

NEW YORK STATE
ATTORNEY GENERAL OPINIONS
RELATIVE TO PROBATION

Attorney General Opinion to DPCA - 12/21/82

Opinion and case law citations as to powers of Probation Officers as Peace Officers.

Attorney General Opinion to Madison County - 5/30/89

Probation Officer may not be employed by District Attorney's Office to carry out duties of coroner.

Attorney General Opinion to State Director of Probation - 12/21/82

Attorney General addresses legal opinion relating to the powers of Probation Officers as Peace Officers in light of Chapter 843 of the Laws of 1980, the "Unified Peace Officer Law". In essence, the Attorney General concludes his opinion that Probation Officers possess Peace Officer status at all times; most Peace Officer powers may be exercised only when Probation Officer is acting pursuant to his/her duties. If authorized by his/her employer, a Peace Officer may carry a weapon while on duty and receive same number of training hours in use of a weapon as a Police Officer.

Attorney General Opinion to Chairman of NYS Racing and Wagering Board - 3/31/94

Regarding Correction Law Article 23 - Certificate of Relief From Disabilities.

Attorney General determined that such law is not applicable to certification or licensing procedures of gaming employees at casinos operated to the nation - State Compacts between New York State and the Oneida Nation and the St. Regis Mohawk Tribe.

Attorney General Opinion to Madison County Dept. of Law - 5/30/89

Probation Officer cannot be employed also by a county to assist the District Attorney in carrying out responsibilities of the Office of Coroner.

Attorney General Opinion to Madison County Dept. of Law - 5/30/81

Probation Director and Deputies (Probation Officers) are public officers and consequently must file oath of office upon appointment.

Attorney General Opinion to Village Attorney, Tarrytown, NY 10591-3199 - 2/22/84

The use of the word "Court" in the phrase "Tarrytown Youth Court Program" is in violation of Judiciary Law, Sec. 3.

Attorney General Opinion to State Director of Probation - 2/10/83

In effect, the Attorney General stated that Probation Directors and Probation Officers who are Peace Officers must be U.S. citizens in accordance with NYS Public Officers Law Sec. 3(1) and Sec. 3(b).