

Department of Legislative Services
Maryland General Assembly
2018 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 1803
Judiciary

(Delegate Glenn)

Baltimore City - Independent Institutions of Higher Education - Police Force

This bill authorizes an independent institution of higher education in Baltimore City to establish a campus police force based on a memorandum of understanding entered into by the institution and the Mayor or the Police Commissioner of Baltimore City. In addition, the bill makes the campus police officers subject to the Law Enforcement Officers' Bill of Rights and eligible for certification by the Maryland Police Training and Standards Commission (MPTSC).

Fiscal Summary

State Effect: None. Any responsibilities for MPTSC and the Department of State Police (DSP) can be handled with existing budgeted resources. Revenues are not affected.

Local Effect: Baltimore City can meet the bill's requirements with existing resources. Revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary: The bill requires an independent institution of higher education that establishes a campus police force to adopt standards, qualifications, and prerequisites for campus police officers in consultation with the Secretary of State Police and MPTSC. To the extent practicable, those standards should be similar to those of DSP. An independent institution of higher education that establishes a campus police force is authorized to continue to make use of a campus security force or building guards in addition to a campus police force.

An authorized campus police officer has the powers granted to a peace and police officer, including the power to make an arrest. With specified exceptions, these powers may be exercised only on property that is owned, leased, or operated by or under the control of the independent institution of higher education in Baltimore City by which the officer is employed.

Current Law/Background: The bill authorizes the establishment of a campus police force for an independent institution of higher education in Baltimore City in the same manner as police forces already in place at the University System of Maryland, Morgan State University, and Baltimore City Community College.

According to the Maryland Independent College and University Association, the following independent institutions of higher education are located in Baltimore City: Johns Hopkins University, Loyola University Maryland, Maryland Institute College of Art (MICA), and Notre Dame of Maryland University (NDMU).

Johns Hopkins University Campus Safety and Security has 56 full-time and 2 part-time officers commissioned as special police officers with full arrest powers on all university property throughout Maryland. The campus police officers are trained by accredited law enforcement academies, but they do not carry firearms.

The Loyola University Maryland Department of Public Safety is comprised of more than 40 sworn officers commissioned as special police officers with full arrest powers on all university property.

MICA's Department of Campus Safety has 30 full-time professional staff members and 50 part-time student employees. As a condition of employment, all MICA patrol officers must either complete 360 hours of training at the Campus Law Enforcement Training Academy, sponsored by the District of Columbia Consortium of Universities, or provide certification that they have an equivalent combination of training, education, and experience in the security or law enforcement fields.

NDMU's Office of Public Safety is comprised of a director, three shift supervisors, 12 security officers, and six on-call security officers. The officers conduct foot and vehicle patrols on campus and are charged with the enforcement of federal, State, and local laws, as well as university policies and regulations; however, the public safety officers do not make arrests, and their jurisdiction to enforce university rules is limited to property owned by NDMU.

Baltimore Police Department (BPD) officers have full police authority to make arrests, conduct investigations, and otherwise enforce the law on all property owned or operated

by an independent institution of higher education in Baltimore City. BPD officers work closely with each independent institution of higher education.

MPTSC trains and certifies police officers and also approves and certifies police training academies that meet the commission's minimum standards for police officer training. If an independent institution of higher education in Baltimore City opts to develop its own training program for its officers, it must meet the commission's standards in order for its officers to have police powers.

Under the Public Safety Article, the Governor may appoint and deputize an individual as a special police officer. Such a commission is granted arrest powers, but the scope of each commission is limited to the property cited in the commission. A special police officer, unless on detective duty, must wear a uniform that gives notice that the special police officer is a special police officer, rather than a law enforcement officer.

Additional Comments: On March 12, 2018, the Baltimore City Council adopted Resolution 18-0072R, requesting that the General Assembly amend bills authorizing the establishment of a police force by an independent institution of higher learning in Baltimore City to require city council involvement in the creation of police forces for private colleges in the city. The resolution also requested that the Governor not sign such bills or similar legislation until the legislation includes checks and balances from all branches of Baltimore's government.

Additional Information

Prior Introductions: None.

Cross File: SB 1241 (Senator Conway) - Judicial Proceedings and Education, Health, and Environmental Affairs.

Information Source(s): Baltimore City; Maryland Independent College and University Association; Department of Public Safety and Correctional Services; Department of State Police; Department of Legislative Services

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Analysis by: Shirleen M. E. Pilgrim

Direct Inquiries to:
(410) 946-5510
(301) 970-5510