S T A T E  O F  N E W  Y O R K

610

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Legislative intent. The legislature hereby finds and declares that maintaining a safe environment for individuals studying on the campuses of the state university of New York is of critical importance, and that a well trained and well organized campus police force is vital to ensure that safety. The legislature also finds that the current structure of the campus police force at the state university is inefficient, subject to an excessive and unpredictable management salary structure, and does not ensure an equal level of security and protection at the many campuses across the state. The intent of this act is to create a system of police organization at the state university that borrows the lessons learned by other successful police forces, such as the state parks police, and creates a unified and clear rank and file and command structure that empowers individuals with law enforcement experience to make decisions based on good policing practices. The legislature acknowledges the individual character and physical layout of each campus and finds that it is possible for a central police command to manage diverse campus needs. The legislature urges the chancellor and the board of trustees of the state university of New York to take steps to create a more systematic police rank and file and command structure at the various campus police forces and to make better use of the invaluable experience that campus police officers gain as they get to know their own individual campus needs.

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

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

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

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

S 3. This act shall take effect on the first of January next succeeding the date on which it shall have become a law.