

## VETO MESSAGE:

VETO MESSAGE - No. 15

TO THE SENATE:

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

Senate Bill Number 328, entitled:

"AN ACT to amend the criminal procedure law, in relation to granting animal abuse investigators of the county of Wayne peace officer status"

NOT APPROVED

This bill would grant peace officer status to Wayne County animal abuse investigators. Although the bill includes restrictive language that would appear to restrict the ability of these investigators to carry firearms, these individuals could carry firearms if licensed to do so. This bill is one of 16 similar bills that the Legislature passed this session, each of which would grant peace officer status to a separate class of employees.

Peace officers have many of the same legal powers as police officers, including the power to use force to make arrests, make warrantless arrests, conduct warrantless searches and issue appearance tickets. These are very far-reaching powers that should not be granted lightly, and should only be granted to those who have received sufficient training.

Unfortunately, our current laws governing the training of peace officers are inadequate. The Municipal Police Training Council is authorized to set training requirements for peace officers, but is limited to requiring no more than 35 hours of training for full-time peace officers, and 10 hours of training for part-time peace officers. A basic

training course for police officers, in contrast, must include a curriculum of at least 475 hours of instruction and a supervised field training and orientation program of at least 160 hours, for a total of a least 635 hours.

I do not think we should be expanding the categories of individuals who are granted peace officer status until we have amended our current laws to ensure that these individuals are adequately trained. Moreover, most of the peace officer bills that have been presented for my review -- including this bill for Wayne County animal abuse investigators -- fail to provide an adequate justification explaining why these individuals need peace officer powers. Finally, rather than grant peace officer status through individual bills passed for small groups within specific municipalities, the Legislature should address this issue on a more comprehensive basis, and determine which categories of employees may need peace officer powers on a statewide basis. When appropriate, such grant of powers can be made subject to the approval of the local municipality.

I have asked my staff, the Division of Criminal Justice Services and other affected agencies to work with the Legislature during the remainder of this year to review this issue carefully and to develop appropriate criteria under which peace officer status should be granted in the

future, including a review of training requirements and appropriate restrictions on the ability to carry firearms.

The bill is disapproved.

(signed) ELIOT SPITZER

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