

# SENATE . . . . . No. 2361

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## The Commonwealth of Massachusetts

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In the One Hundred and Ninety-First General Court  
(2019-2020)  
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Senate, October 3, 2019

The committee on Public Service, to whom was referred the petition (accompanied by bill, Senate, No. 2293) of Walter F. Timilty and Michelle M. DuBois (by vote of the town) for legislation relative to special police officers in the town of West Bridgewater,- reports the accompanying bill (Senate, No. 2361).

For the committee,  
Michael D. Brady

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**In the One Hundred and Ninety-First General Court  
(2019-2020)**  
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An Act relative to special police officers in the town of West Bridgewater.

*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. Notwithstanding the provisions of any general or special law to the  
2 contrary, the Board of Selectmen of the Town of West Bridgewater may appoint, at the  
3 recommendation of the Police Chief and as said Chief deems necessary, individuals as Special  
4 Police Officers to perform police details or any other duties arising therefrom or during the  
5 course of police detail work, whether or not related to the detail work. Any special police  
6 appointed under this act who is a retired police officer shall be retired based upon  
7 superannuation. Prior to appointment under this act, a Special Police Officer shall pass a medical  
8 examination conducted by a physician or other certified professional chosen by the Town to  
9 determine whether the Special Police Officer is capable of performing the essential duties of a  
10 Special Police Officer and the cost thereof shall be borne by the Special Police Officer.

11           SECTION 2. Special Police Officers shall not be subject to Chapter 31 of the General  
12 Law, Section 99A of Chapter 41 of the General Laws, or Chapter 150E of the General Laws.

13           SECTION 3. A Special Police Officer shall be appointed by the Board of Selectmen upon  
14 a recommendation by the Chief of Police for a one-year term, subject to removal or suspension, a

15 Special Police Officer may request in writing from the Chief the reason(s) for such removal or  
16 suspension. Upon receiving a written request, the Chief shall provide written notice of the  
17 reason(s) for such removal or suspension within (10) days of receipt from the request. The  
18 Special Police Officer may appeal to the Board of Selectmen and request a hearing within 10  
19 business days. Said hearing shall be held within 30 days of receipt of the appeal. The Board of  
20 Selectmen shall render a written decision within 10 business days of the Hearing. Said decision  
21 shall be final.

22 SECTION 4. When performing duties authorized under Section 1, Special Police Officers  
23 shall have the same power to make arrests as do regular police officers of the Town of West  
24 Bridgewater. Special Police Officers shall be subject to the rules and regulations, policies and  
25 procedures and requirements of the Board of Selectmen and the Chief of Police of the Town of  
26 West Bridgewater including, but not limited to, restrictions on the type of detail assignments,  
27 responsibilities, authority, requirements regarding medical examinations to determine continuing  
28 capability to perform the duties of a Special Police Officer, requirements for training,  
29 requirements for firearms licensing and qualifications and requirements regarding uniform and  
30 equipment. Special Police Officers shall not be subject to Section 96B of Chapter 41 of the  
31 General Laws. The cost of all training, uniforms and equipment shall be borne by the Special  
32 Police Officer.

33 SECTION 5. Special Police Officers shall be sworn before the Town Clerk of the Town  
34 of West Bridgewater who shall keep a record of all such appointments.

35 SECTION 6. Special Police Officers appointed under this act shall be subject to Sections  
36 100 and 111F of Chapter 41 of the General Laws. The amount payable under said Section 111F

37 shall be calculated by averaging the amount earned over the prior 52 weeks as a Special Police  
38 Officer working police details, or averaged over such lesser period of time for any officer  
39 designated as a Special Police Officer less than 52 weeks prior to the incapacity. Payments under  
40 said Section 111F of said Chapter 41 shall not exceed, in a calendar year, the limitation on  
41 earnings in paragraph (b) of Section 91 of Chapter 32 of the General Laws. Payments under said  
42 Section 111F of said Chapter 41 shall terminate in accordance with said Section 111F of said  
43 Chapter 41 or when a Special Police Officer reaches the age of 65, whichever occurs sooner. In  
44 the event the age limitation applicable to regular Police Officers serving a town is increased  
45 under said Chapter 32 from the current 65 years of age, the termination benefits under said  
46 Section 111F of said Chapter 41, as provided under this act to Special Police Officers, shall  
47 terminate at such higher age limit but in no event shall those termination benefits extend beyond  
48 the age of 70 for such Special Police Officers. Special Police Officers appointed under this act  
49 shall not be subject to Sections 89E, 85H or 85H1/2 of said Chapter 32 nor shall they be eligible  
50 for any benefits pursuant thereto.

51 SECTION 7. An appointment as a Special Police Officer shall not entitle that person to  
52 assignment to a detail.

53 SECTION 8. Special Police Officers appointed under this act shall be subject to the  
54 limitation on hours worked and other restrictions on earnings as provided in paragraph (b) of  
55 Section 91 of Chapter 32 of the General Laws.

56 SECTION 9. A Special Police Officer shall not be subject to maximum age restrictions  
57 applied to regular officers under Chapter 32 of the General Laws, but shall not be eligible to

58 serve as a Special Police Officer upon reaching the age of 70. The provisions of this section shall  
59 apply to any Special Police Officer appointed prior or subsequent to the effective date of this act.

60 SECTION 10. This act shall take effect upon its passage.