HOUSE . . . . No. 999

Bill accompanying the petition of Stoughton Bell and others for legislation to create a police and a fire commissioner for the city of Cambridge. Cities. January 18.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eleven.

AN ACT

To create a Police and Fire Commissioner for the City of Cambridge.

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

SECTION 1. The mayor of Cambridge shall appoint, subject to confirmation by the civil service commission, in the same manner as the heads of departments in the city of Boston are confirmed, one commissioner of the police and fire departments who shall be a resident of Cambridge and shall have resided therein for at least two years immediately preceding the date of his appointment. Such police and fire commissioner shall engage in no other business and shall be sworn to the faithful performance of the duties of his office before entering upon the same.

Said police and fire commissioner shall be appointed for a term of five years and shall hold his office until his successor is appointed and qualified, and any vacancy occurring shall be filled by the mayor subject to confirmation by the civil service commission by an appointment for a term of five years.

Said commissioner may be removed by the mayor subject to the civil service laws for cause after a public hearing duly advertised in at least two papers in the city of Cambridge two weeks before the hearing.

SECTION 2. The annual salary of the police and fire commissioner shall be three thousand dollars. Said police and fire commissioner shall be provided with suitable rooms for the performance of his duties the expense of which shall be paid by the city of Cambridge.

SECTION 3. Said police and fire commissioner shall have authority to appoint, establish and organize the police and fire department of said city, appoint a chief of police and a chief of the fire department, and all the captains, inspectors, sergeants, lieutenants, patrolmen, firemen, clerks and all other officers of both departments subject to civil service laws, and to make all needful rules and regulations for the efficiency of the police and fire departments. He shall from time to time, appoint a trial board to be composed of three captains of police to hear the evidence and such complaints against members of the force, or three captains in the fire department to hear any evidence and such complaints against members of that force as the commissioner may deem advisable to refer to said boards. Said trial boards shall report their findings to said commissioner who may review the same and take such action thereon as he may deem advisable.

SECTION 4. Said police and fire commissioner may at any time, subject to removal by him at his pleasure, designate some member of the police force to be the acting police commissioner and some member of the fire department to be the acting fire commissioner during the commissioner's absence from duty.

In case of the absence or disability of the commissioner without having designated an acting police or fire commissioner, the chief of police or the chief of the fire department, or in case of their absence or disability, the next ranking officers, or where there are two such officers of equal rank the senior officer, in date of appointment, shall be acting commissioner while such absence or disability continues. An acting police or fire commissioner shall receive no extra compensation for services as such.

SECTION 5. All acts or parts of acts inconsistent herewith are hereby repealed and all acts or parts of acts not inconsistent herewith remain in effect.

SECTION 6. This act shall take effect upon its passage.

HOUSE . . . . No. 1000

Bill accompanying the petition of Russell D. Crane for legislation to provide for the appointment of a police commission for the city of Cambridge. Cities. January 18.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eleven.

AN ACT

To establish a Police Commission for the City of Cambridge.

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

SECTION 1. The mayor of the city of Cambridge shall appoint a police commission of three members, each of whom shall be a citizen of Cambridge, and shall have resided therein for at least three years immediately preceding the date of his appointment. The commissioners as aforesaid shall be designated by the mayor to serve for the term of two, four and six years respectively, and at the expiration of these terms their successors shall thereafter be appointed by the mayor for the term of six years. The said commissioners, or any of them, may be removed by the mayor, after due hearing, for such cause as he may deem sufficient. Such cause shall be stated in the order for removal. The mayor shall have power to

fill any vacancy arising through the death, resignation or removal of a police commissioner.

SECTION 2. The commissioners shall be sworn to the faithful performance of the duties of their office before entering upon the same, and shall serve without remuneration.

SECTION 3. The mayor shall designate one of the commissioners as chairman of the police commission, and the commissioner so designated shall preside at all meetings, shall call special meetings when so requested in writing by any commissioner, shall keep such records, attest such papers and orders, and issue in the name of the commission such notices as it may direct.

SECTION 4. The city of Cambridge shall provide such meeting room or other accommodation for the commission as may be necessary for the proper performance of its duties. All expenses for the maintenance of buildings, the salaries, uniforms and equipment of the police and of other police employees, and all other expenses reasonably and properly incurred in the performance of its duties as set forth in section five of this act shall be paid by the city of Cambridge upon the requisition of the commission as attested by the chairman.

SECTION 5. The said police commission shall have authority to control and supervise the police of the said city of Cambridge, and to appoint the chief of police and all subordinate officers or employees, subject to the provisions of the Revised Laws, chapter nineteen, and amending acts. The commission shall make such rules and regulations for the organization, payment, duties,

discipline and efficiency of the police, and for the maintenance and care of police buildings and other police property as it may deem proper; and all powers now vested in the mayor, the board of aldermen, the common council, or any or all of them by chapter three hundred and sixty-four, acts of eighteen hundred and ninety-one, and amending acts, so far as these relate to the organization, control or regulation of the police of the city of Cambridge, shall devolve upon the said commission.

SECTION 6. The said police commission shall make annually, within thirty days from the close of the preceding fiscal year, a report in writing to the mayor.

SECTION 7. This act shall take effect upon its passage.

BOSTON OFFICE: 541 - 542 TREMONT BUILDING

City of Cambridge

Massachusetts

Office of City Solicitor

JAMES F. AYLWARD,
CITY SOLICITOR.

January 4, 1911.

To the Honorable the Special Committee
of the Board of Aldermen upon the
subject of re-organization of the Police Force.

Gentlemen:

I have your communication requesting my opinion as to "Whether or not it is possible, under the powers now held by the Board, to make such rules and regulations for the government of the Police Force as to provide for the creation of the office of Police Commissioner instead of Chief of Police, with such duties and powers as the Board may prescribe, the appointment to be made by the Mayor and confirmed by the Board of Aldermen".

Section 28 of the City Charter provides that "The Board of Aldermen shall from time to time fix and determine the number and compensation of the members of the Police Force and establish general regulations for its government".

Prior to 1907, the Mayor had at all times the "control and direction" of the Police Force, but by the provisions of Chapter 565 of the Acts of 1907, "control and direction" was taken from the Mayor and therefore this power vested in the Board of Aldermen to be exercised by the establishment of general regulations in accordance with said Section 28 of the City Charter.

Revised Ordinances, Chapter 20, Section 1, provides for the

City of Cambridge

IN BOARD OF ALDERMEN

April 16, 1912.

ORDERED:

That the order from the last Board of Aldermen relative to the reorganization of the Police Force be referred to a Special Committee of three members of this board.

Aldermen O'Connor, Glennon and O'Neil were appointed on the part of this Board.

A true copy.

Attest:

Edward Brandon

City Clerk.

Order

of reference of report from the last Board of Aldermen relative to the reorganization of the police force, to a special Committee of the Board of Aldermen. Apr 16 1912

BOSTON OFFICE: 541 - 542 TREMONT BUILDING

City of Cambridge

Massachusetts

Office of City Solicitor

JAMES F. AYLWARD,
CITY SOLICITOR.

January 4, 1910.

creation of the Police Department under the charge of a Chief of Police who shall hold his office during the pleasure of the Mayor and Aldermen. This provision of the Ordinances was apparently enacted under a misapprehension of the jurisdiction of the City Government over the Police Force and, of course, the City Government cannot, by Ordinance, usurp the prerogatives granted by the Legislature to the Board of Aldermen.

The above Ordinance, therefore, is of no effect as such and the matter is properly a subject for regulation by the Board of Aldermen.

It is, therefore, my opinion that the Board of Aldermen under the powers given them by Statute, have the right to make regulations providing for the creation of the office of Police Commissioner instead of the Chief of Police, and by further regulation to prescribe the duties and powers of such Police Commissioner.

Respectfully submitted,

James F. Aylward

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Respectfully submitted,

James F. Aylward

City of Cambridge

IN BOARD OF ALDERMEN April 11,1911.

ORDERED:

That the accompanying order from the last Board of Aldermen relative to the advisability of the reorganization of the police force, and the establishment of a Police Commission, be referred to a Special Committee to consist of three members of this board.

Aldermen Nelligan, Sullivan & Danehy,appointed.

A true copy,

Attest:

City Clerk.

ORDER

referring accompanying order relative to the police force to a special committee of the Board of Aldermen.

April 11, 1911

City of Cambridge

In Board of Aldermen, Mar. 21, 1911.

The Special *Committee* of the Board of Aldermen

to which was referred the accompanying order as to the advisability of a reorganization of the police force and of placing the same under the control of a Police Commission

Reports

recommending that the matter be referred to the next Board of Aldermen.

For the Committee.

James A. Black

Report received, and recommendation ADOPTED.

Attest: _____ *City Clerk.*

Special **REPORT**

Committee on subject of Price

Commission.

March 21. 1911.

Next Board.

Alex. Blake

Copy of original.

City of Cambridge

IN BOARD OF ALDERMEN Sept. 14. 1900

Ordered:

That a Special Committee of this board consisting of the President and three members, be appointed to consider and report upon the advisability of a reorganization of the police system of this city, and of placing the same under the control of a police commission.

Order

relative to placing the police force under the control of a police commission,

Sept. 16. 1910.

City of Cambridge

In Board of Aldermen, March 26, 1913

The ~~Joint~~ Special *Committee* of this board

to which was referred an order as to the advisability of a reorganization of the Police Force, and an order relative to placing the police force under the control of a police commission,

Reports

recommending that these orders be referred to the next Board of Aldermen.

For the Committee.

Joseph A Sullivan.

Report received, and
recommendation ADOPTED.

Attest: [signature] City Clerk

REPORT

Special Committee on Police force reorganization

March 26, 1912

Ald Sullivan

City of Cambridge

In Board of Aldermen,

February 25, 1913.

The Special *Committee* on reorganization of the Police Force, to which were referred sundry matters relative to the Police Force and the appointment of a Police Commissioner,

Reports

Inexpedient, the Special Committee on Police having no jurisdiction in the matter as the Police Department is under the supervision of the Commissioner of Public Safety.

For the Committee,

Michael H. O'Connor

Report received, and recommendation ADOPTED.

Attest: _____ City Clerk.

REPORT

Special Committee on Reorganization of the Police Dept

Feby 25, 1913

O'Connor, Glennon O'Neil.