

# SENATE BILL REPORT

## SB 5150

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As Reported by Senate Committee On:  
Higher Education & Workforce Development, February 14, 2019

**Title:** An act relating to authority for providing security to the campuses of the state community and technical colleges.

**Brief Description:** Authorizing security for community and technical colleges.

**Sponsors:** Senators Wilson, L., Becker, Palumbo, O'Ban and Short.

**Brief History:**

**Committee Activity:** Higher Education & Workforce Development: 1/31/19, 2/14/19 [DPS, w/oRec].

**Brief Summary of First Substitute Bill**

- Allows a board of trustees at a community and technical college to employ certain security personnel.

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**SENATE COMMITTEE ON HIGHER EDUCATION & WORKFORCE DEVELOPMENT**

**Majority Report:** That Substitute Senate Bill No. 5150 be substituted therefor, and the substitute bill do pass.

Signed by Senators Palumbo, Chair; Holy, Ranking Member; Brown and Wellman.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Randall, Vice Chair.

**Staff:** Kellee Gunn (786-7429)

**Background:** Federal Requirements on Safety at Postsecondary Institutions. A number of federal laws regulate certain aspects of campus security and safety at postsecondary institutions. These regulations govern public disclosure of campus crime statistics and the information provided on safety. Any institution participating in Title IV federal financial aid must disclose campus crime statistics and security information annually. The statistics must be available to the public.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

The annual security report requires institutions to have policies concerning campus law enforcement that addresses enforcement authority, the relationship of campus security and the local and state police agencies, and how and to whom a victim should report a crime. An institution may be fined up to \$35,000 per violation or may lose financial aid, if it violates the Clery Act reporting requirements.

School Resource Officers. A school resource officer (SRO) is a commissioned law enforcement officer with sworn authority to make arrests, deployed in community-oriented policing, and assigned by the employing police department or sheriff's office to work in a school to address crime and disorder problems, gangs, and drug activities affecting or occurring in or around an elementary or secondary school. In Washington's K-12 system, SRO funding can come solely from the school district or law enforcement agency, or from a combined funding source.

**Summary of Bill (First Substitute):** For the security of campus, the board of trustees for each community and technical college district has the authority to:

- enter into a written agreement with a local law enforcement agency;
- maintain a public safety department; and
- contract with public or private entities to provide security.

Nothing in this authorization allows for the carrying or use of firearms by any person other than a commissioned Washington law enforcement officer.

Subject to appropriation, the Washington State Board for Community and Technical Colleges and the Washington Association of Sheriffs and Police Chiefs must develop a template contract and accompanying information to assist community and technical colleges in contracting security forces.

**EFFECT OF CHANGES MADE BY HIGHER EDUCATION & WORKFORCE DEVELOPMENT COMMITTEE (First Substitute):** Makes changes to the authority of a college board of trustees regarding security.

Each college district board of trustees may:

- enter into an agreement with a local law enforcement agency;
- maintain a public safety department; and
- contract public or private entities to provide security.

Clarifies that nothing authorizes the carrying or use of firearms by any person other than a commissioned Washington law enforcement officer.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill:** *The committee recommended a different version of the bill than what was heard.* PRO: The level of expertise of the security officer is not at the same level as a police officer. We need to do something to protect our CTCs at the same level as K-12 schools and the public baccalaureates. In other states, there have been measures to allow for conceal carry on campuses and that has led to positive outcomes. In regards to section 2(b), it should be a fully commissioned police officer. Please consider removing firearms from this bill as armed security officers could be problematic and consider the model of a non-armed security officer, or a national park ranger. There should be more options for CTCs to protect their campuses. Campus leaders should create an environment of safety.

CON: Of the four options in this bill for creating a security force on a CTC campus, three are reasonable. There is an issue in Section (2) subsection (d) about creating new law enforcement agencies on the CTCs. We need more law enforcement agents in this state, not more agencies. By utilizing the 300 existing agencies, it reduces cost. CTCs are already struggling with funding for everything. Law enforcement is already accessible to the CTC now. Instead of focusing on mitigating mass shootings, faculty and students should report suspicious behavior more often. CTCs do behavioral bias response, and active shooter training. Sections (2)(a) and (c) are good, and codify current law. Fully commissioned police departments are not the way to go.

**Persons Testifying:** PRO: Senator Lynda Wilson, Prime Sponsor; Phil Watson, Firearms Policy Coalition; Nancy Endicott, Student, Cascadia College.

CON: James McMahan, Washington Association Sheriffs and Police Chiefs; Leif Giering, Cascadia College.

OTHER: Lynnette Buffington, Washington Fraternal Order of Police; Michele Johnson, Chancellor, Pierce College District.

**Persons Signed In To Testify But Not Testifying:** No one.