

HOUSE No. 3830

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

John H. Rogers

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 Authorizing The Appointment Of Retired Police Officers As Special Police Officers In The Town Of Norwood.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
John H. Rogers	12th Norfolk
Marian Walsh	

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 4763 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT AUTHORIZING THE APPOINTMENT OF RETIRED POLICE OFFICERS AS SPECIAL POLICE OFFICERS IN THE TOWN OF NORWOOD.

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.** The General Manager of the Town of Norwood may appoint, as he deems necessary,
2 retired Norwood police officers as special police officers for the purpose of performing police
3 details or any police duties arising therefrom or during the course of police detail work, whether
4 or not related to the detail work. Such retired police officers must have been regular Norwood
5 police officers who retired based upon superannuation. The special police officers shall be
6 subject to the same maximum age restriction as applied to regular police officers under Chapter
7 32 of the General Laws. Such special police officers must pass a medical examination, by a
8 physician or other certified professional chosen by the Town, to determine that they are capable
9 of performing the essential duties of a special police officer, the cost of which shall be borne by
10 the special police officers, prior to performing any police details.
- 11 **Section 2.** Special police officers appointed under this act shall not be subject to Chapter 31 of
12 the General Laws or to section 99A of Chapter 41 of the General Laws.
- 13 **Section 3.** Special police officers appointed under this act shall, when performing the duties
14 under Section 1, have the same power to make arrests and to perform other police functions as do
15 regular police officers of the Town of Norwood.
- 16 **Section 4.** Special police officers shall be appointed for an indefinite term, subject to removal by
17 the Police Chief, with the approval of the Norwood General Manager, at any time, upon 14 days
18 written notice. Upon request, the Police Chief shall provide the reasons for such removal in
19 writing.
- 20 **Section 5.** Special police officers appointed under this act shall be subject to the rules and
21 regulations, policies and procedures, and requirements of the Chief of Police of the Town of
22 Norwood, including restrictions on the type of detail assignments, requirements regarding
23 medical examinations to determine continuing capability to perform the duties of a special police
24 officer, requirements for training, requirements for firearms qualifications and licensing, and
25 requirements regarding uniforms and equipment. Costs associated with meeting these

26 requirements are to be paid by the special police officer. Special police officers appointed under
27 this act shall not be subject to Section 96B of Chapter 41 of the General Laws.

28 **Section 6.** Special police officers appointed under this act shall be sworn before the Town Clerk,
29 who shall keep a record of all such appointments.

30 **Section 7.** Special police officers appointed under this act shall be subject to Sections 100 and
31 111F of Chapter 41 of the General Laws. The amount payable under said Section 111F of said
32 Chapter 41 shall be calculated by averaging the amount earned over the prior 52 weeks as a
33 special police officer working police details, or averaged over such lesser period of time for any
34 officer designated as special police officers less than 52 weeks prior to the incapacity. In no
35 event shall payment under said Section 111F of said Chapter 41 exceed, in any calendar year, the
36 limitation on earnings contained in paragraph (b) of Section 91 of Chapter 32 of the General
37 Laws. Payment under said Section 111F of said Chapter 41 shall terminate when a special police
38 officer reaches the age of 65. In the event the age limitation applicable to regular police officers
39 serving a town is increased from 65 years of age, the termination of benefits under said Section
40 111F of said Chapter 41, as provided herein to special police officers, shall terminate at such a
41 higher age limit, but in no event shall the benefits extend beyond the age of 70 for any special
42 police officer. Special police officers appointed under this act shall not be subject to Section 85H
43 of said Chapter 32, nor eligible for any benefits pursuant thereto.

44 **Section 8.** Appointment as a special police officer under this act shall entitle any individual
45 appointed as such to assignment to any detail, as authorized by the Police Chief.

46 **Section 9.** Retired Norwood police officers, serving as special police officers under this act, shall
47 be subject to the limitations on hours worked and on payments to retired Town employees under
48 paragraph (b) of Section 91 of Chapter 32 of the General Laws.

49 **Section 10.** This act shall take effect upon its passage.