

## **Police Accountability Legislative Endorsements July 2020**

The Massachusetts Public Health Association (MPHA) and the Task Force on Coronavirus & Equity are proud to stand with the movement for real police accountability. We know that the trauma of police brutality is a major contributor to poor health outcomes. We also know that true health equity cannot be achieved without racial justice. We are guided in our efforts by the work of the American Public Health Association, which issued [this statement on Addressing Law Enforcement Violence as a Public Health Issue in 2018](#). As a result, we are pleased to announce our endorsements of three bills currently pending on Beacon Hill.

- **An Act Relative to Saving Black Lives and Transforming Public Safety (HD5128/SD2968)**. Authored by Representative Liz Miranda and Senator Cindy Creem, this bill would require police to de-escalate and use minimal force, and would ban extremely violent tactics, such as chokeholds, rubber bullets, attack dogs, tear gas, and other chemical weapons. It would also create a “duty to intervene” when officers witness an abuse of force, ensure that police misconduct investigations and outcomes are public record, establish oversight from the Attorney General for data collection and reporting, and direct MDPH to promulgate regulations for healthcare providers to report officer-involved injuries and deaths.
- **An Act to Secure Civil Rights through the Courts of the Commonwealth (H3277)**. This important bill, introduced by Representative Michael Day, would strengthen existing state law to hold enforcement officials accountable for violation of people’s rights. If the legislation is passed, it would update the Massachusetts Civil Rights Act and place limits on the use of qualified immunity—a loophole in the law that has made it virtually impossible for police officers to be held responsible for any wrongdoing, no matter how egregious.
- **An Act to Improve Police Officer Standards and Accountability and to Improve Training (H.4794), subject to recommended changes**. Filed by Governor Baker, this bill would establish a Police Officer Standards and Accreditation Committee (POSAC). While an important first step in requiring police certification and ensuring higher standards for police training, additional measures must be added to the bill in order to guarantee real accountability. MPHA and the Task Force are joining the ACLU of Massachusetts in recommending substantial improvements to H4794, including:
  - Prevent retroactive certification of current officers with serious disciplinary records,
  - Remove financial incentives for advanced training,
  - Expand the scope to include all law enforcement officers (i.e. corrections officers, probation officers, and parole officers),

- Guarantee compliance with a strong enforcement mechanism,
- Fix the balance of power on the revocation panel by including 4 non-law enforcement members, 2 law enforcement members and 1 representative from the officers' bargaining unit,
- Increase transparency by creating a database, subject to the public records law, to be made available online,
- Mandate revocation of certification for criminal convictions that carry a penalty of firearm revocation,
- Allow greater discretion to hold police accountable for conduct that jeopardizes public trust,
- Require that non-law enforcement appointments to the POSAC represent organizations or academic experts engaged in police accountability work or advocacy, and
- Give POSAC authority to investigate and initiate decertification proceedings.