

HOUSE No. 3931

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 20, 2023.

The committee on Public Service to whom was referred the joint petition (accompanied by bill, House, No. 3730) of Carole A. Fiola and Michael J. Rodrigues (by vote of the town) relative to the appointment of retired police officers as special police officers in the town of Freetown, reports recommending that the accompanying bill (House, No. 3931) ought to pass [Local Approval Received].

For the committee,

KENNETH I. GORDON.

HOUSE No. 3931

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act authorizing the appointment of retired police officers as special police officers in the town of Freetown.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. The board of selectmen in the town of Freetown may appoint, as the chief
2 of police considers necessary, retired police officers of the town of Freetown as special police
3 officers for the purpose of performing police details and any police duties arising therefrom or
4 during the course of police detail work, whether or not related to the detail work, The retired
5 police officers shall have previously served as regular full-time police officers for the town of
6 Freetown and voluntarily retired based upon superannuation in accordance with chapter 32 of the
7 General Laws. The special police officers shall not be subject to the maximum age restrictions
8 applied to regular police officers under chapter 32 of the General Laws but shall not be eligible
9 to serve as special police officers if they have reached the age of 70. No further deductions shall
10 be made from the regular compensation of any special police officer appointed under this act
11 pursuant to chapter 32 of the General Laws after reaching the age of 65, and upon retirement any
12 special police officers appointed under this act shall receive a superannuation retirement
13 allowance equal to that which he would have been entitled had they retired at age 65. A special

14 police officer shall pass a medical examination by a physician or other certified professional
15 chosen by the town to determine that the officer is capable of performing the essential duties of a
16 special police officer pursuant to this act, the cost of which shall be borne by the special police
17 officer, prior to performing police details. The officer shall provide certification to the town that
18 the officer is covered by personal health insurance.

19 SECTION 2. Special police officers appointed pursuant to this act shall not be subject to
20 chapter 31 of the General Laws, sections 85H and 85H½ of chapter 32 of the General Laws,
21 sections 99A, 100 or 111F of chapter 41 of the General Laws or chapter 150E of the General
22 Laws. Special police officers appointed pursuant to this act shall be subject to chapter 151A of
23 the General Laws.

24 SECTION 3. Special police officers appointed pursuant to this act shall, when performing
25 the duties set forth in section 1, have the same power to make arrests and to perform other police
26 functions as do regular police officers of the town of Freetown.

27 SECTION 4. Special police officers appointed under this act shall be appointed for a term
28 of 1 year subject to renewal at the board of selectmen's sole discretion. During the term of
29 appointment, the officer shall serve at the board of selectmen's pleasure, subject to removal by
30 the board at any time with or without cause. Any such removal shall be preceded by a 14-day
31 written notice unless considerations of public safety and welfare, as determined in the board of
32 selectmen's sole discretion, require immediate removal.

33 SECTION 5. Special police officers appointed pursuant to this act shall be subject to the
34 rules and regulations, policies and procedures and requirements of the police department and the
35 chief of police of the town of Freetown, including but not limited to, restrictions on the type of

36 detail assignments, requirements regarding medical examinations to determine continuing
37 capability to perform the duties of a special police officer, requirements for training,
38 requirements for firearms licensing and qualifications, requirements for maintaining a medical or
39 liability policy and requirements regarding uniforms and equipment. Compliance with all
40 requirements shall be at no cost to the town of Freetown. A special police officer appointed
41 under this act shall be subject to certification standards pursuant to section 4 of chapter 6E of the
42 General Laws.

43 SECTION 6. Special police officers appointed pursuant to this act shall be sworn before
44 the town clerk of the town of Freetown, who shall keep a record of all such appointments.

45 SECTION 7. Appointment as a special police officer pursuant to this act shall not entitle
46 any officer to assignment to any specific detail or type of detail. All assignments shall be made in
47 the sole discretion of the chief of police. Special police officers appointed pursuant to this act
48 shall be paid the hourly detail rate applicable to regular full-time officers, including any changes
49 to such rate, but shall not be entitled to any other town benefits.

50 SECTION 8. Special police officers appointed under this act shall be subject to the
51 limitations on hours worked and on earnings by retired municipal employees described in
52 paragraph (b) of section 91 of chapter 32 of the General Laws.

53 SECTION 9. This act shall take effect upon its passage.