

**The Commonwealth of Massachusetts**

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EXECUTIVE DEPARTMENT,  
STATE HOUSE, BOSTON, February 8, 1967.

*To the Honorable Senate and House of Representatives:*

At this very moment there are thousands of dangerous or potentially dangerous criminals wanted, but at large, in the United States.

They walk our streets and ride our subways. The chance of any citizen being victimized by one of these criminals increases daily. With the terrifying experience of being an assault victim, the abstract problem of crime in the streets becomes intensely personal. It is then no longer a faceless compilation of statistics or newspaper headlines.

We live in an era of unprecedented prosperity and opportunity. And yet at the same time it is an era marked by a crime rate that accelerates each year at an alarming pace.

The statistics may read cold. Newspaper headlines may become forgotten messages long before their pages yellow.

But crime itself is far from cold and impersonal. On the contrary it is a human tragedy involving the wasted life of the criminal and the unwarranted suffering of the innocent victim and his stricken family.

The problem of crime and public safety is not unique to Massachusetts. All Americans are living in unusual times — troubled times. We are enjoying unparalleled economic progress. At the same time, however, each day records new evidence of unrest and uncertainty — increased evidence of disregard of our basic tradition of law and order.

More than a century ago Abraham Lincoln offered this profound advice to the people of the United States.

“Let each man remember that to violate the law is to trample on the blood of his father and to tear the character of his own and his children’s liberty”.

I am determined that this lesson will be taught and taught well in Massachusetts.

I am determined that our people will not live in uncertainty and fear.

I am determined that our homes, our streets and our playgrounds will be made safe.

These noble goals of true public safety are not easily attained. They cannot and will not happen by themselves.

A necessary first step to their achievement is a total recognition on the part of the citizens of Massachusetts — and the citizens throughout our great Nation — that the criminal element in our society is a powerful, dangerous and corrosive force that threatens all aspects of our community life — that has the capacity to permeate and deteriorate the very foundation of our democratic society.

In short, it is essential that the people themselves become alerted to the dangers — that they join in the battle by giving affirmative support to our police and law enforcement officials, and to the programs and policies that will assist these men and women in their daily battle against the criminal and corrupt.

We must support those in the front lines of our war against crime. We must help them attain a higher professional status, and we must be willing to pay for this professionalism. We must give them the tools with which to fully perform their sworn duty.

Steps must be taken to improve the efficiency and morale of our police officers. Such efficiency and morale can be improved markedly by illuminating and clarifying the limits of police authority.

We must root out the causes of crime. Poverty — whether material or spiritual — must be eliminated. The broken home — the slums — must no longer spawn pitiful psycho-social problems.

More, much more, must be done to rehabilitate prisoners. It is a fact that all but a few per cent of those convicted of crime and incarcerated are returned to live in society. Their release should not be made the occasion to practice criminal skills newly acquired in prison. On the contrary, their time in our penal institutions should be used to upgrade them in education and job skills so that they will have a genuine opportunity to make a meaningful contribution to society, their families and themselves following their release.

Our parole and probation services must be increased in order to make the counsel and assistance of these dedicated professionals more readily available to released criminals during their critical period of readjustment. The expansion and upgrading of these field services is a necessary foundation of any meaningful effort to achieve significant progress in our battle against crime.

In short, we must bring all our law enforcement agencies — not just some but all — into the twentieth century. And to do this we must know the true limits of the crime problem which we face.

To guide our efforts, I have established the Governor's Public Safety Committee that has as its prime responsibility the evaluation of all our public safety needs, as well as the formulation of programs to meet these needs.

The Committee whose membership represents our Attorney General, District Attorneys, police, correction and rehabilitation officials, has already made several significant recommendations that are included in this message and are designed to provide immediate assistance to our law enforcement officers. The Committee is also preparing to initiate studies with a view toward developing long-term, lasting solutions to this chronic problem. It will have a permanent staff, as well as access to the best available consultants, to assist its work.

We must pay careful heed to these recommendations of the Committee members who, having the day-to-day responsibility for mounting the attack against crime and corruption, know and appreciate on a first-hand basis the problems involved.

The overall problem is complex. It is a problem that must be solved. It is a problem that can be solved if we but remember that there are no ready solutions, no easy answers — and if we but remember that success will be ours only through a sustained and publicly supported effort.

Our police and law enforcement officials cannot successfully wage this battle alone. They must have the affirmative support and cooperation of each and every citizen of the Commonwealth.

The legislative proposals submitted herewith for your consideration will provide our police and law enforcement officials with new and valuable weapons. The prompt enactment of these proposals will demonstrate clearly and objectively that Beacon Hill is ready and willing to serve as an arsenal in the battle against crime.

#### GOVERNOR'S PUBLIC SAFETY COMMITTEE

I established the Governor's Public Safety Committee in October, 1966, to assist state government in developing specific methods for combating crime in the Commonwealth.

The Committee members, who include the Attorney General, the District Attorneys, and our top police, probation, parole and cor-

rections officials, are in a position to suggest meaningful crime-fighting proposals. Some will have immediate beneficial effects. Others will be directed toward long-term solutions.

The Committee, as presently constituted, does not have a permanent status in the General Laws. While the present Committee has received the approbation of the United States Department of Justice, evidenced by a \$25,000 grant, the Committee must be given permanent status to insure continued availability of Federal funds.

Crime permeates all levels and phases of our society. To attack and conquer it we must mobilize all our resources and the Public Safety Committee is the only existing interdisciplinary agency which can coordinate this effort. Its continued existence must be guaranteed.

The success of our war against crime depends heavily on the Committee's continued existence and sustained activities. The attached legislative proposal, designated Appendix A would make the Committee permanent and help assure our ultimate victory over lawlessness.

#### NEW ENGLAND STATE POLICE COMPACT

Crime does not recognize state boundaries. A housebreaker in Lawrence can be across our borders within a few minutes. A telephone call from out-of-state can order gangland guns to be turned loose in Massachusetts.

Interstate crime — particularly that of an organized nature — cannot be stamped out effectively by any one state. This requires the cooperative efforts of all states.

The New England states, because of their geographical compactness, have a long history of close cooperation on matters of mutual concern. Adoption of the New England State Police Compact would add another chapter to this history.

A central Criminal Intelligence Bureau would be established by the Compact. This is far more than a mere collection of mugshots and "wanted" bulletins. It would provide continual information concerning the movements, anywhere in the six-state region, of those who think themselves above our laws. This would permit faster solution of crimes committed as well as more effective deterrence of crime still in the planning stage.

The Compact also would formulate and establish procedures whereby the police of one state could come to the assistance of

another in times of extreme need. When a riot is raging in one of our northern resort communities, or a dam has burst in the Connecticut Valley, that is not the time to work out the procedures for mutual State Police assistance. They must be formulated and adopted in advance of actual need or disaster.

Adoption of the attached bill, designated Appendix B would make Massachusetts a party to the Compact. Our share of an estimated \$60,000 annual budget, allocated in proportion to the benefits derived, would be \$19,000.

Participation in the Compact is urged by the Attorney General, the New England Governors' Conference, the New England State Police Administrators' Conference, and the New England Council. Your early approval of the appended measure will make possible the early demise of interstate, organized criminal activity.

#### IMMUNITY OF WITNESSES FROM CRIMINAL LIABILITY

The pernicious character of organized crime must be understood in order to comprehend fully the importance of an immunity statute. There are men in prison today convicted of burglary because they were terrorized into criminal activity by loan sharks who, not satisfied with a \$1,200 return on a two-year loan of \$200, threatened their victim's loved-ones if more money was not immediately produced. There are many — the true number is not known — who carry the scars, the permanent limps inflicted by these enforcers.

There are young women, old before their time, existing as prostitutes to support their drug addiction — the perfidious gift of a pusher, a vital contributor to the funds of organized crime.

We cannot just accept these situations as merely being a fact of life. We must be able to bring these mobsters into court and secure convictions against them. This is now most difficult — because a conspiracy of silence surrounding these crimes makes it virtually impossible to obtain competent evidence.

The only way our prosecutors can obtain such evidence in many cases, is to secure the testimony of a participant in the crime itself. Our Constitution clearly states, and rightly so, that no man shall be compelled to testify against himself.

But we can compel a participant to give testimony against his accomplices in a particular criminal act by first granting him immunity from prosecution, thereby driving a wedge into the conspiracy of silence.

This would safeguard the witness' constitutional rights and, while allowing his own wrong-doing to go unpunished, would make possible the conviction and imprisonment of at least some of those involved, who would otherwise remain beyond the reach of the law.

The accompanying bill, designated Appendix C would allow immunity to be granted, upon application by the Attorney General or a District Attorney to the court, to certain witnesses in criminal cases whose testimony, otherwise unavailable, is necessary to secure the conviction of others.

Is this measure necessary? I state without any reservations my belief that the gangland murders will continue and that organized crime will continue to flourish unless it is enacted. And in doing so, I am merely echoing the urgent warnings which the prosecutors of our Commonwealth have brought to my ears.

If Your Honorable Bodies have any reservations about the need for this immunity statute, you have only to consult with the Attorney General or any one of our District Attorneys. Ask them about the magnitude of the organized crime problem. Ask them about the significant role which organized crime plays in causing violent crimes against the person as well as burglaries. And ask them what they can do to break the back of organized crime without this vital tool — the immunity statute.

I am sure that Your Honorable Bodies will recognize the Commonwealth's dire need for this statute, and will approve it at the earliest possible date. Law enforcement officials, thus armed with the immunity statute, would be able to break through the existing conspiracy of criminal silence and then initiate a full-scale probe of this organized sub-world of violence and human deprecation and obtain indictments that would signal its end.

#### APPEALS BY THE STATE IN CRIMINAL CASES

The attached bill, Appendix D, would allow the Commonwealth to appeal from adverse determinations of legal questions in criminal cases. This is a rather ponderous way of saying that the Commonwealth's prosecutors would be given the same procedural advantages long enjoyed by criminal defendants. But its true import goes far beyond this.

Our police today are faced with a formidable task. On the one hand their activities must meet the constitutional standards pre-

scribed by judicial decisions. On the other hand, however, they are met by an ever growing public demand for increased protection.

This need to balance the rights of the public and the individual urgently requires that our police be given greater guidance as to the manner in which they may properly discharge their duties. The true limits of police powers must be illuminated and clarified by the enactment of statutes reasonably designed to achieve this end. The appended proposal would do much to provide this guidance. Under present procedure, only the defendant can appeal from a decision against him in a criminal case. The Commonwealth's prosecutors have no such right.

Therefore, the pertinent questions presently permitted to be answered by our Supreme Judicial Court are necessarily limited in scope. They are cast in terms of was there an *abuse* of power by the police. Essentially, their answer determines whether or not in a particular case there was an *abuse* of power by the police. The court is not given the opportunity to treat fully the *proper use* of police powers.

Allowing our prosecutors to appeal from adverse decisions on questions of law in criminal cases, would allow the Courts to provide more definite guidelines for our police. The attached bill, Appendix D, would accomplish this purpose.

There is nothing more wearying, frustrating and futile than indecision — and our police are now in a period of forced indecision, particularly in those areas relating to the law of arrest and search. We must do all in our power to help them.

We must, of course, be ever vigilant to prevent this statute from being used as an instrument of oppression or harassment. For this reason, the right of appeal could be exercised only by the Attorney General or a District Attorney and the Court would be empowered to admit a defendant to bail on personal recognizance pending determination of the appeal. The Commonwealth, furthermore, would be required to pay the expenses incurred by a defendant in protecting his rights on appeal.

The appended bill, without infringing on individual rights, would help immeasurably in achieving the just result in individual cases and in promoting the development of workable guidelines for police action. I respectfully commend Appendix D to Your Honorable Bodies for the earliest possible approval.

### BOOKIE ARRESTS

The purchase of a policy slip, discovery of a murdered hoodlum's body, pitifully young boys and girls addicted to narcotics: each is part and parcel of organized criminal activity. And what appears to be the most innocuous, petty gambling, is in fact the most dangerous of all — for it makes everything else possible.

The money collected by bookies is the life-blood of organized crime. By stopping its flow, we would cut the underworld's critical source of strength and power.

This could be done, in part, by permitting our policemen to arrest, without a warrant, any bookie caught in the act of violating our gambling laws. The accompanying bill, attached hereto as Appendix E would accomplish this while at the same time requiring that, within 24 hours of a suspect's arrest, he be released or formally charged.

Our police need and want this measure. The recent Crime Commission recommended its adoption. Its passage must be realized before organized crime can be rooted out and destroyed. Your early approval of this measure is vitally needed.

### POLICE INVESTIGATORY POWERS

The General Laws presently permit a patrolman to stop and question suspicious persons abroad *during the nighttime*. I propose that the police be given this power during the daytime as well.

The decisions of our Courts support the right of a police officer to "search" a person for weapons during a threshold inquiry or after arrest. This is only reasonable as necessary to secure the officer's safety. I propose that this right be further defined and codified, in order to provide more usable guidelines for police activity.

Our police officers cannot be expected to have the legal acumen of law school graduates. Yet this is just what we ask of them when we leave them to rely on case law in deciding whether a planned course of action is acceptable.

I most strongly recommend that the Commonwealth remedy this situation by enacting the "stop-and-frisk" law, attached hereto as Appendix F. This is a measure similar to the one now in effect in New York.

This bill was drafted carefully to conform to the constitutional requirement of reasonableness. The steps through which a police officer must progress before he actually reaches the point of searching a person's clothing are clearly defined. The police officer must have reasonable grounds for each action which he takes. The bill does not give the police the power to indiscriminately search individual citizens. If a police officer reasonably suspects a person of unlawful design, he may stop and question him. If the officer reasonably believes his own safety would be endangered during an inquiry if the suspect were armed, he may search him for dangerous weapons. This bill is reasonably designed to achieve its objective of ensuring the officer's safety. It is reasonably designed to strengthen the investigatory powers of the police, thereby making possible their more effective protection of our people.

The need for this statute is great. There is a natural tendency for us all to become self-styled experts in law enforcement. Still, we must listen carefully to those who have dedicated their lives to protecting us. If we do we will hear our police pleading with *us* to give them the tools, such as this "stop-and-frisk" law, to protect *us*.

Our safety — yours, mine and that of all those whom we represent — is in our own hands. Let us respond to the pleas of our guardians by bringing about the early enactment of this measure.

#### EXTRA TERRITORIAL ARRESTS ON FRESH PURSUIT

If the safety of our communities is to be assured, we must rally to the support of our policemen. We must remove all unnecessary risks with which they may be faced in the line of duty. Their profession, by its very nature, is hazardous enough.

One presently-existing risk illustrated in the following example, is completely unnecessary. Officer Smith, cruising Belmont in his patrol car, spotted a "burglar" emerging from the side window of a darkened house at 3 A.M. Smith collared the man and, having reasonable grounds to believe he was a burglar, arrested him. Assume, however, that the man had jumped into a waiting car and that Smith wasn't able to stop and handcuff him until they had passed into Cambridge.

Smith, the Belmont policeman, was acting in his official capacity while making the Belmont arrest, but was acting as a private citizen in making the Cambridge arrest. Smith had no police authority outside Belmont, even in this situation involving hot pursuit.

This distinction is all-important to Smith. A police officer need only have reasonable grounds to believe a person has committed a felony to arrest him without a warrant. A private citizen, on the other hand, must not only have reasonable grounds but there must in fact have been a felony committed.

Returning to Smith, if the person he arrested in Cambridge had not committed a felony, there exists a serious possibility that he might be sued and held liable for civil damages — and this in spite of the fact that he acted reasonably at all times to apprehend what he thought to be a burglar.

Does it make sense to hire and train an officer and then place unnecessary obstacles in his path? The answer is obviously no. The above situation must never be allowed to happen. Town lines and city limits should never strip a policeman of his official status when in fresh pursuit.

The attached bill, designated Appendix G, would allow a police officer, whenever a person commits a crime for which he may be arrested without a warrant, to follow him in fresh pursuit and arrest him in any part of the Commonwealth.

We presently give this protection to out-of-state peace officers, allowing them to enter Massachusetts in fresh pursuit of felons and to validly arrest them. It is time that we gave our own lawmen the benefit of this protection from civil liability.

It is time that this psychological hurdle is no longer permitted to impede an officer in the due performance of his duty.

I ask your early and favorable action on this measure.

#### INCREASED STATE POLICE PERSONNEL

The men of our State Police are called upon to shoulder unbelievably heavy workloads.

Theirs is a dual function — highway patrol and criminal investigation. With present manpower levels they are unable to carry out fully either responsibility.

The Detective Branch of the State Police consists of only 50 officers. In order to assist them in performing their investigative work, 33 troopers of the Uniformed Branch were assigned to work with the Detective Bureau.

The loss of these troopers from highway patrol and from policing rural areas obviously has an adverse effect on these functions. Yet the men of the State Police valiantly are trying to do the best they can with available resources.

The Commissioner of Public Safety has informed me that a present increase of 140 new troopers is needed immediately if the State Police are not to fall even further behind in their workload. Intensive personnel studies are now being made to determine precisely how many will be needed to bring the manpower situation up-to-date. But we should begin immediately with this minimum addition of 140 men.

In my budget message of January 25, 1967, to Your Honorable Bodies, I requested that you appropriate \$889,000 for the addition of these sorely needed troopers.

I urge that you grant this measure your early approval.

### STATE POLICE CRUISERS

Our State Police presently have a total complement of 169 cruisers with which to carry out their assigned duties. In order to assign a cruiser to each trooper presently available for highway patrol, an additional 318 cruisers are required. In addition, I have asked that 140 more troopers be added to the State Police and this, of course, will require an additional 140 cruisers.

In my budget message submitted last month to Your Honorable Bodies, therefore, I asked that you appropriate \$688,800 for the purchase of 246 radio-equipped State Police cruisers. This would provide cruisers for the 140 new troopers and also add one-third of the 318 cruisers presently required. The remaining two-thirds would be added in the course of the following two fiscal years.

As these cruisers become available, each will be assigned to one trooper who will be allowed to use it in commuting to and from his home, and in performing other police duties on his days off, such as making court appearances. Whenever a trooper is using his cruiser, he will be in radio contact with his dispatcher and thus available for immediate assignment. The Connecticut State Police, using this system, estimate they thus gain an average of 1 and  $\frac{3}{4}$  hours of patrol per man each day. It is obvious that this system also would increase immeasurably the visibility of our State Police — thereby acting as a deterrent to further increases in highway slaughter and criminal activity.

The one man-one cruiser system would also permit the phasing-out of the barracks system as it presently exists, thus eliminating many of its most serious drawbacks. For example, when a trooper presently goes off duty he leaves his uniform, gun, riot stick and

other gear at his barracks. If a riot breaks out in the Salisbury Beach area, requiring the mobilization of off-duty troopers, a man living in Quincy might have to go to his barracks in Norwell, outfit himself, and then proceed to the scene. If he had had his cruiser and equipment immediately available, he could have gone directly to the riot scene. The advantages of this need no amplification.

I respectfully urge that you approve this request for new State Police cruisers.

### INVESTIGATION AND PROSECUTION

The Attorney General is the chief law enforcement officer of the Commonwealth. He and our district attorneys are the voice of the people in prosecuting those who would break our laws.

A major part of the Attorney General's responsibilities consists of coordinating the efforts of our law enforcement agencies, particularly in those areas of organized criminal activity which are state-wide in character.

During the last session, Your Honorable Bodies appropriated \$903,000 for operation of the Department of the Attorney General during fiscal 1967. In my budget message submitted last month to Your Honorable Bodies, I recommended that this sum be increased by \$300,000 for fiscal year 1968, for a total operating budget of approximately 1.2 million dollars.

Virtually all of this increase would be expended in adding to the investigative staff and number of criminal prosecutors in the Attorney General's office. These additions are absolutely necessary if the Attorney General is to meet his expanding responsibilities in our war against crime.

I commend this appropriation request to Your Honorable Bodies and respectfully ask that you grant it your early approval.

### POLICE PROTECTION FOR THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY

The safety of our people in the sprawling MBTA system cannot be guaranteed. Given present conditions, anyone riding the subway during the off-peak hours could become another victim of crime. Since virtually all subway crime involves personal violence, it is no wonder that our older citizens, our wives and daughters shun the system.

The City of New York in March 1965, was shocked by the death of Andrew Mormile, a 17-year-old who came to the defense of two girls who were being molested on the Brooklyn "A" train. His assailants left him dead with four stab wounds in the head. As a result, approximately 1,700 men were added to the New York Transit Authority Police Department. During the expanded Department's first year of operation major crimes dropped 65% to a low of 216.

We cannot and must not wait for our own "Andrew Mormile" before we act.

There is presently before Your Honorable Bodies draft legislation proposing the establishment of a Massachusetts Bay Transportation Authority Police Department. I support the principle of the MBTA having its own adequately-staffed, fulltime, permanent police force.

In the meantime, I am informed that the Authority is presently utilizing the services of Boston police officers to protect its riders. The police powers of these officers only extend to the corporate limits of the City of Boston. In order to provide for their maximum effectiveness while assigned to the MBTA, they should be granted full police powers over the entire transportation system. This would avoid the anomalous situation of a patrolman assigned to cover one of the major subway lines being without police authority for certain portions of his ride. The attached bill, designated Appendix H, would accomplish this purpose.

Let me emphasize, however, that this bill is only intended as an interim measure. The real solution to our problem of crime in the subways is dependent in great part on the establishment of a permanent police force for the MBTA.

#### CONCLUSION

Passage of these legislative proposals will be an important step in our continuing effort to enhance the safety of our people. But in and of themselves they will not spell an end to the problem of crime in our society. Ours must be a constant and continuing effort if we are to preserve and protect law and order in our Commonwealth. We must continue to seek out and eliminate the *causes* of criminal activity and not merely be satisfied to treat its *symptoms*.

As I stated in my Inaugural Message, "the safety of the public — the strengthening of law enforcement — will be a prime and continuing concern of this administration". I intend to work closely with the Governor's Public Safety Committee and expect to have additional legislative proposals to assist this vital effort.

In the meantime I respectfully urge that you grant prompt approval to the programs contained herein.

Respectfully submitted,

JOHN A. VOLPE,  
*Governor of the Commonwealth.*

## APPENDIX 'A'.

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Sixty-Seven.

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## AN ACT TO ESTABLISH A GOVERNOR'S PUBLIC SAFETY COMMITTEE.

1    *Whereas*, The deferred operation of this act would tend to  
2 defeat its purpose, which is to provide as soon as possible for  
3 the convening of a Governor's Public Safety Committee,  
4 therefore, it is hereby declared to be an emergency law,  
5 necessary for the immediate preservation of the public safety  
6 and convenience.

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

1    Chapter 6 of the General Laws is hereby amended by  
2 inserting after section 153, and under the caption GOVERNOR'S  
3 PUBLIC SAFETY COMMITTEE, the following new section:—  
4    *Section 154.* There shall be in the executive department a  
5 committee to be known as the Governor's Public Safety  
6 Committee, hereinafter referred to as the committee. The  
7 committee shall consist of twenty members, one of whom  
8 shall be the attorney general or his designee, nine of whom  
9 shall be the district attorneys of the several districts or their  
10 respective designees, one of whom shall be the commissioner  
11 of public safety, one of whom shall be the commissioner of  
12 correction, one of whom shall be the commissioner of the  
13 metropolitan district commission, one of whom shall be the  
14 chairman of the youth service board, one of whom shall be  
15 the chairman of the parole board, one of whom shall be the  
16 police commissioner of the city of Boston, and four of whom  
17 shall be appointed from time to time by the governor. The  
18 four persons to be appointed by the governor shall be the

19 chiefs of police who shall be members of and shall represent  
20 the Massachusetts Police Chiefs Association. The governor  
21 shall designate, from time to time, chairman of the com-  
22 mittee, and said chairman shall serve at the pleasure of the  
23 governor.

24 The members of the committee may travel within and  
25 without the commonwealth and shall serve without compen-  
26 sation, but shall receive their necessary expenses incurred in  
27 the discharge of their duties under this section. The governor  
28 may make available from the executive department such  
29 personnel as shall be necessary to carry out the functions of  
30 the committee. The committee may expend such sums as may  
31 be appropriated for discharging its duties under this sec-  
32 tion.

33 The committee shall meet at least once during each of the  
34 months of January, April, July and October and may meet at  
35 other times at the call of the chairman. The chairman shall  
36 determine the place for holding each meeting and shall send  
37 notice of any meeting to all members. It shall be the duty of  
38 the committee to study the problems of law enforcement and  
39 organized crime at the state, county and local levels; to  
40 encourage the dissemination of information among state,  
41 county and local law enforcement officers; to encourage the  
42 effective coordination of law enforcement activity among  
43 state, county and local law enforcement bodies; to encourage  
44 the development of effective coordination among the law  
45 enforcement agencies of the commonwealth and those of  
46 other states; to encourage the development of educational  
47 programs designed to assist law enforcement officers to  
48 operate effectively within the framework of civil rights  
49 established by the federal and state constitutions; to formu-  
50 late programs designed to educate the public in their role in  
51 relation to organized crime; and to inform the governor as to  
52 the problems of law enforcement and to make recommenda-  
53 tions as to ways and means of meeting such problems. In  
54 carrying out these functions, the committee may meet with  
55 federal law enforcement officials or with law enforcement offi-  
56 cials of other states, or with judicial officers of this or any  
57 other state, or of the United States.

## APPENDIX "B".

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Sixty-Seven.

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AN ACT ENTERING INTO THE NEW ENGLAND STATE POLICE COMPACT.

*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 New England State Police Compact is  
2 hereby enacted into law and entered into with any other state  
3 or states legally joining therein in the form substantially as  
4 follows:—

5 NEW ENGLAND STATE POLICE COMPACT.

6 Article I.

7 *Purposes.*

8 The purposes of this compact are to:

9 1. Provide close and effective cooperation and assistance in  
10 detecting and apprehending those engaged in organized  
11 criminal activities;

12 2. Establish and maintain a central criminal intelligence  
13 bureau to gather, evaluate and disseminate to the appro-  
14 priate law enforcement officers of the party states informa-  
15 tion concerning organized crime, its leaders and their asso-  
16 ciates;

17 3. Provide mutual aid and assistance in the event of police  
18 emergencies, and to provide for the powers, duties, rights,  
19 privileges and immunities of police personnel when rendering  
20 such aid.

21 Article II.

22 *Entry into Force and Withdrawal.*

23 (a) This compact shall enter into force when enacted into  
24 law by any three of the states of Connecticut, Maine,

25 Massachusetts, New Hampshire, Rhode Island and Vermont.  
26 Thereafter, this compact shall become effective as to any  
27 other of the aforementioned states upon its enactment  
28 thereof.

29 (b) Any party state may withdraw from this compact by  
30 enacting a statute repealing the same, but no such with-  
31 drawal shall take effect until one year after the governor of  
32 the withdrawing state has given notice in writing of the  
33 withdrawal to the Governors of all other party states. No  
34 withdrawal shall affect any liability already incurred by  
35 or chargeable to a party state prior to the time of such  
36 withdrawal, and any records, files, or information obtained by  
37 officers or employees of a withdrawing state shall continue to  
38 be kept, used, and disposed of only in such manner as is  
39 consistent with this compact and any rules or regulations  
40 pursuant thereto.

41 Article III.

42 *The Conference.*

43 (a) There is hereby established the "New England State  
44 Police Administrators' Conference," hereinafter called the  
45 "Conference", to be composed of the administrative head of  
46 the state police department of each party state.

47 (b) If authorized by the laws of his party state, the  
48 administrative head of the state police department of a  
49 party state may provide for the discharge of his duties and  
50 the performance of his functions on the Conference, for  
51 periods none of which shall exceed fifteen days, by an  
52 alternate. No such alternate shall be entitled to serve unless  
53 notification of his identity and appointment shall have been  
54 given to the Conference in such form as the Conference may  
55 require.

56 (c) An alternate serving pursuant to subdivision (b) of  
57 this article shall be selected only from among the officers and  
58 employees of the state police department, the head of which  
59 such alternate is to represent.

60 (d) The members of the Conference shall be entitled to one  
61 vote each. No action of the Conference shall be binding  
62 unless taken at a meeting at which a majority of the total  
63 number of votes on the Conference are cast in favor thereof.

64 Action of the Conference shall be only at a meeting at which  
65 a majority of the members of the Conference, or their  
66 alternates, are present.

67 (e) The Conference shall have a seal.

68 (f) The Conference shall elect annually, from among its  
69 members, a chairman, (who shall not be eligible to succeed  
70 himself) a vice chairman, and a treasurer. The Conference  
71 shall appoint an Executive Secretary and fix his duties and  
72 compensation. Such Executive Secretary shall serve at the  
73 pleasure of the Conference, and together with the Treasurer  
74 shall be bonded in such amount as the Conference shall  
75 determine. The Executive Secretary also shall serve as  
76 general secretary of the Conference.

77 (g) Irrespective of the civil service, personnel or other  
78 merit system laws of any of the party states, the Executive  
79 Secretary subject to the direction of the Conference, shall  
80 appoint, remove or discharge such personnel as may be  
81 necessary for the performance of the Conference functions,  
82 and shall fix the duties and compensation of such per-  
83 sonnel.

84 (h) The Conference may establish and maintain indepen-  
85 dently or in conjunction with any one or more of the party  
86 states, a suitable retirement system for its full time em-  
87 ployees. Employees of the Conference shall be eligible for  
88 social security coverage in respect of old age and survivor's  
89 insurance provided that the Conference takes such steps as  
90 may be necessary pursuant to the laws of the United States,  
91 to participate in such program of insurance as a govern-  
92 mental agency or unit. The Conference may establish and  
93 maintain or participate in such additional programs of  
94 employee benefits as may be appropriate. Employment by  
95 the conference of a retired officer or employee of a party state  
96 shall not affect the pension or other retirement-connected  
97 benefits paid to such officer or employee by a party state.

98 (i) The Conference may borrow, accept or contract for the  
99 services of personnel from any party state, the United States,  
100 or any subdivision or agency of the aforementioned govern-  
101 ments, or from any agency of two or more of the party states  
102 or their subdivisions.

103 (j) The Conference may accept for any of its purposes and  
104 functions under this compact any and all donations, grants of  
105 money, equipment, supplies, materials, and services, condi-  
106 tional or otherwise, from any state, the United States, or any  
107 other governmental agency, or from any person, firm or  
108 corporation, and may receive, utilize and dispose of the same.  
109 The Conference shall publish in its annual report the terms,  
110 conditions, character, and amount of any resources accepted  
111 by it pursuant hereto together with the identity of the  
112 donor.

113 (k) The Conference may establish and maintain such  
114 facilities as may be necessary for the transacting of its  
115 business. The Conference may acquire, hold, and convey real  
116 and personal property and any interest therein.

117 (l) The Conference shall adopt bylaws for the conduct of  
118 its business and shall have the power to amend and rescind  
119 these bylaws. The Conference shall publish its bylaws in  
120 convenient form and shall file a copy thereof and a copy of  
121 any amendment thereto, with the appropriate agency or  
122 officer in each of the party states. The bylaws shall provide  
123 for appropriate notice of the Conference members of all  
124 Conference meetings.

125 (m) The Conference annually shall make to the Governor  
126 and legislature of each party state a report covering the  
127 activities of the Conference for the preceding year, and  
128 embodying such recommendations as may have been issued  
129 by the Conference. The Conference may make such addi-  
130 tional reports as it may deem desirable.

131 Article IV.

132 *Conference Powers.*

133 The Conference shall have power to:

134 (a) Establish and operate a New England Criminal Intel-  
135 ligence Bureau, hereinafter called "the Bureau", in which  
136 shall be received, assembled and kept case histories, records,  
137 data, personal dossiers, and other information concerning  
138 persons engaged or otherwise associated with organized  
139 crime.

140 (b) Consider and recommend means of identifying leaders  
141 and emerging leaders of organized crime and their asso-  
142 ciates.

143 (c) Facilitate mutual assistance among the state police of  
144 the party states pursuant to Article VII of this compact.

145 (d) Formulate procedures for claims and reimbursements,  
146 pursuant to Article VII of this compact.

147 (e) Promote cooperation in law enforcement and make  
148 recommendations to the party states and other appropriate  
149 law enforcement authorities for the improvement of such  
150 cooperation.

151 (f) Do all things which may be necessary and incidental to  
152 the exercise of the foregoing powers.

153 Article V.

154 *Disposition of Records and Information.*

155 The Bureau established and operated pursuant to Article  
156 IV (a) of this compact is hereby designated and recognized  
157 as the instrument for the performance of a central criminal  
158 intelligence service to the state police departments of the  
159 party states. The files, records, data and other information of  
160 the Bureau and, when made pursuant to the bylaws of the  
161 Conference, any copies thereof shall be available only to duly  
162 designated officers and employees of the state police depart-  
163 ments of the party states acting within the scope of their  
164 official duty. In the possession of the aforesaid officers and  
165 employees, such records, data, and other information shall be  
166 subject to use and disposition in the same manner and  
167 pursuant to the same laws, rules and regulations applicable to  
168 similar records, data and information of the officer's or  
169 employee's agency and the provision of this compact.

170 Article VI.

171 *Additional Meetings and Services.*

172 The members of the Conference from any two or more  
173 party states, upon notice to the chairman as to the time and  
174 purpose of the meeting, may meet as a section for the  
175 discussion of problems common to their states. Any two or

176 more party states may designate the Conference as a joint  
177 agency to maintain "for them" such additional common  
178 services as they may deem desirable for combating organized  
179 crime. Except in those cases where all party states join in  
180 such designation for common services, the representative of  
181 any group of such designating states in the Conference shall  
182 constitute a separate section of such Conference for the  
183 performance of the common service or services so designated  
184 provided that, if any additional expense is involved, the state  
185 so acting shall provide the necessary funds for this purpose.  
186 The creation of such a section or joint agency shall not affect  
187 the privileges, powers, responsibilities or duties of the states  
188 participating therein as embodied in the other articles of this  
189 compact.

190 Article VII.

191 *Mutual Aid.*

192 (a) As used in this Article:

193 1. "Emergency" means an occurrence or condition, tempo-  
194 rary in nature, in which the state police department of a party  
195 state is, or may reasonably be expected to be, unable to cope  
196 with substantial and imminent danger to the public safety,  
197 and in which the cooperation of or aid from local police forces  
198 within the state is, or may reasonably be expected to be insuf-  
199 ficient. Also "emergency" shall mean a situation in which an  
200 investigation of an aspect of organized crime, or events  
201 connected with organized crime require augmentation, for a  
202 limited time, of the investigative personnel of the state police  
203 department from without the state.

204 2. "Requesting state" means the state whose state police  
205 department requests assistance in coping with an emer-  
206 gency.

207 3. "Responding state" means the state furnishing aid, or  
208 requested to furnish aid, pursuant to this Article.

209 (b) In case of emergency, upon the request of the admin-  
210 istrative head of the state police department of a party  
211 state, the administrative head of the state police department  
212 of each responding state, shall order such part of his state  
213 police forces as he, in his discretion, may find necessary, to

214 aid the state police forces of the requesting state in order to  
215 carry out the purposes set forth in this compact. In such case,  
216 it shall be the duty of the administrative head of the state  
217 police department of each responding state to issue the  
218 necessary orders for such use of state police forces of his state  
219 without the borders of his state, and to direct such forces to  
220 place themselves under the operational control of the admin-  
221 istrative head of the state police department of the requesting  
222 state.

223 (c) The administrative head of the state police department  
224 of any party state, in his discretion, may withhold or recall  
225 the police forces of his state or any part or any member  
226 thereof, serving without its borders.

227 (d) Whenever any of the state police forces of any party  
228 state are engaged outside their own state in carrying out the  
229 purposes of this compact, the individual members so engaged  
230 shall have the same powers, duties, rights, privileges and  
231 immunities as members of the state police department of the  
232 state in which they are engaged, but in any event, a  
233 requesting state shall save harmless any member of a  
234 responding state police department serving within its borders  
235 for any act or acts done by him in the performance of his  
236 duty while engaged in carrying out the purposes of this  
237 compact.

238 (e) All liability that may arise under the laws of the  
239 requesting state or under the laws of the responding state or  
240 under the laws of a third state on account of or in connection  
241 with a request for aid, shall be assumed and borne by the  
242 requesting state.

243 (f) Any responding state rendering aid pursuant to this  
244 compact shall be reimbursed by the requesting state for any  
245 loss or damage to, or expense incurred in the operation of any  
246 equipment answering a request for aid, and for the cost of the  
247 materials, transportation and maintenance of state police  
248 personnel and equipment incurred in connection with such  
249 request: provided, that nothing herein contained shall pre-  
250 vent any responding state from assuming such loss, damage,  
251 expense or other cost.

252 (g) Each party state shall provide, in the same amounts  
253 and manner as if they were on duty within their state, for the

254 pay and allowances of the personnel of its state police  
255 department while engaged without the state pursuant to this  
256 compact and while going to and returning from such duty  
257 pursuant to this compact.

258 (h) Each party state providing for the payment of  
259 compensation and death benefits to injured members and the  
260 representatives of deceased members of its state police  
261 department in case such members sustain injuries or are  
262 killed within their own state, shall provide for the payment of  
263 compensation and death benefits in the same manner and on  
264 the same terms in case such members sustain injury or are  
265 killed while rendering aid pursuant to this compact.

266

### Article VIII.

267

#### *Finance.*

268 (a) The Conference shall submit to the Governor or  
269 designated officer or officers of each party state a budget of its  
270 estimated expenditures for such period as may be required by  
271 the laws of that party state for presentation to the legislature  
272 thereof.

273 (b) Each of the Conference's budgets of estimated expen-  
274 ditures shall contain specific recommendations of the amount  
275 or amounts to be appropriated by each of the party states.  
276 The total amount of appropriation under any such budget  
277 shall be apportioned among the party states as follows: one-  
278 third in equal shares; one-third divided among the party  
279 states in the proportions that their populations bear to the  
280 total population of all the party states; and one-third divided  
281 among the party states in the proportions that the major  
282 crimes committed in each party state bear to the total  
283 number of major crimes committed in all the party states. In  
284 determining population pursuant to this paragraph, the most  
285 recent decennial census compiled by the United States  
286 Government shall be used. Numbers of major crimes shall be  
287 as reported in the most recent annual "Uniform Crime  
288 Report" compiled by the Federal Bureau of Investigation of  
289 the United States Department of Justice, or by any agency  
290 which may assume responsibility for such compilation in the  
291 place of such Bureau. In the event that any source of

292 information required to be used for the purpose of this  
293 paragraph shall be discontinued, the Conference shall make  
294 its calculations on the basis of the best alternative sources of  
295 information and shall identify the sources used.

296 (c) The Conference shall not pledge the credit of any party  
297 state. The Conference may meet any of its obligations in  
298 whole or in part with funds available to it under Article III  
299 (j) of this compact, provided that the Conference takes  
300 specific action setting aside such funds prior to incurring any  
301 obligation to be met in whole or in part in such manner.  
302 Except where the Conference makes use of funds available to  
303 it under Article III (j) hereof, the Conference shall not incur  
304 any obligation prior to the allotment of funds by the party  
305 states adequate to meet the same.

306 (d) The Conference shall keep accurate accounts of all  
307 receipts and disbursements. The receipts and disbursements  
308 of the Conference shall be subject to the audit and account-  
309 ing procedures established under its rules. However, all  
310 receipts and disbursements of funds handled by the Confer-  
311 ence shall be audited yearly by a qualified, public accountant  
312 and the report of the audit shall be included in and become  
313 part of the annual report of the Conference.

314 (e) The accounts of the Conference shall be open at any  
315 reasonable time for inspection by duly constituted officers of  
316 the party states and any persons authorized by the Confer-  
317 ence.

318 (f) Nothing contained herein shall be construed to prevent  
319 Conference compliance with laws relating to audit or inspec-  
320 tion of accounts by or on behalf of any government contrib-  
321 uting to the support of the Conference.

322

## Article IX.

323

### *Construction and Severability.*

324 This compact shall be liberally construed so as to effectuate  
325 the purposes thereof. The provisions of this compact shall be  
326 severable and if any phrase, clause, sentence or provision of  
327 this compact is declared to be contrary to the Constitution of  
328 any state or of the United States or the applicability thereof  
329 to any government, agency, person or circumstance is held

330 invalid, validity of the remainder of this compact and the  
331 applicability thereof to any government, agency, person or  
332 circumstance shall not be affected thereby. If this compact  
333 shall be held contrary to the constitution of any state  
334 participating herein, the compact shall remain in full force  
335 and effect as to the remaining party states and in full force  
336 and effect as to the state affected as to all severable  
337 matters.

1 SECTION 2. The "administrative head of the state police  
2 department" for the commonwealth of Massachusetts, for the  
3 purposes of the New England State Police Compact set forth  
4 in section one, shall be deemed to be the Commissioner of  
5 Public Safety.

1 SECTION 3. The Commissioner of Public Safety is author-  
2 ized to designate an alternate to serve in his place and stead  
3 on the New England State Police Administrators' Conference  
4 as permitted by Article III (*b*) and (*c*) of the New England  
5 State Police Compact. However, it is the intention of the  
6 legislature that said commissioner shall attend and partici-  
7 pate in the work of the Conference in person to the maximum  
8 extent practicable.

## APPENDIX "C".

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Sixty-Seven.

AN ACT ESTABLISHING AUTHORITY AND PROCEDURE TO CONFER  
IMMUNITY ON WITNESSES.

1 *Whereas*, The deferred operation of this act would tend to  
2 defeat its purpose, which is to forthwith establish authority  
3 and procedures to confer immunity on witnesses, therefore it  
4 is hereby declared to be an emergency law, necessary for the  
5 immediate preservation of the public health and conven-  
6 ience.

*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  
2 amended by adding thereto a new section 10A as follows:—

3 *Section 10A. Immunity—Authority and Procedures to*  
4 *Confer on Certain Witnesses.* (1) Competent authority may  
5 confer immunity on a witness in any investigation or proceed-  
6 ing upon the express request of the attorney general of the  
7 commonwealth or upon the express request of a district  
8 attorney in those investigations or proceedings within the  
9 jurisdiction and under the control of said district attorney.  
10 Immunity shall not be conferred upon any person except in  
11 accordance with the provisions of this section.

12 (2) In any investigation or proceeding where a competent  
13 authority confers immunity, if a person refuses to answer a  
14 question or produce evidence of any other kind on the ground  
15 that he may be incriminated thereby, and, notwithstanding  
16 such refusal, an order is made by such competent authority  
17 that such person answer the question or produce the evi-  
18 dence, such person shall comply with the order. If such  
19 person complies with the order, and if, but for this section, he  
20 would have been privileged to withhold the answer given or

21 the evidence produced by him, then immunity shall be  
22 conferred upon him, as provided for herein.

23 (3) For the purposes of this section the following defini-  
24 tions shall apply:

25 (a) "Immunity" as used herein shall mean that such  
26 person shall not be prosecuted or subjected to any penalty or  
27 forfeiture for or on account of any transaction, matter or  
28 thing concerning which, in accordance with the order by  
29 competent authority, he gave answer or produced evidence,  
30 and that no such answer given or evidence produced shall be  
31 received against him upon any criminal proceeding. But he  
32 may nevertheless be prosecuted or subjected to penalty or  
33 forfeiture for any perjury or contempt committed in answer-  
34 ing, or failing to answer, or in producing or failing to produce  
35 evidence, in accordance with the order, and any such answer  
36 given or evidence produced shall be admissible against him  
37 upon any criminal proceeding concerning such perjury or  
38 contempt.

39 (b) "Competent authority", as used herein, shall mean  
40 either (i) a court before whom a person is called to answer  
41 questions or produce evidence in a criminal proceeding other  
42 than a proceeding before a grand jury, when such court is  
43 expressly requested by the prosecuting attorney to order such  
44 person to give answer or produce evidence; or

45 (ii) the court before whom a person is called to answer  
46 questions or produce evidence in a civil proceeding to which  
47 the commonwealth or a political subdivision thereof, or a  
48 department or agency of the commonwealth or of such  
49 political subdivision, or an officer of any of them in his official  
50 capacity, is a party, when such court is expressly requested by  
51 the attorney general of the commonwealth to order such  
52 persons to give answer or produce evidence; or

53 (iii) the grand jury before which a person is called to  
54 answer questions or produce evidence, when the prosecuting  
55 attorney, with the approval of a justice of the Superior  
56 Court, expressly requests such grand jury to order such  
57 person to give answer or to produce evidence.

## APPENDIX "D".

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Sixty-Seven.

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AN ACT ALLOWING THE COMMONWEALTH TO APPEAL ON QUESTIONS  
OF LAW IN CRIMINAL CASES.

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

1 Chapter 278 of the General Laws is hereby amended by  
2 inserting after section 28D the following section:—

3 *Section 28E.* The attorney general or a district attorney  
4 may take an appeal on behalf of the commonwealth from  
5 the superior court or from a district court sitting with a jury  
6 of six to the supreme judicial court in all criminal cases from  
7 a decision, order or judgment of the court sustaining a motion  
8 to dismiss an indictment or complaint or a motion for other  
9 relief under section forty-seven A of chapter two hundred and  
10 seventy-seven of the General Laws, which bars further  
11 prosecution under the indictment or complaint.

12 The attorney general or a district attorney may take a  
13 similar appeal to the supreme judicial court from an order,  
14 decision or judgment in the district court or in the superior  
15 court suppressing evidence prior to trial.

16 Such an appeal shall be taken within ten days after such  
17 order, decision or judgment has been entered and in any  
18 event before the defendant has been placed in jeopardy. No  
19 appeal shall be allowed under this section if it would place  
20 the defendant in double jeopardy. Any appeal taken under  
21 this section shall be diligently prosecuted.

22 Trial shall be stayed pending the prosecution and deter-  
23 mination of an appeal under this section, and the defendant  
24 may, at the discretion of the trial justice, be released on  
25 personal recognizance.

26 Appeals authorized by this section shall be governed by the  
27 rules of practice and procedure now applicable to criminal  
28 appeals under section thirty-three A through thirty-three G,  
29 inclusive, of chapter two hundred and seventy-eight of the  
30 General Laws.

31 All expenses of an appeal taken by the commonwealth  
32 under this section shall be borne by the commonwealth,  
33 including reasonable fees of defense counsel, subject to  
34 approval by a justice of the supreme judicial court, and costs  
35 of defendant's brief in the supreme judicial court.

## APPENDIX "E".

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Sixty-Seven.

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AN ACT PROVIDING FOR THE ARREST OF VIOLATORS OF CERTAIN  
GAMING AND GAMBLING LAWS WITHOUT A WARRANT.

1 *Whereas*, The deferred operation of this act would tend to  
2 defeat its purpose, which is to provide forthwith for the arrest  
3 of violators of certain gaming and gambling laws without a  
4 warrant, therefor it is hereby declared to be an emergency  
5 law, necessary for the immediate preservation of the public  
6 safety and convenience.

*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 276 of the General Laws is hereby  
2 amended by inserting after section 28 a new section as  
3 follows:—

4 *Section 28A.* Any officer authorized to serve criminal  
5 process may arrest without a warrant any person whom he  
6 reasonably believes to be in the act of violating the gaming  
7 laws of the commonwealth set forth in chapter two hundred  
8 and seventy-one. Such a person so arrested may be held in  
9 custody, either in jail or otherwise, until a complaint be made  
10 against him for such offense, which complaint shall be made  
11 as soon as practicable and in any case within twenty-four  
12 hours after such arrest, Sundays and legal holidays ex-  
13 cepted.

1 SECTION 2. This act shall take effect upon its passage.

## APPENDIX "F".

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Sixty-Seven.

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AN ACT CLARIFYING POLICE PROCEDURES IN REGARD TO SUSPICIOUS  
PERSONS.

*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. Section 98 of chapter 41 of the General Laws is  
2 hereby amended by striking out the words "during the night  
3 time" appearing at the beginning of the fourth sentence  
4 thereof.

1 SECTION 2. Section 98 of chapter 41 of the General Laws is  
2 hereby amended by adding at the end thereof the following  
3 new paragraph:—

4 When a police officer has stopped a person for questioning  
5 pursuant to this section and reasonably suspects that he is in  
6 danger of life or limb, he may search such person for a  
7 dangerous weapon. If the police officer finds such a weapon or  
8 any other thing the possession of which may constitute a  
9 crime, he may take and keep it until the completion of the  
10 questioning, at which time he shall either return it, if lawfully  
11 possessed, or arrest such person.

## APPENDIX "G".

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**The Commonwealth of Massachusetts**

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In the Year One Thousand Nine Hundred and Sixty-Seven.

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AN ACT ALLOWING A POLICE OFFICER TO MAKE ARRESTS OUTSIDE THE GEOGRAPHICAL CONFINES OF HIS EMPLOYING AGENCY IN CERTAIN CASES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

- 1 Chapter 276 of the General Laws is hereby amended by
- 2 inserting after section 10D the following new section:—
- 3 *Section 10E.* In any case in which a police officer, acting in
- 4 his official capacity, is authorized by law to arrest a person
- 5 without a warrant for a crime committed within the terri-
- 6 torial limits of the city, town, district or other jurisdiction of
- 7 the commonwealth by which said officer is employed, said
- 8 officer may follow such person in continuous close pursuit
- 9 from within such limits to any part of the commonwealth,
- 10 and may arrest such person in any part of the common-
- 11 wealth, provided the continuous close pursuit was necessary
- 12 in order to make the arrest.

## APPENDIX "H".

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Sixty-Seven.

AN ACT PROVIDING FOR MORE EFFECTIVE POLICE PROTECTION WITH-  
IN THE TERRITORIAL LIMITS OF PROPERTY HELD BY THE MASSA-  
CHUSETTS BAY TRANSPORTATION AUTHORITY.

1 *Whereas*, The deferred operation of this act would tend to  
2 defeat its purpose, which is to provide adequate police  
3 protection within the subways, terminals, buses and other  
4 property held by the Massachusetts Bay Transportation  
5 Authority, therefore, it is hereby declared to be an emergency  
6 law, necessary for the immediate preservation of the public  
7 safety, health and convenience.

*Be it enacted by the Senate and House of Representatives in  
General Court assembled, and by the authority of the same, as  
follows:*

1 Every police officer assigned to duty within the territorial  
2 limits of property held by the Massachusetts Bay Transpor-  
3 tation Authority, shall have and exercise, while so assigned,  
4 all police powers within the territorial limits of all property  
5 held by the Massachusetts Bay Transportation Authority as  
6 he is entitled to enjoy within the territorial limits of his  
7 employing city, town, police district or other such agency.



