

6249--A

I N S E N A T E

January 17, 2012

Introduced by Sen. ALESI -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the criminal procedure law, in relation to granting peace officer status to certain security services officers employed by the University of Rochester

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

1 Section 1. Section 2.10 of the criminal procedure law is amended by
2 adding a new subdivision 83 to read as follows:
3 83. (A) SECURITY SERVICES OFFICERS EMPLOYED BY THE UNIVERSITY OF
4 ROCHESTER WHO ARE DESIGNATED AS PEACE OFFICERS BY THE BOARD OF TRUSTEES
5 OF THE UNIVERSITY OF ROCHESTER PURSUANT TO PARAGRAPHS (B), (C), (D) AND
6 (E) OF THIS SUBDIVISION; PROVIDED, HOWEVER, THAT NOTHING IN THIS SUBDI-
7 VISION SHALL BE DEEMED TO AUTHORIZE ANY SUCH OFFICER TO CARRY, POSSESS,
8 REPAIR OR DISPOSE OF A FIREARM UNLESS THE APPROPRIATE LICENSE THEREFOR
9 HAS BEEN ISSUED PURSUANT TO SECTION 400.00 OF THE PENAL LAW.
10 (B) FOR THE PROTECTION OF THE GROUNDS, BUILDINGS AND PROPERTY OF THE
11 UNIVERSITY OF ROCHESTER, THE PREVENTION OF CRIME AND THE ENFORCEMENT OF
12 LAW AND ORDER, AND THE ENFORCEMENT OF SUCH RULES AND REGULATIONS AS THE
13 UNIVERSITY OF ROCHESTER SHALL FROM TIME TO TIME ESTABLISH, THE BOARD OF
14 TRUSTEES OF THE UNIVERSITY OF ROCHESTER MAY APPOINT AND REMOVE SUCH
15 NUMBER OF SECURITY SERVICES OFFICERS DESIGNATED AS PEACE OFFICERS AS IS
16 DETERMINED BY THE BOARD OF TRUSTEES TO BE NECESSARY FOR THE MAINTENANCE
17 OF PUBLIC ORDER CONSISTENT WITH THIS SUBDIVISION. SUCH PEACE OFFICERS
18 SHALL COMPLY WITH SUCH REQUIREMENTS AS SHALL BE MUTUALLY AGREED UPON
19 BETWEEN THE CHIEF LAW ENFORCEMENT OFFICERS OF THE APPLICABLE LOCAL LAW
20 ENFORCEMENT JURISDICTIONS AND THE UNIVERSITY OF ROCHESTER. SUCH UNIVER-
21 SITY OF ROCHESTER PEACE OFFICERS SO APPOINTED SHALL BE EMPLOYEES OF THE
22 UNIVERSITY OF ROCHESTER AND SUBJECT TO ITS SUPERVISION AND CONTROL. SUCH
23 UNIVERSITY OF ROCHESTER PEACE OFFICERS SHALL HAVE THE POWERS OF PEACE
24 OFFICERS WITHIN THE GEOGRAPHIC AREA OF EMPLOYMENT OF THE GROUNDS OR
25 PREMISES OWNED, CONTROLLED OR ADMINISTERED BY THE UNIVERSITY OF ROCHESTER.

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

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1 TER WITHIN THE COUNTY OF MONROE; PROVIDED, HOWEVER, SUCH PEACE OFFICERS
2 SHALL HAVE THE POWERS OF PEACE OFFICERS BEYOND SUCH GEOGRAPHIC AREA IN
3 THOSE SITUATIONS WHEN REQUESTED BY THE CHIEF LAW ENFORCEMENT OFFICER OF
4 THE LOCAL LAW ENFORCEMENT JURISDICTION OR HIS OR HER DESIGNEE, INCLUD-
5 ING, BUT NOT LIMITED TO, BY MEANS OF WRITTEN PROTOCOLS AGREED TO BY THE
6 CHIEF LAW ENFORCEMENT OFFICER OF THE LOCAL LAW ENFORCEMENT JURISDICTION
7 AND THE UNIVERSITY OF ROCHESTER, TO PROVIDE ASSISTANCE ON ANY PUBLIC
8 HIGHWAY WHICH CROSSES OR ADJOINS SUCH GROUNDS OR PREMISES. NOTWITHSTAND-
9 ING THE PRECEDING SENTENCE, SUCH UNIVERSITY OF ROCHESTER PEACE OFFICERS
10 SHALL ALSO HAVE THE POWERS OF PEACE OFFICERS BEYOND THEIR GEOGRAPHIC
11 AREA OF EMPLOYMENT WHEN FOLLOWING A PERSON IN CONTINUOUS CLOSE PURSUIT
12 AFTER WITNESSING THE COMMISSION OF AN OFFENSE OR CRIME, OR WHEN TRANS-
13 PORTING A PERSON IN THEIR CUSTODY FOLLOWING A LAWFUL ARREST.

14 (C) THE UNIVERSITY OF ROCHESTER SHALL PROVIDE LEGAL DEFENSE AND IDEN-
15 TIFICATION TO THE APPLICABLE MUNICIPALITY AND ITS OFFICERS AND EMPLOY-
16 EES, AND HOLD THEM HARMLESS, AGAINST ALL CLAIMS ARISING OUT OF CONDUCT
17 BY OR INJURY TO SUCH PEACE OFFICERS WHILE CARRYING OUT THEIR LAW
18 ENFORCEMENT FUNCTIONS, EXCEPT IN THOSE SITUATIONS WHEN THEY ARE ACTING
19 UNDER THE DIRECT SUPERVISION AND CONTROL OF THE CHIEF LAW ENFORCEMENT
20 OFFICER OF THE APPLICABLE LOCAL LAW ENFORCEMENT JURISDICTION OR HIS OR
21 HER DESIGNEE.

22 (D) EVERY UNIVERSITY OF ROCHESTER PEACE OFFICER SO APPOINTED SHALL,
23 BEFORE ENTERING UPON THE DUTIES OF HIS OR HER OFFICE, TAKE AND SUBSCRIBE
24 THE OATH OF OFFICE PRESCRIBED BY ARTICLE THIRTEEN OF THE STATE CONSTITU-
25 TION, WHICH OATH SHALL BE FILED IN THE OFFICE OF THE COUNTY CLERK OF THE
26 COUNTY OF MONROE.

27 (E) TO BECOME ELIGIBLE FOR DESIGNATION AS A UNIVERSITY OF ROCHESTER
28 PEACE OFFICER, A CANDIDATE SHALL, IN ADDITION TO THE TRAINING REQUIRE-
29 MENTS AS SET FORTH IN SECTION 2.30 OF THIS ARTICLE, COMPLETE THE COURSE
30 OF INSTRUCTION IN PUBLIC AND PRIVATE LAW ENFORCEMENT ESTABLISHED PURSU-
31 ANT TO SUBDIVISION THREE OF SECTION SIXTY-FOUR HUNDRED THIRTY-FIVE OF
32 THE EDUCATION LAW.

33 S 2. This act shall take effect immediately.