SENATE DOCKET, NO. 1713 FILED ON: 1/21/2011

SENATE . . . . . No. 782

The Commonwealth of Massachusetts

PRESENTED BY:

Jennifer L. Flanagan

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 passage of the accompanying:

An Act relative to the criminal firearms and trafficking division of the state police. .

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Jennifer L. Flanagan	☐ *[District]* ☐
Jennifer E. Benson	*37th Middlesex*
Todd M. Smola	*1st Hampden*
Christine E. Canavan	*10th Plymouth*
Randy Hunt	*5th Barnstable*
Angelo J. Puppolo, Jr.	*12th Hampden*
Elizabeth A. Poirier	*14th Bristol*
Marc R. Pacheco	☐ *[District]* ☐
Chris Walsh	*6th Middlesex*
Paul K. Frost	*7th Worcester*
Demetrius J. Atsalis	*2nd Barnstable*
James J. Dwyer	*30th Middlesex*
Dennis A. Rosa	*4th Worcester*
Anne M. Gobi	*5th Worcester*

George T. Ross	*2nd Bristol*
George N. Peterson, Jr.	*9th Worcester*
Michael F. Rush	*Suffolk and Norfolk*
Bruce E. Tarr	
	☐ *[District]*
	☐

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SENATE . . . . . No. 782

By Ms. Flanagan, a petition (accompanied by bill, Senate, No. 782) of Jennifer L. Flanagan, Jennifer E. Benson, Todd M. Smola, Christine E. Canavan and other members of the General Court for legislation relative to the criminal firearms and trafficking division of the state police. The Judiciary.

The Commonwealth of Massachusetts

An Act relative to the criminal firearms and trafficking division of the state police. .

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. Any violent crime committed with the possession of a firearm or machine gun within the commonwealth shall be considered a state crime. All such crimes shall become the jurisdiction of the Criminal Firearms and Trafficking Division.

Section 2. There shall be attached to the department of the attorney general a special unit of the state police known as the Criminal Firearms and Trafficking Division, heretofore referred to as the division. The division shall assist the office of the attorney general in prosecuting all crimes involving the criminal use of a firearm during the commission of a crime of violence as defined in Section 9A. The division shall investigate all cases of unlawful intrastate firearms trafficking. The division shall investigate any criminal use of a firearm during the commission of a violent crime as defined in Section 9A that has taken place within the commonwealth to establish the following:

1. If the suspect would be considered a prohibited person;

2. Determine if the suspect obtained the firearm illegally;

3. Determine the source from which the suspect illegally obtained the firearm;

4. Create a database of all firearms reported stolen or recovered as stolen property, said database shall be made available to all federally licensed firearm dealers within the commonwealth;

5. Create a database of all firearms used in such crimes within the commonwealth. The database shall include the following:

a. The make, model and serial number of the firearm;

21 b. Any fingerprint evidence found on the firearm;

22 c. Any ballistic evidence that can be retrieved from the crime scene;

23 d. If the criminal use of the firearm was related to known gang activity;

24 Section 3. The division shall make an annual report to the Joint Committee on Public
25 Safety and Homeland Security concerning all of the information that it has gathered during each
26 calendar year concerning the criminal use and criminal trafficking of firearms.

27 Any fines collected as a result of any convictions in sections 9D through 10F,
28 inclusive, of this chapter shall be utilized to fund the Criminal Firearms and Trafficking
29 Division.