

Public Safety – Police Districts

Statutory Reference: [MGL Ch 41, §99B-99K](#)

Summary – Provides for the creation of a separate regional police district in contiguous towns.

Creation – A regional police district may be created with the approval of a majority of the voters in each member town. Statute applies only to towns and is limited to contiguous communities.

Governance – The statute establishes a new governmental entity, a police district that is separate from the member towns' governments. All the powers and duties of the district are vested in a regional police commission that consists of two representatives appointed by the board of selectmen in each member community. Powers and duties include all those conferred by law upon police departments, as well as the following additional powers and duties: to sue or be sued, to acquire property for a police facility, to incur debt, to receive grants, engage legal counsel and hire the police chief. The commission also determines the annual police district budget and the allocated share of each member.

Finances – The police commission must determine the district budget by December 1st and certify assessments to the members by December 31st. Member assessments must be calculated using the allocation formula prescribed in the statute (50% EQV, 25% population and 25% road miles). There is no flexibility to alter this assessment methodology. Once certified to them, each member town “shall, at the next annual town meeting, appropriate the amount so certified.” There is no process for the member town to vote down or reject the proposed budget. Though the commission can authorize debt, member towns may disapprove the amount of such debt issuance by town meeting vote within 30 days of the commission authorization. Finally, the statute dates back to the late 1960s and budget timelines appear to be based on a calendar year rather than the current fiscal year of July 1st to June 30th.

Employee Rights – The statute does not apply in towns where civil service is in effect with respect to the police officers or the chief. Later references to personnel transfers in a regional district state that those employees with civil service status or with tenure granted through special act “shall be transferred” to the regional department without impairment of civil service status, seniority, retirement or other rights including compensation. While it's possible that this second reference refers to employees other than uniformed officers or the chief, it seems unlikely. Other than this conflicting language, there is no guidance about employee rights in the regional police district statute.

Other – The statute provides for the orderly transfer of pending criminal prosecutions to the regional department and dissolves each local police department. Revocation of acceptance can occur by placing a question on the ballot during annual town elections, but a town revoking acceptance is liable for its share of obligations incurred by the district.