MEMORANDUM OF UNDERSTANDING REGARDING POLICE RESPONSE TO INCIDENTS AND EVENTS OCCURRING AT THE CITY UNIVERSITY OF NEW YORK

The New York City Police Department ("NYPD") and The City University of New York ("CUNY") hereby agree as follows:

Purpose

NYPD and CUNY wish to develop a mutual understanding regarding the circumstances under which NYPD personnel shall enter upon CUNY campuses, buildings and other property. This agreement is intended to cover all circumstances that might require a police presence or response, including emergencies, reports of crimes occurring on CUNY property, enforcement of criminal laws, arrests of persons suspected of committing crimes, and other events or occurrences which, in the judgment of CUNY officials, require NYPD expertise or assistance.

1. Emergencies

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- (a) Whenever the police receive a report from any person that an emergency involving danger or potential injury exists or may exist on a CUNY campus, building or other property, the police, preferably a police supervisor, may enter CUNY property or facilities for the purpose of investigating the report of the emergency. Concurrent with such police response and before entering college facilities, the NYPD will, if possible, attempt to contact the college security office to verify the report.
- (b) The necessity for and nature of the police response to the reported emergency shall be assessed by the police official at the site supervising the emergency response. CUNY officials and employees shall cooperate with NYPD officials in the assessment and response to a reported emergency.
- (c) NYPD personnel will enter upon CUNY campuses, buildings or other property to investigate reported emergencies, whether the report of the emergency is made by a CUNY official, employee, or student, or by a person who is not affiliated with CUNY, or becomes otherwise known to the NYPD.

- (d) Whenever the NYPD enters CUNY property to respond to an emergency reported by any person other than the college president or designated college official, NYPD personnel will advise the college president or college security office of the nature of the reported emergency as soon as possible.
- (e) The terms "emergency" and "reported emergency" shall include the ordinary meaning of those terms, but shall also include any circumstances in which there is the potential for injury to any person or substantial damage to or loss of property.

2. Non-emergency Response

- (a) In non-emergency circumstances, NYPD personnel shall enter upon CUNY campuses, buildings and other property only upon the request or approval of a CUNY official designated by CUNY as having authority to make such a request.
- (b) Non-emergency circumstance shall include any situation which in the judgment of the college president or designated college official does not constitute an immediate danger to persons or substantial damage to or loss of property or require immediate police assistance, such as the report of a past crime (except for the immediate preservation of a crime scene), a peaceful and lawful demonstration, a campus event or the like.
- (c) The Chancellor, through the Office of the University Security Director, shall provide and maintain for the NYPD a listing of all designated persons at each campus authorized to request an NYPD presence or response to a non-emergency circumstance. It shall be assumed, however, that the Chancellor, the vice chancellors, the college presidents, vice presidents, and the University and college security directors have such authority. CUNY shall, on a regular basis, update the listing provided to NYPD, so that it is clear to CUNY and police officials which CUNY officials are authorized to request police assistance.

(d) NYPD shall have complete discretion in nonemergency circumstances not to enter a CUNY campus, building or other property as requested by the college. This paragraph and agreement is not intended to establish and should not be construed as establishing, for liability purposes, a special relationship between NYPD and CUNY, CUNY officials, employees, students, and college guests.

DATED:

LEE P. MROWN
Police Commissioner
City of New York

DATED: March 6, 1992

W. ANN REYNOLOS

Chancellor

The City University of New York