

Mission, Goals, & Board Operations

Board of Trustees Policy

SUBJECT: Designation of Peace Officer(s)	NUMBER: 4.12
	DATE: August 21, 2023 Resolution #23-98
	SUPERSEDES: N/A

Purpose

SUNY Schenectady County Community College (“SUNY Schenectady” or the “College”) is committed to the safety and well-being of its staff, students, faculty, and visitors. New York Education Law, § 6306 (5-a) provides that the Board of Trustees of each community college shall have the authority to designate security officers as Peace Officers. The SUNY Schenectady Board of Trustees hereby authorizes the College President to designate one or more security officers as Peace Officers and to revoke said designation at their discretion.

This policy also provides the requirements for, and duties and responsibilities of such Peace Officers as provided under New York State law.

Policy

Designation of Peace Officer:

SUNY Schenectady designates the Associate Vice President of Campus Safety and Peace Officer (Armed) as the College’s Peace Officer. The College President has the authority to revoke this designation at any time, in his sole discretion.

Training:

Peace Officers have duties and responsibilities beyond regular security and safety personnel. Accordingly, they must complete significant additional training as required by the College President and/or New York State Law. Pursuant to Education Law §6306 (5-a), Peace Officers must have satisfactorily completed or complete within one year of the date of such designation, a course of law enforcement training which includes firearm certification as prescribed by the New

York State Department of Criminal Justice Services and the municipal police training council in consultation with the State University Board of Trustees.

Duties and Responsibilities of Peace Officers:

Peace Officers have the ability to carry a firearm, if properly trained and authorized by the College President. Such authorization may be revoked at any time in the sole discretion of the College President.

Peace Officers have the powers designated by New York State Criminal Procedure §2.20 and approved by the College President. Such powers may include, but are not limited to the following:

- Making warrantless arrests,
- Using physical force and deadly force in making an arrest or preventing at escape, as permitted by New York State Penal Law Article 35,
- Carrying out warrantless searches, when constitutionally permissible,
- Issuing appearance tickets,
- Issuing uniform navigation summons or complaints, and
- Possessing and taking custody of firearms not owned by the Peace Officer for any lawful purpose.

Such powers are only applicable on locations owned, leased, or designated by SUNY Schenectady as its campus, or public property which abuts the College.

Use of Physical or Deadly Force:

Physical or deadly force shall only be used when absolutely necessary and in full compliance with the law, including, but not limited to, New York State Penal Law Article 35. When feasible, prior to using physical or deadly force, the Peace Officer shall give prior warning. Peace Officers are prohibited from utilizing chokeholds or similar restraints which apply pressure on the throat or neck of a person.

Investigating Use of Physical or Deadly Force:

When a Peace Officer uses physical or deadly force, the College will conduct an investigation. The Vice President of Administration shall be responsible for responding to the scene and conducting the investigation. The College President shall designate additional President's Council members who are responsible for responding if the Vice President of Administration is unavailable.

Such an investigation shall include the following:

- Completion of a Use of Force Report, including all relevant details, witnesses, and information. The Report shall also include photographs of the scene and other evidence as applicable.

- Suspension of the Peace Officer or placing the Peace Officer on administrative leave, if warranted by the situation.
- Assignment of an internal or external investigator to review the scene and provide an opinion regarding the use of force, if needed.
- Notification to the Schenectady Sheriff or designee who will review the Use of Force Report and conduct a review pursuant to New York State Executive Law §837-t.