

## Police reform and qualified immunity

It has come to my attention the legislature is seeking testimony on the subject of police reform. Apologies if my thoughts are not entirely in order: I received word of this at the eleventh hour.

It is my opinion that the policing system needs major reform. Qualified immunity is a doctrine that seemed to make sense at first, perhaps did make sense at first. But it has grown to be a major impediment to accountability and to public safety. Originally conceived as a measure to protect officers who were honestly trying their best, it has morphed into an insurmountable barrier preventing consequences even for the most egregious offenses. The requirement of precedent creates a sort of catch-22 since the cases that could provide precedent are prevented from moving forward due to lack of similar cases in the past.

A quote from George Leef:

"This doctrine, invented by the Court out of whole cloth, immunizes public officials even when they commit legal misconduct unless they violated 'clearly established law'. That standard is incredibly difficult for civil rights plaintiffs to overcome because the courts have required not just a clear legal rule, but a prior case on the books with functionally identical facts."

My goal is a system where police officers are true professionals and where police departments operate in service of public safety. Qualified immunity is but one barrier. It is my opinion that the PPB union contract, when it expires next year, must be renegotiated. I realize that's a matter for the city, not for the state, but it's an important enough matter that I choose to mention it here.

Thank you,  
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