

HOUSE No. 3636

The Commonwealth of Massachusetts

PRESENTED BY:

Francisco E. Paulino

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 establishment of minority recruitment and selection program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Francisco E. Paulino</i>	<i>16th Essex</i>	<i>1/17/2023</i>

HOUSE No. 3636

By Representative Paulino of Methuen, a petition (accompanied by bill, House, No. 3636) of Francisco E. Paulino that law enforcement agencies establish minority recruitment and selection programs. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

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

An Act relative to the establishment of minority recruitment and selection program.

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 12 of the General Laws is hereby amended by adding the following
2 3 sections:-

3 Section 36. (a) As used in this section and in sections 37 to 38, the following words shall,
4 unless the context clearly requires otherwise, have the following meanings:

5 “Law enforcement agency”, (i) a state, county, municipal or district law enforcement
6 agency, including, but not limited to: a city, town or district police department, the office of
7 environmental law enforcement, the University of Massachusetts police department, the
8 department of the state police, the Massachusetts Port Authority police department, also known
9 as the Port of Boston Authority police department, and the Massachusetts Bay Transportation
10 Authority police department; (ii) a sheriff’s department in its performance of police duties and
11 functions; (iii) a public or private college, university or other educational institution or hospital
12 police department; or (iv) a humane society police department in section 57 of chapter 22C.

13 “Law enforcement officer”, any person who is employed as a permanent full-time
14 member of a law enforcement agency and is required to be certified by the Massachusetts peace
15 officer standards and training commission pursuant to chapter 6E.

16 (b) Each law enforcement agency shall establish a minority recruitment and selection
17 program in accordance with guidelines established by the attorney general pursuant to section 38.
18 The program shall seek to remedy past discrimination in furtherance of the goal of the agency
19 being comprised of law enforcement officers who reflect the diversity of the population of the
20 community the agency is charged with protecting. In implementing the program, the law
21 enforcement agency shall make a good faith effort to meet specific goals for recruiting and hiring
22 minorities and females within established time frames. The program shall include methods of
23 evaluating whether these goals are met and provide for additional contingent measures to be
24 taken if the program fails to meet its specific goals.

25 (c) The minority recruitment and selection program established pursuant to subsection (b)
26 shall be posted on the official website of each law enforcement agency.

27 (d) The attorney general shall monitor the results of the minority recruitment and
28 selection programs established by each law enforcement agency pursuant to subsection (b). In
29 monitoring the results of the minority recruitment and selection program established by a state
30 law enforcement agency, the attorney general shall do so in consultation with the head of the
31 respective state law enforcement agency.

32 (e) The attorney general shall annually publish a report summarizing the results obtained
33 pursuant to subsection (d). The attorney general shall post this summary on the official website
34 of the attorney general and shall submit the report to: (i) the governor; (ii) the secretary of public

35 safety and security, who shall post the report on the official website of the executive office of
36 public safety and security; and (iii) the clerks of the house of representatives and the senate.

37 Section 37. (a) Each law enforcement agency shall annually submit to the attorney
38 general a report containing:

39 (i) the age, gender, race, and ethnicity of the law enforcement officers currently appointed
40 to the law enforcement agency;

41 (ii) the age, gender, race, and ethnicity of applicants for a law enforcement officer
42 position in the preceding calendar year;

43 (iii) the age, gender, race, and ethnicity of applicants appointed to the agency in the
44 preceding calendar year;

45 (iv) the reasons for denying applicants an appointment to the law enforcement agency;
46 and

47 (v) the age, gender, race, and ethnicity of each law enforcement officer promoted within
48 the agency in the preceding calendar year, including the position to which the officer was
49 promoted.

50 (b) Each law enforcement agency shall publish on its official website the information
51 required by subsection (a).

52 (c) The attorney general shall collect, gather, assemble, and collate the information
53 reported pursuant to subsection (a) into an annual report to be submitted to: (i) the governor; (ii)
54 the secretary of public safety and security, who shall post the report on the official website of the
55 executive office of public safety and security; and (iii) the clerks of the house of representatives

56 and the senate. The Attorney General shall also post the annual report on the attorney general'
57 official website.

58 Section 38. The attorney general shall develop for dissemination to all law enforcement
59 agencies those guidelines or directives deemed necessary or appropriate to ensure the uniform
60 application of this act.

61 SECTION 2. This act shall take effect 120 days after its passage.