

**HOUSE . . . . . No. 1504**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Paul Kujawski**

*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 passage of the accompanying bill:

An Act relative to disarming or attempting to disarm a police officer.

PETITION OF:

NAME:

Paul Kujawski

DISTRICT/ADDRESS:

8th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1556 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### AN ACT RELATIVE TO DISARMING OR ATTEMPTING TO DISARM A POLICE OFFICER.

*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. Chapter 268 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by  
2 adding the following section:-

3 Section 32C. Whoever knowingly removes or attempts to remove a firearm, rifle, shotgun or weapon from a police  
4 officer or law enforcement officer, acting under color of his official authority, and who knows or has reasonable  
5 cause to believe that the individual is a police officer or law enforcement officer shall be punished by imprisonment  
6 in a state prison for no less than 3 years, nor more than 5 years or by a fine of \$1000 or by both imprisonment and  
7 fine.

8 The term "police officer" or "law enforcement officer" , as used in this section, shall mean a police officer or law  
9 enforcement officer in uniform, or, if out of uniform, one who has identified himself by exhibiting his credentials as  
10 such police officer or law enforcement officer.

11 Whoever, after having been convicted of the offense set forth in this section, commits a second or subsequent  
12 offense, shall be punished by imprisonment in state prison for no less than 5 years, nor more than 10 years or by a  
13 fine of \$2,500 or by both imprisonment and fine. The sentence imposed on such person shall not be reduced to less  
14 than 2 years, nor suspended, nor shall any person convicted under this paragraph be eligible for probation, parole,  
15 work release, or furlough or receive any deduction from his sentence for good conduct until he shall have served one  
16 and one-half years of such sentence; provided however, the commissioner of correction may, on the  
17 recommendation of the warden, superintendent, or other person in charge of a correctional institution, or the  
18 administrator of a county correctional institution, grant to said offender a temporary release in the custody of an  
19 officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a  
20 critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution.