

HOUSE No. 4043

By Mr. Fitzgerald of Boston, petition of the Massachusetts Police Association and Kevin W. Fitzgerald relative to escape from or aiding in escape from the custody of a police officer. Criminal Justice.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety.

AN ACT RELATIVE TO ESCAPE.

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 MGL, Chapter 268, section 17 is hereby amended by
2 striking out the section in its entirety, and inserting in its place,
3 the following: —

4 Whoever escapes, or attempts to escape from the custody of
5 a police office when lawfully arrested; or whoever aids or assists
6 in such escape or attempt to escape shall be punished by a fine
7 of not less than five hundred nor more than one thousand dollars,
8 or by imprisonment for not more than two years in a jail or house
9 of correction, or both such fine and imprisonment.

10 Any police officer who has probable cause to believe a person
11 has committed a crime cited in paragraph one, may arrest such
12 person without a warrant.

13 Any complaint sought pursuant to this section may be in
14 addition to any other charges, and nothing in this section shall
15 limit any civil liability that may attach to such person so charged.

