

2025 -- H 5666

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO EDUCATION -- MAINTENANCE OF ORDER ON CAMPUS

Introduced By: Representatives O'Brien, and Read

Date Introduced: February 26, 2025

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-52-2 of the General Laws in Chapter 16-52 entitled "Maintenance
2 of Order on Campus [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" is
3 hereby amended to read as follows:

4 **16-52-2. Appointment of campus police.**

5 (a) The board of ~~governors for higher~~ education may appoint one or more persons who may
6 act as police officers upon the property and highways of state colleges and universities subject to
7 the control of the board. The campus police officers shall protect the property of each college or
8 university, suppress nuisances and disturbances and breaches of the peace, and enforce laws and
9 regulations for the preservation of good order. They shall have the same powers and authority as
10 that conferred upon municipal police officers, including the power to arrest persons for violations
11 of state criminal statutes or for violations of city or town ordinances of the city or town in which
12 the institution is located. They shall ~~not~~ carry firearms ~~unless expressly authorized by the board of~~
13 ~~governors~~ subject to the training requirements of this section. Additionally, any campus police
14 officer observing the violation of any rule or regulation of the board adopted pursuant to this
15 chapter, including but not limited to parking and traffic regulations, may issue a summons in the
16 manner and form set forth in § 31-27-12 or § 31-41.1-1 returnable to the district court, the police
17 court of the city or town where the violation occurs, or the traffic tribunal as provided by law.

18 (b) Notwithstanding any other provision of law, all fines and penalties recovered for
19 violation of rules and regulations made under authority of this section shall be accounted for by the

1 appropriate authority, which shall forward all fines or penalties for nonmoving traffic violations to
2 the general treasurer for use by the college or university on whose campus the citation or violation
3 was issued in accordance with § 16-32-27.

4 (c) Campus police and peace officers shall, prior to October 1, 2025, complete a course of
5 firearm instruction as provided by the Rhode Island police officers commission on standards and
6 training, with approval of the commissioner of public safety and shall be subject to in service
7 training requirements of chapter 28 of title 42, the standardized training requirements of § 42-28.2-
8 8.3, and shall be afforded all rights, duties and responsibility of chapter 28.6 of title 42 ("law
9 enforcement officers' bill of rights").

10 (d) The board of education shall adopt rules and regulations for the purposes of
11 implementing the provisions of this chapter.

12 SECTION 2. Section 42-28.6-1 of the General Laws in Chapter 42-28.6 entitled "Law
13 Enforcement Officers' Due Process, Accountability, and Transparency Act" is hereby amended to
14 read as follows:

15 **42-28.6-1. Definitions — Payment of legal fees. [Effective January 1, 2025.]**

16 As used in this chapter, the following words have the meanings indicated:

17 (1) "Course of training in police discipline" means a course or courses of instruction
18 approved by the Rhode Island police officers commission on standards and training
19 ("commission") which shall be taught by instructors approved by the commission regarding the
20 provisions of this chapter and the applicable procedure, evidence and rules that apply to police
21 discipline as provided pursuant to § 42-28.6-1.2.

22 (2) "Hearing" means any meeting in the course of an investigatory proceeding, other than
23 an interrogation at which no testimony is taken under oath, conducted by a hearing committee for
24 the purpose of taking or adducing testimony or receiving evidence.

25 (3)(i) "Hearing committee" means a committee acting as a deliberative body which is
26 authorized to hold a hearing on a complaint against a law enforcement officer and which consists
27 of five (5) members: one member appointed by the chief justice of the supreme court who shall be
28 a retired justice or judge of the supreme, superior, or district court; one member appointed by the
29 chief justice of the supreme court, who is a practicing attorney in good standing with the supreme
30 court, in consultation with the court's committee on racial and ethnic fairness and the Rhode Island
31 Bar Association and its committee on diversity, equity, and inclusion; and three (3) active or retired
32 qualified law enforcement officers employed by or retired from the state police or a municipal law
33 enforcement agency from within the state of Rhode Island, who shall be selected at random by the
34 Rhode Island police officers commission on standards and training from the certified officer pool

1 established pursuant to § 42-28.6-1.1 at an open meeting pursuant to chapter 46 of this title. No law
2 enforcement officer shall be selected that is employed by or retired from the same law enforcement
3 agency that employs the accused law enforcement officer or who is employed by or retired from
4 the charging law enforcement agency. The retired justice or judge appointed by the chief justice of
5 the supreme court shall serve as chairperson of the hearing committee. Upon written application by
6 a majority of the hearing committee, the chairperson, in their discretion, may also appoint legal
7 counsel to assist the hearing committee.

8 (ii) The law enforcement agency and the accused law enforcement officer under
9 investigation shall each be responsible to pay fifty percent (50%) of the legal fee of the appointed
10 legal counsel for the hearing committee; provided, however, that on motion made by either party,
11 the chair of the hearing committee shall have the authority to make a different disposition as to
12 what each party is required to pay toward the appointed legal counsel's legal fee.

13 (4) "Law enforcement officer" means any permanently employed city or town police
14 officer, state police officer, permanent law enforcement officer of the department of environmental
15 management, [campus police officer as set forth in § 16-52-2](#), or those employees of the airport
16 corporation of Rhode Island who have been granted the authority to arrest by the president and
17 CEO of said corporation. However this shall not include the chief of police and/or the highest
18 ranking sworn officer of any of the departments including the president and CEO of the airport
19 corporation of Rhode Island.

20 (5) "Qualified law enforcement officer" means:

21 (i) A sworn law enforcement officer who:

22 (A) Has a minimum of five (5) years' active service as a law enforcement officer with a
23 law enforcement agency within the state;

24 (B) Has successfully completed a course(s) of training in police discipline pursuant to this
25 chapter and has maintained a current certification of completed training; and

26 (C) Has not achieved the rank of chief, colonel, deputy chief, or lieutenant colonel;

27 (ii) A retired law enforcement officer who has qualified prior to retirement or during
28 retirement and has met the criteria set out herein.

29 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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1 This act would mandate arming campus police at public higher educational institutions and
2 would include campus police in the definition of "law enforcement officer" for the purposes of the
3 "law enforcement officers' bill of rights".

4 This act would take effect upon passage.

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