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Last Revised: 9/15/2019

## CSU FULLERTON POLICE DEPARTMENT GENERAL ORDER NUMBER 1-2

### AUTHORITY AND JURISDICTION OF THE DEPARTMENT

- SUBJECT:** The Authority and Jurisdiction of the California State University Fullerton Police Department
- PURPOSE:** To delineate the statutory authority for the CSU Fullerton Police Department and to establish boundaries for the jurisdiction of the Department. It is also the purpose of this procedure to clarify jurisdictional responsibilities of the University Police Department and the City of Fullerton Police Department, at the main campus, and the Irvine Police Department at the Irvine Center.
- POLICY:** It is the policy of this Department to act independently where possible, patrol within the geographical boundaries of the University campus and to assist the Fullerton Police Department where appropriate.
- PROCEDURES:**
- I. Authority [CALEA 1.2.1]
    - A. Police Department authority is established under Division 8, Chapter 5, Article 3, Section 89560 of the California Education Code, which states:  
“The trustees may appoint one or more persons to constitute a Police Department for the headquarters and for each campus of the California State University. Persons employed and compensated as members of a California State University Police Department, when so appointed and duly sworn, are peace officers. However, such peace officers shall not exercise their powers or authority except (a) at the headquarters or upon any campus of the California State University and in an area within one mile of the exterior boundaries of each campus or the headquarter, and in or about other grounds or property owned, operated, controlled, or administered by the California State University, or by trustees or the state on behalf of the California State University, and (b) as provided in Penal Code Section 830.2(c).” [CALEA 2.1.2]
    - B. California Penal Code Section 830.2(c) states that the following persons are peace officers whose authority extends to any place in the state. “A member of the California State University Police Departments appointed pursuant to Education Code Section 89560, provided that the primary duty of the peace

officer shall be the enforcement of the law within the area specified in Education Code Section 89560.” [CALEA 2.1.2]

C. California Education Code Section 89561 addresses Police badges and states, “Every member of a California State University Police Department shall be supplied with, and authorized to wear, a badge bearing the words, ‘California State University Police.’”

D. Department Name

1. The official name of the Department shall be “The California State University Fullerton Police Department”.

2. For brevity, the California State University Fullerton Police Department may be referred to as the CSU Fullerton Police Department, or the University Police Department, or the Department.

II. Jurisdictional Agreements [CALEA 2.1.2]

Senate Bill 1729 created an addendum to Section 67381 of the Education Code known as the Kristin Smart Campus Safety Act of 1998. The legislation requires the California State University Fullerton University Police Department to enter into a written agreement with local law enforcement that delineates which law enforcement agency has operational responsibility for the investigation of Part I violent crimes and delineates the specific geographical boundaries of each agency’s operational responsibility. The following is the text of the agreements with the Fullerton Police Department and the Irvine Police Department:

A. Jurisdictional Agreement with Fullerton Police Department

1. **Geographical Boundaries** [CALEA 2.1.1]:

- a. The University is the geographic area bordered by the 57 Freeway to the East, Yorba Linda Drive to the North, State College Boulevard to the West and Nutwood Avenue to the South.
- b. The Marriott Hotel located at 2701 E. Nutwood Avenue and adjacent to the freeway is property leased to the City of Fullerton and therefore is included in the City’s jurisdiction.
- c. The College Park building located at 2600 E. Nutwood Avenue is the responsibility of University Police.
- d. The Titan Hall buildings, located at 1111 N. State College Boulevard, are the responsibility of University Police.

2. **Operational Responsibility** [CALEA 83.1.1]:

- a. Historically, the investigation of all violent Part I crimes, with the exception of homicide, occurring on University property has been

the responsibility of the CSU Fullerton Police Department, and the Fullerton Police Department has provided assistance upon request for investigation of these crimes.

- b. It is agreed that this relationship shall continue as it has in the past. If there is a homicide case on University property, the Fullerton Police Department will be contacted.
- c. University Police Department and Fullerton Police Department shall assume lead responsibility for the investigation, with assistance being provided by University Police Investigators. At any time in the course of the investigation of any violent Part I crimes, if the University Police Department determines it requires expertise beyond its capabilities, the Fullerton Police Department can be called upon to assume lead responsibility in the investigation.
- d. The request for assistance in these cases shall be handled as a request for mutual aid in regards to costs for services. It is understood that should unusual expenses be incurred as the result of a complex investigation that those expenses will be shared by both jurisdictions.
- e. If a University Police Department officer witnesses a violent Part I crime on property which is solely City of Fullerton jurisdiction, he/she will take immediate action to terminate the crime and apprehend the suspect, if possible, and immediately notify the Fullerton Police Department requesting a response. The Fullerton Police Department will immediately respond and take control of and responsibility for the investigation.
- f. If a Fullerton Police Department officer witnesses a violent Part I crime on property which is solely CSU Fullerton Police Department jurisdiction, he/she will take immediate action to terminate the crime and apprehend the suspect, if possible, and immediately notify the University Police Department requesting a response. The University Police Department will immediately respond and in all cases except homicides, take control of and responsibility for the investigation.

B. Jurisdictional Agreement with the Irvine Police Department

1. **Geographical Boundaries** [CALEA 2.1.1]:
  - a. The California State University Fullerton Irvine Center is leased property located at 3 Banting, in the City of Irvine.
  - b. The property encompasses the parking lot areas adjacent to the building.
2. **Operational Responsibility** [CALEA 83.1.1]:
  - a. The investigation of all Part I violent crimes, with the exception of homicide, occurring on University property will be the

responsibility of the University Police, and the Irvine Police Department will provide assistance upon request for investigation of these crimes.

- b. If a homicide occurs on University property, the University Police will contact the Irvine Police Department, and the Irvine Police Department shall assume lead responsibility for the investigation, with assistance provided by University Police investigators upon request.
- c. During the course of the investigation of any Part I violent crime, if University Police determines that it requires additional assistance, the Irvine Police Department can be called upon to assume lead responsibility in the investigation.
- d. The request for assistance with Part I violent crimes shall be considered a request for mutual aid in regards to cost of services. Unless otherwise agreed upon, each party shall bear its own expenses of the investigation.
- e. If a University Police Officer witnesses a Part I violent crime on Irvine Police Department jurisdiction, he/she will take immediate action to terminate the crime and apprehend the suspect. If possible, immediately notify the Irvine Police Department. The Irvine Police Department will immediately respond and take control of and responsibility for the investigation.
- f. If an Irvine Police Department officer witnesses a Part I violent crime on property which solely University Police jurisdiction, he/she will take immediate action to terminate the crime, apprehend the suspect, if possible, and immediately notify the University Police. The University Police will immediately respond and in all cases except homicide, take control of and responsibility for the investigation.
- g. The Irvine Police Department will immediately respond to 9-1-1 calls when University Police are unavailable to respond or are en route and request Irvine Police Department assistance.
- h. Furthermore, the Irvine Police Department will respond to any crime or alarm activation when the Irvine Center is closed or when University Police Officers are not present, and take immediate action to terminate the crime, apprehend the suspect, if possible, and immediately notify the University Police. The University Police will immediately respond and take control of and responsibility for the investigation.
- i. All police reports and other documentation prepared by the Irvine Police Department and required by the courts for disposition of criminal incidents occurring on the Irvine Center are to be provided to the University Police.
- j. University Police personnel will assist the Irvine Police Department with enforcement of parking regulations on the

streets and parking lots adjacent to the Irvine Center, which are the jurisdiction of the Irvine Police Department.

III. University Police Operational Procedures [CALEA 2.1.2]

- A. Police activity will generally be restricted to the area of the campus and the one-mile area around the campus. Per agreement with the Fullerton Police Department, one exception to this is:
1. The President's residence at El Dorado Ranch
- B. It is our policy to render assistance (e.g. crimes in progress) and to safeguard the lives of fellow Police Officers and citizens. Therefore, the following criteria will be followed when immediate assistance to a member of the community or any law enforcement agency is needed:
1. Notify the on-duty supervisor and obtain approval.
  2. Notify the watch commander at the involved agency to notify him/her that a member of our Department is en route to offer temporary assistance to one of their units.
  3. When there is sufficient assistance from members of the involved agency, the University officer will return to campus.
  4. With the exception of life-threatening situations, the campus will never be left unstaffed. One officer is to remain on campus at all times.
- C. Traffic violations and accidents
1. Traffic enforcement for University Police Officers will normally be confined to the area within the boundaries of the University property and those streets that border the main campus (Nutwood, State College and Yorba Linda).
  2. The University Police will handle all accidents occurring on campus and whenever possible will assist injured persons, the Fullerton Police Department, the Irvine Police Department and/or the California Highway Patrol at traffic accidents, which occur in the immediate proximity of the University campus.
  3. An officer en route between the main campus in Fullerton and the Irvine Center will not take enforcement action unless it involves a serious risk to the motoring public. The officer will have the dispatcher notify the appropriate police jurisdiction of any violations observed and have that jurisdiction respond. Officers may stop to render aid to injured

individuals at the scene of motor vehicle accidents until other assistance arrives.

D. Off-Campus Requests for Service

1. University Police Officers will not respond to telephone calls for service from citizens in the jurisdictional responsibility of the Fullerton, Brea, Placentia, or Irvine Police Departments.
2. The dispatcher via telephone to the proper police agency will relay emergency requests for service immediately. On non-emergency requests, the caller shall be advised of the proper agency and telephone number to call.
3. In emergency situations, University Police Officers may respond to the immediate area of the campus to ensure the welfare of the citizens of the community and their property.
4. All off campus incidents, original crime or accident reports will be the responsibility of the Fullerton Police Department or the Irvine Police Department, as appropriate.

E. Responding to In-view Assistance

1. University Police Officers, while in uniform, are expected to respond to in-view calls for help from any citizen or Police Officer, whether on campus or off, per Section 830.2.
2. University Police Officers will take whatever action is necessary to preserve the peace and protect life and property. They will also preserve the crime scene for follow-up by the appropriate agency that is called to handle off campus incidents. University Police Officers will relinquish control of the incident to the responsible police agency at the time of their arrival at the scene.
3. Upon request, or for any major incident/crime, University Police Officers shall write supplemental reports to assist the responsible agency. It shall be the responsibility of the law enforcement agency assuming control, to write the original report.

IV. Use of Discretion [CALEA 1.2.7]

A. Definition:

1. Discretion is defined as the freedom or authority to make decisions and choices.

2. Discretion is not limited to what is authorized or what is legal, but includes all that is within the limits of the officer's authority.

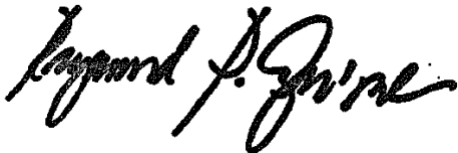
B. Department Policy on Use of Discretion

1. It is the policy of this Department that when sworn members are faced with a situation where discretion can be exercised, they must carefully evaluate the circumstances and consider the following areas.
  - a. Federal, State and Local Statutes
  - b. Case law.
  - c. Department policies and procedures.
  - d. Training.
  - e. The Mission and Values Statement adopted by the Department.
  - f. Contemporary Public Opinion.
  - g. Consultation with a supervisor if further clarification is needed.
2. The use of discretion is sharply limited in felony crime situations. Greater latitude of discretionary judgment is permitted in the investigation of misdemeanor and infraction offenses.
3. Each officer will be held strictly accountable for his/her actions in these circumstances.

REVIEWED BY:

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APPROVED:



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