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HB 1404

House Energy and Natural Resources

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Chair Porter and Committee Members: my name is Katie Fitzsimmons and I serve as the Director of Student Affairs for the North Dakota University System. I am representing the System Office and the NDUS campuses in opposition to HB 1404. The bill would allow for the possession of a concealed firearm on our campuses and removes the authority of the State Board of Higher Education to restrict such action. I would like to focus on several issues in my testimony today: current State Board Policy regarding firearms and the role of the Board; the varied environments on our campuses; our campus police departments and crime rates; and finally, a note on brain development and access to lethal means.

Under current law, NDUS institutions are classified as “public gatherings,” where the possession of firearms and dangerous weapons is restricted. As a result, the State Board of Higher Education enacted State Board Policy 916.1 to align with state law, which prohibits the possession of firearms and dangerous weapons in campus buildings owned or operated by the State Board of Higher Education. However, recognizing that there may be necessary exceptions to this general rule, Policy 916.1 authorizes the Chancellor or institution president to permit a qualifying individual to store a firearm or dangerous weapon in a campus residence provided that certain requirements are met. Additionally, most of our campuses provide secure weapon storage options for our students. At this time, this policy works well for our students, faculty, and staff. As a result, the System Office sees no benefit, and many potential drawbacks, to expanding firearm possession on our campuses.

The members of the State Board of Higher Education are appointed by the Governor. They, much like state legislators, are everyday North Dakotans who care deeply about the success, relevancy, and purpose of the North Dakota University System. The Board members reflect the populace: conservative, thoughtful, and dedicated to enhancing the workforce in our state. The Board is equipped to make fitting and timely policy for the institutions, as each campus is unique and nuanced.

Speaking of our which, our campuses are places where students of all ages go to learn, live, eat, workout, perform, practice, research, and compete. Students sleep on the property, faculty and staff work all hours, we have campus police and security to respond to emergencies, and our campuses have cafeterias, swimming pools, and theaters while boasting classrooms, labs, and libraries. Most of these spaces are open to the public. When you compare the happenings of a campus to that of a courthouse, a K-12 school, or a state office building, it is plain to see that we are a different animal than other public gathering spaces. And perhaps, we should be treated differently. I think we could have a robust discussion about what spaces on campuses are permissible for concealed carry and at what times, but with campuses, you are “in for a penny; in for a pound.” This bill does not allow for campuses to adjust concealed carry policies to their unique spaces and events, nor to their staff or resources available.

Third, like the excellent law enforcement officers in the state of North Dakota, NDUS campus police officers do a remarkable job keeping our campus communities safe. These officers know the students, faculty, and staff and are familiar with the physical environment and the flow of life on campus. Often, this allows campus police officers to intervene and deescalate situations before they become dangerous. The North Dakota University System would like to leave the enforcement of law and order in the hands of the trained professionals. Furthermore, our campus police interface with public community members on our campuses on a daily basis. Adding the complicated factor of having armed visitors could pose additional challenges to our campus police and security teams. Which highlights the discussion of how each of our campuses possess different levels of policing and security. While NDSU and UND have robust police departments with sworn officers, some of our campuses have unarmed part-time security staff that lock the doors at night. For state statute to broadly administer new public safety implications for all campuses is not equitable. If a new weapons possession consideration were to pass, the North Dakota University System would respectfully request that campuses and the State Board make determinations for what is best for each unique campus and a consideration to adjust our appropriation to adequately staff and train our campuses in this area of public safety.

While the North Dakota University System understands that criminal behavior is not predictable, historically speaking, we experience very little violent crime on our campuses and thus, our students, faculty, and staff report feeling safe. In fact, 97% of UND students

report feeling safe on campus. Which stands to reason that many students, faculty, and staff, do not feel the need to be armed and why some of our campuses do not have a need for a full police force. Here is a comparison of the crime rates on our campuses compared to the state of North Dakota:

	NDUS 2021	Per 100,000	ND 2021	Per 100,000
Robbery	2	2.5	188	24.26
Burglary	19	23.75	2923	377.19
Motor Vehicle theft	6	7.5	1992	257.05
Rape	20	25	440	56.78
Weapons violations	1	1.25	683	88.13
Murder	0	0	17	2.19

<https://crimestats.nd.gov/public/View/Dispview.aspx?ReportId=3> and 2021 Annual Campus Safety Reports

As you can see, our campuses experience rates of crime that are miniscule compared to some of the statewide rates. Though in saying such a thing, I do not intend to downplay the impact of the crimes simply because they happened less frequently, my note is that our campuses are safer than what the rest of North Dakota might experience in their communities.

Finally, the added level of suicide risk this would pose to our campuses is real. I believe everyone here understands that the greater the access to lethal means, the higher the suicide rate. 50% of those that die by suicide decided to take such action less than five minutes earlier. 57% of suicides in the state of North Dakota happen with the means of a firearm. Suicide is the 2nd leading cause of death for ages 10-34. Added to that, our campus population is primarily made of 18-24 year olds, who do not have fully formed frontal lobes, and thus, lack full executive function including complex decision making and impulse control. We are far less concerned about homicide or accidental injury on our campuses than we are about access to self-harm. The more time and distance we can place between an individual under stress and a firearm, the more likely we are to save that life.

As previously stated, North Dakota Century Code and State Board Policy prohibit firearms and dangerous weapons from campus property, and the State Board has not yet weighed in on this bill or any others pertaining to firearms. On behalf of the System Office and the campuses, I respectfully request a Do Not Pass on HB 1404. I thank you for your time and service and stand ready to answer your questions to the best of my ability.