



Fitchburg State University Police Department

**Subject: LEGAL AUTHORITY and
RESPONSIBILITY DEFINED**

Reference: IACLEA: 2.1.5
MPAC: 1.2.1; 1.2.2

Effective Date:

August 9, 2019

Review Date:

November 18, 2021

By Order of: Michael J. Cloutier, Chief of Police

General Order

2.1.4

PURPOSE:

The purpose of this directive is to define the legally mandated authority vested in sworn personnel of the Fitchburg State University Police Department and their responsibilities as campus police officers.

POLICY:

It is the policy of the Fitchburg State University Police Department to exercise their law enforcement authority in a manner that is reasonable, unbiased, and conforms to the Constitution and the mission of the university. This directive applies to sworn members of the department.

A. Legal Authority:

1. Officers of the Fitchburg State University Police Department derive their powers from Massachusetts General Law **Chapter 22C§63**. This states that; "The colonel may, upon such reasonable terms and conditions as may be prescribed by him, at the request of an officer of a college, university, other educational institution or hospital licensed pursuant to section fifty-one of chapter one hundred and eleven, appoint employees of such college, university, other educational institution or hospital as special state police officers". Such special state police officers shall serve for three years, subject to removal by the colonel, and they **shall have the same power to make arrests as regular police officers for any criminal offense** committed in or upon lands or structures owned, used, or occupied by such college, university, or other institution or hospital." Skill sets and requirements of the position can be found in **515 CMR 5.00: Standards of Skill for Special State Police Officers**.

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2. Massachusetts General Law Chapter **15A §22 (b)** and Chapter **73 §18** establish that the enforcement of traffic, parking, rules and regulations, shall be enforced by persons in the employ of the institution who throughout the property of the institution shall have the powers of police officers, except as to the service of civil process. That these officers may be appointed by the Board of Trustees.
3. Massachusetts General Law Chapter **90C §2A** grants the authority for police officers appointed by the trustees of the commonwealth's state universities and community colleges under section 22 of chapter 15A, to issue citations under this chapter shall be limited to the issuance of citations for violations occurring on the property of state universities and community colleges. Separate record-keeping and data collection, including, but not limited to, racial or gender profiling data collection and analysis required under chapter 228 of the acts of 2000, shall be performed by such campus police departments, separate from those conducted by any municipal police department or the state police.

B. Legal Authority to Carry/Use Weapons:

1. The Fitchburg State University Board of Trustee has authorized the police department to carry and use those weapons and equipment necessary to perform their duties as campus police officers as appointed under MGL Ch. 22C§63.
2. **515 CMR 5**: Provides authorization and authority for officers appointed under **MGL Ch. 22C. 63** to carry a firearm while on duty, having met the standards set out in 515 CMR 5.
3. All weapons carried and used by members of the university police department shall be approved by the Chief of Police and used in accordance with the department's use of force directive.

C. Responsibility:


The duties and responsibilities of members of the Fitchburg State University Police Department vary according to job title and descriptions. A copy of individual duties and responsibilities is provided to employees upon hire as well as during evaluation periods. Common to all positions regardless of rank is the following:

1. Supports the campus community, while providing exceptional customer service.
2. Perform the duties of a Campus Security Authority (CSA), as defined by Federal Regulations.
3. Enforce state laws as well as the rules and regulations of the institution; restrain or arrest suspects when necessary. (Sworn personal only)
4. Collaborate with the community to solve problems, and to enhance public safety in a manner that is reasonable, unbiased, and transparent.
5. Act with fairness, restraint, and impartiality.
6. Be honest, truthful, and consistent in words and actions.

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7. Work together as one organization in carrying out the mission of the department, being respectful to each other, and working collectively to solve problems in the service of our community.

Approval:



Chief of Police

11/18/21

Date