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Governor



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Governor Baker Signs Police Reform Legislation

BOSTON – Governor Charlie Baker today signed “*An Act Relative to Justice, Equity and Accountability in Law Enforcement in the Commonwealth*,” which creates a mandatory certification process for police officers, increases accountability and transparency in law enforcement and gives police departments a greater ability to hire or promote only qualified applicants.

“This bill is the product of bipartisan cooperation and thanks to the Black and Latino Caucus’ leadership on the hugely important issue of law enforcement accountability, Massachusetts will have one of the best laws in the nation,” **said Governor Charlie Baker**. “Police officers have enormously difficult jobs and we are grateful they put their lives on the line every time they go to work. Thanks to final negotiations on this bill, police officers will have a system they can trust and our communities will be safer for it.”

“This legislation will bring Massachusetts in line with forty-six other states by adopting a mandatory certification process for police officers, creating more accountability and transparency while providing departments the ability to make more informed hiring and recruitment decisions,” **said Lt. Governor Karyn Polito**. “We are grateful to the Legislature for their commitment to getting this significant legislation passed and believe this bill will help best serve all 351 Massachusetts cities and towns.”

“In a deeply challenging year for the dedicated men and women in law enforcement, this reform will create meaningful opportunities for us to demonstrate our ongoing commitment to the values of honesty, integrity and accountability,” **said Public Safety and Security Secretary Thomas Turco**. “As we implement these measures, our work remains focused on strengthening

preparedness, preventing crime at every level and building positive relationships in the communities we serve.”

“I am proud that the House lived up to its vow of listening to folks with lived experience in enacting one of the most comprehensive approaches to police reform in the United States since the tragic murder of George Floyd,” **said former House Speaker Robert A. DeLeo**. “My unyielding gratitude to Speaker Mariano and Chairs Cronin, Michlewitz and González for their persistent effort to improve our law enforcement system. I am confident that the House of Representatives will build on this achievement in the time ahead and am humbled that legislation which promotes fairness and equality are part of the House’s legacy.”

“The effort to dismantle institutional and structural racism that exists in our Commonwealth must be both a sprint and a marathon,” **said Senate President Karen E. Spilka (D – Ashland)**. “This bill was a necessary first step towards achieving systemic change through law enforcement accountability and transparency, but I recognize that we must continue to address barriers to racial equity in a comprehensive way. I am proud of everyone who marched for equity and justice, who continued to raise their voices throughout the process of getting this bill finalized, and who will hold us accountable as we continue this work. I am also extremely proud of my partners in government who felt the gravity of the situation we faced, and who worked hard to meet the moment. Thank you to the members of the Senate and the House, especially Senators Chang-Diaz and Brownsberger and Representatives Cronin and González, as well as Speakers DeLeo and Mariano, and Governor Baker for ensuring this landmark bill became law.”

“This legislation is a bold step forward in the modernization of our law enforcement standards,” **said House Speaker Ronald Mariano (D – Quincy)**. “I want to thank Speaker DeLeo and Senate President Karen Spilka for guiding the House and Senate as we answered the calls for reform that filled the streets this summer. I also want to thank Governor Baker and the members of the conference committee, particularly Chairwoman Claire Cronin and Representative Carlos González, who worked so diligently on an incredibly complex and emotional issue.”

“For the first time, Massachusetts will have an independent agency for the statewide certification of law enforcement officers. This will ensure accountability in law enforcement,” **said Representative Claire Cronin (D-Easton), House Chair of the Joint Committee on the Judiciary**. “This legislation is about justice and fairness. Fairness for those that interact with law enforcement, and fairness for our law enforcement officers.”

“I am grateful to the Governor and key leaders in the House and Senate for their wisdom in coming together to carry this bill across the finish line,” **said Senator William N. Brownsberger (D – Belmont)**. “I believe that within five years, the Commonwealth will be a significantly better place as a result of this legislation.”

“Today begins to address decades of demands to bring reform & accountability to law enforcement institutions,” said **Representative Carlos González, Chair of the Black & Latino Caucus (D – Springfield)**. “Today will go down in history as a necessary step to begin the healing process between the police and the Black and Latino communities. Building consensus is not always easy, but Massachusetts has always had Patriots ready to take the first steps on national issues. Governor Baker, Senate President Spilka, Speaker DeLeo, the Black and Latino Caucus and the thousands who took to the streets are our modern day Patriots.”

“This law represents a mile-marker, not an end,” said **Senator Sonia Chang-Díaz (D – Boston)**. “Among the 50 states, it will create the first civilian-led police oversight board with subpoena power and decertification authority; it will ban chokeholds and limit no-knock warrants; it will create a duty-to-intervene for police officers and a duty to de-escalate; it will ban racial profiling and put enforcement powers behind that ban; it will end the requirement of police officers in schools. But no one bill will dismantle structural racism—in policing, or in all the other places it exists. As much as we celebrate these hard-won steps forward today, we must equally resolve to keep walking the road of racial justice in 2021.”

“This legislation is an important step toward realizing the urgent action demanded by the movement that was energized this summer by marches in the streets and speeches in front of the State House,” said **Representative Russell Holmes (D – Mattapan)**. “For too long, Black and Latino communities have been demanding change and accountability when it comes to policing in our communities and across the Commonwealth. While we are glad this bill is now signed into law, we must now also reflect on the importance of this fight, and resolve to build on these reforms in the future.”

“The members of the Massachusetts Chiefs of Police Association are eager to turn the page on what has been an unprecedented and incredibly difficult and enduring year on so many different levels,” said **Chief Edward A. Dunne, President of the Massachusetts Chief of Police Association**. “We are extremely confident that this comprehensive legislation signed into law by the Governor today will serve to renew an elevated sense of faith, confidence, and trust that the residents of the Commonwealth will have in their law enforcement agencies across the state. The MCOPA fully realizes and wholeheartedly agrees that the general public deserves nothing less than the highest level of professionalism, accountability and transparency in their respective police departments and this legislation will assist in enhancing our long-standing position as what are viewed by many national experts as model police departments across the entire country.”

“2020 was a year unlike any other in our lifetime, marked by the COVID-19 pandemic and growing calls for police reform after the prominent deaths of several Black men and women at the hands of police officers,” said **Eddy Chrispin, President of the Massachusetts Association of Minority Law Enforcement Officers**. “As an organization of people of color, we know all too well the need for reform in policing. The landmark legislation passed by the legislature and the governor begins to address the historic negative interactions between people of color and the

police. It is our hope that this legislation is the first step in addressing systemic racism in this country.”

This legislation will, for the first time, create a mandatory certification process for police officers through the Massachusetts Peace Officer Standards and Training Commission (POST). The Commission, through a majority civilian board, will certify officers and create processes for decertification, suspension of certification, or reprimand in the event of certain misconduct. The 9-member commission will include six individuals from outside of law enforcement, and will also be responsible for investigating and adjudicating claims of misconduct, maintaining databases of training, certification, employment, and internal affairs records for all officers, and certifying law enforcement agencies. By creating a central entity to oversee officer certification, the Commission will ensure that those officers’ training and misconduct records are available both to the Commission and to those officers’ current and future employers, improving accountability.

Governor Baker amended the bill to strengthen its due process protections for law enforcement, added police labor representation on the commission, and strengthened the bill’s facial recognition provisions ensuring law enforcement agencies can continue to access these potentially lifesaving tools responsibly.

The new law identifies the general circumstances under which police officers can use physical force, and specifically bans the use of chokeholds and prohibits firing into a fleeing vehicle unless doing so is both necessary to prevent imminent harm and proportionate to that risk of harm. The bill also generally precludes officers from using rubber pellets, chemical weapons, or canine units against a crowd. Violations of any of these provisions may provide grounds for an officer to have their certification suspended or revoked.

The bill places strict limits on the use of so-called “no-knock” warrants, requiring such warrants to be issued by a judge and only in situations where an officer’s safety would be at risk if they announced their presence and only where there are no children or adults over the age of 65 in the home. The legislation provides for an exception when those children or older adults are themselves at risk of harm. In addition, the bill requires law enforcement to seek a court order when conducting a facial recognition search except in emergency situations.

The legislation includes key provisions of the State Police reform legislation the Administration filed in January that provide new tools to improve accountability and discipline within the Department and to enhance diversity in the Department’s recruitment and promotional practices. Those key provisions include establishing a State Police cadet program, enhancing the Colonel’s ability to address and correct misconduct, updating rules governing promotions of uniformed members to officer positions, removing the requirement that the Governor look exclusively within the State Police when appointing a colonel, and creating a new criminal offense for police officers who knowingly receive payment for a fraudulent claim of hours worked.

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