

16.01 – Authority of the University Police Department v103018

Part 1. Purpose

The University Police Department (University Police) is established to provide for the law enforcement and security needs of the NMSU System.

Part 2. Authority

The University Police are authorized to act as is lawful and necessary to protect lives and property. This includes the evacuation of buildings and facilities, closing of streets, disapproval or canceling of events, and implementation of emergency procedures. The decisions of the chief of police shall be final in all emergency situations until the emergency is resolved.

The University Police have the duty and authority to enforce all applicable laws and regulations, issue citations, make arrests, investigate complaints, and make referrals for criminal prosecution. The University Police are also authorized to make administrative or disciplinary referrals to appropriate university officials of crimes/incidents for violations of university policy.

The University Police are authorized to issue reports, statistics, and compliance documents related to law enforcement and security. This includes publication of the Annual Security Report for the Las Cruces and Doña Ana Community College East Mesa campuses.

Departmental operational policies, procedures, rules and regulations governing the police department are set forth in the *New Mexico State University Police Manual of Policies and Procedures*.

Part 3. Security

The University Police are responsible for establishing and maintaining requirements, policies, and procedures for any security personnel utilized in the NMSU system, whether as university employees or through contract. This includes any security officers, security guards, private investigators, bodyguards, and similar personnel who work on lands under the control of the Board of Regents.

The various NMSU entities, as well as private individuals or organizations, shall not retain, employ or otherwise utilize security officers, security guards, investigators, bodyguards, or similar personnel unless such is done in compliance with requirements and procedures established by the University Police. For purposes of this section, the term "utilize" includes direct employment, hiring via contract or purchase order, and unpaid or volunteer services.

The chief of police shall issue a letter of authorization for each entity authorized by the University Police to utilize security personnel. The chief (or designee) shall inspect hiring, training, and licensure credentials of all security personnel on a regular basis to ensure compliance.

Security duties requiring approval under this rule include, but are not limited to:

- Monitoring or controlling access to an area or facility;
- Investigating crimes or wrongs done against the State of New Mexico;
- Investigating incidents of theft, crashes, fires, losses, or injury;

- Locating stolen property;
- Securing evidence for use in criminal proceedings;
- Providing physical security measures for another individual; and
- Acting as a watchman to protect property or prevent theft

Specifically excluded from this rule are auditors, Title IX investigators, human resource personnel, student judicial affairs, and disciplinary hearing officers, to the extent they are acting within the scope of those positions.

Part 4. Criminal Justice Information Services Security

The chief of police is designated as the official responsible for Criminal Justice Information Services (CJIS) security management within the university system. The chief shall establish policies, procedures, and regulations necessary to carry out the duties and responsibilities required by federal and state governmental entities with which NMSU maintains agreements for CJIS data access and sharing, which may include the adoption of federal guidelines, in whole or in part in lieu of developing independent policies, rules and regulations. The chief will provide regular information compliance assurance to governing bodies and executive management in collaboration with NMSU's chief privacy officer. To the extent permitted by law, this authorization and responsibility supersedes any conflicting policies, rules, or procedures related to classified or unclassified CJIS data.

Part 5. Special Conditions Related to Police Personnel

In order to meet operational needs, the University Police are authorized, upon approval from the AVP of Human Resource Services or designee, to implement the following:

- A. Compensation and benefits plans specific to police officers;
- B. Altered work days and hours for personnel (e.g., 4 day x 10 hour work week);
- C. Altered hours of business for different offices within the department;
- D. Short-term closures of offices within the department to allow for audits, inventories, and training;
- E. Altered probationary statuses for police officers to take into account basic academy training; and
- F. Placement of police and security officers on special leave status in the event of certain types of incidents.