



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2013 Wisconsin Act 265
[2013 Assembly Bill 768]

**Authorizing Marquette University
to Create a Police Department**

2013 Wisconsin Act 265 authorizes Marquette University to enter into an agreement with the state Attorney General or the City of Milwaukee Police Department to establish a university police department and employ university police officers for the purposes of maintaining public order, detecting and preventing crime, and enforcing state laws and local ordinances on the grounds of the university and in adjacent areas. An agreement under the Act is subject to review by the Board of Fire and Police Commissioners of the City of Milwaukee.

Subject to the terms of the agreement, the Act provides police officers in such a department with the same powers as law enforcement officers employed by the City of Milwaukee. The Act specifies that those powers exist concurrently with the powers of officers in other law enforcement agencies.

The Act requires a university police department established under the Act to take all of the following actions:

- Ensure that each university police officer meets specified training requirements and has agreed to accept the duties of a law enforcement officer under the laws of this state.
- Adopt and implement written policies regarding law enforcement activities and rendering aid or assistance, including a policy on notification to and cooperation with a law enforcement agency in the jurisdiction in which arrests are made.
- Maintain liability insurance that meets specified requirements and present evidence of the insurance to the Department of Justice (DOJ). The insurance must have a coverage limit of not less than \$2 million for any occurrence, cover the university

This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature's Web site at: <http://www.legis.wisconsin.gov>.

and university police officers for acts and omissions for which liability is found, and preclude the use of a sovereign immunity claim in defense actions brought by the insurer.

In addition, the Act requires Marquette University to pay any judgment in which the university and the state or a political subdivision are held jointly and severally liable, and to reimburse the state or political subdivision for all reasonable attorney's fees and expenses incurred in defending such actions.

Finally, the Act specifies that a university police officer in a department established under the Act is a peace officer under Wisconsin law.

Effective date: April 16, 2014.

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