



BILL ANALYSIS

RECEIVED

Senate Fiscal Agency

Lansing Michigan 48909

(517) 373-5383

NOV 19 1987

Senate Bill 339 (as reported without amendment)

Sponsor: Senator Jerome T. Hart

Committee: Education and Mental Health

Mich. State Law Library

Date Completed: 10-21-87

RATIONALE

Many colleges and universities in the State have established public safety departments to handle a number of safety- and police-related duties on campus. The scope of responsibility varies from one institution to another and ranges from enforcement of campus traffic ordinances to investigation of murders and rapes that have occurred on campus. Most of these colleges and universities work with the local sheriff's department to provide law enforcement on campus. Despite these arrangements, incidents have occurred on campuses where it was not clear whether the campus police or the local police agency had jurisdiction over the matter. Some people believe that governing boards of public colleges and universities should be able to empower their campus police officers with the same authority that peace and police officers currently possess under State law, since these officers are the primary police agency on campus.

CONTENT

The bill would create an act to:

- Empower governing boards of public four-year higher education institutions to vest the institutions' public safety officers with the same powers and authority as granted by law to peace and police officers.
- Permit public safety officers to enforce State law as well as ordinances of an institution.
- Establish the jurisdiction of the public safety officers.
- Set minimum employment standards for public safety officers.

Powers and Authority

Under the bill, the governing board of control of a public four-year institution of higher education, created under Article VIII of the 1963 State Constitution, could vest the public safety officers of the institution with the same powers and authority as granted by law to peace and police officers, to enable the public safety officers to enforce State law and the ordinances and regulations of the institution.

Public safety officers vested with the powers and authority of peace and police officers would be considered peace officers of the State and would have the authority of police officers as provided under the Michigan Vehicle Code.

Jurisdiction

The jurisdiction of public safety officers, vested with the powers and authority prescribed in the bill, would include all property owned or leased by the institution or the governing board of control, wherever the property was situated in the State. This jurisdiction would extend to any public right of way traversing or immediately contiguous to the property. The jurisdiction could be extended by State law governing peace officers, if authorized by the governing board of control.

Employment Standards

Public safety officers vested with the powers and authority prescribed in the bill would be required to meet the minimum employment standards of the Michigan Law Enforcement Officers Training Council Act.

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

ARGUMENTS**Supporting Argument**

A number of higher education institutions in the State, such as Oakland University, Grand Valley State College, and Central Michigan University, have sought the authority to empower their public safety officers with the same powers and authority as granted by law to peace and police officers. Campus police often are better prepared to handle incidents that have taken place on the campus, rather than officers from the local county sheriff's department, since campus police are the primary police agency at the institution. Yet, the bill would not negate the ultimate authority of a sheriff's department over the campus nor restrict the campus police in seeking assistance from the local sheriff's department. Furthermore, some sheriff's departments reportedly are experiencing difficulty in obtaining liability protection for officers who handle calls on college and university campuses. The bill would remove potential liability problems for sheriff's departments.

Supporting Argument

The bill does not go as far as earlier legislative attempts, which would have allowed boards of control to grant their public safety officers the same authority as deputy sheriffs and the power to serve writs. Furthermore, college boards of control would be permitted, but not required, to increase the power of their public safety officers. Thus, institutions that did not find this empowerment necessary would not have to change their current procedures for hiring or training.

Supporting Argument

Public safety officers vested with powers and authority prescribed in the bill would be required to meet minimum employment standards of the Michigan Law Enforcement Officers Training Council Act. Under that Act, the Law Enforcement Council is charged with preparing minimum employment standards dealing with the physical, educational, mental, and moral fitness of a police officer, as well as approval of police training schools, and establishment of minimum courses of study and attendance requirements, among other requirements. If campus police

S.B. 339 (10-21-87)

officers were given additional powers and authority as granted by law to peace and police officers, they should have to meet training standards that must be met by other local police agencies.

Opposing Argument

Public safety officers empowered with this new authority could overlap or duplicate services already provided by local law enforcement agencies.

Legislative Analyst: L. Arasim

Fiscal Analyst: E. Jeffries

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.