

# HOUSE . . . . No. 1338

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By Mr. Kerr of Belmont (by request), petition of the Massachusetts Council of Retail Merchants and Retail Trade Board of Boston relative to the detention or arrest of persons suspected of larceny of goods offered for sale. The Judiciary.

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## The Commonwealth of Massachusetts

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In the Year One Thousand Nine Hundred and Fifty-Six.

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AN ACT RELATIVE TO THE DETENTION OR ARREST OF PERSONS SUSPECTED OF LARCENY OF GOODS OFFERED FOR SALE.

*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. A peace officer, or a merchant, or a mer-  
2 chant's employee may use reasonable force to detain for  
3 questioning for a reasonable length of time on the mer-  
4 chant's premises any person whom he has reasonable  
5 grounds to believe has committed larceny of goods of-  
6 fered for sale by the merchant. Such detention shall  
7 not render such peace officer, merchant or merchant's  
8 employee criminally or civilly liable for false arrest,  
9 false imprisonment or unlawful detention.

1 SECTION 2. Any officer authorized to serve criminal  
2 process may arrest without a warrant any person whom  
3 he has reasonable grounds to believe has committed  
4 larceny of goods offered for sale. A charge made to such  
5 officer by a merchant or merchant's employee shall con-  
6 stitute reasonable grounds for such arrest. No merchant  
7 or merchant's employee who causes such arrest shall be  
8 criminally or civilly liable for false arrest, false imprison-

9 ment, or unlawful detention where the merchant or mer-  
 10 chant's employee has reasonable grounds to believe that  
 11 the person arrested has committed larceny of goods of-  
 12 fered for sale by such merchant.

1 SECTION 3. This act shall take effect upon its passage.