ATTACHMENT C

July 16, 2020

To the Honorable Senate and House of Representatives,

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution of the Commonwealth of Massachusetts, I am returning to you for amendment Section 6 of House Bill No. 4002, “An Act Making Appropriations for the Fiscal Year 2022 for the Maintenance of the Departments, Boards, Commissions, Institutions and Certain Activities of the Commonwealth, for Interest, Sinking Fund and Serial Bond Requirements and for Certain Permanent Improvements.”

Section 6 establishes a Task Force on Hate Crimes. Addressing hate crimes is something that Massachusetts has long been committed to, a commitment that is unfortunately still needed today. The Governor's Task Force on Hate Crimes was originally initiated by Governor Weld in 1991 to coordinate and prioritize the state implementation of the Hate Crimes Reporting Act. The Task Force brought together law enforcement officials and advocates from affected communities in a cooperative effort to improve law enforcement effectiveness in responding to hate crimes. From 1994 to 1996, the Task Force led the successful legislative effort to amend the Hate Crimes Penalties Act to expand its scope and increase penalties for those who commit hate crimes. In 1997, the Task Force was formalized by Governor Cellucci in Executive Order 401 and had great success in focusing the attention of state and local law enforcement on the prevention and prosecution of hate crimes.

My administration reconstituted the Task Force in 2017 to reinvigorate our statewide commitment to the fight against hate crimes and to support victims and impacted communities. Since then, the Task Force has issued recommendations related to education and law enforcement, which we have worked with stakeholders to implement. These include a recommendation that local law enforcement appoint a Civil Rights Officer, a recommendation that every municipal police department in Massachusetts has acted on. The Executive Office of Public Safety and Security has also hosted trainings in partnership with the Matthew Shepard Foundation to support law enforcement and ensure better identification, investigation, and prosecution of hate crimes. The Task Force has also provided a blueprint to help school districts better integrate educational programming to address hate crimes.

Unfortunately, we have nevertheless seen a rise in violent hate crimes and reports of racist, anti-semitic, anti-gay, and anti-immigrant episodes. In light of the increased incidence of hate crimes in the Commonwealth and across the nation, such a Task Force is more necessary than ever.

I accordingly support the permanent establishment of a Task Force on Hate Crimes in statute. To ensure that we build on the work of the existing Task Force created by Executive Order, however, I am proposing to codify the existing Task Force, with the addition of members of the Legislature. This will ensure continuity with its work thus far, while improving coordination between the Executive branch and Legislature.

For these reasons, I recommend that Section 6 be amended by striking the section and inserting in place thereof the following section:-

SECTION 6. Said chapter 6 is hereby further amended by adding the following section:-

Section 221. (a) There is hereby established a task force, to be known as the governor’s task force on hate crimes.

(b) The task force shall consist of the secretary of public safety and security or a designee, who shall serve as co-chair and up to 26 additional members, up to 19 of whom shall be appointed by and serve at the pleasure of the Governor; 1 of whom shall be appointed by the attorney general; the chairs of the joint committee on the judiciary; the chairs of the joint committee on racial equity, civil rights, and inclusion; and the minority leaders of the house of representatives and senate. The task force may include representatives of victim assistance agencies; advocates for communities affected by hate crimes; the various district attorneys’ offices; state, local and university police departments; educators and students; and others with expertise or experience in hate crimes issues. One of the persons appointed by the governor shall be designated by the governor to serve as co-chair.

(c) The task force shall advise the governor and legislature on issues relating to the prevalence, deterrence, and prevention of hate crimes in the commonwealth and the support of victims of hate crimes. Additionally, the task force shall:

(1) Promote full and effective cooperation and coordination among law enforcement agencies and communities affected by hate crimes, to improve prevention, investigation, and prosecution of hate crimes;

(2) Develop best practices related to technical assistance for school districts that may seek to incorporate hate crime education into their curricula;

(3) Recommend policies, procedures and programs to ensure state and local government provide enhanced support for victims of hate crimes and their communities;

(4) Encourage and assist law enforcement agencies in hate crimes reporting pursuant sections 32 to 35, inclusive, of chapter 22C, including assistance in gathering, analyzing, and publishing hate crime reports;

(5) Encourage law enforcement agencies to enforce section 39 of chapter 265; and

(6) Recommend any appropriate legislation, regulations, policies or procedures to better combat hate crimes.

(d) The Task Force shall meet at least quarterly each year at the direction of the co-chairs, and shall submit to the governor, the clerks of the senate and house of representatives, the senate and house committees on ways and means, the joint committee on the judiciary and the joint committee on public safety and homeland security an annual report that addresses the mission of the task force, targeted objectives, options and recommended actions, and metrics to measure the effect of such recommendations on hate crimes in the commonwealth.

(e) The co-chairs, as needed, may establish subcommittees comprised of members of the task force and non-members drawn from various groups and organizations with expertise or experience in hate crimes issues.

Respectfully submitted,

Charles D. Baker

Governor