

10307

I N   A S S E M B L Y

May 20, 2016

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Introduced by M. of A. BRONSON -- read once and referred to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to the jurisdiction of University of Rochester peace officers

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

1     Section 1. Subdivision 83 of section 2.10 of the criminal procedure  
2     law, as added by chapter 504 of the laws of 2012, is renumbered subdivision  
3     84 and amended to read as follows:  
4     84. (a) [Security services] PUBLIC SAFETY officers employed by the  
5     University of Rochester who are designated as peace officers by the  
6     board of trustees of the University of Rochester pursuant to paragraphs  
7     (b), (c), AND (d) [and (e)] of this subdivision; provided, however, that  
8     nothing in this subdivision shall be deemed to authorize any such officer  
9     to carry, possess, repair or dispose of a firearm unless the appropriate  
10    license therefor has been issued pursuant to section 400.00 of  
11    the penal law.  
12    (b) For the protection of the grounds, buildings and property of the  
13    University of Rochester, the prevention of crime and the enforcement of  
14    law and order, the board of trustees of the University of Rochester may  
15    appoint and remove such number of [security services] PUBLIC SAFETY  
16    officers designated as peace officers as is determined by the board of  
17    trustees to be necessary for the maintenance of public order consistent  
18    with this subdivision. Such peace officers shall comply with such  
19    requirements as shall be mutually agreed upon between the chief law  
20    enforcement officers of the applicable local law enforcement jurisdictions  
21    and the University of Rochester. Such University of Rochester  
22    peace officers so appointed shall be employees of the University of  
23    Rochester and subject to its supervision and control. Such University of  
24    Rochester peace officers shall have the powers of peace officers within  
25    the geographic area of employment of the grounds or premises owned,  
26    controlled or administered by the University of Rochester within the  
27    county of Monroe [except as provided in paragraph (c) of this subdivision;  
28    provided, however, such peace officers shall have the powers of

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

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1 peace officers], WITHIN ONE HUNDRED YARDS OF SUCH GROUNDS OR PREMISES,  
2 INCLUDING ANY PUBLIC STREET AND SIDEWALK, AND beyond such geographic  
3 area [upon the request of] AS MUTUALLY AGREED UPON BETWEEN the chief law  
4 enforcement officer of the local law enforcement jurisdiction or his or  
5 her designee[, for the purpose of transporting an individual who has  
6 been arrested in accordance with section 140.27 of this chapter and when  
7 no local law enforcement officer is available for transporting such  
8 individual in a timely manner] AND THE UNIVERSITY OF ROCHESTER AND IF  
9 THE UNIVERSITY DETERMINES EXERCISE OF ITS PEACE OFFICER POWERS IS FOR A  
10 PURPOSE RELATED TO THE SAFETY OF THE UNIVERSITY, ITS STUDENTS AND THE  
11 UNIVERSITY COMMUNITY.

12 (c) [University of Rochester peace officers who are assigned to work  
13 at Strong Memorial Hospital shall only have the powers in section 9.41  
14 of the mental hygiene law and the powers listed in paragraphs (a), (c)  
15 and (h) of subdivision one of section 2.20 of this article. Provided  
16 that in order to exercise the power set forth in paragraph (a) of subdi-  
17 vision one of section 2.20 of this article, the officer has actual know-  
18 ledge, or probable cause to believe, that such individual has committed  
19 an offense.

20 (d)] The University of Rochester shall provide legal defense and  
21 indemnification to applicable municipality and its officers and employ-  
22 ees, and hold them harmless, against all claims arising out of conduct  
23 by or injury to such peace officers while carrying out their special  
24 duties, except in those situations when they are acting as agents of the  
25 chief law enforcement officer of the applicable local law enforcement  
26 jurisdiction or his or her designee.

27 [(e)] (D) To become eligible for designation as a University of  
28 Rochester peace officer, a candidate shall, in addition to the training  
29 requirements as set forth in section 2.30 of this article, complete the  
30 course of instruction in public and private law enforcement established  
31 pursuant to subdivision three of section sixty-four hundred thirty-five  
32 of the education law.

33 S 2. This act shall take effect immediately.