

Comparison of SB2820 and SB2963

SECTION 1. Chapter 3 of the General Laws is hereby amended by adding the following ~~2-4~~ sections:

SECTION 72.

- (a) There shall be a permanent commission on the status of African Americans. The commission shall consist of: ~~3 persons appointed by the governor from a list of not less than 5 nominees provided by the New England Area Conference of the National Association for the Advancement of Colored People 3 persons appointed by the president of the senate from a list of not less than 5 nominees from the Massachusetts Black Latino Legislative Caucus 3 persons appointed by the speaker of the house of representatives from a list of not less than 5 nominees provided by the Massachusetts Black and Latino Legislative Caucus 1 person appointed by the minority leader of the senate from a list of not less than 5 nominees from the Massachusetts branches of the National Association for the Advancement of Colored People New England Area Conference and the Massachusetts Black and Latino Legislative Caucus and 1 person~~ 3 persons appointed by the minority leader president of the senate and 3 persons appointed by the speaker of the house of representatives from a list of not less than 5 nominees from the Massachusetts branches of the National Association for the Advancement of Colored People New England Area Conference and the Massachusetts Black and Latino Legislative Caucus. Members of the commission shall be residents of the commonwealth who have demonstrated a commitment to the African American community. Members shall be considered special state employees for purposes of chapter 268A.
- (b) ~~Members~~ A member of the commission shall serve terms ~~terms~~ a term of 3 years and until ~~their successors are~~ a successor is appointed. Vacancies in the membership of the commission shall be filled by the original appointing authority for the balance of the unexpired term.
- (c) The commission shall annually elect from among its members a chair, a vice chair, a treasurer and any other officers it considers necessary. The members of the commission shall receive no compensation for their services provided,

however, that members shall be reimbursed for any usual and customary expenses incurred in the performance of their duties.

(d) The commission shall be a resource to the commonwealth on issues affecting African Americans. It shall be a primary function of the commission to make policy recommendations, based on research and analysis, to the general court and executive agencies that: (i) ensure African Americans equitably benefit from and have access to government services in the same manner as other citizens of the commonwealth (ii) amend laws, policies and practices that have benefited citizens of the commonwealth to the exclusion of African Americans and (iii) promote solutions that address the impact of discrimination against African Americans. Further, the commission shall: (A) promote research and be a clearinghouse and source of information on issues pertaining to African Americans in the commonwealth (B) inform the public and leaders of business, education, human services, health care, judiciary, state and local governments and the media of the historical and current implications of systemic racism on the African American community across the commonwealth and the unique cultural, social, ethnic, economic and educational issues affecting African Americans in the commonwealth (C) serve as a liaison between government and private interest groups with regard to matters of unique interest and concern to African Americans in the commonwealth (D) identify and recommend qualified African Americans for appointive positions at all levels of government, including boards and commissions (E) assess programs and practices in all state agencies as they affect African Americans using a racial equity framework (F) advise executive agencies and the general court on the potential effect on African Americans of proposed legislation and regulations using a racial equity framework (G) monitor executive and legislative action purported to eliminate systemic racism for its impact on African Americans using a racial equity framework and (H) generally undertake activities designed to enable the commonwealth to realize the full benefit of the skills, talents and cultural heritage of African Americans in the commonwealth.

(e) Annually, not later than June 2, the commission shall report the results of its findings and activities of the preceding year and its recommendations to the governor and to the clerks of the ~~senate and~~ house of ~~representatives.~~ representatives and senate.

(f) The powers of the commission shall include, but not be limited to: (i) directing a staff to perform its duties (ii) holding regular, public meetings and

fact finding hearings and other public forums as necessary (iii) using the voluntary and uncompensated services of private individuals, agencies and organizations that may from time to time be offered and needed, including provision of meeting places and refreshments (iv) establishing and maintaining offices that it considers necessary, subject to appropriation (v) enacting by laws for its own governance (vi) ~~contract~~ contracting or ~~collaborate~~ collaborating with academic institutions, private sector consultants or other professionals for research and analysis and (vii) recommending policies and making recommendations to agencies and officers of the state and local subdivisions of government to effectuate the purposes of subsection (d).

(g) The commission may request information and assistance from state agencies as the commission requires.

(h) The commission may accept and solicit funds, including any gifts, donations, grants or bequests or any federal funds for any of the purposes of this section. The commission shall receive settlement funds payable to the commonwealth related to matters involving racial discrimination or other bias toward African Americans provided, that the attorney general shall deposit any such settlement funds into the separate account with the state treasurer provided, however, that the commission shall not receive more than 2,000,000 in settlement funds in any single fiscal year or cumulatively more than 2,500,000 in settlement funds in any period of 5 fiscal years. Funds received under this subsection shall be deposited in a separate account with the state treasurer, received by the treasurer on behalf of the commonwealth and expended by the commission in accordance with law.

(i) The commission staff shall consist of an executive director, employees, consultants and unpaid volunteers who assist the commission in effectuating its statutory duties. The commission shall appoint the executive director for a term of 3 years.

SECTION 73.

(a) There shall be a permanent commission on the status of Latinos and Latinas. The commission shall consist of: 3 persons appointed by the governor from a list of not less than 5 nominees provided by gateway municipalities as defined in section 3A of chapter 23A where 40 per cent or more of the population are Latinos and Latinas 3 persons appointed by the president of the senate and 3 persons appointed by the speaker of the house of representatives from a list of

not less than 5 nominees provided by the Massachusetts Black and Latino Legislative Caucus. Members of the commission shall be residents of the commonwealth who have demonstrated a commitment to the Latino and Latina community. Members shall be considered special state employees for purposes of chapter 268A.

(b) A member of the commission shall serve a term of 3 years and until a successor is appointed. Vacancies in the membership of the commission shall be filled by the original appointing authority for the balance of the unexpired term.

(c) The commission shall annually elect from among its members a chair, a vice chair, a treasurer and any other officers it considers necessary. The members of the commission shall receive no compensation for their services provided however, that members shall be reimbursed for any usual and customary expenses incurred in the performance of their duties.

(d) The commission shall be a resource to the commonwealth on issues affecting Latinos and Latinas. It shall be a primary function of the commission to make policy recommendations, based on research and analysis, to the general court and executive agencies that: (i) ensure Latinos and Latinas equitably benefit from and have access to government services in the same manner as other citizens of the commonwealth (ii) amend laws, policies and practices that have benefited citizens of the commonwealth to the exclusion of Latinos and Latinas and (iii) promote solutions that address the impact of discrimination against Latinos and Latinas. Further, the commission shall: (A) promote research and be a clearinghouse and source of information on issues pertaining to Latinos and Latinas in the commonwealth (B) inform the public and leaders of business, education, human services, health care, judiciary, state and local governments and the media of the historical and current implications of systemic racism on the Latino and Latina community across the commonwealth and the unique cultural, social, ethnic, economic and educational issues affecting Latinos and Latinas in the commonwealth (C) serve as a liaison between government and private interest groups with regard to matters of unique interest and concern to Latinos and Latinas in the commonwealth (D) identify and recommend qualified Latinos and Latinas for appointive positions at all levels of government, including boards and commissions (E) assess programs and practices in all state agencies as they affect Latinos and Latinas using a racial equity framework (F) advise executive agencies and the general court on the potential effect on Latinos and Latinas of proposed legislation and

regulations using a racial equity framework (G) monitor executive and legislative action purported to eliminate systemic racism for its impact on Latinos and Latinas using a racial equity framework and (H) generally undertake activities designed to enable the commonwealth to realize the full benefit of the skills, talents and cultural heritage of Latinos and Latinas in the commonwealth.

(e) Annually, not later than June 2, the commission shall report the results of its findings and activities of the preceding year and its recommendations to the governor and to the clerks of the house of representatives and senate .

(f) The powers of the commission shall include, but not be limited to: (i) directing a staff to perform its duties (ii) holding regular, public meetings and fact finding hearings and other public forums as necessary (iii) using the voluntary and uncompensated services of private individuals, agencies and organizations that may from time to time be offered and needed, including provision of meeting places and refreshments (iv) establishing and maintaining offices that it considers necessary, subject to appropriation (v) enacting by laws for its own governance (vi) contracting or collaborating with academic institutions, private sector consultants or other professionals for research and analysis and (vii) recommending policies and making recommendations to agencies and officers of the state and local subdivisions of government to effectuate the purposes of subsection (d).

(g) The commission may request information and assistance from state agencies as the commission requires.

(h) The commission may accept and solicit funds, including any gifts, donations, grants or bequests or any federal funds for any of the purposes of this section. The commission shall receive settlement funds payable to the commonwealth related to matters involving racial discrimination or other bias toward Latinos and Latinas provided, that the attorney general shall deposit any such settlement funds into the separate account with the state treasurer provided, however, that the commission shall not receive more than 2,000,000 in settlement funds in any single fiscal year or cumulatively more than 2,500,000 in settlement funds in any period of 5 fiscal years. Funds received under this subsection shall be deposited in a separate account with the state treasurer, received by the treasurer on behalf of the commonwealth and expended by the commission in accordance with law.

(i) The commission staff shall consist of an executive director, employees and

consultants and unpaid volunteers who assist the commission in effectuating its statutory duties. The commission shall appoint the executive director for a term of 3 years.

SECTION 73-74.

(a) There shall be a permanent commission on the status of ~~Latinxs. persons with disabilities.~~ The commission shall consist of: 3 persons appointed by the governor ~~3 persons appointed by the president of the senate from a list of not less than 5 nominees from the Massachusetts Black Latino Legislative Caucus and 3 persons appointed by the speaker of the house of representatives~~ 1 person appointed by the minority leader of the senate 1 person appointed by the minority leader of the house of representatives 7 persons appointed by the governor the attorney general or their designee the state treasurer or their designee the state secretary or their designee the executive director of the disabled persons protection commission or their designee 1 person from the University of Massachusetts medical school Work Without Limits program 1 person from the Massachusetts Disability Policy Consortium 1 person from the Association of Developmental Disabilities Providers, Inc. and 1 person from the Massachusetts Developmental Disabilities Council.

(b) Members of the commission shall be drawn from diverse racial, ethnic, religious, age, disability, sexual orientation, gender identity and expression and socio economic backgrounds, and should have personal experience, professional background or demonstrated interest on issues relating to persons with disabilities. It shall be the goal of the commission to include representation from a list-broad spectrum of disabilities, as well as perspectives of family members, disability advocacy organizations, human service agencies, regional employment collaboratives and business and labor organizations throughout the commonwealth.

(c) The commission shall be an independent agency of the commonwealth and shall not less-be subject to the control of any other department or agency. Members of the commission shall be subject to the provisions of chapter 268A as they apply to special state employees.(d)(1) A member of the commission shall serve a term of 3 years and until a successor is appointed, or the member is reappointed by their appointing or nominating authority.(2) Vacancies in the membership of the commission shall be filled by the original appointing or nominating authority for the balance of the unexpired term. If the position was

filled by a nominating body, the replacement member shall be selected from solicited nominations. If the nominating body or appointing authority does not fill a position, the existing members of the commission shall fill the vacancy from a pool of qualified applicants pursuant to subsection (b).(3) Nominations for vacancies in the membership shall be solicited through an open application process using a uniform and accessible application, which accommodates candidates of all abilities. Appointments shall be announced not later than 5 nominees-April 1 of each year.(4) The commission shall elect from among its members a chair, a vice chair, a clerk, a treasurer and any other officers it deems necessary to carry out its mission.(5) The members of the commission shall receive no compensation for their services, but shall be reimbursed for any usual and customary expenses incurred in the performance of their duties.

(e) An executive director shall be selected by the commission and may hire staff. The executive director shall be qualified by his or her experience working on issues relating to persons with disabilities, organizing research and reports, advocacy and communication skills and demonstrated leadership abilities. The executive director shall not simultaneously serve as a member of the commission.

(f) The commission shall work to advance the cause of all persons with disabilities in the commonwealth. The commission shall be empowered to (i) study, review, advise and report on: (A) any disparities across service or geographical areas concerning the range of available options within state disability services (B) the status of transportation for persons with disabilities including access to employment opportunities (C) the effect of public assistance for persons with disabilities as it pertains to earning limits and eligibility for subsidies for food, housing, child care and other benefits (D) establishing school to work activities for transition aged youth with disabilities that establish a bridge to self sufficiency and engage school supports, family members and employers (E) the status of the strategic plan to make the commonwealth a model employer by seeking to increase the number of people with disabilities employed by the executive branch (F) the enhanced enforcement of state requirements that promote diversity in state government employment and (G) the number of persons with disabilities who apply for state disability services and are unsuccessful in receiving services (ii) facilitate and promote public awareness to encourage inclusion of persons with disabilities as employees and vendors within the private and public sector workforce, including under

represented business sectors of all sizes (iii) assess programs and practices in all state agencies as they affect persons with disabilities, as the commission deems necessary and appropriate (iv) advise executive and legislative bodies regarding the impact of proposed legislation on persons with disabilities and (v) promote and facilitate collaboration among local disability commissions, disability rights advocacy organizations and disability employment service providers.

(g) The commission shall annually, not later than October 31, report the results of its findings and activities of the preceding fiscal year and its recommendations, which may include draft legislation, to the governor, the house and senate committees on ways and means, the clerks of the house of representatives and the senate, the joint committee on children, families and persons with disabilities and the joint committee on labor and workforce development.

(h) The powers of the commission shall include, but not be limited to: (i) using voluntary and uncompensated services of private individuals, agencies and organizations as may from time to time be offered and needed (ii) reviewing policies and legislation and make recommendations to agencies and officers of the state and local subdivisions of government to effectuate the purposes of subsections (f) and (g) (iii) selecting an executive director and to acquire adequate staff to perform its duties (iv) establishing and maintain such offices as it may deem necessary (v) enacting by laws for its own governance (vi) establishing subcommittees or regional chapters of the commission as it deems necessary and (vii) holding regular, public meetings and fact finding hearings and other public forums as it may deem necessary.

(i) Public meetings should be held in a manner accessible to and welcoming of persons of all abilities with necessary accommodations to ensure broad participation. Notices of meetings and other information shall be posted to a publicly accessible website that also accommodates persons who are visually impaired.

(j) The commission may request from all state agencies such information and assistance as the commission may require.

(k) The commission may accept and solicit funds, including any gifts, donations, grants or bequests or any federal funds, for any of the purposes of this section. Such funds shall be deposited in a separate account with the state treasurer, be received by the state treasurer on behalf of the commonwealth and be expended by the commission in accordance with commission by laws and

state and federal law.

SECTION 75.

(a) There shall be a permanent commission on the social status of Black men and boys to study and examine issues which disproportionately have a negative impact on Black men and boys in the commonwealth. The commission shall: (i) signal that the issues facing the Black male population are a national priority (ii) develop solutions to these issues and (iii) help eliminate the obstacles facing Black men and boys. The commission should work to improve economic, education, criminal justice, public safety, housing, health and wellness, father hood and mentorship outcomes of Black men and boys in the commonwealth.

(b) The commission shall consist of 21 members: 2 persons appointed by the speaker of the house of representatives, 2 persons appointed by the president of the senate, the commissioner of public health or their designee the commissioner of social services or their designee the commissioner of education or their designee 1 additional member from the department of education appointed by the commissioner of education the commissioner of youth services or their designee the commissioner of correction or their designee the secretary of labor and workforce development or their designee 3 additional persons appointed by the speaker of the house of representatives, none of whom shall be members of the general court 3 additional persons appointed by the president of the senate, none of whom shall be members of the general court and 3 persons appointed by the Massachusetts Black and Latino Legislative Caucus. Caucus or its successor organization, none of whom shall be a member of the general court. Members of the commission shall be residents of selected from diverse religious, age, sexual orientation, socio economic and geographical backgrounds from throughout the commonwealth who and shall have demonstrated a commitment to sincere desire or experience in working toward the Latinx community. improvement of the social status of black men and boys. Members shall be considered subject to the provisions of chapter 268A as they apply to special state employees for purposes of chapter 268A.

(b) employees.

(c) Members shall serve terms of 3 years and until their successors are appointed. Members may be reappointed in the same manner in which they were originally appointed. Vacancies in the membership of the commission shall be filled by the original appointing authority for the balance of the unexpired

~~term. Nominations for members shall be solicited by the appointing authorities between August 1 and September 16 of each year in which the term of a member appointed by the appointing authority is set to expire through an open application process using a uniform application that is widely distributed throughout the state.~~

~~(c) term. The commission shall annually elect from among its members a chair, a vice chair, a treasurer and any other officers it considers necessary. deems necessary. The members of the commission shall receive no compensation for their services provided, however, that members services, but shall be reimbursed for any usual and customary expenses incurred in the performance of their duties.~~

~~(d) The commission shall be a resource to conduct an ongoing study of all matters concerning the commonwealth on issues affecting Latinx communities. It shall be a primary function social status of Black men and boys in the commonwealth. In furtherance of that responsibility, the commission to make policy recommendations, based on research shall: (i) study, review and analysis, to report on the general court social status of Black men and executive agencies that: (i) ensure Latinxs equitably benefit from and have access to government services boys in the same manner as other citizens of the commonwealth (ii) amend laws, policies and practices that have benefited citizens of the commonwealth to the exclusion of Latinxs and (iii) promote solutions that address the impact of discrimination against Latinxs. Further, the commission shall: (A) promote research and be a clearinghouse and source of information on issues pertaining to Latinxs in the commonwealth (B) inform the public and leaders of business, education, human services, health care, the judiciary, state and local governments and the communications media of the unique cultural, social, ethnic, economic and educational issues affecting Latinxs in the commonwealth (C) foster unity among Latinx communities pertaining to Black men and organizations in the commonwealth by promoting cooperation and sharing of information and encouraging collaboration and joint activities (D) boys, (iii) serve as a liaison between government and private interest groups concerned with regard to matters of unique interest issues affecting Black men and concern boys (iv) serve as a clearinghouse for information on issues pertaining to Latinxs in the commonwealth (E) Black men and boys (v) identify and recommend qualified Latinxs for appointive positions at all levels of government, including boards policies and programs to be implemented by state~~

departments, agencies, commissions, and boards that will lead to the improved social status of Black men and boys, as the commission considers deems necessary and appropriate (F) assess programs and practices (vi) promote and facilitate collaboration among local agencies, including community based organizations in all state agencies as they affect Latinxs, the state, as the commission considers deems necessary and appropriate (G) advise executive agencies and the general court on the potential effect on Latinxs of proposed legislation, as the commission considers necessary and appropriate and (H) generally undertake activities designed to enable the commonwealth to realize the full benefit of the skills, talents and cultural heritage of Latinxs in the commonwealth.

(e) Annually, not later than June 2, the appropriate. The commission shall annually, not later than August 31, report the results of its findings and activities of the preceding year and its recommendations to the governor and to the clerks of the senate and house of representatives.

(f) representatives and senate.

(e) The powers of the commission shall include, but not be limited, to: (i) limited to: (i) using the such voluntary and uncompensated services of private individuals, agencies and organizations that as may from time to time be offered and needed, including provision of meeting places needed and refreshments (ii) holding regular, public meetings and fact finding hearings and other public forums as it considers necessary (ii) directing a staff to perform its duties (iv) establishing and maintaining offices that it considers necessary, subject to appropriation (v) enacting by laws for its own governance and (vi) recommending policies and making recommendations to agencies and officers of the state and local subdivisions of the commonwealth government to effectuate the purposes of subsection (d). this section.

(f) The powers of the commission shall include: (i) selecting an executive director and acquiring adequate staff to perform its duties, subject to appropriation, provided that said persons are not members of said commission (ii) establishing and maintaining such offices as it may deem necessary, subject to appropriation (iii) enacting by laws for its own governance and (iv) holding regular, public meetings and to hold fact finding hearings and other public forums as it may deem necessary.

(g) The commission shall set its own meeting schedule.

(h) The commission may request from all state agencies such information and

~~assistance from state agencies as the commission requires.~~

~~(h) may require. Each state agency shall cooperate with requests from the commission and shall provide such information and assistance requested, as permitted under the state law. The commission may accept and solicit funds, including any gifts, donations, grants or bequests or any federal funds, funds for any of the purposes of this section. The Such funds shall be deposited into in a separate account with the state treasurer, be received by the state treasurer on behalf of the commonwealth and be expended by the commission in accordance with law.~~

~~(i) The commission staff shall consist of an executive director, employees and volunteers who assist the commission in executing its statutory duties. The commission shall appoint the executive director for a term of 3 years.~~

SECTION 2. Clause ~~twenty~~ Twenty sixth of section 7 of chapter 4 of the General Laws is hereby amended by striking out subclause (c), as appearing in the 2018 Official Edition, and inserting in place thereof the following subclause:

(c) personnel and medical files or information and any other materials or data relating to a specifically named individual, the disclosure of which may constitute an unwarranted invasion of personal privacy provided, however, that this subclause shall not apply to ~~the information contained in the database required under subsection (c) of section 223 of chapter 6 or records related to the disposition of a law enforcement misconduct investigation.~~

SECTION 3. Section ~~116-17~~ 17 of chapter 6 of the General Laws, as so appearing, is hereby amended by striking ~~out out, in lines 15 and 16, the fourth paragraph and inserting in place thereof the following 6 paragraphs:~~ The committee shall set policies and standards for the training of: (i) ~~municipal police officers, and candidates for such appointment~~ (ii) ~~police officers in the Massachusetts bay transportation authority police force, and candidates for such appointment~~ (iii) ~~police officers of the office of law enforcement within the executive office of environmental affairs, and candidates for such appointment~~ (iv) ~~University of Massachusetts police officers, and candidates for such appointment~~ (v) ~~campus police officers attending committee approved academies or training programs and~~ (vi) ~~deputy sheriffs, appointed pursuant to section 3 of chapter 37, performing police duties and functions. The policies and standards shall be in accordance with applicable laws and regulations, including the training~~

~~mandated by section 36C of chapter 40, sections 96B and 97B of chapter 41, section 24M of chapter 90 and sections 116A to 116E, inclusive, 116G, 116H and 116I of this chapter. The committee shall set policies and standards for background investigations for all persons appointed to committee-certified municipal police training schools and initial appointments of those persons provided, however, that, at a minimum, background investigations shall require verification against the National Decertification Index, as defined in section 220, and the database maintained by the police officer standards and accreditation committee, as described in subsection (c) of~~

~~SECTION 223. The committee shall maintain an electronic database of all trainings, including trainings that are not mandated by law, completed by an officer for which it establishes training policies and standards under this section, issue confirmation of satisfactory completion of training, provide for extensions of training requirements for good cause if a reasonable plan of remediation is provided and maintain records of any such extension and the reason for such extension. An appointing authority that offers in-service training to an officer shall track the completed trainings for the officer through the committee's database. The committee may waive a training requirement if the officer can demonstrate current competence based on commensurate prior training. The committee shall provide records of completion of training to the police officer standards and accreditation committee pursuant to subsection (c) of~~

~~SECTION 223. The committee shall establish training requirements and develop guidance for meeting the requirements through trainings provided by the committee or other independent educational entities. The committee shall review and recommend to the secretary of public safety and security an annual appropriation for the administration of the committee, the operations of a headquarters and regional training centers and the delivery of standardized training at the centers. The committee may promulgate regulations in accordance with chapter 30A as necessary to implement sections 116 to 118, inclusive. Annually, not later than December 31, the committee shall file a report with the secretary of administration and finance, the state auditor and the senate and house committees on ways and means. The report shall account for the expenditures of the committee during the prior fiscal year and shall include, but not be limited to, the: (i) total funds spent on training for new police officer~~

~~candidates (ii) total funds spent on in service training for existing officers and (iii) percentage of existing municipal police officers who have completed their required annual in service training requirements. Upon the request of the secretary of administration and finance, the state auditor, the chair of the senate committee on ways and means or the chair of the house committee on ways and means, the committee shall provide the data used to develop the report in a de identified form. Not less than once every 3 years, words , the municipal police training committee shall complete a review of its curriculum, training materials and practices. The review shall be conducted in collaboration with the commission on the status of African Americans, established in section 72 of chapter 3, at least 1 person affiliated with an academic institution in the commonwealth who has experience with, or expertise in, law enforcement practice and training, criminal law, civil rights law, the criminal justice system or social science fields related to race or bias and any other persons or entities the committee deems appropriate. Not more than 30 days after the completion of a review under this section, a summary of the review shall be filed with the clerks of senate and house of representatives, the joint committee on public safety and homeland security and the secretary of public safety and security.~~committee .

SECTION 4. Subsection (b) of section 116G of said ~~Said~~ chapter 6, as so appearing, 6 is hereby further amended by striking out ~~clauses (ii) and (iii)~~ section 116, as so appearing, and inserting in place thereof the following 5 clauses: ~~(ii) practices~~ section:

SECTION 116. As used in sections 116 to 116E, inclusive, and techniques for law enforcement officers in civilian interaction and 116G to promote procedural justice, which shall emphasize de escalation and disengagement tactics and techniques and procedures, including developmentally appropriate de escalation and disengagement tactics, techniques and procedures and other alternatives to 116J, inclusive, the use of force for minor children, that build community trust and maintain community confidence (iii) handling emergencies and complaints, including, but not limited to, those involving victims, witnesses or suspects with mental illness, substance use disorder, trauma history or developmental or intellectual disabilities, which shall include following words shall, unless the context clearly requires otherwise, have the following meanings: Committee on

~~police training related to common behavior and actions exhibited by such individuals, strategies law enforcement officers may use for reducing certification or preventing committee , the risk of harm committee on police training and strategies that involve the least intrusive means certification established in section 4 of addressing such incidences and individuals while protecting the safety of the law chapter 6E. Law enforcement officer and other persons provided, however, that training presenters shall include certified mental health practitioners with expertise or officer , as defined in the delivery section 1 of direct services to individuals, including victims, witnesses or suspects with mental illness, substance use disorder, trauma history or developmental or intellectual disabilities in emergency situations (iv) practices and techniques related to responding to mass gatherings or protests that shall emphasize de-escalation and minimizing the necessity for use of force (v) the history of slavery, lynching, racist legal institutions and racism in the United States and (vi) practice and techniques for law enforcement officers for stress management and mental health. chapter 6E.~~

~~SECTION 5. Said The first paragraph of subsection (a) of section 116A of said chapter 6-6, as so appearing, is hereby further amended by striking out the first sentence and inserting after section 116G in place thereof the following 2 sections: Section 116H. sentence: The municipal committee on police training committee, in consultation with the executive office of public safety and security, certification shall establish and develop establish, within the recruit basic and in-service training curriculum, a course for police schools, academies and programs designed to train officers on the regulation of physical force under section 4 of chapter 147A. Such programs shall be included in basic and in-service training for all officers for which the committee establishes training policies and standards under section 116 and in the training programs prescribed by chapter 22C. Section 116I.~~

~~(a) The municipal police training committee of law enforcement officers in the commonwealth in the handling of domestic violence and sexual violence complaints and shall establish and develop an in-service training program designed guidelines for law enforcement response to train school resource officers, as defined in section 37P of chapter 71. The program shall include training on: (i) the ways in which legal standards regarding police interaction domestic violence and arrest procedures differ for juveniles compared to adults~~

~~(ii) child and adolescent cognitive development, which shall include instruction on common child and adolescent behaviors, actions and reactions, as well as the impact of trauma, mental illness and developmental disabilities on child and adolescent development and behavior (iii) engagement and de-escalation tactics that are specifically effective with youth and (iv) strategies for resolving conflict and diverting youth in lieu of making an arrest.~~

~~(b) The course of instruction, the learning and performance objectives and the standards for training developed pursuant to this section shall be developed in consultation with experts on child and adolescent development and child trauma and with educators and attorneys experienced in juvenile and education law.~~sexual violence.

~~SECTION 6. Said chapter 6 is hereby further amended by adding the following 6 sections:~~

~~SECTION 220. For the purposes of sections 220 to 225, inclusive, the following words shall have the following meanings unless the context clearly requires otherwise: Appointing authority, the person or agency with authority to appoint a law enforcement officer. Law enforcement officer or officer, a person performing police functions or duties and appointed to: (i) a municipal police department (ii) the department of state police (iii) the office of law enforcement within the executive office of environmental affairs (iv) the Massachusetts bay transportation authority police force (v) the University of Massachusetts system police force (vi) serve as a special state police officer pursuant to sections 56 to 68, inclusive, of chapter 22C (vii) serve as a deputy sheriff pursuant to section 3 of chapter 37 or (viii) serve as a campus police officer employed by a public or private institution of higher education. Municipal police training committee, the committee established in~~

~~SECTION 116. National Decertification Index, the national registry of certificate or license revocation actions related to officer misconduct as reported by participating state government agencies. Police officer standards and accreditation committee, the committee established in~~

~~SECTION 221. Sustained complaint of misconduct, a finding by an appointing authority or the committee, after the exhaustion of all rights to appeal within the~~

~~appointing authority or the committee, that an officer has violated the appointing authority's rules, policy or procedure or committed other misconduct or improper action, including, but not limited to, a violation of chapter 147A, based upon findings of fact resulting from an investigation conducted pursuant to the appointing authority's formal process of internal control and discipline or an independent investigation by the committee.~~

~~SECTION 221. There shall be an independent police officer standards and accreditation committee within the executive office of public safety and security consisting of: 14 members appointed by the governor, 1 of whom shall be nominated by the colonel of the state police, 1 of whom shall be nominated by the commissioner of the Massachusetts bay transportation authority police force, 1 of whom shall be nominated by the commissioner of police of the city of Boston, 1 of whom shall be a chief of police of a police department outside of the Boston metropolitan area nominated by the Massachusetts Chiefs of Police Association Incorporated, 1 of whom shall be a law enforcement officer nominated by the Massachusetts Association of Minority Law Enforcement Officers, Inc., 1 of whom shall be a law enforcement officer below the rank of sergeant, 1 of whom shall be nominated by the American Civil Liberties Union of Massachusetts, Inc., 2 of whom shall be nominated by the New England Area Conference of the National Association for the Advancement of Colored People, 1 of whom shall be nominated by the Lawyers for Civil Rights, Inc., 1 of whom shall have been personally involved in or impacted by the criminal justice system, 1 of whom shall be a retired judge and 2 of whom may be selected from a list of not less than 5 non law enforcement individuals nominated by the Massachusetts Black and Latino Legislative Caucus and 1 member appointed by the attorney general who is affiliated with an organization that advocates on behalf of communities that have disproportionately high instances of police interaction provided, however, that non law enforcement members shall have experience with or expertise in law enforcement practice and training, criminal law, civil rights law, the criminal justice system or social science fields related to race or bias. Appointments to the police officer standards and accreditation committee shall be for terms of 3 years and until their successors are appointed. Vacancies in the membership of the committee shall be filled by the original appointing authority for the balance of the unexpired term. Members of the police officer standards and accreditation~~

~~committee shall be compensated for work performed for the police officer standards and accreditation committee at such rate as the secretary of administration and finance shall determine and shall be reimbursed for their expenses necessarily incurred in the performance of their duties. The governor shall appoint a chair of the committee. The police officer standards and accreditation committee shall appoint an executive director of the committee. The position of executive director shall be classified in accordance with section 45 of chapter 30 and the salary shall be determined in accordance with section 46C second paragraph of said chapter 30. The police officer standards and accreditation committee shall employ such attorneys, investigators and support staff as are reasonably necessary to accomplish its duties.~~

~~SECTION 222. The police officer standards and accreditation committee shall have the power to certify, renew, revoke or otherwise modify the certification of any law enforcement officer pursuant to sections 223 to 225, inclusive. The police officer standards and accreditation committee shall have the power to issue an additional certification for an individual acting, or intending to act, as a school resource officer, as defined in section 37P of chapter 71. The police officer standards and accreditation committee shall have the power to receive complaints of officer misconduct from any person, request an officer's appointing authority to conduct an investigation of a complaint of officer misconduct and conduct independent investigations and adjudications of complaints of officer misconduct to certify, renew, revoke or otherwise modify the certification of a law enforcement officer. An investigation by the police officer standards and accreditation committee shall not preclude an investigation by the officer's appointing authority. The police officer standards and accreditation committee shall have the power to promulgate regulations pursuant to chapter 30A as necessary to implement said sections 223 to 225, inclusive.~~

~~SECTION 223.~~

~~(a) A person shall not be appointed as a law enforcement officer unless certified by the police officer standards and accreditation committee. A person shall not be appointed as a school resource officer, as defined in section 37P of chapter 71, unless specially certified as such by the police officer standards and accreditation committee.~~

~~(b) A person who completes an academy or training program certified by the municipal police training committee or the training programs prescribed by chapter 22C shall be certified by the police officer standards and accreditation committee. A person who completes a training program as prescribed by section 116I of chapter 6 shall be certified by the police officer standards and accreditation committee as a school resource officer.~~

~~(c) The police officer standards and accreditation committee shall maintain a database containing, for each certified law enforcement officer: (i) the dates of certification, renewal of certification, decertification, suspension of certification or reprimand (ii) records of completion of municipal police training schools or training programs prescribed by chapter 22C (iii) the date of any separation from employment from an appointing authority and the nature of the separation including, but not limited to, suspension, resignation, retirement or termination (iv) the reason for any separation from employment including, but not limited to, whether the separation was based on misconduct or occurred while the appointing authority was conducting an investigation of the certified individual for a violation of an appointing authority's rules, policy or procedure or other misconduct or improper action (v) any criminal conviction and the date thereof and (vi) any sustained complaint of misconduct and the date thereof. The information in the database shall be made available to an appointing authority for the purpose of a background investigation of a candidate for appointment as a law enforcement officer. The committee shall set standards for background investigations for appointments subsequent to the initial appointment. The information in the database shall be a public record as defined in clause twenty-sixth of section 7 of chapter 4. The municipal police training committee and the department of state police shall report to the police officer standards and accreditation committee the information required in clause (ii) and each appointing authority shall report to the police officer standards and accreditation committee the information required in clauses (iii) to (vi), inclusive. The police officer standards and accreditation committee shall prescribe the manner, form and frequency with which the information shall be provided to the police officer standards and accreditation committee.~~

~~(d) The police officer standards and accreditation committee shall maintain a searchable database of officers accessible to the public that shall include: (i) the officer's appointing authority (ii) the date of the officer's initial certification and the officer's current certification status and (iii) any sustained complaint of~~

~~misconduct resulting in decertification, suspension of certification or reprimand and the date thereof provided, however, that information shall not be included in the database that would allow the public to ascertain the home address of an officer or another person provided further, that information regarding an officer's or another person's family member shall not be included in the database. The police officer standards and accreditation committee shall make the database publicly available on its website.~~

~~(e) The police officer standards and accreditation committee shall maintain a searchable database of all complaints against law enforcement officers. The database shall identify each officer by a confidential and anonymous number and include: (i) the officer's appointing authority (ii) the date of the incident referenced in the complaint (iii) the location of the incident (iv) the race and ethnicity of each officer involved in the incident (v) the age, gender, race and ethnicity of each person involved in the incident, if known (vi) whether a person in the complaint was injured, received emergency medical care, was hospitalized or died as a result of the incident (vii) the agency or other entity assigned to conduct an investigation of the incident (viii) whether the investigation is complete and, if complete, when it was completed and (ix) whether the complaint was sustained provided, however, that the police officer standards and accreditation committee shall redact or withhold such information as necessary to prevent the disclosure of the identity of an officer. The police officer standards and accreditation committee shall make the database publicly available on its website. Annually, not later than February 1, the police officer standards and accreditation committee shall report on the number of complaints against law enforcement officers for which investigations are outstanding and not completed, aggregated by appointing authority and classified as to whether the appointing authority or the police officer standards and accreditation committee is conducting the investigation. The report shall differentiate outstanding complaints according to the date on which the complaint was filed. The police officer standards and accreditation committee shall file its report with the clerks of the senate and house of representatives, the joint committee on public safety and security and the senate and house committees on ways and means. The report shall also be made publicly available on the police officer standards and accreditation committee's website.~~

~~(f) The police officer standards and accreditation committee shall determine the form and manner of issuance of a certification under this section. A certification~~

shall be valid for 3 years from the date of issuance.

~~(g) A person certified as a law enforcement officer shall renew the certification for an additional 3 year period by demonstrating satisfactory completion, prior to the date of expiration of the current certification, by completing not less than 120 total hours of in service training approved by the municipal police training committee or prescribed by chapter 22C. The police officer standards and accreditation committee shall permit a law enforcement officer who has not completed the required in service training to maintain their certification for good cause shown and upon demonstration by the officer of approval by the municipal police training committee or the department of state police, as applicable, of both a plan for the completion of the in service training hours and the reasonable amount of time in which the training shall be completed.~~

~~(h) Based on nominations made by an agency or person, the police officer standards and accreditation committee shall annually recognize: (i) the appointing authority that has most successfully used de escalation techniques in the field (ii) the officer who has most successfully used de escalation techniques in the field and (iii) the appointing authority that is most improved in its use of de escalation techniques in the field.~~

~~(i) Not less than twice annually, the police officer standards and accreditation committee and the municipal police training committee shall meet to review and make recommendations to improve current police officer training standards.~~

SECTION 224.

~~(a) An appointing authority shall report a complaint of officer misconduct to the police officer standards and accreditation committee and simultaneously to the officer against whom the complaint is filed within 2 business days of receiving the complaint. The police officer standards and accreditation committee shall report a complaint of officer misconduct to the appointing authority and simultaneously to the officer against whom the complaint is filed not later than 2 business days of receiving the complaint. The police officer standards and accreditation committee shall provide notice to an officer of any complaint against the officer by certified mail. If the complaint involves serious injury or death, the police officer standards and accreditation committee shall notify the district attorney and the attorney general. The police officer standards and accreditation committee may conduct an independent investigation of a complaint of officer misconduct or it may request that an officer s appointing~~

~~authority investigate the complaint pursuant to the appointing authority's formal process of internal control and discipline provided, however, that the police officer standards and accreditation committee shall investigate a complaint of officer misconduct that, if sustained, would result in revocation of certification under subsection (a) of~~

~~SECTION 225. The initiation of an investigation by the police officer standards and accreditation committee shall not prevent the appointing authority from conducting its own investigation pursuant to the appointing authority's formal process of internal control and discipline. The final disposition of a misconduct investigation by the appointing authority shall be reported to the police officer standards and accreditation committee. The police officer standards and accreditation committee may require an appointing authority to provide any additional information reasonably necessary to determine whether to initiate revocation proceedings.~~

~~(b) The police officer standards and accreditation committee shall have the authority to issue subpoenas to obtain all documents, materials and witnesses relevant to a complaint. A subpoena may be issued by the chair or by any 3 committee members acting concurrently.~~

~~(c) As part of an independent investigation, the police officer standards and accreditation committee may, on its own initiative or at the request of the law enforcement officer, hold formal hearings. The police officer standards and accreditation committee may conduct a hearing as a committee of the whole, by a subcommittee or by an appointed hearing officer. An officer against whom a complaint is presented shall have the right to be present and to have legal counsel present at any hearing. Regardless of whether a hearing is conducted as a part of the investigation, the officer shall have the right to submit materials or testimony regarding the complaint.~~

~~(d) For every complaint investigated by the police officer standards and accreditation committee, the decision as to whether to sustain the complaint, in whole or in part, shall be made by vote of the police officer standards and accreditation committee. The affected law enforcement officer shall have the right to a hearing before the vote of the police officer standards and accreditation committee. If the police officer standards and accreditation committee, by its vote, finds that a law enforcement officer engaged in misconduct or other inappropriate action, the officer shall be subject to~~

discipline pursuant to

~~SECTION 225.~~

~~(e) The police officer standards and accreditation committee shall promulgate regulations governing its investigative proceedings in accordance with chapter 30A.~~

~~SECTION 225.~~

~~(a) The police officer standards and accreditation committee shall revoke an officer's certification if: (i) the certification was issued by administrative error (ii) the certification was obtained through misrepresentation or fraud (iii) the officer falsified a document to obtain or renew any certification (iv) the officer has had a certification or other authorization revoked by another jurisdiction on grounds that would require revocation under this said section (v) the officer is convicted of a felony (vi) the officer is found not guilty of a felony by reason of lack of criminal responsibility (vii) the officer is terminated based upon intentional conduct performed under the color of law to: (A) obtain a false confession (B) make a false arrest (C) create or use falsified evidence, including false testimony or destroying evidence to create a false impression (D) engage in conduct that would constitute a hate crime as defined in section 32 of chapter 22C or (E) directly or indirectly receive a reward, gift or gratuity on account of the officer's official services (viii) the officer is convicted of a misdemeanor that would render that officer ineligible for a license to carry a firearm under section 131 of chapter 140 or (ix) the officer has a sustained complaint of misconduct based upon conduct consisting of: (A) use of deadly force in violation of chapter 147A (B) use of force in violation 116A of said chapter 147A resulting in serious bodily injury 6, as defined section 13K of chapter 265 (C) failing to intercede to prevent so appearing, is hereby amended by striking out the use of unreasonable force in violation of section 3 of said chapter 147A (D) conduct that would constitute a hate crime, as defined in said section 32 of said chapter 22C (E) intimidation of a witness, as defined in section 13B of chapter 268 (F) tampering with a record for use in an official proceeding, as defined in section 13E of said chapter 268 (G) perjury, as defined in section 1 of chapter 268 or (H) filing a written police report containing a false statement, knowing the statement to be materially false.~~

~~(b) The police officer standards and accreditation committee may revoke an~~

~~officer's certification if: (i) the officer has been convicted of a misdemeanor or (ii) the officer has repeated sustained complaints of misconduct, for the same or different offenses.~~

~~(c) The police officer standards and accreditation committee shall conduct revocation proceedings and hearings and promulgate regulations for such proceedings and hearings in accordance with chapter 30A. The regulations shall provide that if an officer notifies the committee that they wish to suspend decertification proceedings pending the final resolution of a complaint or grievance, including any appeal or arbitration, the committee shall suspend decertification proceedings provided, however, that the suspension shall not exceed 1 year. Upon notification by the officer that the officer wishes to proceed and resolve the decertification proceedings or 1 year after the suspension was initiated, whichever occurs first, the committee shall resume proceedings and shall consider the results of any proceedings related to the complaint or grievance that occurred during the suspension but shall not be bound by the findings made in such proceedings.~~

~~(d) A revocation hearing shall take place before the police officer standards and accreditation committee as a whole or before a hearing panel made up of members of the police officer standards and accreditation committee, the membership of which shall be approved by a vote of the police officer standards and accreditation committee. The law enforcement officer shall have the right to be present with counsel at any revocation proceeding and to be heard. In cases in which the police officer standards and accreditation committee has investigated the complaint, the police officer standards and accreditation committee may consolidate a hearing on the complaint conducted pursuant to subsection (d) of section 224 with the hearing on revocation.~~

~~(e) The police officer standards and accreditation committee shall revoke a certification upon a finding by clear and convincing evidence, by majority vote of the hearing panel, of any grounds set forth in clauses (i) to (ix), inclusive, of subsection (a). A decision under this subsection shall be appealable pursuant to chapter 30A.~~

~~(f) The police officer standards and accreditation committee may revoke a certification, upon a finding by clear and convincing evidence, by a majority vote of the hearing panel, of any grounds set forth in subsection (b) and there is good cause to revoke the certification. The police officer standards and accreditation committee may suspend a certification or issue a reprimand, upon~~

~~a finding by a preponderance of the evidence, by majority vote of the hearing panel, of any grounds set forth in subsection (b) and there is good cause to suspend the certification or to issue a reprimand. The police officer standards and accreditation committee may set conditions including the completion of additional training if a certification is suspended or a reprimand is issued. Any decision under this subsection shall be appealable pursuant to chapter 30A.~~

~~(g) An adverse action taken against a certification by the police officer standards and accreditation committee pursuant to this section shall not be appealable to the civil service commission under chapter 31. An employment action taken by an appointing authority that results from a revocation by the committee pursuant to subsection (a) shall not be appealable to the civil service commission under chapter 31.~~

~~(h) The police officer standards and accreditation committee shall publish any revocation and findings. The committee shall provide revocation information to the National Decertification Index and to the contributory retirement system in which the officer is a member. An officer shall not be eligible for appointment as a correction officer under chapter 125 or for certification after the officer's certification has been revoked pursuant to this section.~~first sentence.

~~SECTION 7. Section 18-116A of said chapter 6A of the General Laws, 6, as appearing in the 2018 Official Edition, so appearing, is hereby further amended by striking out, in lines 95 and 98, the words municipal police training committee and inserting after the word committee, in line 4, place thereof, in each instance, the following words: the committee on police officer standards training and accreditation committee.~~certification.

~~SECTION 8. Section 18-116B of said chapter 6A, 6, as so appearing, is hereby amended by striking out, in lines 1 and 4, the words municipal police training committee and inserting after the word committee, , in line 9, place thereof, in each instance, the following words: the committee on police officer standards training and accreditation committee.~~certification.

~~SECTION 9. Chapter 12-Said section 116B of the General Laws-said chapter 6, as so appearing, is hereby further amended by striking out, in line 6, the words police academies and inserting after section 11H in place thereof the following section:Section 11H.~~

~~(a) A governmental authority, or an agent thereof acting on behalf of a governmental authority, shall not engage in a pattern or practice of: (i) conduct by a law enforcement officer that deprives persons of rights secured by the constitution or laws of the United States or the constitution or laws of the commonwealth or (ii) discrimination on the basis of race, color, religious creed, national origin, ancestry, sex, gender identity, sexual orientation or disability.~~

~~(b) If the attorney general has reasonable cause to believe that a violation of subsection (a) has occurred, the attorney general may bring a civil action for injunctive or other appropriate equitable words: police schools, academies and declaratory relief to eliminate the pattern or practice. The civil action shall be brought in the name of the commonwealth and shall be instituted either in the superior court for the county in which the alleged conduct occurred or in the superior court for Suffolk county.~~

~~(c) In a civil action brought under subsection (b), the attorney general may require by subpoena: (i) the production of all information, documents, reports, answers, records, accounts, papers, video or audio recordings and other data in any medium, including electronically stored information and any tangible thing and documentary evidence and (ii) the attendance and testimony of witnesses necessary in the performance of the attorney general under said subsection (b). The subpoena, in the case of a refusal to obey, shall be enforceable by court order.programs.~~

SECTION 10. ~~Said Section 116C of said chapter 12-6, as so appearing, is hereby further amended by striking out section 11H, as appearing in the 2018 Official Edition, subsection (a) and inserting in place thereof the following section: Section 11H. subsection:~~

~~(a) A person whose exercise or enjoyment of rights secured by The committee on police training and certification shall develop and establish within the constitution or laws of recruit basic training curriculum a course for police training schools, academies and programs for the United States or the constitution or laws training of law enforcement officers in the commonwealth has been interfered with, or attempted to be interfered with, as described in section 11H may institute law enforcement and prosecute in their own name and on their own behalf a civil action for injunctive and other appropriate equitable relief as provided for in said section 11H, including the award of compensatory money damages. A person who prevails in an action authorized by this~~

~~subsection shall be entitled to an award of the costs of the litigation and reasonable attorneys fees in an amount to be determined by the court.~~

~~(b) A person whose exercise or enjoyment of rights secured by the constitution or laws of the United States or the constitution or laws of the commonwealth has been interfered with by a person or entity acting under color of any statute, ordinance, regulation, custom or usage of the commonwealth or, or a subdivisions thereof, may institute and prosecute in their own name and on their own behalf a civil action for injunctive and other appropriate relief, including the award of compensatory monetary damages. An action under this subsection shall be instituted either in the superior court for the county in which the conduct complained of occurred or in the superior court for the county in which the person or entity whose conduct complained of resides or has a principal place of business. A person who prevails by obtaining significant relief after the filing of an action under this subsection shall be entitled to an award of the costs of litigation and reasonable attorneys fees in an amount to be determined by the court.~~

~~(c) In an action for monetary damages under this section, qualified immunity shall not apply unless no reasonable defendant could have had reason to believe that such conduct would violate the law at the time the conduct occurred. Nothing in this section shall affect the provisions of chapter 258 with respect to indemnification of related public employees. safety technology. The course of instruction shall stress the use and application of technology to increase public safety.~~

SECTION 11. ~~Section 11J~~ Said section 116C of said chapter ~~12, 6,~~ as so appearing, is hereby further amended by striking out, in lines ~~1~~ 13 and ~~2,~~ 16 and ~~34 and 35,~~ each time they appear, ~~14,~~ the words ~~eleven H or eleven I,~~ no later than January first, nineteen hundred and inserting in place thereof, in each instance, the words: ~~11H or subsection (a) of section 11I.~~ ninety seven, .

SECTION 12. Said section ~~11J~~ 116C of said chapter ~~12, 6,~~ as so appearing, is hereby further amended by striking out, in ~~line 30,~~ lines 31 and 37, the words ~~eleven H~~ municipal police training committee and inserting in place thereof thereof, in each instance, the following figure: ~~11H.~~ words: committee on police training and certification.

SECTION 13. Said section 116C of said chapter 6, as so appearing, is hereby further amended by striking out, in line 40, the words one to six and inserting in place thereof the following words: 1 to 5.

SECTION 14. Section 116D of said chapter 6, as so appearing, is hereby amended by striking out, in line 1, the words municipal police training committee and inserting in place thereof the following words: committee on police training and certification.

SECTION 15. Said section 116D of said chapter 6, as so appearing, is hereby further amended by striking out, in lines 6 and 7, the words student officers course of study and inserting in place thereof the following words: recruit basic training curriculum.

SECTION 16. Section 116E of said chapter 6, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:

(a) The committee on police training and certification shall develop and establish within the recruit basic training curriculum a course for police training schools, academies and programs for the training of law enforcement officers in bicycle safety enforcement and develop guidelines for traffic enforcement for bicyclist safety.

SECTION 17. Said section 116E of said chapter 6, as so appearing, is hereby further amended by striking out, in lines 25 and 28, the words municipal police training committee and inserting in place thereof, in each instance, the following words: committee on police training and certification.

SECTION 18. Section 116G of said chapter 6, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:

(a) As used in this section, bias free policing shall have the same meaning as defined in section 1 of chapter 6E.

SECTION 19. Said section 116G of said chapter 6, as so appearing, is hereby further amended by striking out, in line 6, the words municipal police training

committee and inserting in place thereof the following words: committee on police training and certification.

SECTION 20. Said section 116G of said chapter 6, as so appearing, is hereby further amended by striking out, in lines 8 and 32, each time it appears, the word local .

SECTION 21. Said section 116G of said chapter 6, as so appearing, is hereby further amended by inserting after the word enforcement , in line 9, the following words: officers and.

SECTION 22. Subsection (b) of section 116G of said chapter 6, as so appearing, is hereby amended by striking out clauses (ii) and (iii) and inserting in place thereof the following 4 clauses: (ii) practices and techniques for law enforcement officers in civilian interaction and to promote procedural justice, which shall emphasize de escalation and disengagement tactics and techniques and procedures, including developmentally appropriate de escalation and disengagement tactics, techniques and procedures and other alternatives to the use of force for minor children, that build community trust and maintain community confidence (iii) handling emergencies and complaints, including, but not limited to, those involving victims, witnesses or suspects with mental illness, substance use disorder, trauma history or developmental or intellectual disabilities, which shall include training related to common behavior and actions exhibited by such individuals, strategies law enforcement officers may use for reducing or preventing the risk of harm and strategies that involve the least intrusive means of addressing such incidences and individuals while protecting the safety of the law enforcement officer and other persons provided, however, that training presenters shall include certified mental health practitioners with expertise in the delivery of direct services to individuals, including victims, witnesses or suspects with mental illness, substance use disorder, trauma history or developmental or intellectual disabilities in emergency situations (iv) practices and techniques related to responding to mass gatherings or protests that shall emphasize de escalation and minimizing the necessity for use of force and(v) cultural competency.

SECTION 23. Said chapter 6 is hereby further amended by inserting after

section 116G the following 3 sections: Section 116H.

(a) The committee on police training and certification, established in section 4 of chapter 6E, shall establish and develop an in service training program designed to train school resource officers, as defined in section 37P of chapter 71. Such program shall include training on: (i) the ways in which legal standards regarding police interaction and arrest procedures differ for juveniles compared to adults (ii) child and adolescent cognitive development, which shall include instruction on common child and adolescent behaviors, actions and reactions as well as the impact of trauma, mental illness, behavioral addictions, such as gaming and gambling disorder, and developmental disabilities on child and adolescent development and behavior (iii) engagement and de escalation tactics that are specifically effective with youth and (iv) strategies for resolving conflict and diverting youth in lieu of making an arrest. Such program shall also include training related to: (i) hate crime identification and prevention training curriculum including acquisition of practical skills to prevent, respond to and investigate hate crimes and hate incidents and their impacts on victim communities (ii) anti bias, anti racism and anti harassment strategies (iii) bullying and cyberbullying and (iv) comprehensive training to help school resource officers interact effectively with school personnel, victim communities and build public confidence with cooperation with law enforcement agencies.

(b) The course of instruction, the learning and performance objectives and the curriculum and standards for training developed pursuant to this section shall be developed in consultation with experts on child and adolescent development and child trauma and with educators and attorneys experienced in juvenile and education law and preventing and addressing youth hate crimes.

Section 116I. The committee on police training and certification, established in section 4 of chapter 6E, shall establish and develop within the recruit basic training curriculum a program for regional and municipal police training schools for the training of law enforcement officers in the commonwealth in appropriate interactions with persons on the autism spectrum and those with other intellectual and developmental disabilities. The program shall include training for law enforcement response to individuals on the autism spectrum and those with other intellectual and developmental disabilities who are victims or witnesses to a crime or suspected or convicted of a crime.

Section 116J. The committee on police training and certification, in consultation with the executive office of public safety and security, and subject to the approval of the

Massachusetts peace officer standards and training commission, shall establish and develop basic and in service training programs designed to train officers on the regulation of physical force under section 14 of chapter 6E. Such programs shall be included in basic and in service training for all law enforcement officers.

SECTION 24. Sections 117 and 118 of said chapter 6 are hereby repealed.

SECTION 25. Section 156 of said chapter 6, as appearing in the 2018 Official Edition, is hereby amended by striking out, in lines 8 and 9, the words executive director of the municipal police training committee and inserting in place thereof the following words: training director of the Massachusetts peace officer standards and training commission.

SECTION 26. Said chapter 6 is hereby further amended by adding the following section:

SECTION 220.

(a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings: Biometric surveillance system , any computer software that performs facial recognition or other remote biometric recognition. Facial recognition , an automated or semi automated process that assists in identifying or verifying an individual or capturing information about an individual based on the physical characteristics of an individual s face, head or body, that uses characteristics of an individual s face, head or body to infer emotion, associations, activities or the location of an individual provided, however, that facial recognition shall not include the use of search terms to sort images in a database. Law enforcement agency , as defined in section 1 of chapter 6E. Other remote biometric recognition , an automated or semi automated process that assists in identifying or verifying an individual or capturing information about an individual based on an individual s gait, voice or other biometric characteristic or that uses such characteristics to infer emotion, associations, activities or the location of an individual provided, however, that other remote biometric recognition shall not include the identification or verification of an individual using deoxyribonucleic acid, fingerprints, palm prints or other information derived from physical contact. Public agency , any:

(i) agency, executive office, department, board, commission, bureau, division or authority of the commonwealth (ii) political subdivision thereof or (iii) authority established by the general court to serve a public purpose. Public official, any officer, employee, agent, contractor or subcontractor of any public agency.

(b) Absent express authorization in a general or special law to the contrary, it shall be unlawful for a public agency or public official to acquire, possess, access, use, assist with the use of or provide resources for the development or use of any biometric surveillance system, or to enter into a contract with or make a request to any third party for the purpose of acquiring, possessing, accessing or using information derived from a biometric surveillance system. Except in a judicial proceeding alleging a violation of this section, no information obtained in violation of this section shall be admissible in any criminal, civil, administrative or other proceeding.

(c)(1) Subsection (b) shall not apply to acquisition, possession or use of facial recognition technology by the registrar of motor vehicles to verify an individual's identity when issuing licenses, permits or other documents pursuant to chapter 90 and perform searches of its facial recognition databases at the request of law enforcement agencies made pursuant to a warrant or emergency as set forth in paragraph (2).

(2) Law enforcement agencies may request that the registrar of motor vehicles perform a facial recognition search: (i) to execute a warrant duly authorized by a justice of the superior court based on probable cause that the search will lead to evidence of the commission of a violent felony offense under the laws of the commonwealth or (ii) without a warrant if the law enforcement agency reasonably believes that an emergency involving immediate danger of death or serious physical injury to any individual or group of people requires the performance of a facial recognition search without delay provided, that the request shall be made in writing a

<https://instatrac.com/api/textComparison?from=151131&to=151758>