

7870--A

I N S E N A T E

May 19, 2016

Introduced by Sens. ROBACH, FUNKE, RANZENHOFER -- read twice and ordered printed, and when printed to be committed to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 subdivi-
3 sion 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 offi-
9 cer to carry, possess, repair or dispose of a firearm unless the appro-
10 priate 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 jurisdic-
21 tions 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

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

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

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

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

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

35 S 2. This act shall take effect immediately.