

Law Enforcement Authority For Peace Officers (Special Police)

101.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of members of the Town of Greece Special Police, with Peace Officer Status, to perform their functions based on established legal authority.

101.2 POLICY

It is the policy of the Greece Police Department to limit Special Police members to only exercise the authority granted to them by law, the Town, Town Code, and Greece Police Department Chief of Police.

101.3 PEACE OFFICER POWERS

Members serving as peace officers are authorized to exercise powers pursuant to applicable state law consistent with the special duties of the member identified by the Town (CPL § 2.20; CPL § 140.25).

[See attachment: Special Police.pdf](#)

101.3.1 ARREST AUTHORITY WITHIN THE GEOGRAPHICAL AREA OF EMPLOYMENT OF THE GREECE POLICE DEPARTMENT

A member serving as a peace officer may arrest a person acting pursuant to his/her special duties for (CPL § 2.20; CPL § 140.25):

- (a) Any felony whether or not committed in the presence of the member.
- (b) A crime not committed in the presence of the member when there is reasonable cause to believe the person committed a crime.
- (c) Any other offense when he/she has reasonable cause to believe such person has committed such offense in the member's presence.

101.3.2 AUTHORITY OUTSIDE THE GEOGRAPHICAL AREA OF EMPLOYMENT OF THE GREECE POLICE DEPARTMENT

A member serving as a peace officer may arrest a person outside of the geographical area of his/her employment, anywhere in the state, when the member has reasonable cause to believe a felony has been committed in his/her presence and the arrest is made during or immediately after the criminal conduct, or during immediate flight (CPL § 2.20; CPL § 140.25).

101.4 INTERSTATE PEACE OFFICER POWERS

Members acting as peace officers shall not pursue persons outside the state of New York. A law enforcement officer of another state who enters New York in close and continuous pursuit of a person for committing an act that would be a crime if committed in New York has the authority to make the arrest under CPL § 140.55.

Greece Police Department

Policies

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101.5 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the United States and New York Constitutions.

Attachments

Special Police.pdf

Chapter 33. POLICE DEPARTMENT

Article I. Special Police

§ 33-3. Authority of Town Chief of Police.

The special police shall be under the authority and control of the Chief of Police of the Town of Greece Police Department.

§ 33-5. Powers and authority.

The special police are peace officers having the same powers and authority as are conferred upon constables by general laws of the state only when on duty.

§ 33-7. Duties.

The duties of the special police shall include but not be limited to the following:

- A.
Traffic control at special events and emergencies.
- B.
Crowd control at special events and emergencies.
- C.
Administrative duties as required.
- D.
Patrol of Town parks and schools as requested by the Town of Greece Police Department, including issuance of citations for violations of the Town Code occurring within the Town parks. The Chief of Police or his designee may request special police to patrol parks and other locations with all-terrain vehicles and snowmobiles when available. [Amended 5-16-2005 by L.L. No. 1-2005; 1-15-2013 by L.L. No. 2-2013]
- E.
Ride along with Town of Greece police officers as special police officers are available.
- F.
Parking enforcement as requested by the Chief of Police at the Town of Greece Police Department.
- G.
Horse-mounted and bike officers available as requested by the Town of Greece Chief of Police.
- H.
Crime prevention duties.
- I.
Providing assistance to the Greece Town Justice Court, the Town Justices and the Court personnel, when requested. [Amended 5-16-2005 by L.L. No. 1-2005; 4-21-2009 by L.L. No. 1-2009]

§ 33-8. Special Police Chief.

The special police shall have their own Chief who will answer to the Chief of the Town of Greece Police Department. The Special Police Chief shall be appointed by the Town Board upon the recommendation of the Chief of Police of the Town of Greece.