

The Massachusetts Bay Transportation Authority and Mary Holmes Announce Settlement in Civil Rights and Excessive Force Lawsuit

Boston – A federal lawsuit filed by the ACLU of Massachusetts and attorney Howard Friedman on behalf of Mary Holmes alleging that two MBTA officers violated her constitutional right to free speech and used excessive force was settled earlier today. Ms. Holmes was struck with a baton and arrested by the officers when she spoke out while observing MBTA officers aggressively engaging a person in her community. The parties are pleased with the resolution of the matter that was originally filed in August of 2015. “Our client is satisfied with this outcome and hopes that the improvements to MBTA monitoring and training will help ensure that others won’t experience what she experienced,” said Jessie Rossman, staff attorney at the ACLU of Massachusetts.

“Prior to the resolution of this matter, our department took significant steps to improve monitoring and training and we will continue to ensure that all of our officers engage the public in a professional manner,” said Transit Police Chief Kenneth Green. As part of the settlement, the MBTA will enhance their systems and policies to monitor MBTA officer behavior and provide aggression management training. In addition to improving their monitoring and training efforts, the MBTA will post their use of force and several other policies online, and make it easier for civilians to file police complaints.

The MBTA and the ACLU are dedicated to ensuring that such incidents are not repeated. After the complaint was filed, one of the officers involved was terminated.

“I appreciate the MBTA’s commitment to making sure this won’t happen again,” said Ms. Holmes.