

HOUSE No. 2487

The Commonwealth of Massachusetts

PRESENTED BY:

Diana DiZoglio, (BY REQUEST)

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 certain federal personnel to exercise police powers in the Commonwealth.

PETITION OF:

NAME:

Ryan Wright

DISTRICT/ADDRESS:

19 Old Farm Road, Methuen, MA 01844

HOUSE No. 2487

By Ms. DiZoglio of Methuen (by request), a petition (accompanied by bill, House, No. 2487) of Ryan Wright for legislation to grant certain police powers to federal law enforcement officers. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

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

An Act authorizing certain federal personnel to exercise police powers in the Commonwealth.

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 147 of the General Laws, as appearing in the 2006 Official
2 Edition, is hereby amended by inserting after section 2 the following section:—

3 Section 2A. All federal law enforcement officers who have successfully completed the
4 required training program for their respective agencies which qualifies them to hold the position
5 “GA-1811”, so called, including but not limited to bureau of alcohol, tobacco, and firearms
6 special agents, drug enforcement administration special agents, federal bureau of investigation
7 special agents, immigration and naturalization service immigration inspectors, special agents and
8 patrol officers, United States customs service special agents, inspectors and patrol officers,
9 United States marshals service deputies, United States postal service police officers and
10 inspectors, United States secret service special agents, and National Park Service law
11 enforcement officers, shall have and exercise throughout the commonwealth, certain powers of
12 police officers.

13 Such federal agents that have earned this police officer status shall only be allowed to :

14 (i) make a warrant less arrest, in accordance with section 98A of chapter 41, for any
15 felony committed in the agent’s presence;

16 (ii) make a warrant less arrest, in accordance with section 98A of chapter 41, for any
17 felony committed outside the agent’s presence, provided that the arresting agent has probable
18 cause to believe that the person so arrested had committed such offense;

19 (iii) conduct constitutionally permissible warrant less searches incidental to an arrest
20 made pursuant to the provisions of this section ;

21 (iv) direct and serve a valid arrest warrant in any part of the commonwealth in
22 accordance with section 23 of chapter 276;

23 (v) make a warrant less arrest, in accordance with section 28 of chapter 276, for any
24 misdemeanor committed against a person or property.

25 Notwithstanding any general or special law to the contrary, no federal law enforcement
26 agent who has earned this police officer status shall have the power to arrest as authorized by
27 chapter 90.

28 Notwithstanding any general or special law to the contrary, all federal law enforcement
29 agents who have earned this police officer status shall have the same privileges and immunities
30 as every sworn police officer of the commonwealth.