

SENATE No. 2855

The Commonwealth of Massachusetts

PRESENTED BY:

Marc R. Pacheco

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 the appointment of retired police officers as special police officers in the town of Raynham.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Marc R. Pacheco

Third Bristol and Plymouth

Angelo L. D'Emilia

8th Plymouth

SENATE No. 2855

By Mr. Pacheco, a petition (accompanied by bill, Senate, No. 2855) of Marc R. Pacheco and Angelo L. D'Emilia (by vote of the town) for legislation relative to the appointment of retired police officers as special police officers in the town of Raynham. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to the appointment of retired police officers as special police officers in the town of Raynham.

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 any general or special law to the contrary, the board of
2 selectmen in the town of Raynham may appoint, as the Police Chief considers necessary, retired
3 police officers of the town of Raynham as special police officers to perform police details or
4 police duties arising therefrom or during the course of the police detail work, whether or not
5 related to the detail work. Such retired police officers shall have been regular police officers and
6 voluntary retired based on superannuation. The special police officers shall not be subject to the
7 maximum age restrictions applied to regular police officers under chapter 32 of the General
8 Laws but shall not be eligible to serve as special police officers if they have reached the age of
9 70. Such special police officer shall pass a medical examination by a physician or other certified
10 professional chosen by the Town to determine that the officer is capable of performing the

11 essential duties of a special police officer, the cost of which shall be borne by the special police
12 officer, prior to performing police details.

13 SECTION 2. Special police officers appointed pursuant to this act shall not be subject to
14 chapter 31 of the General Laws, sections 85H and 85H½ of chapter 32 of the General Laws,
15 sections 99A, 100 or 111F of chapter 41 of the General Laws, or chapter 150E of the General
16 Laws. Special police officers appointed pursuant to this act shall be subject to chapter 151A of
17 the General Laws.

18 SECTION 3. Special police officers appointed under this act shall, when performing the
19 duties under section 1, have the same power to make arrests and to perform other police
20 functions as do regular police officers of the Town of Raynham.

21 SECTION 4. Special police officers shall be re-appointed annually, subject to removal
22 by the Board of Selectmen at any time with 14 days' written notice except in cases where the
23 Police Chief determines that immediate action is necessary to protect the public safety. Upon
24 request, the Police Chief shall provide reasons for removal in writing.

25 SECTION 5. Special police officers appointed pursuant to this act shall be subject to the
26 rules and regulations, policies and procedures and requirements of the Police Department and
27 Police Chief of the town of Raynham, including restrictions on the type of detail assignment,
28 requirements regarding medical examinations to determine continued capacity to perform the
29 duties of a special police officer, requirements for training, requirements for firearm licensing
30 and qualification and requirements regarding uniforms and equipment. Compliance with all
31 requirements shall be at no cost to the town. Special police officers shall not be subject to section
32 96B of chapter 41 of the General Laws.

33 SECTION 6. Special police officers appointed under this act shall be sworn before the
34 town clerk of the town of Raynham who shall keep a record of all such appointments.

35 SECTION 7. Appointment as a special police officer pursuant to this act shall not entitle
36 any officer to assignment to any specific detail or type of detail.

37 SECTION 8. Retired police officers serving as special police officers under this act shall
38 be subject to the limitations on hours worked and on payments to retired town employees
39 pursuant to paragraph (b) of section 91 of chapter 32 of the General Laws.

40 SECTION 9. This act shall take effect upon its passage.