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2011-2012 Regular Sessions

I N   S E N A T E

(PREFILED)

January 5, 2011

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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.