



AMERICAN FEDERATION OF TEACHERS MASSACHUSETTS

38 Chauncy Street, Suite 402

Boston, MA 02111

(617) 423-3342/1-800-279-2523

Fax: (617) 423-0174

August 20, 2021

The Honorable James B. Eldridge
Senate Co-Chair, Special Commission on Qualified Immunity

The Honorable Michael S. Day
House Co-Chair, Special Commission on Qualified Immunity

Submitted via email to jacqueline.o.manning@mahouse.gov

Dear Chair Eldridge, Chair Day, and members of the Special Commission,

On behalf of the 23,000 members of the American Federation of Teachers Massachusetts (AFT MA), **I am writing to urge you to reform the doctrine of qualified immunity and make it possible for victims of state violence to have their day in court.**

AFT MA represents more than 23,000 public school employees, higher education faculty and staff, and public librarians, and we advocate on behalf of the hundreds of thousands of students and families we serve. We stand in solidarity with our Black families and community in denouncing anti-Black racism and police brutality.

As educators, we teach our students that one of the greatest principles of American democracy is that no one is above the law – not even the arm of the government tasked with enforcing the law.

Last session, amid the legislature's debate on police reform legislation, we unequivocally supported Section 10 of S.2820, *An Act to reform police standards and shift resources to build a more equitable, fair and just commonwealth that values Black lives and communities of color*. This section would have disallowed the doctrine of qualified immunity in cases when "no reasonable defendant could have had reason to believe that such conduct would violate the law at the time the conduct occurred."

This language was, and remains, a modest step towards ensuring that victims of state violence have the chance to argue the merits of their case in court, and do not have their cases dismissed before even having the chance to present evidence.

As you study the impact of the qualified immunity doctrine to the administration of justice in the Commonwealth, I urge you to adopt this commonsense reform.

Respectfully submitted,

Beth Kontos
President, AFT Massachusetts