

1 **2024 NYSAC Fall Seminar**  
2 **Standing Committee on Public Safety**  
3 **Resolution #1**

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5 **Resolution in Support of S.2695-B (Harckham) / A.7086-A (Jones) to**  
6 **Ensure Sheriffs and Undersheriffs Continue to Have Police Officer Powers**

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8 **WHEREAS**, sheriffs are elected law enforcement officials whose offices are established  
9 by the New York State Constitution; and

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11 **WHEREAS**, historically, those individuals inhabiting the office of both Sheriff and  
12 Undersheriff were imbued with the legal authority of police officers solely by virtue of  
13 holding those positions; and

14  
15 **WHEREAS**, the statutory exemption granting sheriffs and undersheriffs police officer  
16 powers as a component of holding the office, absent any other prerequisite training, was  
17 ostensibly repealed as a component of the Professional Policing Act; and

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19 **WHEREAS**, such statutory change has narrowed the field of qualified candidates for  
20 sheriff, since individuals who are already police officers can credibly claim that their  
21 civilian opponent, if elected, will not be a police officer, thereby diminishing the pool of  
22 aspiring public servants who could bring diversity and new perspectives to the office of  
23 sheriff.

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25 **NOW, THEREFORE, BE IT RESOLVED**, that the New York State Association of  
26 Counties (NYSAC) supports S.2695-B / A.7086-A (2024), which would restore the  
27 exemption language previously found in General Municipal Law section 209-q; and

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29 **BE IT FURTHER RESOLVED**, this GML section 209-q grants sheriffs and  
30 undersheriff with police officer powers by virtue of holding those esteemed positions;  
31 and

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33 **BE IT FURTHER RESOLVED**, copies of this resolution be sent to the counties of  
34 New York state encouraging member counties to enact similar resolutions; and

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36 **BE IT FURTHER RESOLVED**, that NYSAC shall forward copies of this resolution to  
37 Governor Kathy Hochul, the New York State Legislature and all others deemed  
38 necessary and proper.