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2011-2012 Regular Sessions

I N S E N A T E

(PREFILED)

January 5, 2011

Introduced by Sens. KLEIN, STAVISKY, MAZIARZ, SAVINO, STEWART-COUSINS --
read twice and ordered printed, and when printed to be committed to
the Committee on Higher Education

AN ACT to amend the education law, in relation to directing the state
university trustees to appoint a commissioner of state university
police

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

1 Section 1. Legislative intent. The legislature hereby finds and
2 declares that maintaining a safe environment for individuals studying on
3 the campuses of the state university of New York is of critical impor-
4 tance, and that a well trained and well organized campus police force is
5 vital to ensure that safety. The legislature also finds that the current
6 structure of the campus police force at the state university is ineffi-
7 cient, subject to an excessive and unpredictable management salary
8 structure, and does not ensure an equal level of security and protection
9 at the many campuses across the state. The intent of this act is to
10 create a system of police organization at the state university that
11 borrows the lessons learned by other successful police forces, such as
12 the state parks police, and creates a unified and clear rank and file
13 and command structure that empowers individuals with law enforcement
14 experience to make decisions based on good policing practices. The
15 legislature acknowledges the individual character and physical layout of
16 each campus and finds that it is possible for a central police command
17 to manage diverse campus needs. The legislature urges the chancellor and
18 the board of trustees of the state university of New York to take steps
19 to create a more systematic police rank and file and command structure
20 at the various campus police forces and to make better use of the inval-
21 uable experience that campus police officers gain as they get to know
22 their own individual campus needs.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD01838-01-1

1 S 2. Paragraph 1 of subdivision 2 of section 355 of the education law,
2 as amended by chapter 424 of the laws of 1998, is amended to read as
3 follows:

4 1. To appoint university police officers who shall have the powers of
5 police officers and to remove such police officers at pleasure;
6 provided, however, that any person appointed a police officer must have
7 satisfactorily completed or complete within one year of the date of his
8 OR HER appointment a course of law enforcement training approved by the
9 municipal police training council in consultation with the university.
10 It shall be the duty of such police officers to preserve law and order
11 on the campuses and other property of the university, including any
12 portion of a public highway which crosses or abuts such property. THE
13 TRUSTEES SHALL APPOINT A COMMISSIONER OF STATE UNIVERSITY POLICE WELL
14 QUALIFIED BY BACKGROUND, TRAINING AND EXPERIENCE, WHO SHALL EXERCISE
15 SUPERVISION AND ADMINISTRATION OF ALL UNIVERSITY POLICE FORCES FROM A
16 CENTRAL OFFICE. NOTWITHSTANDING ANY OTHER PROVISION OF LAW, THERE SHALL
17 BE NO FURTHER APPOINTMENTS TO THE POSITION OF POLICE CHIEF OF A UNIVER-
18 SITY POLICE FORCE AT ANY COLLEGE OR UNIVERSITY OF THE STATE UNIVERSITY.

19 Subject to the approval of the chancellor, the president of each
20 state-operated campus of the state university shall enter into a written
21 agreement with adjoining law enforcement agencies establishing protocols
22 for the exercise of authority by such university police officer off-cam-
23 pus, including mutual aid and assistance. Such written protocols shall
24 not be deemed to supersede the authority of other police officers. The
25 provisions of this paragraph shall not apply to any of the state insti-
26 tutions and property referred to in section five thousand seven hundred
27 nine of this chapter.

28 S 3. This act shall take effect on the first of January next succeed-
29 ing the date on which it shall have become a law.