

HOUSE No. 2534

The Commonwealth of Massachusetts

PRESENTED BY:

Jessica Ann Giannino

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 "Critical Incident Leave".

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>1/13/2023</i>

HOUSE No. 2534

By Representative Giannino of Revere, a petition (accompanied by bill, House, No. 2534) of Jessica Ann Giannino for legislation to regulate administrative leaves involving events during which officers discharge firearms. Public Service.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to "Critical Incident Leave".

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 41 of the General Laws, as appearing in the 2020, Official Edition,
2 is hereby amended by inserting after section 133 the following new section:-

3 SECTION 134. Any "Law Enforcement Agency" as defined in MGL 6E Sec 1, placing
4 any "Law Enforcement Officer", as defined in MGL Ch 6E Sec 1, on administrative leave
5 pending an investigation involving any event during which an officer: discharges a firearm, as
6 defined in section 121 of chapter 140, actually or proximately causing injury or death to another;
7 discharges any stun gun as defined in said section 121 of said chapter 140, actually or
8 proximately causing injury or death to another; discharges tear gas or other chemical weapon,
9 actually or proximately causing injury or death of another; discharges rubber pellets from a
10 propulsion device, actually or proximately causing injury or death of another; deploys a dog,
11 actually or proximately causing injury or death of another; uses deadly force, actually or
12 proximately causing injury or death of another; or engages in a physical altercation with a person

13 who sustains serious bodily injury or requests or receives medical care as a result; shall record
14 such time as “Critical Incident Leave” in all department records of the event. Any public release
15 referencing this leave shall use the term “Critical Incident Leave”.