

**HOUSE . . . . . No. 1199**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Michael D. Brady***

*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 adoption of the accompanying bill:

An Act relative to an assault on a police officer responding to criminal activity.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Michael D. Brady</i>	<i>9th Plymouth</i>
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>
<i>James J. Dwyer</i>	<i>30th Middlesex</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>
<i>James M. Cantwell</i>	<i>4th Plymouth</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>

**HOUSE . . . . . No. 1199**

By Mr. Brady of Brockton, a petition (accompanied by bill, House, No. 1199) of Michael D. Brady and others for legislation to require that assault and battery of a police officer responding to criminal activity be prosecuted as a felony. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 3746 OF 2013-2014.]

**The Commonwealth of Massachusetts**

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

An Act relative to an assault on a police officer responding to criminal activity.

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

1 Chapter 265 of the General Laws is hereby amended by inserting after section 13D<sup>1</sup>/<sub>2</sub> the  
2 following section:-

3 Section 13D<sup>3</sup>/<sub>4</sub>. (a) For purposes of this section, “responding to criminal activity” shall  
4 include, but not be limited to, travelling to, safeguarding, investigating or patrolling the area  
5 where suspected criminal activity is underway or recently took place, and apprehending or  
6 questioning any person suspected of being involved in criminal activity.

7 (b) Whoever commits an Chapter 265 of the General Laws is hereby amended by  
8 inserting after section 13D<sup>1</sup>/<sub>2</sub> the following section:-

9           Section 13D<sup>3/4</sup>. (a) For purposes of this section, “responding to criminal activity” shall  
10 include, but not be limited to, travelling to, safeguarding, investigating or patrolling the area  
11 where suspected criminal activity is underway or recently took place, and apprehending or  
12 questioning any person suspected of being involved in criminal activity.

13           (b) Whoever commits an assault and battery upon a police officer responding to criminal  
14 activity in the performance of the officer’s official duties, where the assault and battery results  
15 in injury to the officer, shall be punished by imprisonment in the state prison for not more than  
16 10 years or by a fine of not more than \$1,000 and imprisonment in a jail or house of correction  
17 for not more than 2 and 1/2 years.

18           in the performance of the officer’s official duties, where the assault and battery results  
19 in injury to the officer, shall be punished by imprisonment in the state prison for not more than  
20 10 years or by a fine of not more than \$1,000 and imprisonment in a jail or house of correction  
21 for not more than 2 and 1/2 years.