

January 19, 2021
Senate Judiciary Committee
Honorable Chairwoman Diane Larson

SB 2168
Support

Good morning Chairwoman Larson and members of the Judiciary Committee. I am Eric Plummer and I am the Chief of Police for the University of North Dakota. Today I will be speaking in regards to Senate Bill 2168.

This legislation seeks to provide a remedy for issues which we have experienced along streets that border University of North Dakota property. For example, if one of our officers conducts a traffic stop for a law violation on University Ave at North 42nd Street, which is bordered on three sides by UND property, and the person simply turns into the Loaf & Jug parking lot, our officers have no authority to conduct an investigation into a crime which may arise out of that lawful stop (i.e., Driving Under the Influence, Assault, Drugs). There are similar issues with the other streets which border campus and are defined as our jurisdictional boundaries within Century Code.

These issues go beyond just traffic stops, but also violent crimes which may occur at these same locations across the street from UND property. An example of this would be at the same location, if the convenience store was robbed we would have no legal authority to act in response to the commission of this crime even though our officers are in the immediate area.

This legislation does not seek to expand the current jurisdiction of University Police Department, but it is to provide for a buffer to the current identified jurisdiction to address these concerns.

This change would mirror the jurisdictional buffer provided to city police departments (1.5 miles from city limits) and county sheriff's offices (1,500 feet from county lines). These buffers were enacted to solve similar problems which were experienced by those agencies.

This legislation also seeks to change the term "hot pursuit" to the term "fresh pursuit," which is defined in N.D.C.C. 29-06-07 and often found within applicable case law regarding jurisdiction (i.e., United States v. Benitez, No. 06-3763 (8th Cir. 2008)). This would provide consistency within the established law.

Thank you Chairwoman Larson and members of the Judiciary Committee for your time today, for your service to the state, and for your continued support of the law enforcement community.