

SCRN: ADMN
TERM: CDD

FINEST MESSAGE SWITCHING SYSTEM
GENERAL ADMINISTRATIVE INFORMATION
SENT 10/22/03 - 17:05.23 SER# 026042

DATE: 10/22/03
TIME: 17:08.24
FROM: CDD

MESSAGE:
TO ALL COMMANDS

SUBJECT: LEAFLETING NEAR SCHOOL GROUNDS - ENFORCEMENT
GUIDELINES FOR PENAL LAW SECTION 240.35(5)

PENAL LAW SECTION 240.35(5) PROVIDES, IN PERTINENT PART, THAT A
PERSON IS GUILTY OF LOITERING WHEN HE:

LOITERS OR REMAINS IN OR ABOUT SCHOOL GROUNDS, A COLLEGE OR
UNIVERSITY BUILDING OR GROUNDS, . . . NOT HAVING REASON OR
RELATIONSHIP INVOLVING CUSTODY OR RESPONSIBILITY FOR A PUPIL OR
STUDENT, OR ANY OTHER SPECIFIC, LEGITIMATE REASON FOR BEING
THERE, AND NOT HAVING WRITTEN PERMISSION FROM ANYONE AUTHORIZED
TO GRANT THE SAME.

EFFECTIVE IMMEDIATELY, MEMBERS OF THE SERVICE WILL REFRAIN FROM
ENFORCING THIS STATUTE AGAINST PERSONS WHOSE CONDUCT CONSISTS SOLELY OF HANDING
OUT LEAFLETS ON THE STREETS SURROUNDING SCHOOLS.

WHERE APPROPRIATE, MEMBERS OF THE SERVICE MAY CONTINUE TO ENFORCE OTHER
PROVISIONS OF THIS LAW, INCLUDING, TRESPASS AND DISORDERLY CONDUCT.

ANY MEMBER OF THE SERVICE HAVING QUESTIONS CONCERNING THIS MESSAGE IS
DIRECTED TO CALL THE LEGAL BUREAU AT (646) 610-5400.

AUTHORITY: CHIEF OF DEPARTMENT
AUTHORIZING TERMINAL CDD
OPS. UNIT

OPR STALLONE 1700 HOURS
BROADCAST MESSAGE NO. 10/22-16

PRIORITY: 1 ROUTING: APRT HIGH CDD _____