

SENATE No. 1002

By Mr. Berry, petition (accompanied by bill, Senate, No. 1002) of Frederick E. Berry and Kevin M. Burke, District Attorney for the Eastern District, for legislation to create a division of investigative services within the Department of Public Safety. Public Safety.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Ninety-Three.

AN ACT TO CREATE A DIVISION OF INVESTIGATIVE SERVICES WITHIN THE DEPARTMENT OF PUBLIC SAFETY.

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. Because the performance of high quality,
2 professional criminal investigations of major crimes is an
3 important function of state government, the General Court has
4 determined that it is in the interest of public justice to assign that
5 responsibility to a new division within the department of public
6 safety.

1 SECTION 2. Section 3 of Chapter 22 of the G.L., as appearing
2 in the Official Edition, is hereby amended by inserting the
3 following paragraph, as it so appears: —

4 There shall be in the department a division of criminal
5 investigations under the charge of a director to be known as the
6 chief of criminal investigations, who shall be directly responsible
7 to the commissioner.

1 SECTION 3. Section 3A of Chapter 22, as it so appears is
2 hereby amended by striking the entire provision and inserting in
3 place thereof: —

4 There shall be within the division of criminal investigations a
5 narcotics section which shall be subject to the provisions of
6 Section 4B of Chapter 22.

1 SECTION 4. Section 4B of Chapter 22 is hereby added:

2 There shall be within the department a division of criminal
3 investigation staffed with detectives and other personnel and
4 charged with investigations of violations of criminal law. The chief
5 of criminal investigations and the detectives assigned to the
6 division shall have and exercise within the Commonwealth all the
7 powers of constables, police officers, and watchmen.

8 The commissioner shall establish the requirements and
9 qualifications for the chief, the detectives and other personnel
10 assigned to the division. The commissioner may assign members
11 of the division of state police to staff the division and said members
12 shall be accorded all the benefits of employment that they would
13 be entitled to as members of the division of state police. Said
14 members, including the chief, shall be subordinate directly and
15 solely to the commissioner during their tenure within the division.

16 The commissioner, through the chief of criminal investigations,
17 shall equitably assign said detectives' to the district attorneys
18 offices within the Commonwealth as a substitute for the Crime
19 Prevention and Control Unit of the division of state police
20 including the narcotics sections, and to the department of the
21 attorney general. The assignment of detectives and other
22 personnel to the offices of the district attorneys and to the
23 department of the attorney general shall be sufficient to
24 accomplish the goals of criminal investigation and the security of
25 the public.

26 The commissioner, through the chief of criminal investigations,
27 shall establish a forensic laboratory within the division under the
28 direct and sole supervision of the chief of criminal investigations.

1 SECTION 5. Section 4C of Chapter 147 of the General Laws,
2 as it appears in the Official Edition, is hereby amended by striking
3 the words "within the division of state police" in the first sentence
4 and inserting in place thereof the words: — "within the division
5 of criminal investigations."

1 SECTION 6. Section 4E of Chapter 147 of the G.L., as it so
2 appears is hereby amended by striking the words "within the

3 criminal information section” in the first sentence and inserting
4 in place thereof: — “within the division of criminal
5 investigations.”

1 SECTION 7. Sections two through seven of this act, inclusive,
2 shall take effect on July 1, 1993.

