

4869

2015-2016 Regular Sessions

I N S E N A T E

April 22, 2015

Introduced by Sen. LITTLE -- (at request of the Division of State Police) -- read twice and ordered printed, and when printed to be committed to the Committee on Investigations and Government Operations

AN ACT to amend the Indian law, in relation to the jurisdiction of the St. Regis Mohawk tribal police; and providing for the repeal of such provisions upon the expiration thereof

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

1 Section 1. Subdivision 2 of section 114 of the Indian law, as added by
2 chapter 558 of the laws of 2005, is amended and a new subdivision 8-a is
3 added to read as follows:

4 2. Upon the application of the St. Regis Mohawk tribal council, the
5 superintendent of state police may appoint any person as a police offi-
6 cer with all powers provided for in the criminal procedure law, except
7 for those powers specifically excepted by this section, for the preser-
8 vation of order and of the public peace, and the arrest of all persons
9 committing offenses upon the St. Regis Mohawk tribal reservation AND
10 UPON ADDITIONAL LANDS AS SET FORTH IN SUBDIVISION EIGHT-A OF THIS
11 SECTION. The total number of appointments shall be determined by the
12 superintendent in his or her discretion.

13 8-A. UPON THE APPLICATION OF THE ST. REGIS MOHAWK TRIBAL COUNCIL, THE
14 SUPERINTENDENT IS AUTHORIZED TO EXPAND THE JURISDICTION OF ANY PERSON
15 APPOINTED A POLICE OFFICER UNDER THIS SECTION TO THE AREA WITHIN THE
16 COUNTY OF FRANKLIN, OUTSIDE OF THE BOUNDARY OF THE ST. REGIS RESERVA-
17 TION, TO THE AREA KNOWN AS THE "BOMBAY TRIANGLE" IN SUCH MANNER THAT THE
18 SOUTHERN BOUNDARY OF THE AREA OF EXPANDED JURISDICTION SHALL BE A
19 STRAIGHT LINE BEGINNING AT A POINT ON THE SOUTHERN BOUNDARY IN THE
20 SOUTHWEST QUADRANT OF THE ST. REGIS RESERVATION, 500 FEET EAST OF THE
21 ST. REGIS RIVER AT 44.9540N 74.6873W, CONTINUING IN AN EASTERLY DIREC-
22 TION TO A POINT ON THE SOUTHERN BORDER IN THE SOUTH WESTERN QUADRANT OF
23 THE RESERVATION AT 44.9526N 74.6132W. THE AREA OF EXPANDED JURISDICTION

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

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1 SHALL INCLUDE ALL POINTS NORTH OF THIS LINE DESCRIBED HEREIN CONTINUING
2 TO THE SOUTHERN-MOST BORDER OF THE ST. REGIS RESERVATION. SUCH EXPANDED
3 JURISDICTION MAY BE REVOKED OR SUSPENDED BY THE SUPERINTENDENT AT HIS OR
4 HER DISCRETION. OFFICERS EXERCISING POLICE AUTHORITY PURSUANT TO THIS
5 EXPANDED JURISDICTION SHALL BE SUBJECT TO ALL OF THE PROVISIONS SET
6 FORTH IN THIS SECTION IN THE SAME MANNER AS IF THEY WERE OPERATING WITH-
7 IN THE STATE-RECOGNIZED BORDERS OF THE ST. REGIS RESERVATION AND ALL
8 RESPONSIBILITIES SET FORTH IN THIS SECTION WITH RESPECT TO THE DUTIES OF
9 THE ST. REGIS MOHAWK TRIBE, INCLUDING THE DUTY TO INDEMNIFY AND SAVE
10 HARMLESS, SHALL APPLY TO THIS AREA IN THE SAME MANNER AS IF IT WAS WITH-
11 IN THE STATE-RECOGNIZED BOUNDARIES OF THE ST. REGIS RESERVATION. A
12 REPRESENTATIVE OF THE ADMINISTRATION OF THE ST. REGIS MOHAWK TRIBAL
13 POLICE DEPARTMENT SHALL KEEP THE SUPERINTENDENT INFORMED, ON A MONTHLY
14 BASIS, OF ALL CRIMES, ACCIDENTS AND REQUESTS FOR LAW ENFORCEMENT
15 SERVICES OCCURRING WITHIN THE AREA DESCRIBED IN THIS SUBDIVISION IN
16 WHATEVER MANNER AND FORMAT THE SUPERINTENDENT DESIGNATES. NOTHING IN
17 THIS SECTION SHALL BE INTERPRETED IN A MANNER TO REDUCE OR ELIMINATE THE
18 EXISTING JURISDICTION OF ANY OTHER STATE OR LOCAL POLICE DEPARTMENT
19 WITHIN THIS AREA.

20 S 2. This act shall take effect immediately and shall remain in effect
21 until September 1, 2017 when upon such date the provisions of this act
22 shall expire and be deemed repealed.