

Speaker DeLeo, Black and Latino Caucus agree on chokehold ban, intervention obligation

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House Speaker Robert DeLeo and the Black and Latino Legislative Caucus agreed to the parameters of a policing reform bill Wednesday that would ban law enforcement's use of chokeholds and create an independent office to enforce policing standards and certification.

The broad outline of legislation that House leaders hope to have ready for a vote in the coming weeks is just the latest sign of growing momentum on Beacon Hill to address policing and the use of force by cops on people of color, following the killing of George Floyd in Minneapolis.

As protesters have taken to the streets of Boston and other Massachusetts cities night after night, leadership at the State House, including Gov. Charlie Baker, have been contemplating the best ways to respond.

DeLeo and Rep. Carlos Gonzalez, a Springfield Democrat and the chair of the Black and Latino Legislative Caucus, released a joint statement on Wednesday night after a "frank and productive meeting" during which they agreed to a goal of sending legislation to Baker before the end of July.

The bill that House leadership intends to write would also establish an "affirmative obligation" for police officers to intervene if a fellow member of law enforcement is improperly or illegally using force, and would create a special

legislative commission to study the civil service law for ways to improve minority recruitment of police.

“As with any difficult task, the first step is to dig in and begin working. Today we took that first step. And we want to be clear, we view the ultimate enactment of this piece of omnibus legislation as our first step along the long road to ensuring the promise of equal justice for all the citizens of the Commonwealth,” DeLeo and Gonzalez said in the statement.

The short-term actions will “help address structural inequalities that lead to racial bias – both implicit and explicit,” they said, adding that they plan to identify additional issues that require review and plan separate discussions on the shared goals of addressing education and income inequality.

The new independent Office of Police Standards and Professional Conduct envisioned by DeLeo and the caucus would develop minimum statewide policies and procedures for law enforcement, including the use of force, and provide oversight of police certification and enhanced training.

DeLeo last Friday night in an email to House legislators promised “decisive action” to reform policing in Massachusetts and assemble a package of policy reforms modeled on the Black and Latino Caucus’s 10-point plan. Wednesday’s meeting with the caucus was the next step in the development of that bill.

Tear Gas and No-Knock Warrants

Senate President Karen Spilka also came out Wednesday and said she had put Sen. Sonia Chang-Diaz at the head of a Senate Advisory Group on Racial Justice to review appropriate policy responses that could be taken up this session. That group held its first meeting on Wednesday and Spilka said she wants to see action on policing and racial justice legislation this session.

Meanwhile, Senate Majority Leader Cynthia Creem of Newton said she had filed a bill Wednesday with Rep. Liz Miranda of Boston to improve the rules around police's use of force, create a "duty to intervene" for police who witness abuses of forces and make clear in law that unnecessary use of force is a violation of someone's civil rights.

The Creem-Miranda bill would also prohibit "no-knock" warrants, ban chokeholds, tear gas and other non-lethal weapons, put new investigatory requirements on the attorney general's office and require data collection and reporting to prevent abusive cops from being hired by other law enforcement departments.

"We have listened to far too many egregious stories from the black and brown communities to not take the decisive and comprehensive actions envisioned in this legislation," Creem said in a statement. "This bill is about putting in place systematic reforms that ensure accountability and work to restore the public's confidence that everyone is protected under the law from the use of outdated dehumanizing police tactics and excessive force."

The Boston Globe also reported Wednesday night that Baker was finalizing legislation to establish a statewide certification process for police, and could be ready to detail the proposal as soon as next week.