

By Mr. McKenna of Springfield, petition of Arthur J. McKenna and Samuel Harmon relative to the establishment of detective bureaus in the offices of the district attorneys. Public Service.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

AN ACT ESTABLISHING A DETECTIVE BUREAU IN THE OFFICE OF THE DISTRICT ATTORNEYS OF THE COMMONWEALTH.

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 inserting after section 21 the following five
3 sections:—

4 *Section 21A.* There shall be established in the office of the
5 district attorneys for the several districts in the common-
6 wealth, a detective bureau which shall be subject to the
7 exclusive supervision and control of each such district
8 attorney. Such detective bureaus shall be known as district
9 detective bureaus.

10 Each such detective bureau shall investigate crime
11 throughout its respective district under the supervision and
12 direction of the district attorney of said district. It shall make
13 investigations to secure and verify facts for use in all criminal
14 proceedings under the jurisdiction of the district attorney. A
15 detective of a district detective bureau shall have the same
16 authority and powers granted to police officers under provi-
17 sions of section ninety-eight of chapter forty-one; and in the
18 performance of such powers shall have the right to use
19 existing facilities of the police departments of each munici-
20 pality within the district and of other governmental investi-
21 gatory law enforcement agencies of the commonwealth.

22 *Section 21B.* The district attorney of said districts may
23 appoint and assign the following detectives or criminal inves-
24 tigators, as the case may be, as hereinafter provided:—

25 For the Suffolk district, Suffolk county, eighteen detectives
26 one of whom shall be designated as chief of detectives and
27 two of whom shall be designated as lieutenant detectives. In
28 addition thereto, the district attorney may appoint five
29 criminal investigators.

30 For the northern district, Middlesex county, fifteen detec-
31 tives one of whom shall be designated as chief of detectives
32 and two of whom shall be designated as lieutenant detectives.
33 In addition thereto, the district attorney may appoint five
34 criminal investigators.

35 For the eastern district, Essex county, eight detectives two
36 of whom shall be designated as lieutenant detectives.

37 For the Norfolk district, Norfolk county, four detectives
38 two of whom shall be designated as lieutenant detectives.

39 For the Plymouth district, Plymouth county, four detec-
40 tives two of whom shall be designated as lieutenant detec-
41 tives.

42 For the southern district, Bristol, Barnstable, Nantucket
43 and Dukes counties, five detectives one of whom shall be
44 designated as lieutenant detective.

45 For the middle district, Worcester county, four detectives
46 one of whom shall be designated as lieutenant detective.

47 For the western district, Berkshire and Hampden counties,
48 five detectives one of whom shall be designated as lieutenant
49 detective.

50 For the northwestern district, Franklin and Hampshire
51 counties, two detectives one of whom shall be designated as
52 lieutenant detective.

53 Said designations as chief of detectives or lieutenant detec-
54 tive may be made and terminated at the discretion of the
55 district attorney.

56 The criminal investigators, so called, appointed in accor-
57 dance with the provisions of this section, shall conduct such
58 criminal investigations as directed by the district attorney,
59 shall serve summonses and subpoenas in relation to criminal
60 proceedings, but shall have no authority to make arrests or
61 carry firearms.

62 *Section 21C.* The annual compensation of a chief of detec-
63 tives shall be thirteen thousand five hundred per annum; the
64 annual compensation of a lieutenant detective shall be eleven

65 thousand five hundred; and the annual compensation of a
66 detective shall be nine thousand nine hundred per annum.
67 Such compensation shall be paid by the commonwealth.

68 The annual compensation of all criminal investigators shall
69 be five thousand five hundred per annum and shall be paid by
70 the county.

71 *Section 21D.* The district attorney may expend such funds
72 as he may deem reasonable in equipping and maintaining
73 such detective bureau, and in providing clerical assistance
74 therefor, and all such bills incurred for such purposes shall be
75 paid by the commonwealth.

76 *Section 21E.* Appointments of detectives to such detective
77 bureaus shall be made in accordance with the provisions of
78 chapter thirty-one except as otherwise provided in chapter
79 of the acts of nineteen hundred and sixty-eight.
80 The appointment of criminal investigators shall not be
81 subject to chapter thirty-one.

1 SECTION 2. Appointment to a county detective bureau shall
2 be as criminal investigator or detective, as the case may be,
3 and any subsequent assignment of a detective as chief of
4 detectives or lieutenant detective, as provided in section
5 twenty-one B of chapter twelve of the General Laws, inserted
6 by section one of this act, shall be at the discretion of the
7 district attorney and shall not be subject to any provision of
8 chapter thirty-one, provided that any such assignment shall
9 not affect or impair any civil service, retirement or other
10 rights to the detriment of the person so assigned.

1 SECTION 3. In making the original appointments to a
2 county detective bureau the district attorney may include
3 any police officer assigned to criminal investigation work in
4 his office on the effective date of this act. He may make
5 appointments to fill the remaining vacancies by selection
6 from any police force or governmental investigatory law
7 enforcement agency in the commonwealth or political subdi-
8 vision thereof, provided that such selection is limited to
9 persons having permanent status. Appointments made under
10 this section shall not be subject to the provisions of chapter
11 thirty-one, provided that any person appointed under this

12 section shall acquire civil service status upon the completion
13 of a probationary period of two years. No appointment under
14 this section shall be made later than one year following the
15 effective date of this act.

1 SECTION 4. Appointments as detective made to a county
2 detective bureau later than one year following the effective
3 date of this act shall be made in accordance with the
4 provisions of chapter thirty-one.

1 SECTION 5. Any appointees to a county detective bureau,
2 whether appointed under section three or section four of this
3 chapter, shall become members of the state employees' retire-
4 ment system upon their appointment to said bureau. Any
5 appointees who hold positions classified under chapter thirty-
6 one, or are subject to the provisions of section nine A of
7 chapter thirty, shall be deemed transferred to the service of
8 said detective bureau without impairment of their civil ser-
9 vice, retirement, seniority or other rights, and their terms of
10 office shall not be deemed to be interrupted within the
11 meaning of said chapter thirty-one or said section nine A of
12 chapter thirty notwithstanding any change in title or duties
13 made as a result of such transfer.

1 SECTION 6. Subject to the approval of the director of civil
2 service, the district attorney may establish requirements,
3 qualifications and restrictions for taking an examination for
4 appointment as a detective including the limitation of eligi-
5 bility to persons having permanent status in a police force or
6 governmental investigatory law enforcement agency of the
7 commonwealth or of a political sub-division.

1 SECTION 7. With the approval of the appointing authority
2 of the police force or governmental investigatory law enforce-
3 ment agency of the commonwealth and political subdivision,
4 a leave of absence may be granted to the person accepting
5 appointment in a county detective bureau for the period
6 required for said person to complete his probationary period.