



STATE HOUSE NEWS SERVICE

Black-Latino Caucus Mindful of Additions to Policing Bill

Caucus: Don't Lose Focus on Core Reforms

Matt Murphy 7/9/20 10:57 AM

JULY 9, 2020.....As the Senate prepared to debate a sweeping reform of policing in Massachusetts on Thursday, the head of the Black and Latino Legislative Caucus was urging Democratic leaders in the House and Senate and Gov. Charlie Baker to remain "focused and committed" to the the core reforms the caucus requested at the start of the conversation over how to address systemic racism in law enforcement.

Rep. Carlos Gonzalez, a Springfield Democrat and the chair of the Massachusetts Black and Latino Legislative Caucus, wrote a letter on Wednesday to Senate President Karen Spilka, House Speaker Robert DeLeo and Baker warning of the risks that come with efforts to expand the scope of the police reform bill.

Senate leaders on Monday introduced a wide-ranging bill that went well beyond the police credentialing and use of force rules that the caucus has been seeking, and plans to debate that legislation on Thursday afternoon.

Gonzalez's letter outlined the core principles that the caucus wants to see in a final bill, which likely needs to get to Baker's desk before the end of the month if it has any chance of becoming law this session.

The caucus's priorities include an independent oversight and investigatory body to hold police accountable, the creation of a Peace Officers Standards and Training system to certify law enforcement officers at all levels of government, clear guidelines on the use of force by police, including bans on chokeholds and shooting at anyone running away from police, a duty for police to intervene if they witness police misconduct, and the creation of a commission to review structural racism and a ban on facial recognition software.

"Our Caucus recognizes that we, you all included, are all receiving numerous requests to add additional provisions. While we may be supportive of some or parts of these requests, we find it necessary to explicitly reiterate that we are principally focused on the points above and see those points as the foundation and necessary baseline for any such bill," Gonzalez wrote in the letter, a copy of which was obtained by the News Service.

Gonzalez said members of his caucus "in no way discredit or reject" other policy requests, but sought the commitment of state leaders that the "original requests" made by the caucus would be the priority.

"The other requests being suggested are welcomed and we look forward to addressing them through the legislative process. Nonetheless, these initial core priorities should remain as the cornerstone of this legislation and of any conference committee," Gonzalez said.

Senate leaders outlined their bill on Monday, and one of the lead authors of the legislation, Sen. Sonia Chang-Diaz, said the provisions of the plan are meant to address three priorities: fighting racism, reducing the risk of police misconduct and "shifting from force and punishment to de-escalation and helping."

In addition to the certification system and limits on the use of force, the bill would also impose a temporary ban on facial recognition technology, codify the prohibition on racial profiling, eliminate a requirement that police officers be present in schools, and expand access to expungement for young adult offenses.

Senators filed 145 amendments ahead of Thursday's session, suggesting further restrictions on the use of tear gas and no-knock warrants, and proposing changes to the bill's language related to qualified immunity for law enforcement officers.

Police Reaction

The state's largest police union supports the certification of police officers, enhanced training for cops and a ban on the use of excessive force, including tactics like chokeholds, but the Massachusetts Coalition of Police said it is "strongly opposed" to the removal of qualified immunity for police from civil lawsuits.

"Police officers acting in good faith should not have to worry that any step they take could end in a lawsuit that takes their home and life saving," said Scott Hovsepien, president of the Massachusetts Coalition of Police.

The union weighed in this week on Beacon Hill's debate over policing reform ahead of the Senate debate.

The Senate bill is full of "important, necessary reforms," Hovsepien said, including a standardized accreditation process for all police departments. His mostly-supportive statement was made a day after the co-chairs of the Massachusetts Law Enforcement Policy Group called the Senate bill a "missed opportunity."

In contrast to the collaboration between police and the Massachusetts Black and Latino Legislative Caucus that led to agreements over the need to end chokeholds, establish a duty to intervene and to create an independent body to oversee and enforce the accreditation and certification of all law enforcement officials, leaders of MLEPG said the Senate pushed forward with other policy proposals without a public hearing.

The critique came from Lawrence Calderone, of the Boston Police Patrolman's Association, and John Nelson, from the Massachusetts Coalition of Police. The two men co-chair the MLEPG, which was formed to speak on behalf of police unions and other state law enforcement organizations on legislation and policy.

"Unfortunately, rather than focusing on thoughtfully and substantively improving police standards and training, the Senate hastily introduced unvetted legislation without a public hearing or open testimony," Calderone and Nelson said. "(The bill) seems more focused on making a political statement than on making sound, well reasoned and forward-thinking public policy."

The statement did not say specifically to what parts of the Senate bill they objected.

[Colin A. Young contributed to this report.]

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