



"The only Union for Law Enforcement Officers"

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July 29, 2020

Representative Claire Cronin
Representative Carlos Gonzalez
Representative Timothy Whalen
Senator Bruce Tarr
Senator Sonia Chang-Diaz
Senator William Brownsberger

Dear Conferees,

The Massachusetts Coalition of Police collaborated with the Boston Police Detectives Benevolent Society and the Massachusetts Association of Minority Law Enforcement Officers and we are in full support of the attached letter submitted to your committee regarding Police Reform.

There are a number of issues within these Police Reform bills that will directly harm the communities we have been sworn to protect. It is imperative that you strongly consider the negative impact that many of these proposals will have on the people who live in our communities.

We have attached the letter for your review and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Nelson", is written over the typed name.

John E. Nelson, Vice President
Chairperson of Legislative Affairs
Massachusetts Coalition of Police



Boston Police Detectives Benevolent Society



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Dear Conferees,

Your conference committee is addressing one of the most significant public safety bills in a long time. It will have lasting impact on the safety of the citizens of the commonwealth and the ability of law enforcement to properly perform their duties. With that said there are parts of both bills that need to be rethought with an open mind about fundamental fairness towards law enforcement personnel and their ability to provide the public safety our citizens deserve. We want to alert you to potential untended consequences from the bills raised by our members before you take action which could jeopardize both of these important priorities.

What started out as a 14 page bill from the Governor which was developed from approximately a year of discussions with the administration working with the Black and Latino Legislative Caucus and the various police chiefs to improve law enforcement standards, training and performance by creating a professional board/commission similar to the 160+ other professional boards/commissions in the commonwealth and restricting certain dangerous use of force techniques including choke holds has morphed into a couple of bills which are both over 100 pages in length and which our members strongly feel are vindictive and punitive against law enforcement. In addition, and most importantly, the new bills create the most dangerous public safety legislation in the country.

The hurried legislative micromanagement of public safety as memorialized in these bills exhibits a reckless disregard for the safety of our citizens, particularly the most vulnerable and those in the communities which most need public safety. The bills, either intentionally or unintentionally, have each become "An Act Protecting Drug dealers, Gangbangers, Human Traffickers, Child Predators and Terrorists". Cloaked, primarily, with the false narrative that police officers can't be sued because of qualified immunity and that universally accepted public safety protocols such as "no knock" warrants,

advanced technology, necessary safe restraint techniques and vigilance and reporting on suspected gang activity are regularly abused and constitute invasions of privacy the House and Senate have proposed legislation which will make Massachusetts the laughing stock of the nation when it comes to public safety.

To support changing qualified immunity, they use the fallacious argument that "we have to protect the "victims" who can't get their use of force case before a judge or jury" even though there were at most were a handful of such cases in the past couple of decades. They raise other arguments which were misleading, half-truths or outright lies and backed up by anecdotal tales to justify voting for a measure which will create tens of thousands of real victims of increased crime, violence and death.

While the proponents of their legislation continually say they want equal and fair treatment as well as due process for all citizens in the workplace they strip it away from police officers. While the proponents of this legislation say they respect collective bargaining rights for all workers they strip them away from police officers. While the proponents of this legislation say they want to protect all our citizens from the scourge of drugs, violence and human trafficking they strip away the ability of law enforcement to adequately provide it.

When this legislation was first proposed all of law enforcement announced their support of its core principles of better training, statewide standards and protocols for law enforcement, the restricting of dangerous use of force techniques except when the life of a citizen or a police officer was in danger, the certification of law enforcement and ,yes, the decertification of bad police officers. (See joint statements attached).

The proposed concepts were thoughtful and reasonable and would help make law enforcement better and our citizens safer. You as well as the hard-core activists and Black and Latino caucus members specifically said treat police like barbers, dentists, nurses, plumbers etc. Those professions and virtually every other one in the commonwealth have standards and regulations set by a board/commission comprised of their peers and other individuals who have appropriate knowledge and experience in the field along with a couple of community members. Law enforcement agreed. What did we get? Boards dominated by individuals who are not required to have even the most basic knowledge or experience in the field of law enforcement and in fact represent groups with a publicly stated bias against law enforcement and law enforcement personnel. A construct such as this which will pass judgment on whether or not a police officer may continue in his or her profession can only be described as unjust and outrageous. A construct such as this which will develop public safety protocols for law enforcement can only be described as a joke and a slap in the face of the citizens of the commonwealth.

Also, there was no discussion, then, concerning qualified immunity probably because change would not be needed if there were uniform statewide standards in place and use of force was outlawed. What did the legislature do with qualified immunity? They came up with confused and unnecessary proposals that will have significant unintended consequences such as increasing costs to the commonwealth and the municipalities by tens of millions of dollars and the proliferation of frivolous lawsuits. It is so bad and confusing that the Mass Municipal Association and the police and fire unions agreed on an issue, for probably the first time in decades, that changing it is a bad idea and if anything is done it should only happen after the issue is thoroughly reviewed by legal experts.

The firefighters and medical professionals have also pointed out the dangers and examples of unintended consequences to the public from the rushed legislation which went so far off track from its original intent. (for medical examples see attached)

What can be done now? The conferees must follow the original plan and report a bill that addresses the issue of police reform through training and certification by a knowledgeable and professional board with no preexisting biases towards law enforcement. A proposal that recognizes due process. A proposal that restricts the use of force except when the life of a citizen or police officer is in danger. And most of all a proposal that protects not endangers the safety of all our citizens.

The Massachusetts Coalition of Police and Massachusetts Association of Minority Law Enforcement Officers join in this letter with us.

Donald Caisey, President
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Eddy Chrispin , President
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Scott A. Hovepian, President
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