

TESTIMONY OF TIM LOWERY IN SUPPORT OF HB 3114

House Committee on Higher Education and Workforce Development - April 8, 2013

Chair Dembrow, Members of the committee...

My name is Tim Lowery, I work as a Public Safety Officer for Chemeketa Community College. I support House Bill 3114 for a variety of reasons.

Chemeketa is the third largest community college in Oregon, with over 40,000 students on seven campuses. We have only 9 full-time Public Safety Officers to serve this large population. As Public Safety Officers, we are dressed like Police Officers and wear bullet proof vests. In fact, many members of the campus community believe we are fully sworn peace officers. A few of our official job duties include:

- Patrolling campuses to ensure lawful conduct of students, staff, and visitors;
- Responding to emergencies and performing as an emergency first responder;
- Conducting investigations of incidents occurring on College property; and
- Enforcing federal, state, and local laws, including the Oregon Criminal Code, Oregon Traffic Code, college motor vehicle code, college policies, and taking appropriate actions, with the possibility of an arrest.

Yet Oregon Law treats us the same as private security guards, with the exception of enforcing the Oregon Traffic Code on our campuses. Even when enforcing traffic laws, we are told not to pull over a vehicle, but to wait for the vehicle to reach its destination (i.e., a parking spot) and then to confront the driver who may have some confusion about our status. Safety on our campuses would be improved if this confusion was eliminated and we became Police Officers under Oregon law.

First, providing us with this status would be a driving force for better training of our community college public safety officers. While a majority of us already have extensive criminal justice and law enforcement training and experience in our backgrounds, this is not a requirement. Peace Officer Certification from the Department of Public Safety Standards and Training would insure that we are all properly trained. As one our students who recently had a heart attack on campus knows, a properly trained officer can save lives. Moreover, enhancing our legal status allows us to perform important duties related to our scope of employment. For example, we could act on warrants when appropriate, to insure that dangerous suspects are arrested instead of allowing them on-campus. We would also gain the authority to stop a person and make a reasonable inquiry if we suspect a person on campus is about to commit a crime as allowed in ORS 131.615.

While it is not my primary concern, this bill would also protect those of us who now serve the College community. It would give us more legal protection in the performance of our duties. Instead of having basically no more authority than a private citizen, we would be protected by ORS 133.315 relating to the liability of a peace officer making an arrest. We would also gain the protection of ORS 163.208. As of now, that statute, "Assault on a Public Safety Officer," does not include a Community College's Public Safety Officer.

With the recent tragic events in our country on all of our minds, providing us with peace officer authority could help us in the event of emergencies. Most of us, as Public Safety Officers, feel that in an event of an active shooter on our campus it would be difficult to retreat from the threat instead of engaging. Not being able to act and save lives would go against many of our morals, values, and the commitment to the college we have chosen to undertake. We are familiar with our campus' floor plans and geographical layouts in the event of an emergency. We have the quickest response times to incidents that occur on college property. And I'd also add that most students, staff, and visitors I have spoken with feel Public Safety Officers would serve more of a purpose and would save lives with the ability to engage an active shooter threat with an equal level of force.

Finally, I'd like to say that I also support how the bill provides authority to the College to ban concealed weapons on campus. Why should students be able to carry concealed firearms onto a school setting? My employer doesn't allow staff to bring a gun to work. Why a student? I'm concerned about undertrained student gun handlers. An Oregon Concealed Weapons Permit doesn't require much training to obtain. More lives could be lost with more bullets flying in the air. Finally, the safety of gun-carrying students could be compromised. It could be difficult for law enforcement officials to distinguish an active shooter suspect with a gun, from a student with a gun.

Thank you for the opportunity to testify before you today. I would be happy to answer any questions.