

Qualified immunity a sticking point in Senate's police reform bill

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State senators postponed a much-anticipated vote on a sweeping police reform package Thursday after pushback from police unions over the bill's bid to end qualified immunity and allow officers to be held personally liable for misconduct on the job.

“The reforms contained in this bill are wide-reaching. Many focus on reducing misconduct, police brutality and discrimination,” state Sen. Sonia Chang-Diaz said on the Senate floor.

Senate Democrats are seeking to fast-track the bill filed earlier this week, building on the momentum of a wave of national protests triggered by the Memorial Day killing of George Floyd by Minneapolis Police.

With barely three weeks remaining in the legislative session, the bill must gain the approval of both branches before heading to the governor's desk. The Senate will reconvene Friday at 10 a.m.



Chang-Diaz — the sole member of the state’s Black and Latino caucus currently serving in the Senate — said the bill is “one step” toward erasing the “racial injustices that permeate every aspect of our lives.”

The bill would create a civilian-led board to oversee the state’s first-ever certification system for police officers and allow for suspension or decertification of officers who commit acts of misconduct. It would ban chokeholds, limit crowd-control tactics and require officers to step up against brutality.

It would also put an end to the concept of qualified immunity which has until now enabled police officers to avoid personal responsibility for misconduct on the job — something the state’s police unions are railing against.

The president of the state’s largest police union said he “strongly opposes” the removal of qualified immunity, which he called “basic protections.”

The statement issued this week by Scott Hovsepian of the Massachusetts Coalition of Police also threw the union’s support behind the bill’s other “important, necessary reforms.”

A statement from the Massachusetts Law Enforcement Policy Group called the bill a “missed opportunity.”

Lawrence Calderone of the Boston Police Patrolman’s Association and John Nelson of the Massachusetts Coalition of Police, accused senators of pushing forth an unvested bill, “focused on making a political statement.”

Debate on the bill spilled into the early evening as senators waded through 123 amendments and Republicans and Democrats hashed out compromises on some of the tenets of the legislation. Minority Leader Bruce Tarr vowed not to allow the bill to “undermine or diminish” the ability of police to do their jobs.

As the debate lingered into the late afternoon, the American Civil Liberties Union sent an “urgent” plea to supporters of the reform packages, saying on Twitter “URGENT: the police are calling the MA senate nonstop telling them to water down the bill on qualified immunity. This would be devastating for civil rights.”