



Office of the State's Attorney

January 26, 2021

House Education Committee
North Dakota State Capitol
600 E. Boulevard Ave
Bismarck, ND 58505

Re: HB 1460 – Relating to UND Police Department Jurisdiction
January 27, 2021 Testimony before the House Education Committee

Dear Chairman Owens and Members of the House Education Committee,

I am writing today in opposition to HB 1460 as I do not believe this bill serves the interests of justice.

HB 1460 takes us back to the state of the law in 2015 after the issuance of the Kroschel v. Levi decision. 2015 ND 185. Based on this decision, university police had jurisdiction only on property owned by that university. This decision made it extremely difficult for officers responding to emergency calls and resulted in additional litigation for those offenses in which university police were the investigating agents.

As you are likely aware, UND does not own one contiguous piece of land, but rather UND owns a patchwork of properties that are interspersed between privately owned properties as well as roadways owned and maintained by other governmental entities. In 2017, the legislature passed SB 2193 to clarify the boundary limits of university police jurisdiction.

If passed, HB 1460 would require law enforcement officers with the University of North Dakota Police Department to determine ownership of property at the location of the criminal offense prior to responding to an emergency call, which may result in unnecessary delay. Therefore, I respectfully request the committee consider a “do not pass” recommendation on HB 1460. Thank you for your time and consideration. I am available to answer any questions you may have.

Sincerely,

Haley L. Wamstad
Grand Forks County State's Attorney