

LEGISLATIVE HISTORY OF R.S.18A:6-4.2
(Special police - higher education institutions)

DEPOSITORY COPY *copy 2*

The 2 or 3 years prior to 1970 saw civil disturbances at many American colleges, including Rutgers University and several of the New Jersey State Colleges.

Investigation of college disturbances in New Jersey.

974.90 Dungan, Ralph A.
C677 A report...recent events and disturbances
1969 at the Newark and Camden campuses of Rutgers.

Similar bills (1967-1970)

1970 - S 393 (Sears)

L.1970 - Chap.211 - S 764.

Apr.13 - Introduced by Sears.

No statement.

Apr.27 - Passed Senate.

May 14 - Passed Assembly.

Sept.17 - Conditional veto by Governor (copy enclosed)

Sept.24 - re-enacted as amended in Senate.

Sept.28 - re-enacted in Assembly.

Oct.8 - Approved.

No statement on the bill.

Clippings located (V.F.--Education--Colleges and Universities--
Law enforcement) (copy enclosed)

Campus policemen get Assembly OK C-P 5/15/70

Campus police win approval TET 5/15/70

Tight rein for college police set APP 5/15/70

Campus police bill sent to Cahill's desk C-P 5/15/70

Middlesex College arms its security... NSL 7/26/70

Bill (S764) listed as "opposed" in
974.905 League of New Jersey Municipalities
m95 Legislative Bulletin

JH/EH
Encl.

No 4 4/28/70 p.2 copy enclosed

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CHAPTER 211 LAWS OF N. J. 1970

APPROVED 10/8/70

[OFFICIAL COPY REPRINT]

SENATE, No. 764

STATE OF NEW JERSEY

INTRODUCED APRIL 13, 1970

By Senator SEARS

Referred to Committee on Education

AN ACT authorizing the appointment of special police by **educational** institutions ***[of higher education]*** and repealing sections 15:11-16 through 15:11-20, inclusive, of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. The governing body of any institution of higher education*,
2 *academy, school or other institution of learning** may appoint such
3 persons as the governing body may designate to act as policemen
4 for the institution of higher education.

1 2. All applications shall, in the first instance, be made to the
2 **chief of police of the municipality in which the institution is*
3 *located, except that where the municipality does not have an*
4 *organized full time police department or where the institution is*
5 *located within more than one municipality, application shall be*
6 *made to the* Superintendent of State Police. The **chief of police*
7 *or the* superintendent*, *as the case may be,** shall investigate
8 ***[and]*** **and** determine the character, competency, integrity and
9 fitness of the person or persons designated in the application. If
10 the application is approved by the **chief of police or the* superin-
11 tendent, the approved application shall be returned to the institu-
12 tion ***[of higher education]*** which shall issue a commission to the
13 person appointed, a copy of which shall be filed in the office of the
14 superintendent and with the chief of police of the municipality or
15 municipalities in which such institution of higher education is
16 located.

1 3. Every person so appointed and commissioned shall, within 1
2 year of the date of his commission, successfully complete a police
3 training course at a school approved and authorized by the Police
4 Training Commission; provided, however, that the Police Training
5 Commission may, in its discretion, except from the requirements

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

6 of this section any person who demonstrates to the commission's
 7 satisfaction that he has successfully completed a police training
 8 course conducted by any Federal, State or other public or private
 9 agency, the requirements of which are substantially equivalent to
 10 the requirements of that at a school approved by the commission.

1 4. Every person so appointed and commissioned shall, while on
 2 duty, within the limits of the property under the control of the
 3 respective institutions of higher education and on contiguous
 4 streets and highways, possess all the powers of policemen and con-
 5 stables in criminal cases and offenses against the law.

1 5. Each policeman, when on duty, except when employed as a
 2 detective, shall wear in plain view a name plate and a metallic
 3 shield or device with the word "police" and the name or style of
 4 the institution ***[of higher education]*** for which he is appointed in-
 5 scribed thereon.

1 6. In connection with traffic and parking violations, the police-
 2 men appointed pursuant to this act shall, while on duty and within
 3 the territorial limits of the municipalities in which the respective
 4 institutions ***[of higher education]*** are located, **and with the*
 5 *concurrence of the chiefs of police of such municipalities** have the
 6 power to enforce the laws regulating traffic and the operation of
 7 motor vehicles. ***[The police]*** **Such policemen** shall have au-
 8 thority to issue and use traffic tickets and summonses of the type
 9 now used by the New Jersey State Police with such changes as are
 10 necessitated by reason of this act. Upon the issuance of any traffic
 11 or parking ticket or summons, the same procedure shall be followed
 12 as now prevails in connection with the use of traffic and parking
 13 violation tickets by the municipalities of this State.

1 7. The provisions of N. J. S. 2A:151-41 shall not apply to any
 2 policemen appointed pursuant to the provisions of this act.

1 8. Sections 15:11-16 through 15:11-20, inclusive, of the Revised
 2 Statutes are hereby repealed; provided, however, that such repeal
 3 shall not affect the continuance in office, position or employment
 4 of any person heretofore appointed pursuant to such sections.

1 9. Nothing in this act shall be construed to limit or impair the
 2 rights of any State, county or municipal law enforcement officer in
 3 the performance of his duties.

1 10. If any provision of this act shall be adjudged by any court
 2 of competent jurisdiction to be ineffective, such determination shall
 3 not affect or impair the remaining provisions thereof but shall be
 4 confined in its operation to the provisions directly involved in a
 5 controversy in which said determination shall have been rendered.

1 11. This act shall take effect immediately.

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1 3. Every person so appointed and commissioned shall, within 1
2 year of the date of his commission, successfully complete a police
3 training course at a school approved and authorized by the Police
4 Training Commission; provided, however, that the Police Training
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6 of this section any person who demonstrates to the commission's
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10 the requirements of that at a school approved by the commission.

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3 respective institutions of higher education and on contiguous

4 streets and highways, possess all the powers of policemen and con-
5 stables in criminal cases and offenses against the law.

1 5. Each policeman, when on duty, except when employed as a
2 detective, shall wear in plain view a name plate and a metallic
3 shield or device with the word "police" and the name or style of
4 the institution of higher education for which he is appointed in-
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2 men appointed pursuant to this act shall, while on duty and within
3 the territorial limits of the municipalities in which the respective
4 institutions of higher education are located, have the power to
5 enforce the laws regulating traffic and the operation of motor
6 vehicles. The police shall have authority to issue and use traffic
7 tickets and summonses of the type now used by the New Jersey
8 State Police with such changes as are necessitated by reason of this
9 act. Upon the issuance of any traffic or parking ticket or summons,
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SENATE AMENDMENTS TO
SENATE, No. 764

STATE OF NEW JERSEY

ADOPTED SEPTEMBER 17, 1970

Amend page 1, title, after "by" insert "educational"; omit "of higher education".

Amend page 1, section 1, line 1, after "education" insert ", academy, school or other institution of learning".

Amend page 1, section 2, after line 1, insert "chief of police of the municipality in which the institution is located, except that where the municipality does not have an organized full time police department or where the institution is located within more than one municipality, application shall be made to the".

Amend page 1, section 2, line 2, after "The" insert "chief of police or the"; after "superintendent" insert ", as the case may be,".

Amend page 1, section 2, line 3, omit "and" insert "and".

Amend page 1, section 2, line 5, after "by the" insert "chief of police or the".

Amend page 1, section 2, line 6, omit "of higher education".

Amend page 1, section 4, line 3, omit "of higher education".

Amend page 2, section 5, line 4, omit "of higher education".

Amend page 2, section 6, line 4, omit "of higher education"; after "located", insert "and with the concurrence of the chiefs of police of such municipalities".

Amend page 2, section 6, line 6, omit "The police" insert "Such policemen".

RECEIVED
Gov. 9/17/70
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1 11. This act shall take effect immediately.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

September 17, 1970

SENATE BILL NO. 764

To the Senate:

Pursuant to Article V, Section I, Paragraph 14(b) of the Constitution, I herewith return Senate Bill No. 764, with my objections, for reconsideration.

Senate Bill No. 764 authorizes the appointment of special police by educational institutions and repeals sections 15:11-16 through 15:11-20, inclusive, of the Revised Statutes. This bill would replace an outdated provision of existing law which allows for appointment of special police by educational institutions. R.S. 15:11-17 grants to special police appointed thereunder full police power with regard to criminal cases occurring anywhere throughout the county in which such institution of learning is located but does not provide any training requirement to insure that appointees will be prepared to properly exercise such extensive powers.

Even though Senate Bill No. 764 is a considerable stride toward improvement of the present law, I believe that certain changes, while not altering the substance of the bill as passed by the Legislature, will more effectively define jurisdictional responsibilities which are so important during the critical period which law enforcement is facing today. With regard to applications, they should be submitted to and approved by the local chief of police when the institution is located wholly within one municipality and such municipality has an organized full-time police department. This insures more effective cooperation between the municipality and the educational institution.

The power of special police to enforce laws regulating traffic and the operation of motor vehicles should be restricted by the boundaries of the campus unless the local chief of police should agree to extend such power throughout the municipality. Special police appointed pursuant to this bill have sufficient responsibility within the boundaries of the campus where they are employed. While in some instances it may be desirable for them to render assistance to municipal police in connection with traffic control outside campus boundaries, this should be done only at the request of the local police chief.

Moreover, there seems to be no reason why the authorization to employ special police should be limited to institutions of higher education.

STATE OF NEW JERSEY
EXECUTIVE DEPARTMENT

Senate Bill No. 764

Page 2

Accordingly, I herewith return Senate Bill No. 764 for reconsideration and recommend that it be amended as follows:

Page 1, Title: After "by" insert "educational"; omit "of higher education".

Page 1, Section 1, Line 1: After "education" insert ", academy, school or other institution of learning".

Page 1, Section 2, Line 1: Following this line, insert "chief of police of the municipality in which the institution is located, except that where the municipality does not have an organized full time police department or where the institution is located within more than one municipality, application shall be made to the".

Page 1, Section 2, Line 2: After "The" insert "chief of police or the"; after "superintendent" insert ", as the case may be,".

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Page 2, Section 6, Line 6: Omit "The police" insert "Such policemen".

Respectfully,

/s/ William T. Cahill

GOVERNOR

[seal]

Attest:

/s/ Jean E. Mulford

Secretary to the Governor

OTHER SCHOOLS HAVE MIXED REACTIONS

Middlesex College arms its security

By ROBERT RUDOLPH

Officials at Middlesex County College in Edison have jumped the gun on a legislative move to grant campus security patrolmen full police powers and have given their nine-man force permission to carry firearms.

Under the administration's decision, Middlesex College now becomes the second college in the state to allow its campus patrol to carry guns.

However, William Walsh, dean of administration, stressed the men will be able to seek permits to carry the weapons as private citizens only — and not as policemen.

The move to arm its security force comes in the wake of a recent firebombing incident at the college in which one security officer was beaten while attempting to apprehend a suspect he spotted fleeing from the scene.

The Middlesex action remains unique in the state. At present, campus police have no state authorization to carry firearms.

Stevens Institute of Technology in Hoboken — the only other major college in New Jersey with an armed campus police force — has been granted permission to issue weapons to its men by the local police department.

Under current laws, the Stevens patrolmen are designated as "special police officers" by the Hoboken authorities and have full arrest powers within that municipality.

A bill which would extend full police powers to all "qualified" campus patrols in New Jersey was passed by both the Senate and Assembly this year, but was turned back to the Legislature by Gov. Cahill along with recommendations for several minor changes.

At the time the bill was introduced, controversy had arisen over the wisdom of such a move. Several officials claimed the bill would be creating a second police force in those communities where the campuses were located and would result in an inevitable conflict of authority.

a weapon, he might not have escaped with merely a beating.

"Next time, they'll just beat him, then shoot him," he said.

At Rutgers University in New Brunswick, the security force is divided into two groups — one consists of the patrol division and the other the guards.

Some 75 per cent of the patrolmen have had prior police

a city," but even so, when trouble arises, the local police are "right on top of it."

Rocco Santo, director of security at Middlesex College, shares Sweeten's view of the campus as a community unto itself, but it is for that very reason he feels the men should be armed.

"Our primary function is to protect not only the offices and property but the students as well," Santo declared. "You're talking about thou-

sands of people here — enough to make a small community."

The need for guns is not because of problems with students, Santo claims, but rather because of "outsiders" who come onto the campus and cause trouble.

Santo feels that the outcome of the recent firebombing incident — in which all three suspects escaped — might

have been different had his men carried guns.

Sweeten, however, holds a significantly different view. "Listen," he said, "a gun is no guarantee of anything," indicating that guns are often taken from experienced policemen by the very men they are after and then turned on the officers themselves.

In the Middlesex incident, Sweeten suggested, if the campus officer had carried

One opponent of the measure, Assemblyman William Schuler (R-Mercer) said he feared passage of the bill would, in effect, empower a school's director of security to "impose his own ideas of justice" on campus.

Should the bill pass the two houses again this September, the changes would require that applications for campus police forces be made through the regular police department in the community in which the school is located.

Persons approved for the jobs would be checked out with the state police and made to attend an approved training course.

However, even with these changes, the move has not won favor in all circles.

In Hoboken — where the Stevens police have carried guns for years — Lt. Russell Sweeten of the municipal police department says he "doesn't really know what they need them for."

"What is a gun anyway?" Sweeten asked. "I don't like the idea of too many people carrying them."

According to Sweeten, a campus is like a "city within

SUNDAY STAR, July 26, 1970

Section One

chief Michael Borden asserts.

Borden, who served on the Highland Park police force before coming to Rutgers, is himself unsure about issuing firearms to campus police, even in light of recent campus eruptions.

"It's a questionable thing even in my mind," he said.

At present, none of the Rutgers patrol officers carry guns. According to a school spokesman, the administration has no plans to change that situation even in the event the bill is passed.

Police Capt. Howard Pinter of Police where Middlesex

College is located, has "no objection" to the arming of the security force there.

The men have all reportedly completed training courses identical to those required of municipal police and in his view are "qualified to carry a gun."

In addition to their police training, Santo contends his men are subjected to an "intensive in-service" schooling program which makes them "sensitive to the needs of the college."

"Our men have been profes-

sionally oriented to college life," Santo said.

At Princeton University, however, James Copliner, assistant director of security there, "doubts" that the new law will cause the school to arm its security force.

Stressing that he was speaking only of the situation at Princeton, Copliner — a former Princeton Borough policeman — saw "no need" for guns to handle situations on that campus.

"I carried a gun for 16 years," he said. "I have no desire to start carrying one again."

Campus Police Bill Sent to Cahill's Desk

c-r 5/15/70

Courier-Post Bureau

TRENTON — Campus violence was the topic of a series of resolutions passed by the Republican-controlled Assembly yesterday.

One resolution by James M.

Turner, R-Gloucester, would create a three-member bipartisan commission to investigate the recent acts of violence on New Jersey college campuses.

Responding to a question why he acted through a limited

house resolution rather than one requiring enactment by the Senate also, Turner said he wanted an inquiry to start as soon as possible. A measure requiring Senate concurrence might be delayed until September, when the Legislature has scheduled a fall lawmaking session.

Patronage Session

The Senate is returning for a patronage session in June but that day's agenda will be limited to nominations and perhaps one or two measures that absolutely require upper house action.

Another resolution by Turner was approved directing college officials to take steps to prevent and to punish "any acts of defacement or defilement of the American Flag." A number of incidents involving the mishandling of the American Flag were reported last week at Glassboro State College in Turner's county.

Turner's cosponsors on the two resolutions were Republicans Kenneth R. Black of Salem and Joseph H. Enos of Gloucester.

Sorrow Expressed

John H. Ewing, R-Somerset, won Assembly endorsement by a voice vote of a concurrent resolution expressing the sorrow of the Legislature over the fatal shooting of Kent University students during a campus demonstration, reaffirming the state's policy of peaceful assembly and petition and urging "resumption of normal activities" by New Jersey's institutions of higher learning.

The action on the resolutions followed a statement by Robert K. Haelig Jr., R-Middlesex, endorsing a proposal by college students who were visiting the legislative halls during the day that they be granted an eight-day recess — seven days before and through the general election and the day afterward "in order to participate more effectively in the political process."

Haelig pointed out that the plan was not to extend the school term by that much time but to readjust the existing academic calendar to allow the eight days off for political activity.

Friedland Complaint

Friedland, D-Hudson, returned to the chamber from a Democratic caucus and complained that the Republican majority was passing resolutions in the minority bloc's absence without first informing the Democrats.

He warned that if the incident was repeated the Democrats would grant no votes to suspend rules. A three-fourth 60-vote majority is needed to suspend rules for fast bill processing. The Republican majority of 59 members is one vote short of this number — and therefore needs Democratic assistance to suspend rules.

Campus Police Win Approval

New Jersey colleges and universities have been given legislative permission to establish their own police forces, as long as the men are trained by the state.

The bill, sent by the Assembly to Gov. William T. Cahill, gives policemen authority to issue traffic tickets.

Mercer suburban Assemblymen William Schluter and Karl Weidel opposed the bill, reflecting the views of Princeton Borough. They fear conflicting approaches to law enforcement by the campus and municipal forces.

Tight Rein For College Police Set

Press State House Bureau

TRENTON — The Assembly voted, 49 to 11, yesterday to tighten controls on college security police after Democrats debated that the measure would hamper municipal police departments.

The bill, which has already gained Senate approval, would require college police to be screened by state police, limit their jurisdiction to the campus and adjacent property, give them the authority to issue tickets for parking and traffic violations and require police schooling.

Under the current law governing college police, there is no requirement for special police training, they have county-wide jurisdiction and can't issue tickets.

"When I was police director of Jersey City," said Assemblyman Alfred E. Suminski, D-Hudson, "we had two police departments . . . and there was always a conflict."

Opponents of the bill said with campus police going off campus, friction will develop with municipal police.

"This bill should not be construed to impede, violate or impair the rights of local and state police," said Assemblyman John F. Brown, R-Ocean, paraphrasing the bill. "I see this as progressive and constructive legislation."

Peter W. Thomas, R-Morris, Assembly sponsor of the bill, stressed that it was designed to take authority away from the college police by reducing their jurisdiction.

Assemblyman S. Howard Woodson Jr., D-Mercer, said a number of police departments interpret the bill as creating extra police departments in college municipalities.

"This is like saying you are opposed to the establishment, you don't want any fires," said Assemblyman Peter P. Garibaldi, R-Middlesex.

Assemblyman C. Richard Fiore, R-Essex, said he was opposed to the bill because it set no age limit for campus police.

The measure now goes to Gov. Cahill.

Campus Policemen Get Assembly OK

c-r 5/15/70 Courier-Post Bureau

TRENTON — College campus policemen would have to be trained elsewhere.

The campus police would be approved by the state police before they could be appointed and undergo a police training course, under legislation given final approval by the Assembly yesterday and sent to Gov. William T. Cahill.

The bill, which was moved in debate in the Assembly before the Assembly by Peter W. Thomas, R-Morris, would require that applicants to be campus policemen at colleges or universities be approved by the superintendent of the state police before they could be hired.

Within one year of their appointment, they would have to complete successfully a police training course at a school approved and authorized by the Police Training Commission.

The measure, sponsored by Sen. Harry L. Sears, R-Morris, would, however, allow the commission to except an appointee who had successfully

completed an acceptable training course elsewhere. The campus police would be given full police power on their campuses and contiguous streets and highways. This means they could make arrests, issue citations for traffic and parking violations, and perform all other duties.

The bill generated some debate in the Assembly before it passed, 49-11. Among the negative voters was James J. Florio, D-Camden.

The chief argument, voiced by many opponents, was that the campus police would not be under the jurisdiction of local police, and conflicts could, therefore, develop.

But the supporters asserted that the advantages more than outweighed the disadvantages. One advantage, they said, was that campus policemen would be trained to cope with civil disturbances and riots, such as the one in which four students were killed at Kent State University.

S-764 Sears. Permits the appointment of special police for institutions of higher education.
(Education) Would lead to jurisdictional conflicts between special police appointed by colleges
and the regular police of the municipality.

BILL: ASSEMBLY

SENATE S-764

YEAR 1970

APPROVED

OPPOSED

SOURCE: League of New Jersey Municipalities.
Legislative Bulletin.
974.905
M95

No. 7

Date 4/28/70

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S-764-5
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