

**MEMORANDUM OF UNDERSTANDING**

**by and between**

**THE TRUSTEES OF UNION COLLEGE IN THE  
TOWN OF SCHENECTADY IN THE STATE OF NEW YORK  
a/k/a UNION COLLEGE**

**and**

**THE POLICE DEPARTMENT OF THE CITY OF SCHENECTADY**

This Memorandum of Understanding ("Memorandum") is made and entered into on the 20<sup>th</sup> day of May, 2006, by and between **The Trustees of Union College in the Town of Schenectady in the State of New York a/k/a Union College** ("College") and the **Police Department of the City of Schenectady** ("Police Department") and sets forth the respective responsibilities of the parties relative to their response to and the investigation of violent felony offenses (as defined below) as well as to define the respective responsibilities of the parties in the investigation of a report of any missing student (as defined below).

**WHEREAS**, the College is legally obligated, in accordance with Chapter 22 of the Law of New York State 1999, commonly referred to as the "Suzanne Lyall" law, to adopt and implement a plan providing for the investigation of any violent felony offense occurring at or on the grounds of such institution and to provide for the investigation of a report of any missing student; and

**WHEREAS**, to be included in such a plan there shall be a written agreement with the local law enforcement agency or agencies providing for the prompt investigation of such crimes and reports; and

**WHEREAS**, the purpose of this Memorandum is for the College to obtain dedicated Police Department services in the response to and investigation of violent felony offenses and reports of missing students;

**NOW, THEREFORE**, the parties agree as follows:

1. **DEFINITIONS.**

a. "Missing Student" means any student of the College subject to the provisions of subdivision 6 of Section 6450 of the Education Law of the State of New York who resides in a facility owned or operated by the College and who is reported to the College as missing from his or her residence.



b. "Violent Felony Offense" means a violent felony offense as defined in subdivision 1 of Section 70.02 of the Penal Law of the State of New York.

2. **JURISDICTION.** The Police Department has primary law enforcement jurisdiction on all property owned, leased, or under the control of the College located within the limits of the City of Schenectady and will provide police services on said property, when requested by the College's Campus Safety Department, except as otherwise specified in this Memorandum of Understanding.

3. **POLICE DEPARTMENT'S CONDUCT OF BUSINESS ON COLLEGE PROPERTY.** When the Police Department executes a warrant or conducts other routine police business on any property which is known to be owned, leased, or under the control of the College, the Police Department will contact the College's Campus Safety Department and request a security officer to accompany the police officer when practical. Efforts will be taken to refrain from unnecessarily interrupting a class to contact an individual, effect an arrest, or execute a search warrant. In the event of close pursuit or any other emergency response beginning in the City of Schenectady and terminating on the Union College campus, the Police Department's Communications Unit will notify the College's Campus Safety Department as soon as possible.

4. **RESPONSE AND INVESTIGATION.**

a. "Missing Student" When a report of a missing student is received by the College, the College's Campus Safety Department will conduct a preliminary investigation in order to verify the report and to determine if any unusual circumstances exist relative to the reported missing student. If the report is verified, then the matter will be reported to the Police Department immediately. The Campus Safety Department will continue the investigation to locate the missing student and forward any pertinent information gathered to the Police Department. If, after further investigation, the missing student is not located after the expiration of twenty-four (24) hours from the time of the initial report, the investigation will then be turned over to the Police Department and all information obtained by the Campus Safety Department will be turned over to the Police Department. If the missing student is located or returns to the College at any time after the matter has been reported to the Police Department, the Police Department shall be notified immediately by the Campus Safety Department.

b. "Violent Felony Offenses" The College's Campus Safety Department will notify the Police Department of any serious criminal incident that may constitute a violent felony offense on any property owned, leased, or under the control of the College within the jurisdiction of the City of Schenectady and cooperate fully with the Police Department's investigation.

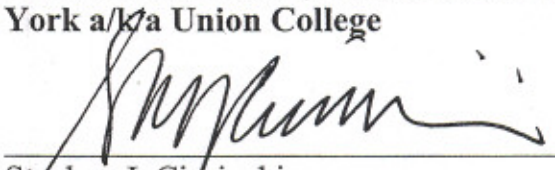
5. **OPERATIONAL PROCEDURES AND GUIDELINES.** The Director of the Campus Safety Department and the Chief of the Police Department shall agree upon more specific and detailed written operational procedures and guidelines provided that such additional operational procedures and guidelines are not inconsistent with the above provisions. Attached hereto and made of this Agreement as "Schedule A" are the Operational Procedural Guidelines, which can be modified by mutual consent of the parties.

IN WITNESS WHEREOF, this Memorandum of Understanding has been agreed upon and executed as of the date opposite the parties' signatures.

"Union College"

**The Trustees of Union College in the  
Town of Schenectady in the State of New  
York a/k/a Union College**

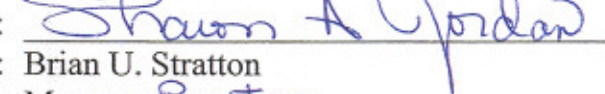
Date: 5/20/06

by:   
name: Stephen J. Ciesinski  
its: Chairman

"Police Department"

**City of Schenectady**

Date: 5/31/06

by:   
name: Brian U. Stratton  
its: Mayor - Pro-tem