

HOUSE No. 4478

The Commonwealth of Massachusetts

PRESENTED BY:

Angelo J. Puppolo, Jr.

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 authorizing the appointment of special police officers in the city of Springfield.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>4/24/2018</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>4/25/2018</i>
<i>Carlos González</i>	<i>10th Hampden</i>	<i>4/26/2018</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>4/26/2018</i>

HOUSE No. 4478

By Mr. Puppolo of Springfield, a petition (accompanied by bill, House, No. 4478) of Angelo J. Puppolo, Jr., and others (with the approval of the mayor and city council) that the city of Springfield be authorized to use retired police officers of said city as special police officers for the purpose of performing certain police duties. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act authorizing the appointment of special police officers in the city of Springfield.

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 police commissioner of the city of Springfield may appoint, at the
2 recommendation of a deputy police chief or as the police commissioner deems necessary, retired
3 police officers of the city of Springfield as special police officers to perform police details or
4 duties arising from police details or during the course of police detail work, whether or not
5 related to the detail work. The retired Springfield police officers shall have been regular police
6 officers in the city of Springfield and retired based on superannuation. The retired officers shall
7 be subject to the same maximum age restrictions as applied to regular police officers in the city
8 of Springfield pursuant to chapter 32 of the General Laws. Before being appointed pursuant to
9 this act, a retired officer shall pass a medical examination conducted by a physician or other
10 certified professional chosen by the city to determine whether the retired officer is capable of
11 performing the essential duties of a special police officer pursuant to this act, the cost of which

12 shall be borne by the retired officer. Proof of payment of that cost shall be a pre-requisite of
13 employment.

14 SECTION 2. A special police officer appointed pursuant to this act shall not be subject to
15 chapter 31, to chapter 150E, or to section 99A of chapter 41 of the General Laws. A special
16 police officer appointed pursuant to this act shall not be eligible for special leave, vacation or
17 other benefits pursuant to the revised ordinances of the city of Springfield or a collective
18 bargaining agreement.

19 SECTION 3. A special police officer shall, when performing the duties described in
20 section 1, have the same power to make arrests and perform other police functions as regular
21 police officers of the city of Springfield.

22 SECTION 4. A special police officer shall be appointed for a 1-year term, subject to
23 removal by the mayor or the police commissioner upon 14 days written notice before removal.

24 SECTION 5. The work week for a special police officer appointed pursuant to this act
25 shall be 7 consecutive 24-hour periods, for a total of 168 hours, during which time a special
26 police officer shall be available to perform a police detail or duty arising from a police detail as
27 needed. The work week shall commence at 8:00 A.M. each Monday. A special police officer
28 appointed pursuant to this act shall not perform a police detail or a duty arising from a police
29 detail in excess of 40 hours in a work week.

30 SECTION 6. A special police officer appointed pursuant to this act shall be subject to the
31 rules, regulations, policies, procedures and requirements imposed by the police commissioner
32 and the mayor of the city of Springfield including, but not limited to: (i) restrictions on the type
33 of detail assignments; (ii) medical examination requirements to determine continuing capability

34 to perform the duties of a special police officer; (iii) training requirements; (iv) first aid
35 certification and qualification requirements; (v) firearms licensing and qualification
36 requirements; and (vi) uniform and equipment requirements. A special police officer's
37 compliance with the rules, regulations, policies, procedures and requirements shall be at no cost
38 to the city of Springfield. A special police officer appointed pursuant to this act shall not be
39 subject to section 96B of chapter 41 of the General Laws.

40 SECTION 7. A special police officer appointed pursuant to this act shall be sworn before
41 the city clerk of the city of Springfield, who shall keep a record of the appointment.

42 SECTION 8. A special police officer appointed pursuant to this act shall be subject to
43 sections 100 and 111F of chapter 41 of the General Laws. The amount payable pursuant to said
44 section 111F of said chapter 41 shall be calculated by averaging the amount earned during the
45 preceding 52 weeks as a special police officer working police details or by averaging that
46 amount over a lesser period of time for an officer designated as a special police officer for fewer
47 than 52 weeks before the incapacity. Payment pursuant to said section 111F of said chapter 41
48 shall not exceed, in a calendar year, the limitations on earnings contained in paragraph (b) of
49 section 91 of chapter 32 of the General Laws. Payment pursuant to said section 111F of said
50 chapter 41 shall terminate in accordance with said section 111F of said chapter 41 or when a
51 special police officer appointed pursuant to this act reaches the age of 65, whichever occurs first.
52 If the age limitation applicable to a regular police officer serving a city is increased from 65
53 years of age, the termination of benefits pursuant to said section 111F of said chapter 41 shall
54 terminate at the higher age limit; provided, however, that the benefits shall not extend beyond the
55 age of 70 for a special police officer. A special police officer appointed pursuant to this act shall

56 not be subject to section 85H or 85H½ of chapter 32 or eligible for benefits pursuant to those
57 sections.

58 SECTION 9. Appointment as a special police officer shall not entitle the appointee to
59 assignment to a detail.

60 SECTION 10. A special police officer appointed pursuant to this act shall be subject to
61 the limitations on hours worked and earnings restrictions in paragraph (b) of section 91 of
62 chapter 32 of the General Laws.

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