

# HOUSE . . . . . No. 3746

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## The Commonwealth of Massachusetts

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PRESENTED BY:

***Michael D. Brady***

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*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 relative to an assault on a police officer responding to criminal activity.

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PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael D. Brady</i>	<i>9th Plymouth</i>	<i>10/24/2013</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>10/31/2013</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>	<i>10/25/2013</i>
<i>Gailanne M. Cariddi</i>	<i>1st Berkshire</i>	<i>10/30/2013</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>	<i>10/30/2013</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>	<i>10/30/2013</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>	<i>10/31/2013</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>	<i>10/31/2013</i>
<i>Rhonda Nyman</i>	<i>5th Plymouth</i>	<i>10/30/2013</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>	<i>10/30/2013</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>	<i>10/30/2013</i>

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By Mr. Brady of Brockton, a petition (subject to Joint Rule 12) of Michael D. Brady and others for legislation to require that assault and battery of a police officer responding to criminal activity to be prosecuted as a felony. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year Two Thousand Thirteen  
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An Act relative to an assault on a police officer responding to criminal activity.

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

1           Chapter 265 of the General Laws is hereby amended by inserting after section 13D½ the  
2 following section:-

3           Section 13D¾. (a) For purposes of this section, “responding to criminal activity” shall  
4 include, but not be limited to, travelling to, safeguarding, investigating or patrolling the area  
5 where suspected criminal activity is underway or recently took place, and apprehending or  
6 questioning any person suspected of being involved in criminal activity.

7           (b) Whoever commits an Chapter 265 of the General Laws is hereby amended by  
8 inserting after section 13D½ the following section:-

9           Section 13D¾. (a) For purposes of this section, “responding to criminal activity” shall  
10 include, but not be limited to, travelling to, safeguarding, investigating or patrolling the area  
11 where suspected criminal activity is underway or recently took place, and apprehending or  
12 questioning any person suspected of being involved in criminal activity.

13           (b) Whoever commits an assault and battery upon a police officer responding to criminal  
14 activity in the performance of the officer’s official duties, where the assault and battery results  
15 in injury to the officer, shall be punished by imprisonment in the state prison for not more than  
16 10 years or by a fine of not more than \$1,000 and imprisonment in a jail or house of correction  
17 for not more than 2 and 1/2 years.

18           in the performance of the officer’s official duties, where the assault and battery results  
19 in injury to the officer, shall be punished by imprisonment in the state prison for not more than

20 10 years or by a fine of not more than \$1,000 and imprisonment in a jail or house of correction  
21 for not more than 2 and 1/2 years.