

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Paul Kujawski

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to disarming or attempting to disarm a police officer.

PETITION OF:

NAME:

Paul Kujawski

DISTRICT/ADDRESS:

8th Worcester

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 1556 OF 2007-2008.]

The Commonwealth of Massachusetts

—————
In the Year Two Thousand and Nine
—————

AN ACT RELATIVE TO DISARMING OR ATTEMPTING TO DISARM A POLICE OFFICER.

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

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2 SECTION 1. Chapter 268 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by
3 adding the following section:-

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5 Section 32C. Whoever knowingly removes or attempts to remove a firearm, rifle, shotgun or weapon from a police
6 officer or law enforcement officer, acting under color of his official authority, and who knows or has reasonable
7 cause to believe that the individual is a police officer or law enforcement officer shall be punished by imprisonment
8 in a state prison for no less than 3 years, nor more than 5 years or by a fine of \$1000 or by both imprisonment and
9 fine.

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11 The term “police officer” or “law enforcement officer” , as used in this section, shall mean a police officer or law
12 enforcement officer in uniform, or, if out of uniform, one who has identified himself by exhibiting his credentials as
13 such police officer or law enforcement officer.

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15 Whoever, after having been convicted of the offense set forth in this section, commits a second or subsequent
16 offense, shall be punished by imprisonment in state prison for no less than 5 years, nor more than 10 years or by a
17 fine of \$2,500 or by both imprisonment and fine. The sentence imposed on such person shall not be reduced to less
18 than 2 years, nor suspended, nor shall any person convicted under this paragraph be eligible for probation, parole,
19 work release, or furlough or receive any deduction from his sentence for good conduct until he shall have served one
20 and one-half years of such sentence; provided however, the commissioner of correction may, on the
21 recommendation of the warden, superintendent, or other person in charge of a correctional institution, or the
22 administrator of a county correctional institution, grant to said offender a temporary release in the custody of an
23 officer of such institution for the following purposes only: to attend the funeral of next of kin or spouse; to visit a
24 critically ill close relative or spouse; or to obtain emergency medical services unavailable at said institution.

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