

HOUSE No. 4984

The Commonwealth of Massachusetts



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To the Honorable Senate and House of Representatives,

Pursuant to Article LVI, as amended by Article XC, Section 3 of the Amendments to the Constitution, I am returning to you for amendment House Bill No. 4838, “An Act further regulating the appointment of retired police officers in the town of Canton.”

This bill was adopted in response to a home rule petition by the Town of Canton and would amend chapter 394 of the acts of 2004, An Act Relative to the Appointment of Retired Police Officers in the Town of Canton, to allow the Canton police chief to appoint retired police officers from anywhere (and not just Canton) as special police officers, and to make clear that special police officers appointed pursuant to chapter 394 of the acts of 2004 are subject to the wage and hour limitations of section 91(b) of chapter 32 of the General Laws “to the extent said subsection (b) of said section 91 of said chapter 32 is in effect during their service.”

I support the Town of Canton’s desire to makes these particular changes. I am concerned, however, that section 5 of chapter 394 of the acts of 2004, which this bill does not amend, exempts special police officers from the requirements of section 96B of chapter 41 of the General Laws, including annual in-service training requirements of the Municipal Police Training Committee (“MPTC”). This existing exemption contradicts the statewide standards established in An Act Relative to Justice, Equity, and Accountability in Law Enforcement in the Commonwealth, which I signed into law on December 31, 2020, including that all law enforcement officers in the Commonwealth be certified by the Peace Officer Standards and

Training Commission, and comply with the annual in-service training requirements of the MPTC.

Accordingly, I recommend amending the bill by inserting the following two sections:-

SECTION 1A. Said section 1 of said chapter 394 is hereby further amended by striking out the last sentence and inserting in place thereof:- “Such special police officers must comply with all requirements of G.L. c. 6E, including (a) maintaining certification and good standing with the Peace Officer Standards and Training Commission and (b) complying with all annual in-service and other training requirements mandated by the Municipal Police Training Committee, and pass a medical examination, by a physician or other certified professional chosen by the town, to determine that they are capable of performing the essential duties of a special police officer, the cost of which shall be borne by the special police officers, prior to performing any police details.”

SECTION 1B. Section 5 of said chapter 394 is amended by striking out the last sentence.

Respectfully submitted,

Charles D. Baker,
Governor