



**Testimony submitted to the Special Commission on Qualified Immunity
By Jennifer Muroff, LWVMA Legislative Specialist
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The League of Women Voters of Massachusetts commends the legislature for enacting *An Act Relative to Justice, Equity and Accountability in Law Enforcement in the Commonwealth*, and we applaud the implementation of the Peace Officer Standards and Training (POST) system guidelines going into effect this month.

LWVMA's 3100 members and 47 local Leagues advocated for successful passage of this law through education forums with Rep. Liz Miranda, Rep. Carlos Gonzalez, Rep. Nika Elugardo and Rep. Russell Holmes as well as a qualified immunity education event. Our local Leagues worked collaboratively with their police chiefs and legislators every step of the way, including education events with legislators named to this commission.

Countering mis- and disinformation is mission critical to the League of Women Voters of the United States (LWVUS). Our Democracy Truth Project combats the influx of lies with trusted and accurate information. Consider this testimony to the Special Commission on Qualified Immunity to be the first effort of LWVMA as we work to counter the mis- and disinformation that was spread about the qualified immunity provisions within the police reform bill.

There is grave cause for concern when elected officials or other public figures believe or exploit mis- and disinformation in many public spheres. Examples include anti-vaxxers during a global pandemic, voter suppression laws enacted based upon false claims of fraud, and in the most extreme case, the January 6th insurrection. Now more than ever, it is our duty to validate the truth and provide voters with facts.

We are all well-aware of the mis- and disinformation that was spread about qualified immunity during the campaign against passage of the police reform bill. Many legislators believed the hundreds of calls to their offices by police officers' wives crying and insisting they would lose their homes if provisions ending qualified immunity passed as part of the police reform bill. They were swayed by this information—information that is simply not true.

Let's correct the record to reflect the facts. The judicial doctrine of qualified immunity protects police officers from personal liability unless they violate a clearly established constitutional right. Municipalities indemnify their public employees. Municipalities, via taxpayers or their insurance companies, pay any damages when an officer has been found to have violated a person's civil rights. Taxpayers and insurance companies pay the price for police misconduct lawsuits, not the individuals. Police officers will not lose their homes if the qualified immunity doctrine is eliminated in Massachusetts.



Once again we call upon the Massachusetts legislature and this Commission to act when Congress has come to an impasse. The George Floyd Justice in Policing Act has failed to move through Senate due to misinformation and myths about qualified immunity.

Following the murder of George Floyd, LWWUS signed a letter with over 400 civil rights organizations calling on Congress to implement needed policing reforms. The letter urges congressional leadership to swiftly rectify the legacy of white supremacy and anti-Black racism that has led to police violence against Black people across our country. "Congress must rectify these structural wrongs through legislation before another Black life is needlessly lost. We need Congress to advance meaningful legislation to protect Black communities from the systemic perils of over policing, police brutality, misconduct, and harassment, and end the impunity with which officers operate in taking the lives of Black people."

The League advocates against systemic racism in the justice system and, at a minimum, for preventing excessive force and brutality by law enforcement. We advocate within every level of government to eradicate systemic racism, and the harm that it causes.

The League of Women Voters believes in the individual liberties guaranteed by the Constitution of the United States. The League is convinced that individual rights now protected by the Constitution should not be weakened or abridged.

When your final report is issued on September 30, 2021, we urge the members of the commission to recommend the end of the qualified immunity doctrine in the Commonwealth so that we protect the civil rights of all residents.

Thank you for your consideration.