



BRAINTREE POLICE DEPARTMENT
Policy and Procedures
SPECIAL POLICE OFFICERS
2019-85

Date of Issue: 09/23/2019

Review Date:

Revised: 12/03/2020

Issuing Authority:

Chief Mark Dubois

Certification Standards: **1.2.1; 1.2.2; 1.3.9 a,b,c; 16.3.1; 16.3.2; 16.3.3; 16.3.5; 16.3.6; 16.3.7; 16.3.9; 16.4.1; 16.4.2; 16.4.3; 26.1.1**

Accreditation Standards: **22.2.5**

Optional Accreditation Standards: **16.3.4; 22.2.2 d**

Policy

It is the policy of the Braintree Police Department (BPD) to maintain a trained and qualified group of Special Police Officers to primarily assist with outside details and any duties arising from these outside paid details or during the course of outside paid detail work, whether or not related to the outside paid detail work. **[16.3.1]**

Selection [16.3.2]

Those eligible to be Special Police Officers are retired Braintree police officers who served as regular Braintree police officers and retired based on superannuation, the Braintree Harbormaster, Braintree Police Animal Control Officer, Braintree Police Dispatchers, and other qualified candidates as determined by the Chief of Police with the approval of the Appointing Authority. **[16.3.1][16.3.2]**

No retired Braintree police officer shall be appointed as a Special Police Officer if that officer has been retired for more than five (5) years. Special Police Officers shall not be subject to the same maximum age restrictions as applied to regular Braintree police officers under chapter 32 of the General Laws, but shall not be eligible to serve as Special Police Officers if they have reached the age of 70.

Special Police Officers must meet all state educational requirements including obtaining a high school diploma, a G.E.D., certificate issued by the Massachusetts Department of Education, or have served at least 3 years in the United States Armed Forces with a release or discharge under honorable conditions and provide documented proof of such. **[16.3.2] [16.3.9]**

Special Police Officers must have a valid Massachusetts driver's license and be eligible to obtain a firearms permit (license to carry firearms). **[16.3.2]**

At a minimum, Special Police Officers must be a graduate of the Reserve Intermittent Police Academy and provide documented proof thereof. **[16.3.2] [16.3.3]**

All applicants must be at least 21 years of age, a U.S. citizen (birth or naturalization), not be a convicted felon, and will be required to successfully complete a background investigation conducted by the Braintree Police Department. The background investigation may include, but is not limited to, completion of a Town of Braintree job application, personal and professional references, and a review of the applicant's criminal, driver and employment history. Annual updates will be conducted at time of one year term renewal. **[16.3.2]**

Prior to appointment as a Special Police Officer, all applicants must pass a medical examination to be performed by a physician or other certified professional selected by the Town to determine whether the applicant is capable of performing the essential duties of a Special Police Officer under this policy. Documentation must be provided upon completion of the examination in order to be eligible for appointment. **[16.3.2]**

The Chief of Police, with the approval of the Appointing Authority, shall have sole discretion to appoint Special Police Officers. A Special Police Officer shall be appointed for a 1 year term, subject to renewal at the discretion of the Chief of Police with the approval of the Appointing Authority; provided, however, that a Special Police Officer shall be subject to suspension or removal by the Appointing Authority at any time, with or without cause. All benefits afforded to Special Police Officers appointed pursuant to this Policy shall terminate upon the conclusion of the employment term. A Special Police Officer's appointment shall automatically terminate upon the officer's 70th birthday.

Special Police Officers are not covered by any written, implied, or expressed contract for employment by the Department or the Town.

Any costs associated with this process, including those relating to the medical examination, are incurred by the applicant and will not be reimbursed by the Town.

General Conditions and Guidelines

When performing the duties of a Special Police Officer as defined herein, Special Police Officers shall have the same power to make arrests and to perform other police functions as regular police officers in the Town in accordance with M.G.L. c.41 s. 98. Special Police Officers are **only** allowed to work outside paid details that have been offered and rejected by all Full-Time Braintree police officers. These outside paid details will be filled according to an established list. Retired Braintree police officers who are appointed as Special Police Officers are given the opportunity to work outside paid details first according to least hours or blocks on the list. The remaining Special Police Officers will be eligible for details after the Retired Braintree police officers have been offered an assignment and this too will be according to least hours or blocks on the list. Appointment as a Special Police Officer shall not entitle the officer to assignment to any detail. **[1.2.1] [1.2.2] [16.3.1]**

Retired police officers serving as Special Police Officers shall be subject to the limitations on hours worked and on earnings restrictions as provided in M.G.L. c. 32 s. 91(b).

Special Police Officers shall be subject to sections 100 and 111F of M.G.L. c. 41. The amount payable under section 111F shall be calculated by averaging the amount earned over the prior 52 weeks as a Special Police Officer working police details, or averaged over such lesser period of time for any officer designated as a Special Police Officer less than 52 weeks before the incapacity. In no event shall payment under section 111F exceed, in any calendar year, the limitation on earning contained in M.G.L. c. 32 s. 91(b). Payment under section 111F of chapter 41 shall terminate in accordance with section 111F or at the conclusion of the employment term, whichever is earlier. Special Police Officers appointed pursuant to this policy shall not be subject to sections 85H or 85H ½ of M.G.L. c. 32 and shall not be eligible for any benefits pursuant to these sections.

Special Police Officers working under the direction and supervision of the Chief of Police shall receive professional liability coverage under the Town's law enforcement policy. **[16.3.7] [22.2.2 d]**

Duties and Responsibilities

The primary duty of Special Police Officers is to work outside paid details. **[16.4.1]**

During the course of the employment term, Special Police Officers may be required to volunteer during annual events in the Town. In addition Special Police Officers will be required to work during the Town's Independence Day Parade and Celebration in the event that the Town is unable to fill the traffic posts or field jobs with Full Time Braintree police officers. Special Police Officers will be paid for this particular event. **[16.4.1].**

Special Police Officers shall be subject to the same Rules and Regulations, Policies and Procedures, directives, and orders, as Full-Time Braintree Police Department employees, including, but not limited to, restrictions on the type of detail assignments, requirements regarding medical examinations to determine continuing capability to perform the duties of a Special Police Officer, requirements for training, requirements for firearms licensing and qualifications, requirements for maintaining of a medical insurance policy, and requirements regarding uniforms and equipment. **[1.2.2]**

Special Police Officers must attend and successfully complete 40 hours of Municipal Police Training Council (MPTC) approved in-service training, which shall include CPR/First Responder Certification, Defensive Tactics, Legal Updates, and any other training determined necessary by the Chief of Police or his/her designee. Special Police Officers shall not be subject to M.G.L. c. 41 s. 96B unless otherwise required by this policy. **[16.3.5] [16.4.2]**

Special Police Officers must pass an annual MPTC qualification with their firearm. **[16.3.6]**

Special Police Officers shall annually review and sign-off on certain Department policies to include: ***Special Police Officer, Use of Force, Uniform, Body Armor, Vehicle***

Pursuit, Department Issue Firearms and Less Lethal Equipment, Town Mandatory policies, and any other policy deemed necessary by the Chief of Police. **[16.4.2]**

Special Police Officers must honor court notices/subpoenas resulting from their working a detail, but will not be compensated by the Town.

In addition to the pre-employment physical required, Special Police Officers must undergo a yearly physical exam and submit a note from their physician stating they are able to perform the functions and task of a Special Police Officer prior to the renewal of the officer's employment term.

Uniforms and Equipment

Special Police Officers shall wear the same authorized uniform as Full-Time Braintree police officers performing like functions with the exception of a Special Badge or Retired Braintree Police Badge. **[16.3.4] [16.4.3] [22.2.5]** Special Police Officers who are Retired Braintree police officers with the rank of Sergeant or above will not maintain supervisory status as a Special Police Officer. The Special Officer, not the Department, shall incur the cost of all uniforms.

Special Police Officers shall be authorized to carry the same equipment as is issued to Full-Time Officers, provided such officer is appropriately trained in its use. **[16.3.4] [22.2.5] [1.2.2]** The cost of these items shall be incurred by the Special Police Officer, not the Department.

All Special Police Officers will carry a firearm approved by the Braintree Police Department's Lead Firearms Instructor and authorized by the Chief of Police. No Special Police Officer will be allowed to work an outside paid detail unless and until such approved firearm has been purchased and the Special Police Officer is qualified in its use. **[1.2.2] [1.3.9c]**

The following is the current list of required uniform and equipment to be worn while working an outside paid detail:

Authorized Uniform--including a high visibility or reflective traffic vest or jacket that meets ANSI/ISEA 107-2004 standards.

Cover When Outside--3 authorized types: 8 point hat with badge, department approved baseball hat, or black winter hat or "watch cap" in cold weather.

Full Duty Belt--to include; Approved and Authorized Firearm and Level 3 Holster, 2 spare magazines topped off with authorized ammunition, OC spray and holder, ASP friction lock expandable baton or equivalent (not to exceed 26") and holder, at least one pair of handcuffs and cuff holder, and a radio capable of receiving and transmitting the Braintree Police channel and radio holder. **[1.2.2] [1.3.9 a, b]**

Bullet Protective/Resistant Vest--has to be in your car when working a construction/road detail and you must wear it when working an "inside" job such as the South Shore Plaza, Dave and Buster's etc.). **[26.1.1]**