

HOUSE No. 3843

The Commonwealth of Massachusetts

PRESENTED BY:

Frank A. Moran

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 confirming the classification of Lawrence police patrolman Eugene Scanlon, Sr.'s death on February 12, 1972, as killed in the line of duty providing any additional or retroactive benefits to his survivors as a result of the confirmation of the classification.

PETITION OF:

NAME:

Frank A. Moran

DISTRICT/ADDRESS:

17th Essex

HOUSE No. 3843

By Mr. Moran of Lawrence, a petition (accompanied by bill, House, No. 3843) of Frank A. Moran (by vote of the mayor and city council) relative to the death of patrolman Eugene Scanlon, Sr., of the city of Lawrence police department. Public Service. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act confirming the classification of Lawrence police patrolman Eugene Scanlon, Sr.’s death on February 12, 1972, as killed in the line of duty providing any additional or retroactive benefits to his survivors as a result of the confirmation of the classification.

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

1 Whereas, Eugene Scanlon, Sr. was a native of Detroit, Michigan, served courageously as
2 an Army Paratrooper in World War II, and again answered his country’s call serving as a
3 hazardous deep sea diver in the Korean War;

4 Whereas, he was appointed a reserve member of the Lawrence Police Department on
5 March 14, 1965, leading to his appointment as a regular police patrolman on November 30,
6 1969;

7 Whereas, Lawrence Patrolman Eugene Scanlon, Sr., proudly wore badge #68, and for the
8 following almost seven years continuously, honorably, and meritoriously served the Lawrence
9 Police Department until his service-related death in 1972;

10 Whereas, his service notably includes a Citation from then-Lawrence Alderman Philip C.
11 DiAdamo for Patrolman Scanlon’s life-saving action on April 23, 1971, when he crawled
12 through heavy smoke and flames to rescue a woman, trapped in an upper apartment, during a fire
13 at 213 Jackson Street;

14 Whereas, fellow officer, Patrolman Paul Sutton, was simultaneously scheduled to work a
15 detail at a Central Catholic High School Dance, and work a regular shift, Sutton asked Scanlon to
16 cover the detail. Scanlon initially declined, citing that he had worked 13 days straight, and
17 needed a rest. Despite his initial refusal, out of a sense of loyalty to a fellow officer, Scanlon
18 eventually accepted the work as a favor to his co-worker and friend;

19 Whereas, at approximately 11:00 p.m. on January 28, 1972, while quelling a disturbance
20 at that same dance, and attempting to effect arrests, Officer Scanlon was attacked by a group of
21 youths. He received multiple severe injuries including: abrasions to his hands and knees, a kick
22 to the groin, and blows to the head;

23 Whereas, Officer Scanlon was immediately transported to the emergency room for
24 treatment of his injuries. He was released, but subsequently readmitted to the hospital on
25 February 10, 1972 for a relapse of his condition. He then expired on February 12, 1972. His
26 death, according to his treating physician, resulted from complications arising from the attack on
27 January 28, 1972.

28 Whereas, at the time of his death, Officer Scanlon was survived by his wife, Jane,
29 daughters Susan-Jane and Kathleen Anne, a son, William, and his unborn son, Eugene.

30

31 Whereas, the lasting effects of his premature and violent death continue to burden his
32 widow, who never remarried, and raised their four children alone, always knowing that their
33 absent father could never be replaced;

34 Whereas, his son and namesake, Eugen Scanlon, currently and honorably serves the
35 Lawrence Police Department as a patrolman, wearing the same badge, #68, worn by his father;

36 Whereas, Officer Scanlon's retirement records deem his death to be the natural and
37 proximate result of personal injuries sustained, or hazards undergone, while in the performance
38 of his duties without serious or willful misconduct on his part;

39 Whereas, the police records also indicate his injury in the line of duty status on January
40 28, 1972, and that his death was the natural and proximate result of the injuries sustained on that
41 date;

42 Whereas, his treating physician, Dr. Edward Broaddus opined that the attack of January
43 28, 1972 resulted in his death;

44 Whereas, Massachusetts General Laws chapter 32, Section 94 creates a rebuttable
45 presumption that Officer Scanlon died in the line of duty, the City of Lawrence, through its
46 retirement board recognizes the death as work-related, and there exists no contrary evidence to
47 rebut the statutory presumption;

48 Whereas, application for inclusion of his name in the fallen police officers memorial in
49 Washington, D.C. have gone without adequate response, and efforts are being made to effect
50 such recognition while his widow is still available to attend any related ceremony in Washington;

51 Now therefore, notwithstanding any general or special law to the contrary:

52 SECTION 1. The death of Lawrence Police Patrolman Eugene Scanlon on February 12,
53 1972 shall henceforth be confirmed, deemed, and considered as an officer killed in the line of
54 duty for purposes of public recognition on literature, documents, memorials, and monuments to
55 officers killed in the line of duty.

56 SECTION 2. This act shall confer no additional survivor benefits upon Officer Scanlon's
57 widow and surviving children.

58 SECTION 3. This act shall take effect upon its passage.

59 Said Home Rule Petition shall be subject to the provisions of Article 89 of Article II of
60 the Amendments to the Constitution of the Commonwealth of Massachusetts, the Lawrence City
61 Charter,, and/or any other lawful provisions governing Home Rule Petitions in the
62 Commonwealth of Massachusetts.