, daughter of Trooper Keller Williams and niece of Trooper

Chelsea Safford  
From: Garry Turgiss <gturgiss@comcast.net>

Sent: Friday, July 17, 2020 9:37 AM

To: Testimony HWM Judiciary (HOU)

Subject: Testimony for Bill S.2820

Attachments: Bill\_S.2800.eml

Importance: High

As your constituent, I write to you to express my strong opposition to many parts of the recently passed S.2820. Attached is a letter expressing my views in regards to qualified immunity as it pertains toward police, which I have emailed to Senator Julian Cyr. I am equally concerned about the further expansion of this legislation targeting the fundamental protections of due process.

(1) Due Process for all police officers: Stripping police officers of any due process of law negates everything the justice system represents. The legislature cannot deem rights that are granted to all citizens be forfeit to others simply for choosing the profession of law enforcement. Full protections of the law which are afforded to all people through the US Constitution and the Constitution of Massachusetts cannot be viewed as annoyances and impediments to be ignored or discarded simply because they may become inconvenient in an unknown future disciplinary action.

(2) Qualified Immunity: As I expressed in my email to Senator Julian Cyr (see attached file) with regard to qualified immunity towards police, qualified immunity is a necessity for law enforcement professionals. Any stoppage of the freedom of movement by a police officer is considered an arrest, from a motor vehicle stop to actually placing a person in custody (for any arrest-able offense). If any court decision is found in favor of the defendant (from not responsible to not guilty), then the officer who stopped that person is now guilty of violating that persons rights and can be subject to a civil action against him/her. Qualified immunity IS NOT absolute immunity. Officers can still face civil litigation for violating peoples rights. Officers can still face criminal charges for violations of the law. Qualified immunity doesn't protect an officer from either of the these. Qualified immunity protects municipalities and officers from frivolous and vexatious lawsuits. As stated in my email to Sen. Cyr, the repercussions of eliminating qualified immunity is unfathomable; from the loss of



existing police officers to the inability to recruit qualified replacements. It is unconscionable to put police officers in a position to be afraid of losing their reputation, job, pension, property and face financial ruin for correctly and professionally performing the job demanded of them by the municipality for which they work. Lastly, all the other municipal professions in the public field that rely on qualified immunity for protection (corrections officers, fire fighters, EMT's) will face this same dilemma. It is the job and responsibility of the State Senators and Representatives to protect the people who serve the public.

(3) POSA committee: The POSA committee must include police officers. Law enforcement is not an abstract that one can assume knowledge of. Law enforcement requires vast amounts of academic study of state law, federal law, criminal procedure, practical applications, as well as the appropriate use of force. Along with departmental policy, departmental rules and regulations and many other aspects, a person must know Massachusetts training standards. Knowledge of the U.S. Constitution and the Constitution of Massachusetts is needed as well. Placing persons without expert knowledge in a position where they have the power to terminate the employment of a police officer is a miscarriage of responsibility, due process and justice. Police officers must be on this committee to provide expert knowledge in the field of law enforcement.

I repeat to you all my closing to Senator Cyr. Sir, I beseech you, please remember the officer's you want to sanction are the same one's you called hero's when the marathon was bombed. We are the same one's who kept our cities from becoming conflagrations and restored order when businesses were looted just last month. When other cities were out of control, the law enforcement professionals of this state kept not just order, but peace. We no longer feel we have the support of the Legislature. To do our jobs we have to have the ability to do so without fear or threat of being sued for enforcing the laws of the Commonwealth.

We feel abandoned by the people who charge us with performing a duty and attacked by the very people we protect. Having legislature brought against the police as a punitive action based on the behavior of an officer's actions in another state is reprehensible. We are not any of these things that are screamed into our faces.

Have the courage to stand by us. We are honorable, hard working and professional. We deserve the right to work without fear of losing our financial future.

Thank you,

Garry Turgiss

94 Fleetwood Path  
Marstons Mills, Ma. 02648  
GTurgiss@comcast.net

From: Nat Mele <nmele5671@icloud.com>  
Sent: Thursday, July 16, 2020 4:55 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill 2820  
Attachments: image0.jpeg; image1.jpeg; ATT00001.txt

To the judiciary Committee on the public hearing on bill S2800 and S2820. Here are the facts on what's going to happen if QI and due process are eliminated. What the senate passed was a slap in the face to all the men and women that wear the uniform in the Commonwealth. Here in Commonwealth I believe that the men and women do a fantastic job in policing. I would hope that what happen thousands miles away ( Minnesota) would not be a rushed judgement on this issue. QI and due process would not just effect police officers. It would effect a number of government jobs stated below. I understand that change is need in certain areas. But not in QI and due process.

I hope you take a hard look at what the police do in the commonwealth and what a great job they do!

Thank you,  
Nat Mele.

From: McGinn, Edward <McGinnE@worcesterma.gov>  
Sent: Thursday, July 16, 2020 3:42 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: S2820 Citizen Testimony  
Attachments: Edward J McGinn Jr.vcf

Dear Honorable State Representatives of the Commonwealth of Massachusetts:

From the outset, I wish to thank you for providing us the opportunity for input into this enormous and vital piece of legislation. I firmly believe that legislation of this importance and with its far reaching affects, needs to be contemplated fully and should allow the input of stakeholders and members of the public general. The middle-of-the night, 11th hour deliberations with zero public input represented a shocking demonstration of government at its worst. I respectfully commend this body for allowing the input of those who will be most affected by this landmark legislation.

Senate Bill #2800, in the form that it was secretly enacted outside the purview of the public is not only anti-police it is decidedly anti-labor. It is malicious and is intended to punish police officers for the sins of criminals masquerading as cops thousands of miles away. The police officers serving within the Commonwealth and particularly within my department, are a cut above and do not deserve this pejorative treatment. As currently written, the bill removes qualified immunity, strips police officers of due process procedures, and negates civil service collective bargaining gains that these officers have bargained for for years. In sum, it is punitive and destructive of the high quality of policing that the citizens of this Commonwealth enjoy.

I am a 35 years veteran of the Worcester Police Department and have risen through the ranks to the position of Deputy Chief of Police and have been so positioned for over 10 years now. That said, I believe that I am a considerable stakeholder and can properly "weigh-in" in this debate.

In the interest of your valuable time, I shall be concise and to the point in my requests:

**Qualified Immunity:** The doctrine of QI as it is currently in operation protects police officers and other public officials in situations where the law is unclear and does not give them adequate guidance. It DOES NOT PROTECT incompetent or officers or public officials acting intentionally in an unlawful way. Abolishing QI will have tremendous negative and unintended consequences for all Massachusetts citizens to include the police and public employees. I respectfully submit that QI as is currently stands, has NEVER served to protect incompetent officers or public employees or where those that have acted in an intentionally wrongful way. This proposal is nothing short of vindictive, is anti-police, anti-labor and will serve to harm officers and public employees where they act in good faith in the course of their duties.

**Due Process/Collective Bargaining:** Portions of this proposed bill serve to negate and erode the bargained-for and legislated gains of police officers individually and collectively by their unions have acquired insofar as due process and civil service protections. The so-called POSAC Committee will have the authority to deprive an officer (and by extension his family) of his career and livelihood by virtue of tribunals of POSAC board members where decisions may be rendered by simple majorities of hand selected members. By contrast, criminal defendants at court for the most minor and simplest of charges have their fates decided by juries where the decision must be unanimous and to a standard that well exceeds that of the POSAC board. I respectfully assert that the stakes of an officer losing his livelihood often trump that of criminal defendants facing the most minuscule of criminal charges. Accordingly, the decisions

of this boards needs to be unanimous and to the standard of surety beyond a reasonable doubt.

Make up the POSAC Board: The proposed bill goes a long way to describe the make-up of the POSAC Board insofar as race and other situational characteristics. Nowhere in this proposal are listed the qualifications of the Board. Knowledge of police operations, procedural law, use of force expertise, are not at all mentioned, nor is the need for impeccable judgement. I do certainly "get" and respect the need for diverse representation, but so-called "box-checking" should only take place AFTER the bona fide qualifications inherent in this important Board are attained insofar as background, skill set and judgement. Physicians, lawyers and virtually all other professional groups are governed by those with the respective professional qualifications they sit in judgement of. The work of police officers is very often captured in split second decisions of life and death situations. It is only fair that the 20:20 hindsight evaluation of an officer's actions be conducted and evaluated by persons who have operated under these intense conditions.

I respectfully ask that this bill be voted down or at the very least, the aforementioned elements be amended significantly.

Very truly yours,

Dep. Chief Edward J. McGinn, Jr.

From: Lacoste, Jena <jrlacoste@mail.roanoke.edu>  
Sent: Thursday, July 16, 2020 3:31 PM  
To: Testimony HWM Judiciary (HOU)  
Cc: jbrown@town.dennis.ma.us  
Subject: Testimony for s2820 formally 2800  
Attachments: DC7A21AA-D255-4446-A652-240842B87FE2.jpeg

Good afternoon

My name is Jena Brown and I am the proud wife of a Dennis police officer who also happens to be a combat veteran serving two tours for this country as well as responding for Hurricane Katrina, and the ice storm in western Massachusetts here at home. To this very moment he continues to serve his community daily, it is not something he takes lightly, or with little regard nor is it something that stops once he

takes his uniform off and comes home to us. My husband bleeds blue for the job, he loves being able to help people, offer advice and make the communities we ALL live in a better, safer place. His brothers and sisters in a blue are like family to us all, he stands by them and supports them through every call, every arrest and every hateful, hurtful remark from the public. He upholds his oath that he took and he does it with respect for EVERY SINGLE HUMAN BEING HE COMES IN CONTACT WITH.

Just over two years ago I watched our governor, representatives and senators stand at Sgt Sean Gannon's funeral and vow to support our police officers, offer more training, make benefits better and to make sure they knew at least in the state of Massachusetts they were valued and supported. Two months later we watched it AGAIN for Sgt Michael Chesna. Thousands of police officers from around the country were present both of those days to honor two men who gave their lives trying to keep our communities safe (both of who's murderers have not been brought to trial YET, but i digress). They heard you all talk about how you would support and stand for our officers. their families heard it, their CHILDREN AND WIVES heard IT. Every house i passed had a blue light on it, or a blue line flag or sticker on their cars, departments were actually turning away food because it was so abundant, meals were comped for officers and their families everywhere they went. JUST OVER TWO YEARS AGO EVERYONE LOVED law enforcement, valued what they did and who they were. They were said to be some of the best and Thank you's were being said constantly. How soon we forget. Forgotten they have for two years almost to the day that Sgt Michael Chesna was horrifically murdered, the massachusetts state senate in the early morning hours, without ANY input from those most affected, no public hearing, a rush to judgement, a rush to create a 70 page bill was passed, forever changing the way in which police and emergency personnel can do their job safely, efficiently, and proactively.

Most of the responses we have received when questioning this bill which directly affects our families were "we were misinformed", "85% of the bill was agreed on but 15% which held the most controversial issues was not but in the end that was not enough to hold the bill", and my personal favorite "this bill although bad in language will help systematic racism." I have watched Senator Fattman's speech on the senate floor, and it brings tears to my eyes every single time i watch it. His passion and support for law enforcement, and their families while also understanding the racial problems our communities face was heart warming and so very needed. If you pass this bill you can be certain that a mass exodus of police will take place, and make no mistake it will be the " good ones" that leave. The oath they take will no longer have the meaning to them as they are not protected or supported from those they should be. I would not be able to have my husband, my heart walk out the door to a job that he cannot do to the best of his abilities without constant fear of retaliation. He has saved more lives of all ages during his eight years with dennis than any of us ever will in a lifetime, and yet this bill ties his hands to be able to perform in the way he best knows how... to PROTECT AND SERVE. My children watch their dad leave every day to go to a thankless , stressful, heart wrenching job , they kiss him goodbye, hug him, always tell him to "be safe and i love you" at the very young ages of 6,7 and 2 they understand how important that last hug and i love you

is. They understand it could be their last. They are proud of the man their daddy is, the way he treat so people, the respect he gives people, they stood tall and proud at a "back the blue" rally as people screamed swears at them and flipped them off, simply because they wanted to show support for their dad. This bill only allows those swears and vulgar actions to ring true.

I watched recently as eight new graduates became full time officers at Falmouth Police department my heart broke for them, the excitement in their eyes, the pride they felt as they were about to step out in their communities for the first time ready to put in to practice what they had learned over the last 6 months. My heart broke as this bill passed on the senate essentially sending these new, excited, and hopeful officers into the fire without protection from those very people they are trying to help. Taking away qualified immunity from our officers who leave their families day after day to do their jobs is absolutely atrocious. To think you expect them to perform higher than they do now, without more training, more support, more officers to work shifts and lower call volume while simultaneously taking away their protection makes absolutely NO SENSE AT ALL. Would you work in conditions such as that? Would you want to work in a place where you make a law and get sued for doing your VERY job asked of you? I highly doubt it. At a time when phrases such as "defund the police" and " All Cops Are Bad" is plastered all over signs, social media, the news, and usually with almost every interaction they come across lately, I would like to think our highest ranking officials in massachusetts would not echo that sentiment by creating a bill such as ma s2800. I sincerely that you read this all, that something i said makes you think twice about the current police reform bill. I also hope that you LISTEN to the concerns from those affected most with the outcome of this bill. If possible offer a seat at the table for the law enforcement community, the community agencies of color, law enforcement families, I for one would LOVE to sit and create a reform bill that helps ALL members of our community the safest, and most productive way possible. giving the communities who desire change, and wish for a seat at the table to talk should be accepted. Make this a bill we can all go to bed at night and know we did not rush it but instead had patience, knowledge, correct data, and understanding of the actual issues creating racism in our communities. Blaming one profession is easy, because you don't have to look at yourself, it's a finger point a judgement but it's wrong. Creating a bill with training, mental health, support and building or strengthening community relationships is what is needed, the current bill will only drive communities further apart and leave them defenseless because when the " watchers of night are no longer darkness has no keepers". I do not envy your job, the pressure involved i only ask that you treat this bill as if it was YOUR family at stake. Thank you for your time, should you have any further questions or wish to talk I am always available 508-280-8209. i attaches a picture of our hero and the kids so when you sit on the House floor you picture our officers as dads, brothers, husbands, mothers, sisters and most basic as human beings and not replaceable robots.

God Bless

with love and gratitude

A proud police wife and blue line support Jena Brown

From: Steve Kropper <steve@kropper.com>

Sent: Thursday, July 16, 2020 2:59 PM

To: Testimony HWM Judiciary (HOU)

Cc: Brownsberger, William (SEN); Friedman, Cindy (SEN); Stanley, Thomas - Rep. (HOU); Barrett, Mike (SEN); Garballey, Sean - Rep. (HOU)

Subject: Testimony re S.2820 - a cautious timely step

Attachments: steve.vcf

Dear Rep. Cronin and Rep. Michlewitz,

I support S.2820, the Senate's recently passed police reform bill. I urge quick House support of similar legislation, advancing through the conference committee for execution by Governor Baker near the end of July.

As a member of the International Association of Chief's of Police, I recognize this as a watershed moment when reform is essential to maintain public confidence in law enforcement. The status quo is not sustainable in the public eye, and ultimately policing stands or falls based on public trust and respect. Without reform, policing is at risk.

The Senate bill is cautious. It creates a state-wide certification board and state-wide training standards, limit the use of force, establishes a duty to intervene if an officer witnesses misconduct, bans racial profiling, mandates collection of racial data, sets civilian approval to buy military equipment, prohibits NDA in misconduct cases, and for the first time allows for outside State Police lead.

Devolving SRO deployment decisions to local Superintendents of Schools (not the state) is another appropriate and important provision.

Changes to qualified immunity are also modest. This bill maintains qualified immunity for sworn officers for reasonable behavior, with continued indemnification by tax-payers. Police officers would no longer be immune to prosecution for egregious misconduct.

Lets get this done by the end of July.

Steve Kropper

International Association of Chief's of Police member

617 306 9312 steve@kropper.com

60 Weston Road Box 6338 Lincoln, MA 01773

From: Shannon Reilly <reilly.sh@northeastern.edu>

Sent: Thursday, July 16, 2020 1:47 PM  
To: Testimony HWM Judiciary (HOU)  
Subject: Supporting the Reform, Shift + Build Act (S.2800)

Hello,

I am a resident of Boston, MA and I unequivocally support the Reform, Shift + Build Act (S.2800).

Massachusetts has always been on the forefront of states passing legislation to support the people that live here and we've never shied away from decisions that seemed radical at the time. I have always been proud of - and bragged about - MA being the first state to legalize gay marriage, and I hope to see us continue to make the right choices ahead of the curve and set the standard for the rest of the country to follow. It's time to eliminate qualified immunity, ban chokeholds, reallocate state funds to communities disproportionately impacted by the criminal justice system, and allow the Mass AG to file lawsuits against discriminatory police departments. I hope to see this legislation pass so I can continue to be a proud resident.

Thank you,

Shannon

From: Rick Rindels <policechief@townofgranville.org>

Sent: Friday, July 17, 2020 11:40 AM

To: Testimony HWM Judiciary (HOU)

Subject: FW: Qualified Immunity

From: Rick Rindels

Sent: Friday, July 17, 2020 9:05 AM

To: HWMJudiciary@mahouse.gov

Subject: Qualified Immunity

Dear Chair Aaron Michlewitz and Chair Claire Cronin,

Please accept the following testimony with regard to SB2820 - an act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color.

I writing to you in regards to the proposed changes in "Qualified Immunity" for police officers. I have been a police officer for approximately twenty two years, and a police chief for approximately one



and a half years. I'm sure you are aware, I am not alone in my serious concerns over this subject. In my opinion, the senate was very quick in making a decision on this matter, without doing their homework, and without giving any regards to the burden it would place on police officers and their families, as well as the municipalities they work for. The Massachusetts senate never seems to be on the side of law enforcement, and in my opinion, acted too quickly on this matter, simply to answer the demands of these protestors and activists without thinking this through. My hope is that the house will seriously consider the ramifications this will cause, should these changes to qualified immunity be allowed to pass. As you know, qualified immunity has never served to protect the illegal actions of police officers. It is meant to give officers a layer of protection when they act in good faith, and truly believe in their hearts they are doing the right thing when performing their jobs. Police officers, in the course of their duties, very often have to make split second decisions. To now have to be concerned that they may lose everything they have worked for, just for merely answering a call for service, is just plain wrong on so many levels. This is going to force officers to second guess every decision they make when they encounter these difficult and sometimes violent situations for fear of losing their careers, and possibly their homes. Abolishing or amending qualified immunity will most definitely have a negative impact on not only police, but all public employees, courts, and citizens as well. Another serious concern should be the financial impact this will have on cities and towns. The lawsuits that will result from this change will cripple municipalities financially. To punish all Massachusetts police officers for the negative actions of a few police officers in other parts of the country is quite frankly unfair, and unreasonable. If this is allowed to pass, you will see a major negative change in the way policing is performed on a daily basis. Police officers will have to worry that any day could be their last day on the job if they know they aren't protected by qualified immunity. How can you expect a police officer to perform his job with enthusiasm, without the worry of being terminated or possibly sued for simply just doing his job. My hope is that you will give this serious consideration for the good of all concerned.

Respectfully,

Chief Rick Rindels

Granville Police Department

707 Main Road

Granville, MA 01034

Phone: 413-455-5585

Email: [policechief@townofgranville.org](mailto:policechief@townofgranville.org)  
<<mailto:policechief@townofgranville.org>>

Fax: 413-357-8819

From: Alba Oliver <aoliver@empathways.org>  
Sent: Friday, July 17, 2020 11:40 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: S.2820 An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color

Hi,

My name is Alba Oliver and I live, vote, and work in Brighton. Thank you Chair Cronin and Chair Michlewitz for your time.

This bill would Ban chokeholds, Requires racial bias training, Limits militarization, Adds certification of police officers, Makes changes to qualified immunity and the bill must be passed in its strongest possible form to save lives, advance civil rights, and safeguard liberties."

This bill would needs to pass because I have close friends and as a Latina, and person of color, I have witnessed how my boyfriend has been racially profiled and how police has used forced to unnecessarily restrained him while he had been complaint. I have witnessed on numerous occasions how police use force and target minoritized folks and arrest them. This bill needs to pass to assure that our civil rights are being counted and taken into consideration. This bill will make changes on qualified immunities and I believe it would hold police accountable. This bill will require racial bias trainings and I believe racial profiling would decrease tremendously and we will have a more just criminal system.

The US Census shows that White people make up the majority of population in the U.S and yet people of color are still disproportionately killed by police. Black people are three times more like to be killed and 1.3 times more likely to be unarmed when killed. Boston is no different. Black people are disproportionately killed by police

Thank you again Chair Cronin and Chair Michlewitz for your time and I am asking you to give this bill a favorable report and offer your support to see this bill become law in Massachusetts.

Sincerely,

Alba Oliver / Stabilization Mentor

O: 857.559.2125 / C: 857.324.2116

aoliver@empathways.org <mailto:aoliver@empathways.org>

EMPath - Economic Mobility Pathways

10 Perthshire Road, Brighton, MA 02135

www.empathways.org <https://urldefense.proofpoint.com/v2/url?u=http-3A\_\_www.empathways.org\_&d=DwMFAG&c=1DF7oMaPKXpkYvev9V-fVahWL0QWnGCCAfCDz1Bns\_w&r=uoevGInjCfTlguYncQubxpi5R6db\_gq1YmKr0SCk2EnIiu k13zIs16rchf\_GkGDD&m=dWz27w7XO7JTrwW5Hqhz0aESweUxELXVVwmau3A\_lMk&s=0cSolo zkHEPrdh3m1Lb1nm19SN-X6qS-1SRJq98U2LQ&e=>

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From: Lidiya Bensman <bensman@gmail.com>  
Sent: Friday, July 17, 2020 11:44 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: URGENT. PLEASE HELP POLICE!!!

It came to my attention that last night the MA Senate passed the bill to end qualified immunity for police officers. I am appalled that the legislature of such importance was passed without a public hearing.

The very idea that such a thing as removing qualified immunity from police can be seriously proposed, let alone voted for 30 to 7, seemed totally absurd just a few months ago. Qualified immunity of elected officials and members of the law enforcement community is the bedrock principle of any government. Without it, no government institution would be able to function. And policemen, due to the very nature of their work, are the most vulnerable group.

This shameful legislation is unfair, immoral, and harmful to the extreme, especially to the people of color, whom it's supposedly designed to help - this group needs strong law enforcement and police protection more than anybody. By taking away qualified immunity from police the Commonwealth of Massachusetts essentially declares itself non-governable territory. Scores of policemen will retire, which is already happening. And nobody will be interested in joining the police force - the group that not only is unjustly vilified but now even deprived of any legislative protection.

A horrible death happened in Minnesota and everybody condemned it. But why the whole profession of policemen is punished for that? I talked to Brookline police and there has been not a single incident of police brutality for the years of existence of Brookline police. Massachusetts police in general is an exemplary organization. Why are you in such a hurry of changing the law? This new law will harm not only police but the whole population of Massachusetts.

In the strongest possible terms, I urge you to keep qualified immunity for MA police officers intact.

Lidiya Bensman

225 Waverley Ave

Newton , MA

From: Ethan Setnik <esetnik@gmail.com>

Sent: Friday, July 17, 2020 11:44 AM

To: Testimony HWM Judiciary (HOU)

Subject: S.2820

Dear Chair Michlewitz, Chair Cronin, and members of the House Ways & Means and Judiciary Committees,

I'm writing in favor of S.2820, to bring badly needed reform to our criminal justice system. I urge you to work as swiftly as possible to pass this bill into law and strengthen it.

I believe the final bill should eliminate qualified immunity (a loophole which prevents holding police accountable), introduce strong standards for decertifying problem officers, and completely ban tear gas, chokeholds, and no knock raids like the one that killed Breonna Taylor.

Ethan Setnik  
Somerville, MA

From: Carly Levy <carly.r.levy@gmail.com>  
Sent: Friday, July 17, 2020 11:41 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Bill S. 2800

Chairman Michlewitz and Chairwoman Cronin, Massachusetts can take a bold step towards ending systemic racism in policing by passing S. 2820, An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color. We need strong use of force guidelines for police in Massachusetts, public records of police misconduct, a duty to intervene policy, and bans on no-knock warrants, choke holds, tear gas, and other chemical weapons. Please pass a bill that includes each of these critical reforms.

Carly Levy  
88 Spring Street Pembroke, MA 02359  
From: Daniel Phan <phan.daniell1@gmail.com>  
Sent: Friday, July 17, 2020 11:43 AM  
To: Testimony HWM Judiciary (HOU)  
Subject: Senate Police Reform Bill 2820

Massachusetts Senate,

I am writing this in regards to the Senate Police Reform Bill S2820 for resisting any changes in qualified immunity which will have negative interference on a police officer while he or she is conducting their duties of saving life or stopping a crime from happening.

This police reform bill will have officers second guessing themselves while conducting their duties under extreme stressful conditions. This is very dangerous for police officers and as well for the public because they will not be confident of their duties and hesitant of upholding their position to protect and serve the community.

Therefore, people who are victims of violence or crimes will lose their confidence in the police to protect them from harm's way. The public will believe that police officers will not be performing their jobs at their highest capacity. This will be extremely dangerous for people who are

mentally or physically vulnerable and they rely on law enforcement to keep them safe.

This bill will also jeopardize a police officer's livelihood because when they are performing their duties they have the worrisome of being sued individually by a person. When those possibilities arise their families who care for them or rely on them for financial, mental, or physical support will greatly be negatively impacted.

I write this letter again to not support the Senate Police Reform Bill 2820 that will be unsafe for the public and restricts officers from serving their community at their highest potential. This bill must not change for the safety of our community. Thank you.

Respectfully,

Daniel Phan

From: Allison Schmidt <missallisonschmidt@gmail.com>

Sent: Friday, July 17, 2020 11:31 AM

To: Testimony HWM Judiciary (HOU)

Subject: Pass a Strong Police Accountability Bill with Key Provisions from S.2820

Dear Chairs HWM & Judiciary,

I urge you to pass legislation that establishes real oversight and accountability for police.

Our law enforcement system is rife with systemic racism that manifests in poignant police murders of unarmed black people, brutality and excessive use of force, unlawful arrests, and unnecessary police contact. The House of Representatives and Senate should ultimately pass a bill that ends qualified immunity in most instances, reduces and oversees police use of force, removes police from schools, expands juvenile expungement, and establishes funds to improve re-entry from incarceration.

The shielding of law enforcement from accountability for violating people's rights through qualified immunity is unacceptable and irresponsible. Police should be held to professionalism standards that limit misconduct similar to doctors or lawyers, who cannot commit malpractice with impunity. Additionally, we need to stop surveilling juveniles with police in schools, collect data, and let young people expunge records related to mistakes they made as a child. If we invest in communities of color and hold police accountable for their misuse of power, then we will have safer communities, less crime, and more respect for the justice system.

This is an urgent matter. Please pass a bill that includes at a minimum the provisions of the senate bill.

Sincerely,

Allison Schmidt  
121 Bridge St  
Salem, MA 01970

missallisonschmidt@gmail.com