

RM

VETO # 271

CHAPTER _____

LAWS OF 20 04

SENATE BILL 6519

ASSEMBLY BILL _____

6519

IN SENATE

March 16, 2004

Introduced by Sen. SPANO -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to designating as police officers, warrant and transfer officers under the jurisdiction of the division of parole

A 4770A Tokasz

DATE RECEIVED BY GOVERNOR:

11/4

ACTION MUST BE TAKEN BY:

11/16

DATE GOVERNOR'S ACTION TAKEN:

NOV 16 2004

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SENATE VOTE ___ Y ___ N

HOME RULE MESSAGE ___ Y ___ N

DATE _____

ASSEMBLY VOTE ___ Y ___ N

DATE _____

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STATE OF NEW YORK
EXECUTIVE CHAMBER
ALBANY 12224

TO THE SENATE:

I am returning herewith, without my approval, the following bill:

Senate Bill Number 6519, entitled:

NOV 16 2004

“AN ACT to amend the criminal procedure law, in relation to designating as police officers, warrant and transfer officers under the jurisdiction of the division of parole”

V E T O # 271

NOT APPROVED

The bill would amend the Criminal Procedure Law to extend police officer status to Warrant and Transfer Officers employed by the Division of Parole. The bill would take effect immediately.

Warrant and Transfer Officers are primarily responsible for transporting back to New York State parole violators who have been arrested and placed in custody in another state. In order to perform these duties, Warrant and Transfer Officers are designated as peace officers, with the authority to make warrantless arrests, use physical and deadly force where justified, carry licensed firearms, and execute warrantless searches. The bill would grant them the broader powers of a police officer, thereby authorizing them to also execute arrest and search warrants and make warrantless arrests for crimes committed outside their presence.

While I recognize and appreciate that Warrant and Transfer Officers perform an important and vital function within the Division of Parole, I am constrained to disapprove this bill. I am advised by the Division of Parole that Warrant and Transfer Officers are not involved in apprehending or arresting parole violators who are at-large, and they do not participate in any operations, either within this State or other jurisdictions, designed to identify the whereabouts of a wanted parole violator and effect his arrest pursuant to a parole violation warrant. Therefore, I have not been persuaded that conferring police officer status, with the substantial legal, practical and public policy consequences attendant thereto, on these individuals is necessary to enhance their effectiveness or promote public safety.

The bill is disapproved.

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NEW YORK
STATE
SENATE

ALBANY, NEW YORK 12247



NICHOLAS A. SPANO
SENATOR, 35TH DISTRICT

November 5, 2004

1271

ASSISTANT MAJORITY LEADER
FOR CONFERENCE OPERATIONS
CHAIRMAN
SENATE INVESTIGATIONS &
GOVERNMENT OPERATIONS COMMITTEE

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Honorable Richard Platkin
Counsel to the Governor
Executive Chamber
State Capitol
Albany, New York 12224

RE: S.6519 / A.4770-A

Dear Mr. Platkin:

This letter is in reference to the above mentioned bill. I sponsored this legislation which passed the Senate and Assembly and is now before the Governor.

This bill would grant police officer status to Warrant and Transfer Officers under the jurisdiction of the Division of Parole. As you know, Warrant and Transfer Officers are responsible for the investigation and arrest of parole violators. Once the parole violator is in the custody of these law enforcement personnel, it is the responsibility of the Warrant and Transfer Officers to return the violator to a designated New York State correctional institution, planning the safest and most secure route for return. Oftentimes, the parole violator has fled the State of New York, requiring these officers to travel to other states to make their arrests. Currently, there are 12 Warrant and Transfer Officers employed by New York State to retrieve over one-thousand parole violators annually.

These officers act as ambassadors for the State as they travel throughout the country. The inmates they retrieve have warrants for violating parole in New York and may have additional warrants in the State's they have fled to. These inmates vary anywhere from minimum to maximum security classification. Certain jurisdictions throughout the country do not recognize the current NYS Warrant and Transfer Officers credentials. This makes it more difficult for them to perform their duties.

Transferring these inmates back to New York who have violated parole is made more dangerous when any type of conflict arises. With the restrictions that have been put in place at airports it has made it more difficult for the Warrant and Transfer to pass through airport security with their weapons because certain jurisdictions do not recognize the Warrant and Transfer Officers current peace officer status.

In addition, just like it did for the SUNY police, the change from peace officer status to Police Officer status would improve training for these officers, which in turn

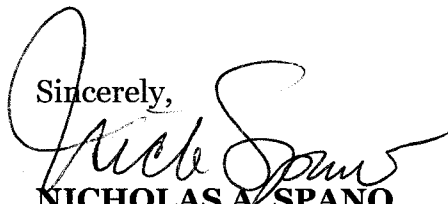
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would make it safer for the Warrant and Transfer Officer and inmate as they travel back to New York. Despite providing a critical law enforcement function to the State of New York, these law enforcement officers are lacking necessary authority and protection. Some states, such as Connecticut have statutes prohibiting the release of a fugitive to anyone other than a police officer. Since Warrant and Transfer Officers are required to apprehend parole violators regardless of where these violators are located, it necessarily follows that they should have the requisite police officer authority.

Furthermore, the current status of these law enforcement officers can compromise their safety when performing their job duties. For example, §140.50 of the Criminal Procedure Law authorizes police officers to temporarily question individuals in public places and search them for weapons if the officer reasonably suspects that the person is committing or has committed a crime. However, a Warrant and Transfer Officer who apprehends a parole violator is not authorized to perform a similar search on an individual who may have been assisting the violator, even if the officer reasonably believes that this individual may be a threat to the officer's safety or the safety of the general public.

This inability to act unnecessarily compromises the safety of these law enforcement officers. Enactment of this legislation will not only ensure that these officers are appropriately authorized to carry out their job duties, but it will also ensure the safety of these individuals who perform a very dangerous job.

The measure is strongly supported by the New York State Correctional Officers and Police Benevolent Association, and for the above mentioned reasons I strongly urge the Governor to sign the bill.

Sincerely,

NICHOLAS A. SPANO
Senator

NAS:jt

RM

NEW YORK
STATE
SENATE
ALBANY, NEW YORK 12247



NICHOLAS A. SPANO
SENATOR, 35TH DISTRICT

November 5, 2004

ASSISTANT MAJORITY LEADER
FOR CONFERENCE OPERATIONS

CHAIRMAN
SENATE INVESTIGATIONS &
GOVERNMENT OPERATIONS COMMITTEE

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Honorable Richard Platkin
Counsel to the Governor
Executive Chamber
State Capitol
Albany, New York 12224

RE: S.6519 / A.4770-A

Dear Mr. Platkin:

This letter is in reference to the above mentioned bill. I sponsored this legislation which passed the Senate and Assembly and is now before the Governor.

This bill would grant police officer status to Warrant and Transfer Officers under the jurisdiction of the Division of Parole. As you know, Warrant and Transfer Officers are responsible for the investigation and arrest of parole violators. Once the parole violator is in the custody of these law enforcement personnel, it is the responsibility of the Warrant and Transfer Officers to return the violator to a designated New York State correctional institution, planning the safest and most secure route for return. Oftentimes, the parole violator has fled the State of New York, requiring these officers to travel to other states to make their arrests. Currently, there are 12 Warrant and Transfer Officers employed by New York State to retrieve over one-thousand parole violators annually.

These officers act as ambassadors for the State as they travel throughout the country. The inmates they retrieve have warrants for violating parole in New York and may have additional warrants in the State's they have fled to. These inmates vary anywhere from minimum to maximum security classification. Certain jurisdictions throughout the country do not recognize the current NYS Warrant and Transfer Officers credentials. This makes it more difficult for them to perform their duties.

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In addition, just like it did for the SUNY police, the change from peace officer status to Police Officer status would improve training for these officers, which in turn

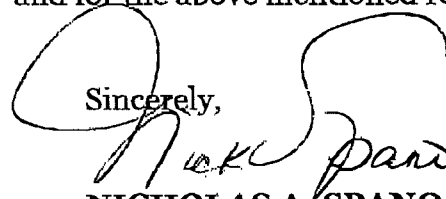
would make it safer for the Warrant and Transfer Officer and inmate as they travel back to New York. Despite providing a critical law enforcement function to the State of New York, these law enforcement officers are lacking necessary authority and protection. Some states, such as Connecticut have statutes prohibiting the release of a fugitive to anyone other than a police officer. Since Warrant and Transfer Officers are required to apprehend parole violators regardless of where these violators are located, it necessarily follows that they should have the requisite police officer authority.

Furthermore, the current status of these law enforcement officers can compromise their safety when performing their job duties. For example, §140.50 of the Criminal Procedure Law authorizes police officers to temporarily question individuals in public places and search them for weapons if the officer reasonably suspects that the person is committing or has committed a crime. However, a Warrant and Transfer Officer who apprehends a parole violator is not authorized to perform a similar search on an individual who may have been assisting the violator, even if the officer reasonably believes that this individual may be a threat to the officer's safety or the safety of the general public.

This inability to act unnecessarily compromises the safety of these law enforcement officers. Enactment of this legislation will not only ensure that these officers are appropriately authorized to carry out their job duties, but it will also ensure the safety of these individuals who perform a very dangerous job.

The measure is strongly supported by the New York State Correctional Officers and Police Benevolent Association, and for the above mentioned reasons I strongly urge the Governor to sign the bill.

Sincerely,



NICHOLAS A. SPANO
Senator

NAS:jt

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THE ASSEMBLY
STATE OF NEW YORK
ALBANY

56519 RM

PAUL A. TOKASZ
Assemblyman 143rd District

MAJORITY LEADER

ALBANY OFFICE:
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tokasz@assembly.state.ny.us

November 8, 2004

Mr. Richard Platkin
Counsel to the Governor
Executive Chamber
State Capitol
Albany, New York 12224

Re: A.4770-A- AN ACT to amend the criminal procedure law, in relation to designating as police officers, Warrant and Transfer Officers under the jurisdiction of the Division of Parole.

Dear Mr. Platkin:

I am writing to express my complete support for Assembly Bill 4770-A, which I co-sponsored with Senator Nicholas Spano. A.4770-A grants police officer status to Warrant and Transfer Officers under the jurisdiction of the Division of Parole.

Warrant and Transfer Officers, who are responsible for investigating and arresting parole violators, are key members of the law enforcement community. Though they provide a critical law enforcement function, however, these officers often lack the proper authority and protection they need to perform their duties. Parole violators often flee the State of New York, requiring Warrant and Transfer Officers to travel across state lines to make arrests. Some states however, including Connecticut, prohibit the release of fugitives to anyone other than a police officer. Furthermore, in their current capacity, these officers lack the authority to search the accomplices of parole violators even if they reasonably believe them to be a threat to public safety. This legislation, by officially making Warrant Transfer Officers police officers, will ensure these officers' safety and allow them to fully carry out their duties.

For your convenience, I have enclosed a copy of this legislation. Thank you for your attention to this matter. Should you have any questions, please do not hesitate to contact my office.

Sincerely,

Paul A. Tokasz

Paul A. Tokasz

PAT/mca
Enclosure

**NEW YORK STATE SENATE
INTRODUCER'S MEMORANDUM IN SUPPORT
submitted in accordance with Senate Rule VI. Sec 1**

BILL NUMBER: S6519

SPONSOR: SPANO

TITLE OF BILL: An act to amend the criminal procedure law, in relation to designating as police officers, warrant and transfer officers under the jurisdiction of the division of parole

PURPOSE: To grant police officer status to Warrant and Transfer Officers under the jurisdiction of the Division of Parole.

SUMMARY OF PROVISIONS: Section 1 of the bill includes Warrant and Transfer Officers within the provisions of subdivision 34 of §1.20 of the Criminal Procedure Law. Section 2 of the bill removes Warrant and Transfer Officers from the provisions of subdivision 23 of § 2.10 of the Criminal Procedure Law.

JUSTIFICATION: Warrant and Transfer Officers are responsible for the investigation and arrest of parole violators. Once the parole violator is in the custody of these law enforcement personnel, it is the responsibility of the Warrant and Transfer Officers to return the violator to a designated New York State correctional institution, planning the safest and most secure route for return. Oftentimes, the parole violator has fled the State of New York, requiring these officers to travel to other states to make their arrests.

Despite providing a critical law enforcement function to the State of New York, these law enforcement officers are lacking necessary authority and protection. There are some states, such as Connecticut, which have statutes prohibiting the release of a fugitive to anyone other than a police officer. Since Warrant and Transfer Officers are required to apprehend parole violators regardless of where these violators are located, it necessarily follows that they should have the requisite police officer authority.

In addition, the current status of these law enforcement officers can compromise their safety when performing their job duties. For example, § 140.50 of the Criminal Procedure Law authorizes police officers to temporarily question individuals in public places and search them for weapons if the officer reasonably suspects that the person is committing or has committed a crime. However, a Warrant and Transfer Officer who apprehends a parole violator is not authorized to perform a similar search on an individual who may have been assisting the violator, even if the officer reasonably believes that this individual may be a threat to the officer's safety or the safety of the general public. This inability to act unnecessarily compromises the safety of these law enforcement officers.

Enactment of this legislation will not only ensure that these officers are appropriately authorized to carry out their job duties, but it will

also ensure the safety of these individuals who perform a very dangerous job.

PRIOR LEGISLATIVE HISTORY: Same as A.11626 (2001-2002)

FISCAL IMPLICATIONS: None.

LOCAL FISCAL IMPLICATIONS: None.

EFFECTIVE DATE: This act shall take effect immediately.

SENATE:
No.S6519

Introduced by:
Senator Spano

ASSEMBLY:

Law: Criminal Procedure

Sections: 1.20 and 2.10

Division of the Budget recommendation on the above bill:

Approve: _____ Veto: X No Objection: _____ No Recommendation: _____

1. 2. Subject and Purpose and Summary of Provisions:

Effective immediately, this bill would amend the Criminal Procedure Law to change the status of Warrant and Transfer Officers working for the Division of Parole from peace officers to police officers.

3. Legislative History:

This is a new bill.

4. Arguments in Support:

It could be argued that granting police officer status to Warrant and Transfer Officers will ensure that more jurisdictions throughout the country will recognize the status of these officers, facilitate their passage through security points in airports, and result in increased training.

5. Arguments in Opposition:

The primary duty of Warrant and Transfer Officers is to transport parole violators from out-of-state jails back to the State of New York to face a parole revocation hearing. Nearly all of these parole violators are offenders who abscond from supervision. These officers are not responsible for investigating, apprehending, or arresting parole violators. The Division of Parole has taken the position that Warrant and Transfer Officers are currently able to perform their duties efficiently and effectively with their current status and training.

Further, the Division of Parole is not aware of any situations that have arisen as a result of problems with airport security or jurisdictional recognition. It should also be noted that both Warrant and Transfer Officers and Parole Officers are currently designated as peace officers in statute. As previously mentioned, Warrant and Transfer Officers are responsible for the transport of parole violators already under custody, while one of the duties of Parole Officers is to apprehend and arrest such violators. In light of this distinction in responsibility, an effort to

assign police officer status to Warrant and Transfer Officers, while maintaining peace officer status for Parole Officers, would be inappropriate.

6. Other State Agencies Interested:

The Division of Parole and the Division of Criminal Justice Services both object to this bill.

7. Other Interested Groups:

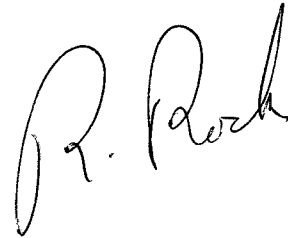
The New York State Correctional Officers and Police Benevolent Association, which represents Warrant and Transfer Officers, would be interested in the bill.

8. Budget Implications:

This legislation could have a significant fiscal impact on the State. Conferring police officer status upon Warrant and Transfer Officers could result in re-classification of these positions, with increased salary and training costs estimated at \$300,000 in the first year.

9. Recommendation:

This bill confers police officer status upon Warrant and Transfer Officers working for the Division of Parole. The proposed change is not expected to increase the effectiveness of Warrant and Transfer Officers, while potentially creating an unnecessary cost for the State. The Division of the Budget recommends veto of this bill.

A handwritten signature in black ink, appearing to read "R. Rock". The signature is written in a cursive style with a large initial "R" and a smaller "Rock" following it.



STATE OF NEW YORK
EXECUTIVE DEPARTMENT
DIVISION OF PAROLE
97 CENTRAL AVENUE
ALBANY, NEW YORK 12206

ROBERT DENNISON
CHAIRMAN

ANTHONY G. ELLIS, II
EXECUTIVE DIRECTOR

June 30, 2004

Honorable Richard Platkin
Counsel to the Governor
Executive Chamber
The Capitol
Albany, New York 12224

Re: S.6519

Dear Mr. Platkin:

The New York State Division of Parole has been asked to comment upon S.6519, a bill that designates as police officers the Division's Warrant and Transfer Officers. For the reasons set forth below, the Division cannot support this legislation.

Presently, the Division has in its employ fourteen Warrant and Transfer Officers whose primary function is to return parole violators from other States. Pursuant to section 2(23) of the New York Criminal Procedure Law, these officers have been granted peace officer status, who for more than two decades have served the Division well. The parole violators who are returned to New York State by these officers have already been arrested and are in custody pursuant to the violation warrant that was previously issued by the Division. At no time are these officers utilized for apprehending and arresting parole violators who are at large. In this regard, they do not participate in any operations, either within this State or in some other jurisdiction, designed to identify the whereabouts of a wanted parole violator and effecting his arrest pursuant to the violation warrant. These activities presently fall to Parole Officers who, while designated peace officers, are not empowered as police officers. Again, the only individuals they are responsible for transporting back to New York are those violators who have already been arrested and placed in custody.

In addition, the Memorandum in Support submitted in connection with this bill claims other jurisdictions do not recognize "the credentials" of these officers, and that this impedes the Warrant and Transfer Officers' ability to execute their responsibilities; as an example, the memorandum cites the State of Connecticut as a State that does not recognize the authority of these officers. For the many years the Division has used such officers to effect the return of already incarcerated parole

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Hon. Richard Platkin, Counsel
Re: S.6519
June 30, 2004

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violators, it has never experienced another jurisdiction's refusal to transfer custody of a violator to one of its Warrant and Transfer Officers.

The aforementioned Memorandum also indicates that these officers, because they are not "police officers" are experiencing difficulties with airport security when transporting the parole violator back to New York. Again, the Division of Parole has no record of such difficulties or of any officer's inability to effect the safe transfer of a parole violator when passing through airports.

It is noteworthy that this legislation presents a possible negative fiscal impact for the Division of Parole. If passed, the bill presents the basis for a re-classification of all fourteen positions, currently grade SG-14 positions, to a level closer to the grade assigned to the Division's Parole Officers, grade 21. Were this to occur, the costs associated with such re-classification, coupled with the amount of overtime experienced historically, could reach \$300,000.00 annually and possibly \$1,000,000.00 over a three year period. The Division also believes that it would experience increased costs associated with the training and annual qualification of these officers if their status was changed from peace officer to police officer without achieving a positive operational benefit yet exposing the Division to unwarranted liability.

Finally, the Division believes its operational structure would be compromised by passage of this legislation. Currently, all Parole Officers perform their duties as peace officers. For those Parole Officers assigned to the Division's field operations, they are the men and women who: effect the arrest of parole violators; search residences to apprehend wanted individuals and the weapons they may possess; and, participate in joint operations with other law enforcement agencies designed to protect the communities of this State and remove from those communities released felons who have demonstrated an inability to obey the law or comply with the conditions governing their release. Given the responsibilities shouldered by the Division's Warrant and Transfer Officers, it would be incongruous to afford them police officer status when the Division's Parole Officers, men and women who face the dangers of supervising and apprehending released felons on a daily basis, are afforded peace officer status.

Thank you for your attention in this matter and for affording the Division the opportunity to comment on this legislation.

Respectfully yours,

Terrence X. Tracy
Counsel

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STATE OF NEW YORK
DIVISION OF CRIMINAL JUSTICE SERVICES

July 2, 2004
VIA E-MAIL

Honorable Richard Platkin
Counsel to the Governor
Executive Chamber
State Capitol - Room 225
Albany, NY 12224

RE: Senate Bill Number 6519
Recommend Disapproval

Dear Mr. Platkin:

This is in response to your request for comment on the above-referenced legislation that amends the Criminal Procedure Law to designate warrant and transfer officers under the jurisdiction of the Division of Parole as police officers.

A police officer possesses significant authority, including the right to use deadly physical force, execute arrest warrants and search warrants, and make warrantless arrests when he has reasonable cause to believe that a person has committed a crime, whether in his presence or not. It is therefore critical that police officer status be conferred on individuals only when a sufficient justification for such status has been presented. In this case, we believe a sufficient justification has not been put forward.

Significantly, there is no specific explanation of how the lack of police officer status has hindered warrant and transfer officers' ability to perform their duties. For example, the justification that certain jurisdictions do not recognize the peace officer status of warrant and transfer officers, thereby "making it more difficult for them to perform their duties" and "to pass through airport security with their weapons" is conclusory and ambiguous, and does not at all explain how the lack of police officer status has impeded these individuals from carrying out their functions. Moreover, the Division of Criminal Justice Services is not aware of any instances in which warrant and transport officers have experienced such difficulties, and the memorandum in support does not provide any specific examples.

The memorandum in support also indicates that police officer status is necessary for warrant and transfer officers because they apprehend and arrest parole violators. It is our understanding, however, that these individuals are not responsible for apprehending and arresting parole violators, but rather are responsible for transporting parole violators who have already been arrested and placed in custody.

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Likewise, the justification that “the change from peace officer status to police officer status would improve training for these officers, which in turn would make it safer for the {warrant and transfer} officer and inmate as they travel back to New York” is overly vague. There is no explanation of how this improved training, presumably the basic course for police officers, will enhance the officers’ ability to perform their functions. Moreover, if warrant and transfer officers need additional training to carry out their duties, there is no reason such training cannot be provided absent police officer status.

Accordingly, because we believe a sufficient justification has not been articulated to justify police officer status for warrant and transfer officers, and because we are unaware of any operational difficulties encountered by these individuals due to their lack of police officer status, the Division of Criminal Justice Services **recommends disapproval** of S. 6519.

Thank you for the opportunity to comment on this legislation.

Very truly yours,

Kimberly A. O’Connor
Deputy Commissioner and Counsel

✓ 271



New York State Correctional Officers & Police Benevolent Association, Inc.

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November 5, 2004

PRESIDENT
Richard Harcrow

EXECUTIVE VICE PRESIDENT
Carl Canterbury

RECORDING SECRETARY
Diane Davis

TREASURER
Dan Stuart

VICE PRESIDENT,
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VICE PRESIDENT,
CENTRAL REGION
Anthony Farda

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WESTERN REGION
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VICE PRESIDENT,
SOUTHERN REGION
Paul Mikołajczyk

Hon. George E. Pataki
Governor of the State of New York
Executive Chamber
New York State Capitol
Albany, NY 12224

Re: S.6519/A.4770-A

Dear Governor Pataki:

On behalf of the New York State Correctional Officers and Police Benevolent Association, Inc. ("NYSOPBA"), which represents more than 23,000 members from various state law enforcement titles, including warrant and transfer officers employed by the Division of Parole, I respectfully request that you sign into law the above-referenced legislation which would confer police officer status on such law enforcement officers.

Warrant and transfer officers are statutorily recognized peace officers who encounter some of the most dangerous individuals in society – fugitives from justice – on a routine basis. These law enforcement officers are responsible for the investigation, apprehension and arrest of parole violators. Once an absconder is in the custody of these law enforcement personnel, it is the responsibility of the warrant and transfer officers to return the violator to an institution within New York's correctional system, planning the safest and most secure route for return. There are a limited number of these officers functioning in New York, but the value of their work and the inherent danger associated with performing warrant and transfer duties cannot be understated.

Despite providing a vital law enforcement function to the State of New York, these officers currently lack the authority and protections necessary to carry out their duties in an effective manner. For example, current law authorizes police officers to temporarily question individuals in public places and search them for weapons if the officer reasonably suspects that the person is committing or has committed a crime. (See § 140.50 of the Criminal Procedure Law.) However, the same does not hold true for warrant and transfer officers. As such, a warrant and transfer officer who apprehends a parole violator is not authorized to perform a similar search on an individual who may have been assisting the

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Hon. George Pataki
November 8, 2004
Page 2

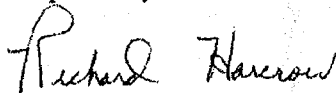
parole violator, even if the officer reasonably believes that this individual may be a threat to the officer's safety or the safety of the general public. This limitation under existing law only serves to increase the hazardous nature of an already extremely dangerous job.

Moreover, some states have shown a reluctance to release a fugitive to anyone other than a police officer. Since warrant and transfer officers are required to apprehend parole violators regardless of where these violators are located, it necessarily follows that they should have the requisite police officer authority.

Finally, considering the events of September 11, 2001 and the subsequent state and national concern associated with terrorism, both New York and the Nation would be better served by having additional individuals recognized as police officers who utilize air and other transportation systems.

For these reasons, on behalf of NYSCOPBA, I strongly support the enactment of this legislation and respectfully request that you sign this measure into law.

Respectfully submitted,



Richard Harcrow
NYSCOPBA President

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Memorandum

NEW YORK STATE POLICE

June 29, 2004

To: Honorable Richard Platkin
Counsel to the Governor

From: Glenn Valle
Counsel to the Division of State Police

Subject: TEN DAY BILL – S6519

AN ACT to amend the criminal procedure law, in relation to designating as police officers, warrant and transfer officers under the jurisdiction of the division of parole

POSITION:

The Division of State Police takes no position on this legislation.

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STATE OF NEW YORK

6519

IN SENATE

March 16, 2004

Introduced by Sen. SPANO -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to designating as police officers, warrant and transfer officers under the jurisdiction of the division of parole

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

- 1 Section 1. Subdivision 34 of section 1.20 of the criminal procedure
2 law is amended by adding a new paragraph (u) to read as follows:
3 (u) A warrant and transfer officer under the jurisdiction of the divi-
4 sion of parole.
5 § 2. Subdivision 23 of section 2.10 of the criminal procedure law, as
6 added by chapter 843 of the laws of 1980, is amended to read as follows:
7 23. Parole officers [~~or warrant officers~~] in the division of parole.
8 § 3. This act shall take effect immediately.

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

LBD07101-02-4