

Oregon College and University Public Safety Administrators Association



Judiciary Information Briefing
Oregon Senate - March 2, 2018

Jim Bouziane
President



Jace Smith
Secretary
Legislative Committee Chair

Jim Bennett
Executive Director

Today's Presentation and the Legislative Initiative



- Enhance campus community public safety across Oregon
- Standardize training, standards and capabilities of campus departments
- Provide clear, consistent, statutory authority that maximizes safety for all



Oregon College and University Public Safety Administrators Association

The mission of the association is to represent the collective views of higher education public safety leaders within the State of Oregon and to develop, support and encourage initiatives that support safety and security on public and private campuses of higher education.



Oregon College and University Public Safety Administrators Association

- Representing Chiefs, Directors and Managers
- Representing 25 public and private, colleges and universities throughout Oregon
- Institution departments include:
 - Security departments
 - Public Safety departments
 - (Sworn) Police agencies

Today, there are several different models of providing public safety on higher education campuses:

Traditional Patrol Services

- Oregon Private Security Provider
- Minimum 14 hours of training

(Campus) Public Safety

- Enhanced services
- Training from 100 - 500+ hours

(Sworn) Police Department

- Full police services (armed)
- Commissioned police officers

Services performed by many of today's higher education departments (Oregon and nationwide)

- Patrol, enforcement, and security functions (building security, traffic control, visitor services, parking enforcement)
- Investigation and reporting of crimes
- Emergency response – crimes, violence, fire, medical
- Threat assessment and recognition
- Sexual assault investigations (Title IX)
- Traffic enforcement
- Testifying in court
- Arrests for crimes

Current Statutory Authority

- ORS 181A.855 (Private Security Provider)
- ORS 340 (Community college officers in peace officer role)
- ORS 352.385 (University officers and authorities granted, i.e. PC authorities)
- ORS 352.121 (Universities may establish police departments)
- No special ORS for private institutions

The Needs Have Changed

The threat environment has changed dramatically

- Public and private partners are being under-utilized with regard to bolstering and partnering with other law enforcement agencies.
- Law Enforcement partners are often unsure of the capabilities, standards, knowledge, and competence of campus partners.
- The Governor's task force provided the foundation to move this work forward.
- OCUPSAA is working towards fulfilling some of those recommendations.

Providing for the safety of our campus communities is a partnership between all entities

When working with security, public safety, and in some cases even other police agencies, law enforcement partners want to know who they are working with and depending on.

- What authority do campus officers have?
- What training have campus officers received?
- Have the officers been vetted, screened, and verified in a way that engenders trust?
- How do all parties communicate during an emergency?
- Are campus officers trained to preserve evidence and protect a crime scene?

Armed or “Sworn” Officers on Campus

- Nearly **70 %** of colleges and universities operated full law-enforcement agencies in 2012
- **94%** percent of those officers are authorized to use a firearm
- More than **90%** of public institutions and **38%** of private institutions in 2012 used sworn officers
- **75%** of campuses said they used armed officers in 2012

<https://www.insidehighered.com/quicktakes/2015/01/21/75-percent-campuses-employ-armed-officers>

6-Point Legislative Proposal

*Strengthening the safety of our campus
communities*

(1) STATUTORY AUTHORITY

Provide comparable language and authority for all higher education institutions that equals that of university security or public safety departments.

- Educational institutions must manage crime issues that because of limited municipal resources or legal constraints, do not always invite or allow for law enforcement agency participation.
- “Citizen’s arrest” is not a sufficient authority when engaging persons that campus public safety entities believe have committed a crime and are a threat to community safety.
- Currently, university public safety entities have this authority including probable cause arrest, where colleges (public and private) do not.
- Authority must be commensurate with level of training.

(2) TRAINING

A training model where public and private schools utilize structured training and standards that define graduated training levels through which institutions may choose the appropriate level of service delivery for their constituencies.

- Proposed levels of licensure or certification aligned with standards and training such as a Basic, Intermediate and Advanced Certification and service delivery.
- Police (sworn) level would remain as stipulated by ORS.
- Department's may remain certified under "Private Security Providers" but would not be authorized any additional authority beyond current statute.
- No school would be required to participate in any certification level beyond "Private Security Provider".

(3) “SWORN” POLICE AGENCY

Allow for the establishment of commissioned police departments, if so desired, as currently exists for public universities.

ORS changes or addendums should include an option to establish police departments or to allow for *individuals* to work as police on behalf of the educational institution.

Some institutions may desire to pursue creating police departments

- Proximity to other law enforcement resources
- Number of campus community members who require service
- Crime problems that traverse geographic boundaries
- Enhancement of crime deterrence, resolution, and response to criminal situation
- Campus policing challenges and nuances different than municipal policing services

(4) QUALIFIED IMMUNITY FOR OFFICERS TRAINED AND EXERCISING PROBABLE CAUSE AUTHORITY

Campus Public Safety Officers acting in good faith, in accordance with their training, and in a manner that is lawful, deserve the same protections offered sworn law enforcement officers across the United States.

(5) AUTHORITY TO ARREST FOR A VALID WARRANT

When Campus Public Safety Officers encounter an individual who has a confirmed, valid warrant and they have the training, means, and opportunity to do so and where the agency that verifies the warrant states that they wish public safety officers to take the person into custody, then it is in the interest of public safety and law enforcement to apprehend that person.

Note, except for the proposed sworn/commissioned officers, campus public safety would not have a duty to perform and that considerations outlined here would be evaluated before any officer(s) were to take action.

(6) ACCESS TO THE LAW ENFORCEMENT DATA SYSTEM LEDS (LAW ENFORCEMENT DATA SYSTEM)

Used for the investigation of crimes, apprehension of criminals, and perhaps most importantly threat assessment as part of an investigation into potential threat of violence.

- OCUPSAA has a suggested course for both public and private schools to get greater access to LEDS that will not compromise the integrity or security of LEDS data and that will allow institutions to either lawfully request and receive information from law enforcement agencies or will allow more schools to establish the means to gain access for themselves.
- There are already higher education institution campus public safety departments that have LEDS access.

Rationale

Current authority structure, standards and training hampers organizations from providing the level of safety and security necessary in today's educational environment.

Currently Oregon laws do not provide equally for institutions of higher learning to provide for the protection and safety of campus members. *Is the need for a safe campus different because of their academic structure?*

- Reduce the burden on law enforcement officers
- Strengthen crime fighting networks, resources, and resiliency
- Increase interoperability
- Expand Oregon's ability to respond to natural and human caused disasters

21st Century challenges to keeping our campus communities safe

Oregon campuses deal with every serious crime in the statutes. They deal with murders, sexual assaults, burglaries, robberies, arson, drug trafficking , alcohol related crimes and more.

Many also deal with traffic law enforcement and all the related laws and issues.

Active Shooters/Violent Actors are becoming more and more prevalent in our society. OCUPSAA's proposal supports a new law enforcement footprint that is especially suited and knowledgeable about Campus Life and the particular challenges on campus.

What is NOT being proposed

- To mandate higher education institutions to provide safety and security services beyond their governing board's level of comfort.
- To prevent institutions with strong bonds and support from local municipal law enforcement agencies to alter their relationships or expectations of services.
- To allow any enhancement of authority where appropriate training and standards have not been established.

OCUPSAA does not believe this legislation will require any NEW money because institutions will determine what level of safety and security services they wish to attain. OCUPSAA is asking only for the capability to get to a licensure process. It is possible that such licensure could be developed on par with current licensure fees.

Summary

OCUPSAA would like to assist, support and lobby for new statutory language that either amends existing statutes or creates new statutes to support this critical public safety matter.

- OCUPSAA has launched a committee to develop proposed training and standards for our association members that will most likely meet or exceed any statutory requirements that new or amended statutes may bring.
- OCUPSAA is reaching out to stakeholders in the law enforcement field, education, legislative and others to garner a broad coalition.
- OCUPSAA membership is united and steadfast in their commitment to making our post-secondary campuses the national model in safety and allowing for the uninhibited ability for students to pursue their educational dreams.

Thank You for Your Consideration



QUESTIONS?