

HOUSE No. 4143

The Commonwealth of Massachusetts

PRESENTED BY:

Marjorie C. Decker

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 regarding the appointment of retired Cambridge Police Department officers as special police officers within the city of Cambridge for paid detail assignments.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>1/12/2018</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>1/16/2018</i>

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By Ms. Decker of Cambridge, a petition (accompanied by bill, House, No. 4143) of Marjorie C. Decker and Sal N. DiDomenico (with the approval of the mayor and city council) that the city of Cambridge be authorized to appoint retired police officers as special police officers within said city for paid detail assignments. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act regarding the appointment of retired Cambridge Police Department officers as special police officers within the city of Cambridge for paid detail assignments.

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 city manager of the city of Cambridge may appoint, as the city
2 manager considers necessary, retired Cambridge police officers as special police officers
3 to perform police details or any duties arising from police details or during the course of
4 police detail work, whether or not related to the detail work. The city manager shall
5 have discretion to appoint only retired Cambridge police officers as special police
6 officers and shall establish department rules, procedures and policies concerning these
7 appointments. The city manager shall appoint retired Cambridge police officers who
8 served as regular Cambridge police officers and are retired based on superannuation.

9 No retired police officer shall be appointed under this act as a special police officer if
10 that officer has been retired for more than 5 years. Special police officers shall not be
11 subject to the same maximum age restrictions as applied to regular Cambridge police
12 officers under chapter 32 of the General Laws. Prior to appointment under this act, a
13 retired Cambridge police officer shall pass a medical examination by a physician or
14 other certified professional chosen or agreed to by the department to determine
15 whether the retired Cambridge police officer is capable of performing the essential
16 duties of a special police officer under this act. The cost of the medical examination
17 shall be borne by the retired Cambridge police officer.

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19 SECTION 2. Special police officers appointed under this act shall not be subject to
20 chapter 31, section 99A of chapter 41, or chapter 150E of the General
21 Laws.

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23 SECTION 3. When performing the duties set forth in section 1, special police
24 officers shall have the same power to make arrests and to perform other police
25 functions as do regular police officers of the city of Cambridge.

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27 SECTION 4. A special police officer shall be appointed for a 1-year term, subject to
28 renewal at the discretion of the city manager; provided, however, that a special police
29 officer shall be subject to suspension or removal by the city manager at his or her
30 discretion at any time. All benefits afforded to special police officers appointed under
31 this act shall terminate upon the conclusion of the employment term. A special police
32 officer's appointment shall automatically terminate upon the officer's 70th birthday.

33

34 SECTION 5. Special police officers appointed under this act shall be subject to the
35 rules and regulations, policies and procedures and requirements as the police
36 commissioner may impose from time to time including, but not limited to, restrictions
37 on the type and number of detail assignments, requirements regarding medical
38 examinations to determine continuing fitness and capability to perform the duties of a
39 special police officer, requirements for training, requirements for firearms licensing and
40 qualifications, requirements for maintaining of a medical or liability insurance policy,
41 and requirements regarding uniforms and equipment. The police commissioner shall, at
42 the police commissioner's discretion, set a schedule of fees associated with the costs of

43 training, medical examinations, equipment, uniforms and any other requirements
44 considered necessary by the police commissioner that shall be paid by the special police
45 officer appointed under this act. Special police officers appointed under this act shall
46 not be subject to section 96B of chapter 41 of the General Laws.

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48 SECTION 6. Special police officers appointed under this act shall be sworn in by
49 the police commissioner for the city of Cambridge.

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51 SECTION 7. Sections 100 and 111F of chapter 41 of the General Laws shall not
52 apply to special police officers appointed under this act. Sections 85H and 85H $\frac{1}{2}$ of
53 chapter 32 of the General Laws shall not apply to special police officers appointed under
54 this act.

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56 SECTION 8. Appointment as a special police officer shall not entitle the appointee
57 to assignment to any detail.

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59 SECTION 9. Retired Cambridge police officers serving as special police officers
60 under this act shall be subject to the limitations on hours worked and on earnings

61 restrictions as provided in paragraph (b) of section 91 of chapter 32 of the General
62 Laws.

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64 SECTION 10. The City Manager as the appointing authority for the City will have
65 final say in all appointments and removals of special police officers under this act.

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67 SECTION 11. This act shall take effect upon its passage.