

By Mr. Coppinger of Boston, petition of Francis X. Coppinger for the establishment of a detective bureau in the offices of 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.

1 *Whereas*, The deferred operation of this act would tend to
2 defeat its purpose, which is in part to provide forthwith for the
3 establishment of a detective bureau in the office of each
4 district attorney in the Commonwealth, therefore it is hereby
5 declared to be an emergency law, necessary for the immediate
6 preservation of the public 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 12 of the General Laws is hereby
2 amended by inserting after section 21 the following sections: —

3 *Section 21A.* There shall be established in the office of the
4 District Attorney for the Suffolk District, a detective bureau
5 which shall be subject to the supervision and control of the
6 District Attorney.

7 The detective bureau shall be authorized to investigate organ-
8 ized crime throughout the Suffolk District. It shall make inves-
9 tigation to secure and verify facts for use in all criminal
10 proceedings under the jurisdiction of the District Attorney. A
11 detective of the Suffolk District detective bureau shall have the
12 same authority and powers granted to police officers under
13 provisions of section ninety-eight of chapter forty-one; and in
14 the performance of such powers shall have the right to use
15 existing facilities of the police departments of each govern-
16 mental subdivision in Suffolk County.

17 *Section 21B.* Such detective bureau shall be known as the
18 Suffolk District detective bureau. The District Attorney of the
19 Suffolk District may appoint the following detectives in the
20 manner hereinafter provided:

21 For the Suffolk District, 15 detectives of whom three shall
22 be designated lieutenant detectives. The District Attorney may
23 appoint one of such lieutenants to serve as chief of detectives
24 and may remove him at his pleasure; a chief of detectives
25 replaced by the District Attorney of Suffolk County shall
26 revert to the rank of lieutenant of detectives.

27 In addition thereto, he may appoint five criminal investi-
28 gators who shall conduct such criminal investigations as
29 directed by the District Attorney, shall serve summonses and
30 subpoenas in relation to criminal proceedings, but shall have no
31 authority to make arrests or carry firearms.

32 *Section 21C.* In the Suffolk District, chief of detectives,
33 lieutenants of detectives and detectives shall receive from the
34 commonwealth annual salaries as follows: — chief of detectives,
35 fifteen thousand per annum; lieutenant of detectives in each
36 district, thirteen thousand per annum; detectives in each dis-
37 trict, eleven thousand five hundred per annum. The annual
38 compensation of all criminal investigators shall be seven thou-
39 sand five hundred per annum and shall be paid by Suffolk
40 County.

41 *Section 21D.* The District Attorney may expend such funds
42 as he may deem reasonable in equipping and maintaining such
43 detective bureau, and in providing clerical assistance therefor,
44 and all such bills incurred for such purposes shall be paid by
45 the County of Suffolk.

46 *Section 21E.* Appointments to the district detective bureau
47 shall be subject to chapter thirty-one; provided, however, that
48 no such person shall be eligible for examination unless he is a
49 member of the police force or governmental investigatory law
50 enforcement agency.

1 SECTION 2. The District Attorney of Suffolk District may
2 appoint the number of detectives required under the provisions
3 of section twenty-one B and may assign each to such rank and

4 duties as he may deem appropriate notwithstanding the provi-
5 sions of chapter thirty-one.

1 SECTION 3. The District Attorney may appoint any police
2 officer then assigned to criminal investigation work in his office
3 and he may appoint additional detectives selected from any
4 police force in the commonwealth or governmental investiga-
5 tory law enforcement agency, provided, however, that such
6 appointments shall be subject to chapter 31. He may make
7 appointments to fill any vacancies which may occur.

1 SECTION 4. A detective initially appointed under this sec-
2 tion after serving a probationary period of one hundred and
3 eighty days shall thereafter be termed to be employed subject
4 to the provisions of chapter 31 without serving any proba-
5 tionary period or without examination.

1 SECTION 5. After permanent appointments have been made
2 as provided in sections 2, 3, 4 and 7 of this act, detective
3 appointments thereafter shall be made from a list provided by
4 the civil service commission.

1 SECTION 6. Any appointees to the detective bureau be-
2 come members of the state employees' retirement system upon
3 their appointment to said bureau. Any appointees who hold
4 positions classified under chapter 31, or are subject to the
5 provisions of section 9A of chapter 30 shall be deemed trans-
6 ferred to the service of said detective bureau without impair-
7 ment of their civil service, retirement, seniority or other rights,
8 and their terms of office shall not be deemed to be interrupted
9 within the meaning of said chapter 31 or said section 9A of
10 chapter 30 notwithstanding any change in title or duties made
11 as a result of such transfer; provided, however, that no such
12 appointee shall be lowered in rank or compensation.

13 Except as provided in section 21C, all detectives appointed
14 by the District Attorney during the period of one hundred and
15 eighty days immediately following the effective date of this act
16 shall upon appointment to said bureau become subject to the
17 civil service laws and rules.

1 SECTION 7. The permanent appointment by each such dis-
2 trict attorney shall not be subject to chapter 31 of the General
3 Laws; provided, however, that any subsequent appointments
4 shall be subject to chapter 31 of the General Laws.

5 Requirements, qualifications and restrictions for taking the
6 examination for appointment as a detective for Suffolk District
7 shall be the same as are required for an examination for
8 promotion to the rank of sergeant in the police department of
9 the city of Boston, except that a member of any police
10 department in the Suffolk District having similar years of
11 experience and qualifications shall be eligible. The District
12 Attorney may determine the qualifications of the five criminal
13 investigators required under the provisions of sections 21C, and
14 may appoint and remove them at his pleasure.