

HOUSE No. 637

The Commonwealth of Massachusetts

PRESENTED BY:

William N. Brownsberger

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act allowing police to complete incident responses.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>William N. Brownsberger</i>		<i>1/11/2011</i>
<i>David Benoit</i>	<i>54 Simmons Ave. Belmont, MA 02478</i>	

HOUSE No. 637

By Mr. Brownsberger of Belmont, a petition (accompanied by bill, House, No. 637) of William N. Brownsberger and David Benoit relative to municipal police powers. Public Safety and Homeland Security.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2201 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act allowing police to complete incident responses.

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 98A of Chapter 41 of the General Laws of Massachusetts is amended by striking
2 it out and inserting in place thereof the following new section:

3 A police officer of a city or town who is empowered to make arrests within a city or town
4 may, on fresh and continued pursuit, (a) exercise such authority in any other city or town for any
5 offence committed in his presence within his jurisdiction for which he would have the right to
6 arrest within his jurisdiction without a warrant; (b) stop a person for investigative purposes and
7 take any appropriate legal action if he would have the right to do so in his own jurisdiction based
8 on observations made while he and the person were both in his own jurisdiction; (c) stop a motor
9 vehicle operator and take any appropriate legal action for motor vehicle violations committed in
10 his own jurisdiction if he would have the right to do so in his own. Said officer may return any

11 person so arrested to the jurisdiction wherein said offence was committed. In every instance in
12 which a police officer is active outside his jurisdiction under the authority of this section, he or
13 his department shall promptly notify the department or departments having authority in the
14 jurisdiction or jurisdictions in which he has been active, provided, however, that failure to make
15 this notification will in no way affect the validity of any arrest, investigative stop or motor
16 vehicle stop. Nothing contained in this section shall be construed as limiting the powers of a
17 police officer to make arrests, investigative stops or motor vehicle stops.