HOUSE DOCKET, NO. 1891 FILED ON: 1/15/2025

HOUSE . . . . . No. 2992

The Commonwealth of Massachusetts

PRESENTED BY:

Tommy Vitolo

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 or retired police officers as special police officers in the town of Brookline.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
Tommy Vitolo	*15th Norfolk*	*1/15/2025*
Cynthia Stone Creem	*Norfolk and Middlesex*	*1/29/2025*
William F. MacGregor	*10th Suffolk*	*1/29/2025*
Greg Schwartz	*12th Middlesex*	*1/21/2025*

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By Representative Vitolo of Brookline, a petition (accompanied by bill, House, No. 2992) of Tommy Vitolo and others (by vote of the town) that the town of Brookline be authorized to appoint retired police officers as special police officers in said town. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act authorizing the appointment or retired police officers as special police officers in the town of Brookline.

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

SECTION 1. Subject to the approval of the town administrator of the Town of Brookline, the Chief of Police of the town of Brookline may appoint retired Brookline police officers as special police officers for the purpose of performing police details or any police duties arising from police details or during the course of police detail work, whether or not related to the detail work. The retired police officers shall have been regular Brookline police officers and have been retired based on superannuation. A retired police officer shall not be appointed under this act as a special police officer if the officer has been retired for more than 5 years. A special police officer appointed under this act shall not be subject to the same maximum age restrictions applied to regular Brookline police officers under chapter 32 of the General Laws; provided, however, that a special police officer shall not be able to serve if the special police officer has reached the age of 70. Prior to performing police details, a special police officer appointed under this act shall

12 pass a medical examination by a physician or other certified professional chosen or agreed to by
13 the department to determine that the retired police officer is capable of performing the essential
14 duties of a special police officer, the cost of which shall be borne by the special police officer.

15 SECTION 2. A special police officer appointed under this act shall not be subject to
16 chapter 31 of the General Laws, section 99A of chapter 41 of the General Laws, chapter 150E of
17 the General Laws or chapter 151A of the General Laws.

18 SECTION 3. A special police officer appointed under this act shall, when performing the
19 duties under section 1, have the same power to make arrests and perform other police functions
20 as regular police officers in the town of Brookline.

21 SECTION 4. A special police officer appointed under this act shall be appointed for an
22 indefinite term, subject to suspension or removal by the chief of police with approval by the
23 town administrator at any time. A special police officer shall be provided 14 calendar days
24 written notice prior to a permanent removal.

25 SECTION 5. A special police officer appointed under this act shall be subject to the
26 rules, regulations, policies, procedures and requirements of the chief of police including, but not
27 limited to:

28 (i) restrictions on the type of detail assignments; (ii) requirements regarding medical
29 examinations to determine continuing capability to perform the duties of a special police officer;
30 (iii) requirements for training; (iv) requirements for firearms licensing and qualifications; (v)
31 requirements for maintaining a medical insurance policy; (vi) and requirements regarding
32 uniforms and equipment. A special police officers shall not be subject to section 96B of chapter

41 of the General Laws. The cost of all training, uniforms, and equipment shall be borne by the special police officer.

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

SECTION 7. Sections 100 and 111F of chapter 41 of the General Laws shall not apply to a special police officer appointed under this act. A special police officer appointed under this act shall not be subject to section 85h or 85h ½ of chapter 32 of the General Laws nor eligible for any benefits pursuant thereto.

SECTION 8. Appointment as a special police officer under this act shall not entitle the appointee to any assignment to any detail.

SECTION 9. A retired Brookline police officer serving as a special police officer under this act shall be subject to the limitations on hours worked and on payments to retired town employees under paragraph (b) of section 91 of chapter 32 of the General Laws.

SECTION 10. This act shall take effect upon its passage, or act on anything relative thereto.