

**AGREEMENT TO EXTEND LAW ENFORCEMENT AUTHORITY OF
THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE**

THIS AGREEMENT is made and entered into this the 14th day of September, 2021, by and among the City of Charlotte, the Charlotte-Mecklenburg Police Department (“CMPD”) and The University of North Carolina at Charlotte (“the University”), all located in Mecklenburg County, North Carolina.

WITNESSETH:

WHEREAS, the University has established a law enforcement agency on the campus of the University, pursuant to North Carolina General Statutes § 116-40.5; and

WHEREAS, pursuant to North Carolina General Statutes § 74E-6(d), the Campus Law Enforcement Agency has territorial jurisdiction upon that portion of any public road or highway passing through or immediately adjoining University property; and

WHEREAS, there has been a close working relationship between the University, the City of Charlotte and the CMPD in the function of law enforcement, which all agencies wish to maintain; and

WHEREAS, the University and City of Charlotte recognize the need of the Campus Law Enforcement Agency to have a limited extension of its law enforcement authority beyond the territorial boundaries of the campus and those boundaries established by State law; and

WHEREAS, under North Carolina General Statutes § 116-40.5(b), the University may enter into agreements with the governing board of a municipality to extend the law enforcement authority of campus police officers beyond the perimeter of the campus and into a part of the municipal jurisdiction and to determine the circumstances in which the extension of authority may be granted; and

WHEREAS, the City Council of the City of Charlotte has authorized the Chief of Police of the CMPD on behalf of the City of Charlotte to enter into an agreement for such extension of jurisdiction with the University; and

WHEREAS, the Board of Trustees of the University has authorized the Chancellor of the University to enter into a written agreement to extend the jurisdiction of the University Campus Police pursuant to North Carolina General Statutes § 116-40.5(b).

THEREFORE, in consideration of their mutual interest, the University, the City of Charlotte and the CMPD agree that these understandings will define the working relationship between the University’s Campus Police and the CMPD.

1.0 Definitions

- 1.1 “Campus” shall mean all property owned or leased by the University within or adjacent to the area bounded by University City Boulevard on the South, Mallard Creek Church Road on the East, Tryon Street on the North, and W.T. Harris Boulevard on the West, and any other property owned and/or leased by the University within the corporate city limits, including the Ben Craig Center located at 8701 Mallard Creek Road, the Foundation Building located at 8724 University City Boulevard, and the Center City Building located at Ninth and Brevard.
- 1.2 “Campus Law Enforcement Agency” shall mean The University of North Carolina at Charlotte Police.
- 1.3 “Head of Campus Law Enforcement Agency” shall mean the Director of Police and Public Safety for The University of North Carolina at Charlotte.

2.0 Extension of Authority of Campus Law Enforcement Agency Beyond University Campus

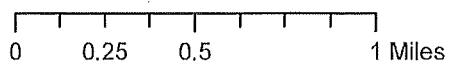
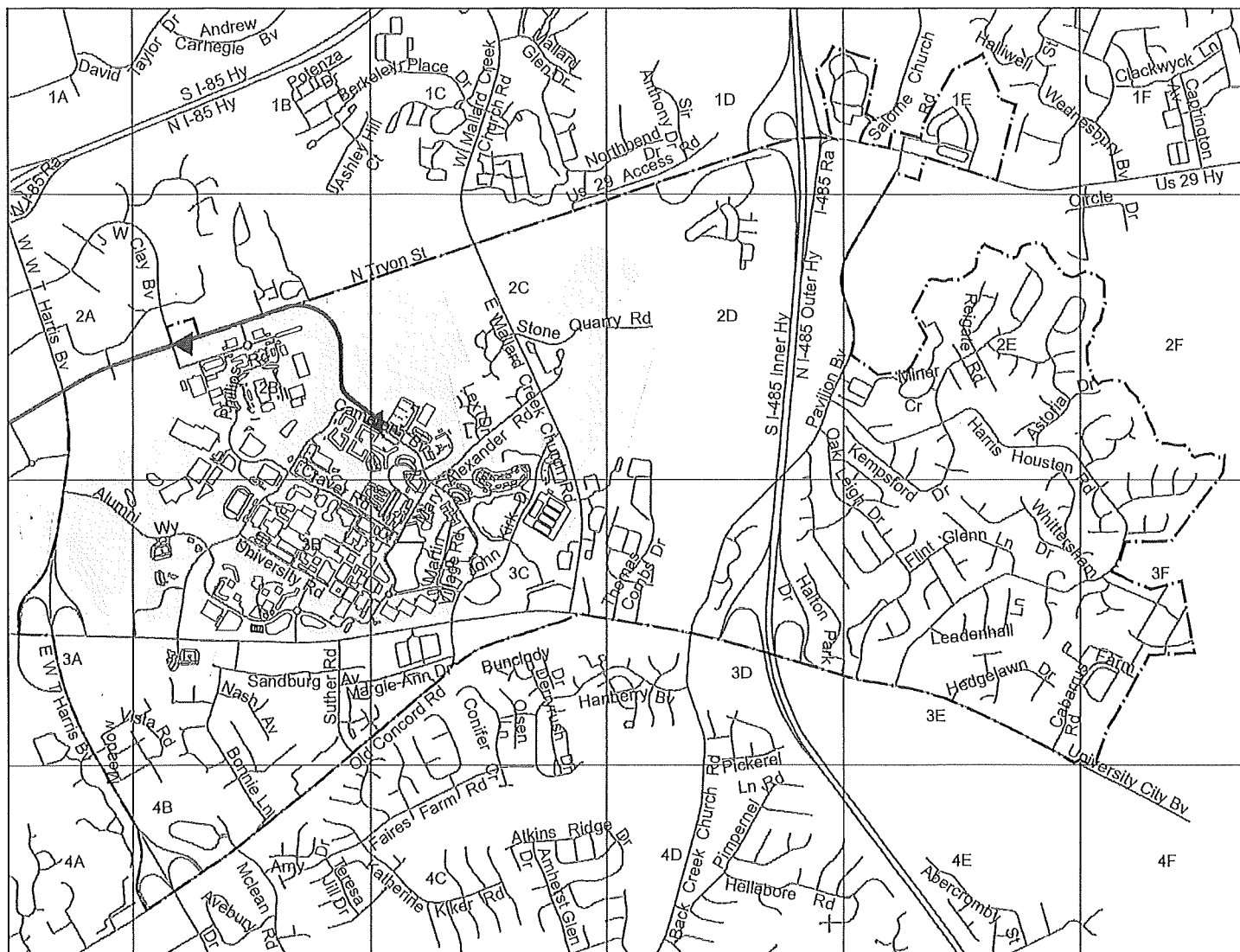
- 2.1 The Campus Law Enforcement Agency will have full law enforcement authority and jurisdiction when on duty within the expanded boundaries of the campus as detailed in the map attached as Exhibit A hereto and incorporated herein as if fully set forth, “Extended Jurisdiction.”
- 2.2 The officers of the Campus Law Enforcement Agency will primarily patrol the main UNC Charlotte campus, but will respond to specific requests from CMPD to the Campus Law Enforcement Agency for issues arising within the Extended Jurisdiction to the extent those issues relate to a student of the University.
- 2.3 While on duty within the Extended Jurisdiction pursuant to this Agreement, officers of the Campus Law Enforcement Agency shall have the same jurisdiction, powers, rights, privileges, and immunities as they normally possess; provided, however, that the jurisdiction and authority of CMPD shall not be reduced thereby.
- 2.4 University agrees to immediately notify the CMPD dispatcher whenever they have reason to believe that a felony has occurred or is occurring within CMPD’s jurisdiction or when Campus Law Enforcement Officers are in hot pursuit of a suspect within CMPD’s jurisdiction. The University agrees that upon request of CMPD, it will relinquish control of a crime scene or investigation of traffic collision that occurred or is located within CMPD’s jurisdiction.
- 2.5 CMPD agrees to immediately notify Campus Law Enforcement Agency whenever they have reason to believe that a crime has occurred or is occurring within the Extended Jurisdiction involving a student of the University.

- 2.6 University agrees that its campus officers will not conduct any vehicle pursuits within CMPD's jurisdiction except in accordance within CMPD vehicle pursuit policy or its equivalent.
 - 2.7 There is no assumption of liability on the part of the City for actions taken by officers of the Campus Law Enforcement Agency when those officers are acting as Campus Law Enforcement officers pursuant to the jurisdiction extension within this Agreement.
 - 2.8 Nothing contained herein shall be construed as limiting or reducing any law enforcement agency or officer's common law or statutory authority, including but not limited to the common law power of posse comitatus or the statutory authority conferred by North Carolina General Statute § 15A-405.
- 3.0 Authorization for Law Enforcement Cooperation Agreements
- 3.1 This Agreement shall supersede and replace any previous authorization to extend the territorial jurisdiction of the Campus Law Enforcement Agency.
 - 3.2 On May 21, 2004, the Board of Trustees of The University of North Carolina at Charlotte authorized the Chancellor of The University of North Carolina at Charlotte to enter into an agreement to extend the law enforcement authority of the Campus Law Enforcement Agency pursuant to North Carolina General Statutes § 116-40.5 (Exhibit B, attached hereto and incorporated by reference herein).
 - 3.3 On October 1, 1993, the Law Enforcement Agencies of the City of Charlotte and the County of Mecklenburg merged to form the CMPD. Pursuant to that merger, administrative command, control and oversight of CMPD was granted to the Charlotte City Council.
 - 3.4 On September 13, 2021, the Charlotte City Council authorized the Chief of the CMPD to enter into an agreement with The University of North Carolina at Charlotte which granted the University Campus Police the authority to provide police services into designated areas near the University campus. (A copy of the approval is attached as Exhibit C and incorporated by reference herein).
- 4.0 Terms and Amendments
- 4.1 The Agreement shall be effective at 12:00 a.m. the 1st day of July 2021 and shall continue in effect for a period of five (5) years, until 12:00 a.m. the 1st day of July 2026.
 - 4.2 Either party may terminate this agreement upon thirty (30) days' written notice to the other party.
 - 4.3 This Agreement may be amended only in writing and signed by the parties hereto.









IN WITNESS WHEREOF, the parties have hereunto set their hands and seals.

Johnny Jennings
Chief of Police
Charlotte-Mecklenburg Police Department
Charlotte, North Carolina
On behalf of the City of Charlotte

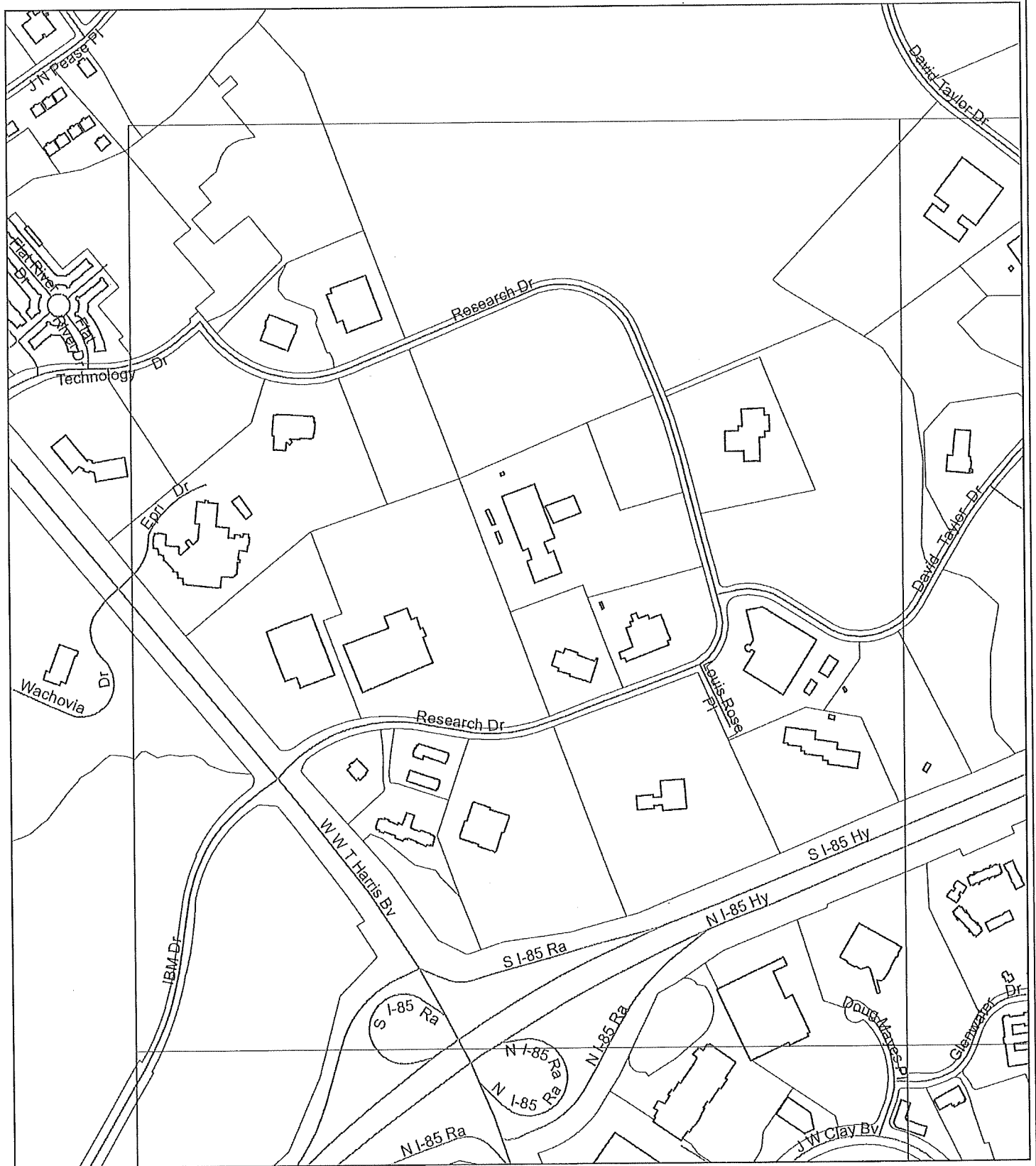
Sharon L. Gaber
Chancellor
The University of North Carolina at Charlotte
Charlotte, North Carolina
On behalf of the Board of Trustees of
The University of North Carolina at Charlotte



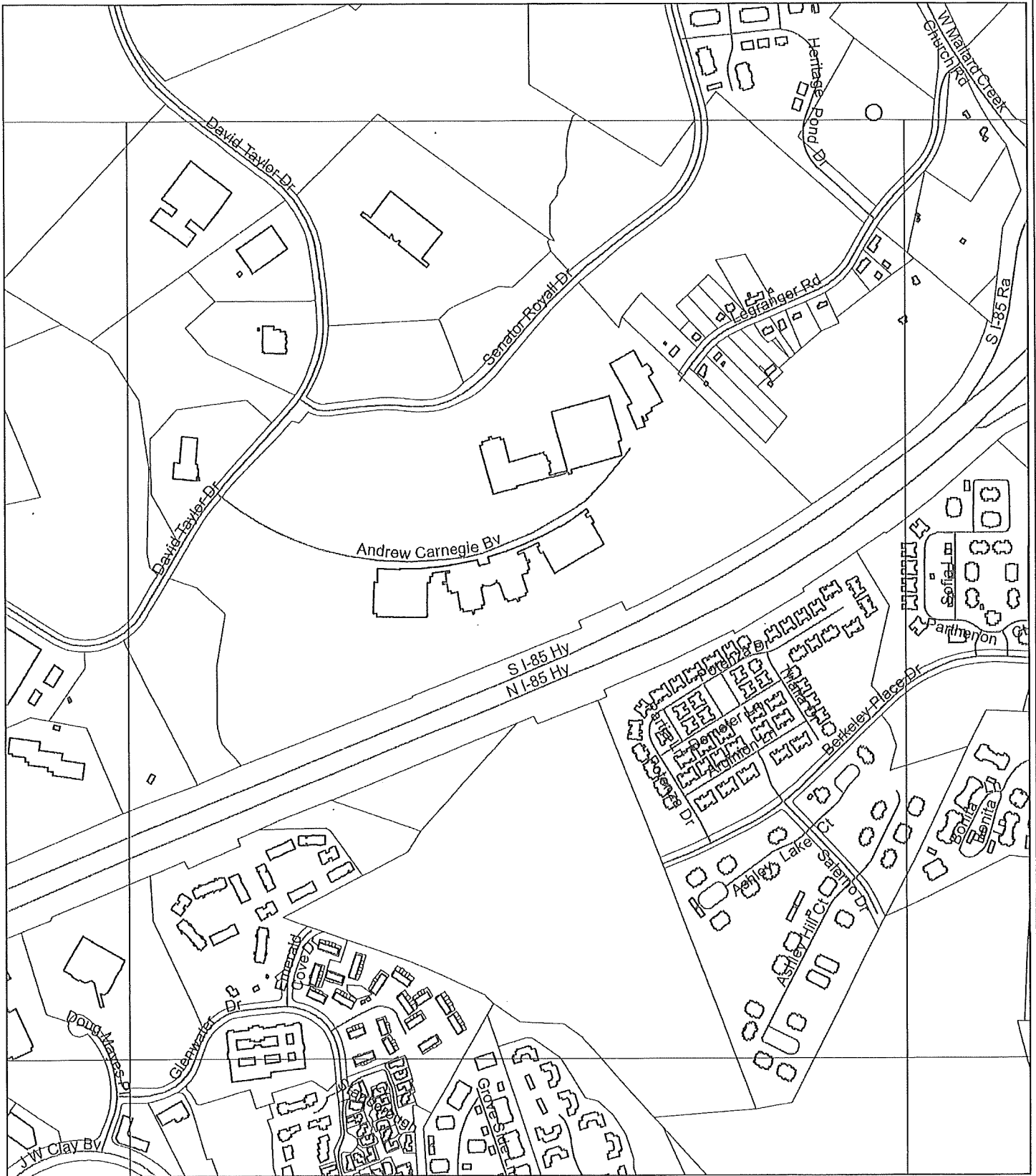
Legend

-  Blue Line Stations
-  Blue Line
-  Roads
-  Proposed Extended Jurisdiction
-  UNC-Charlotte Property
-  UNC-Charlotte Buildings
-  UNC-Charlotte Parking Lots
-  UNC-Charlotte Recreation Fields

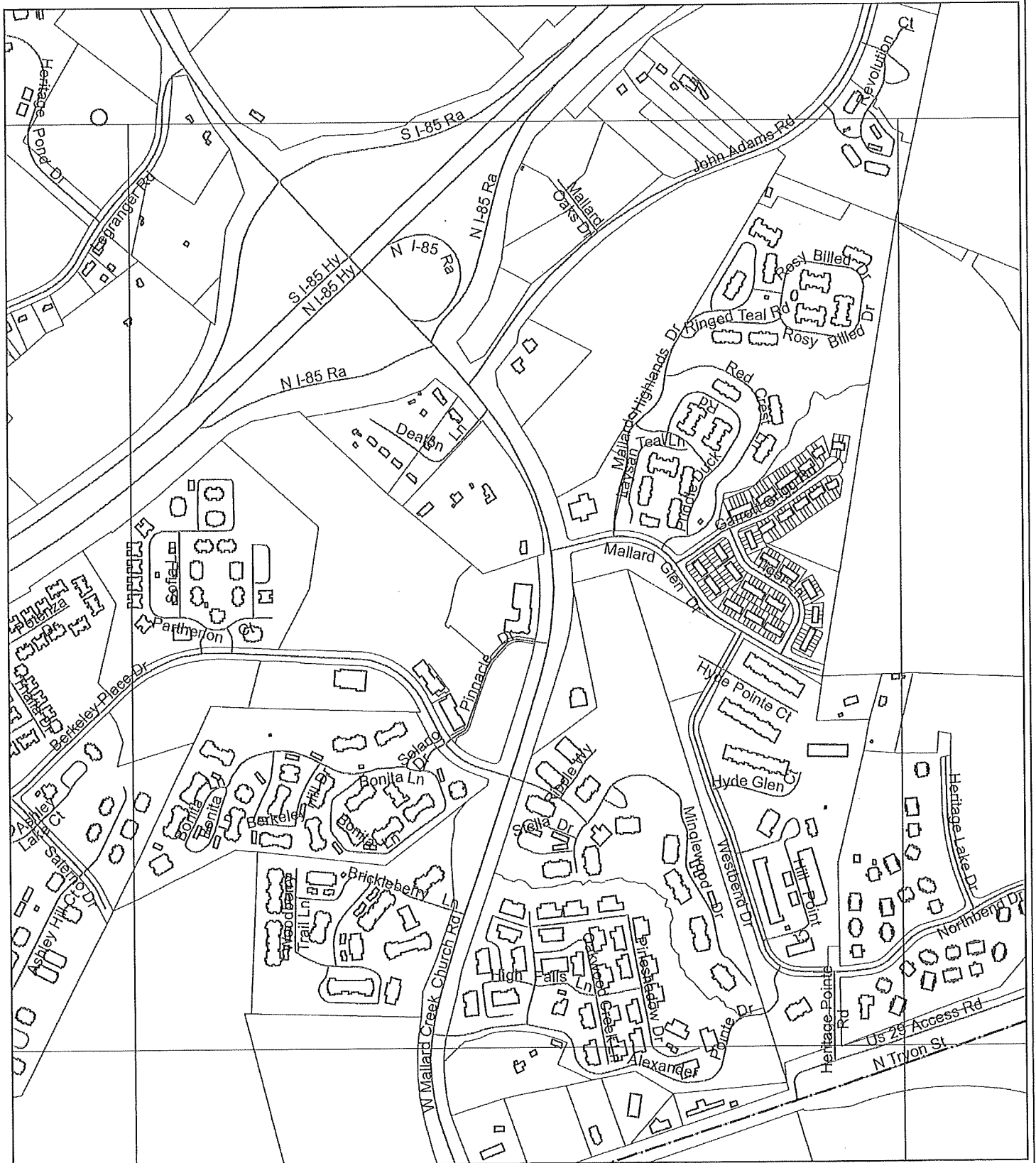
1A



1B

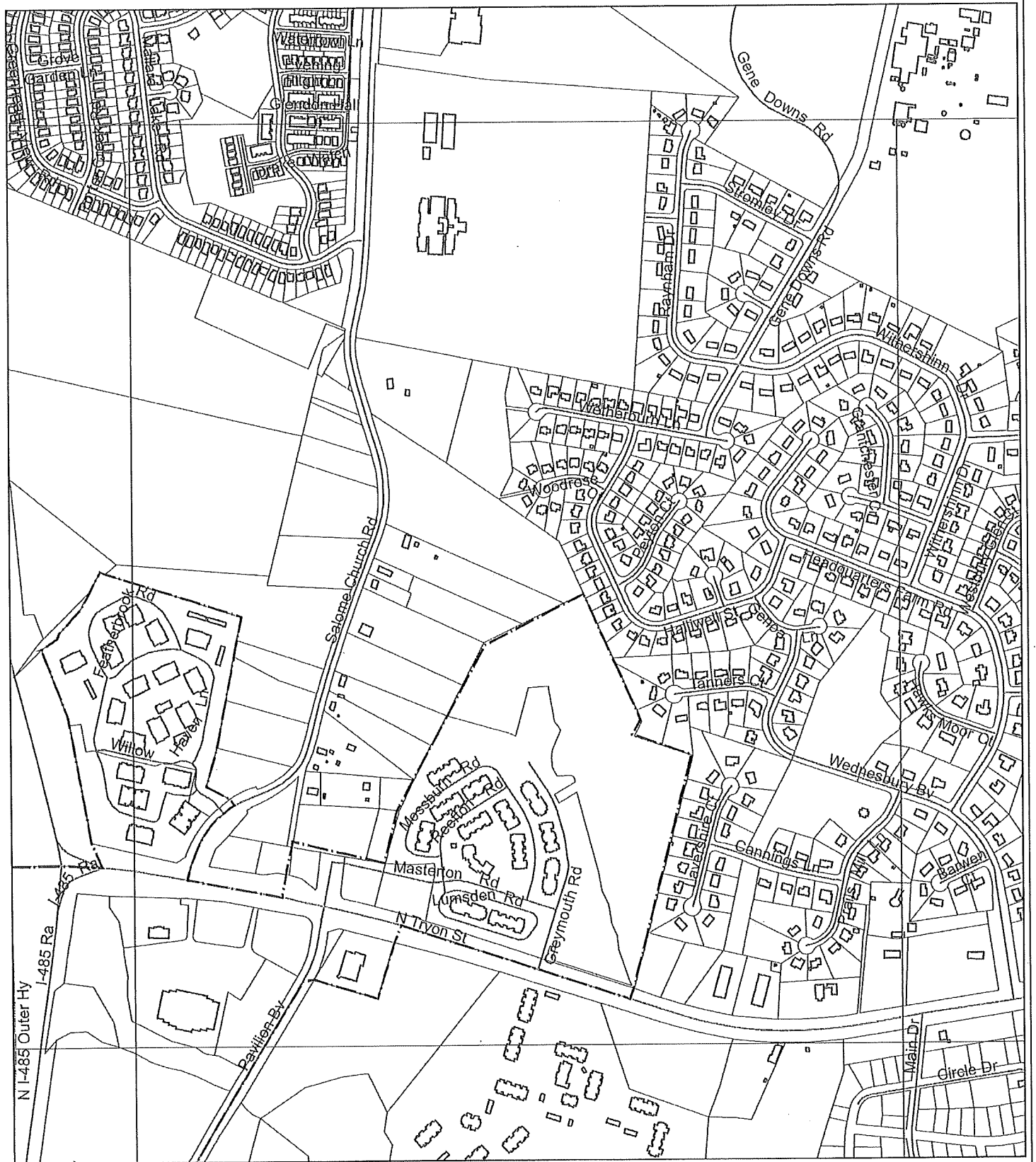


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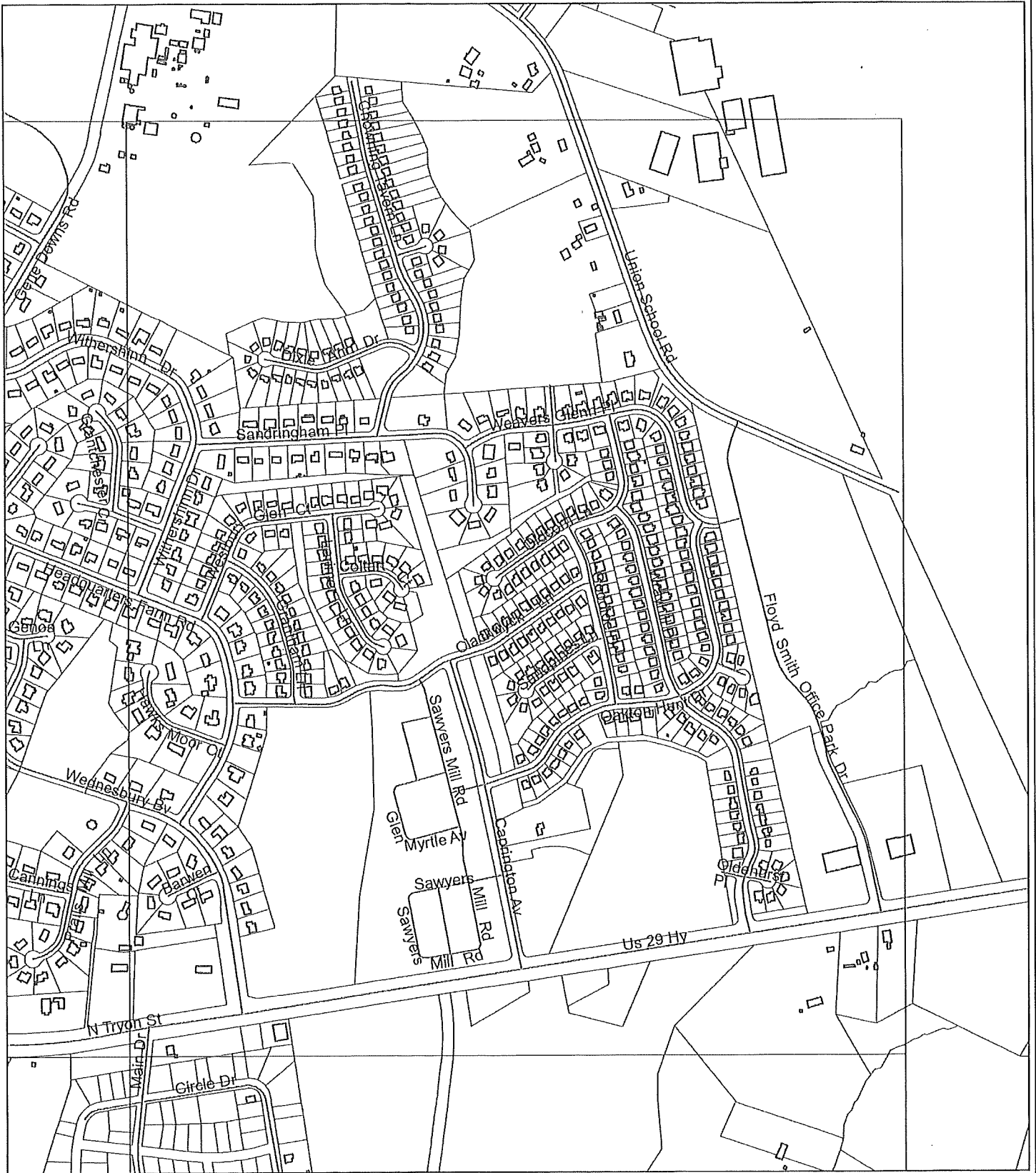




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2A



2B



2C



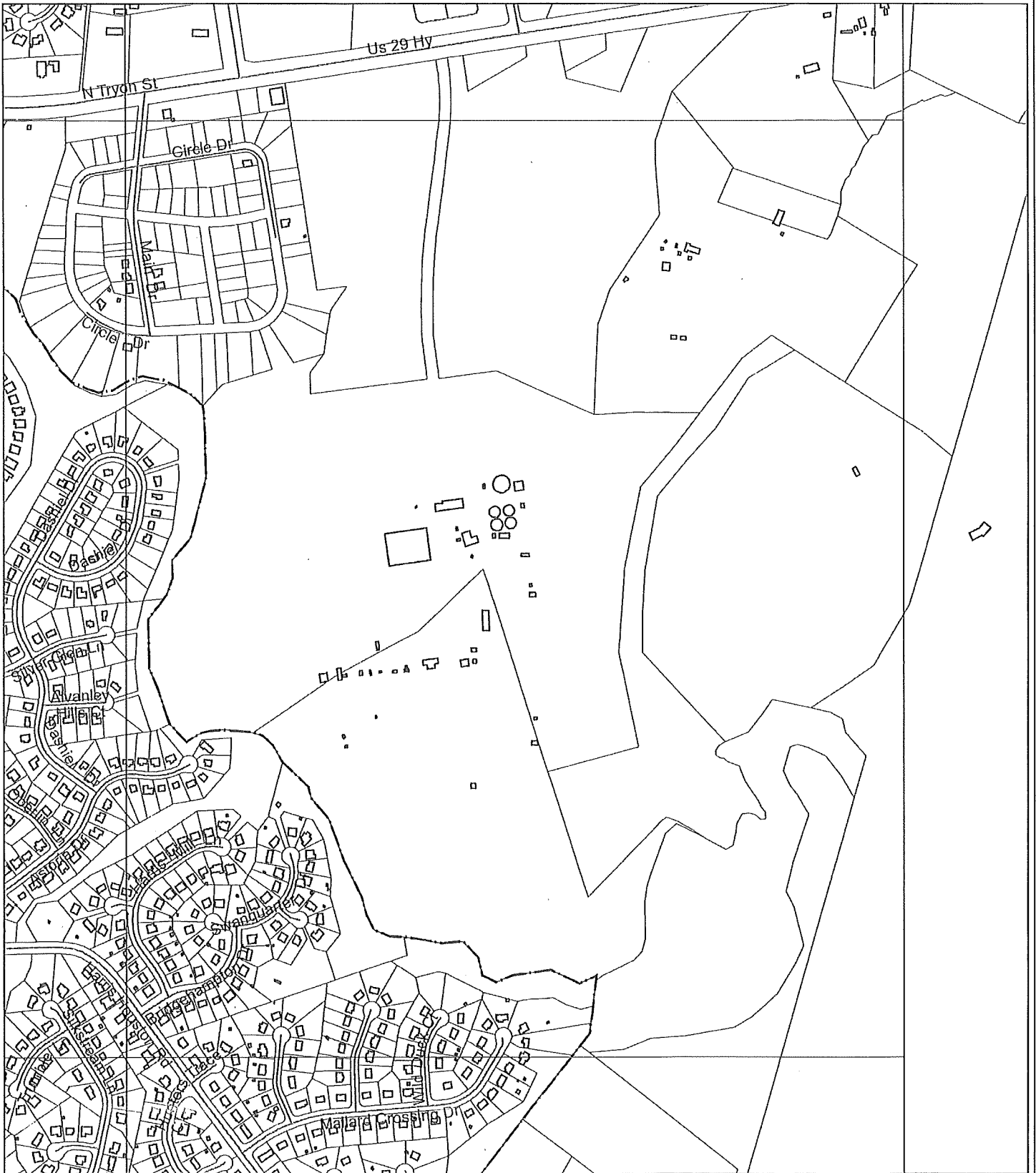
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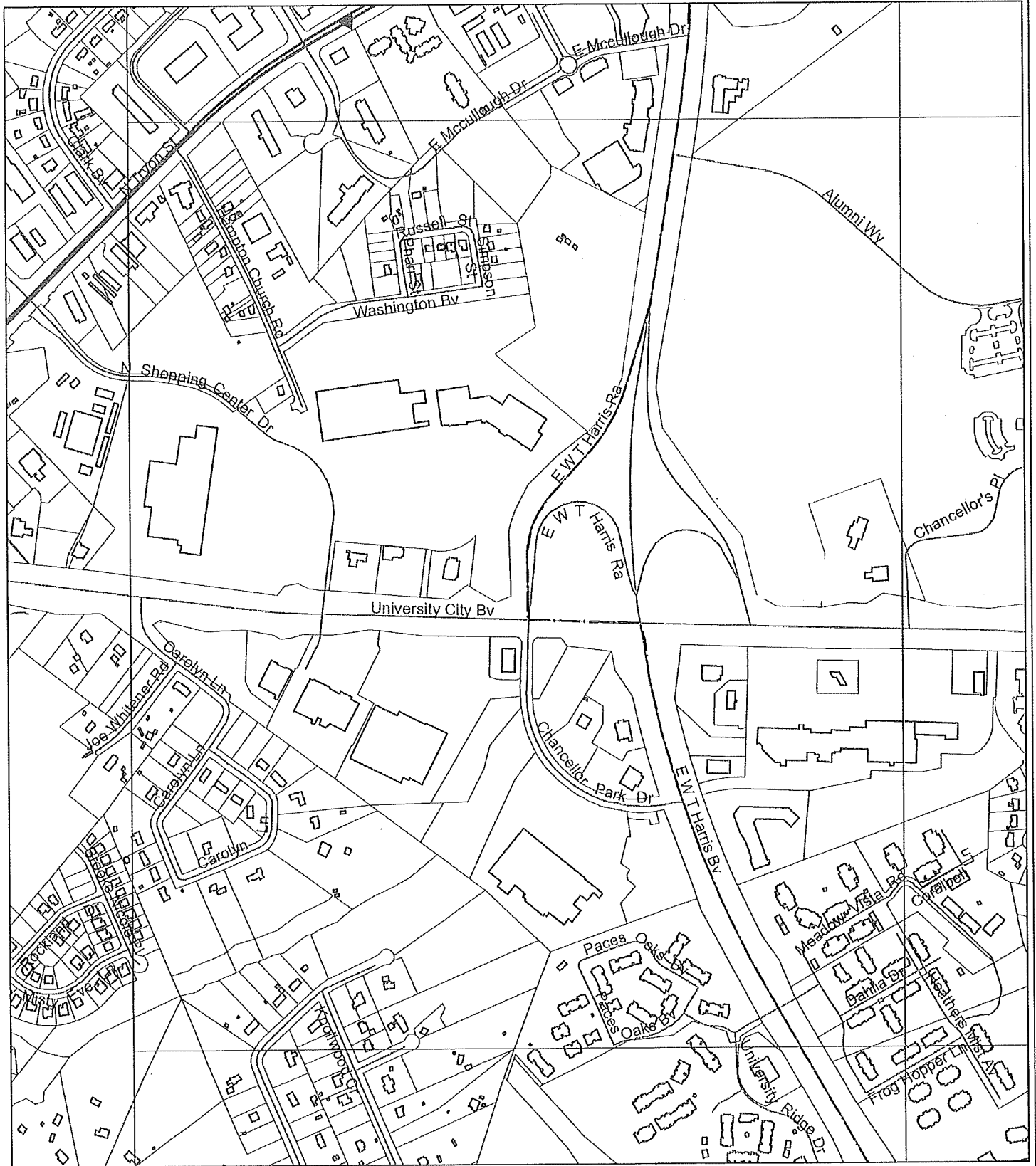
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3A

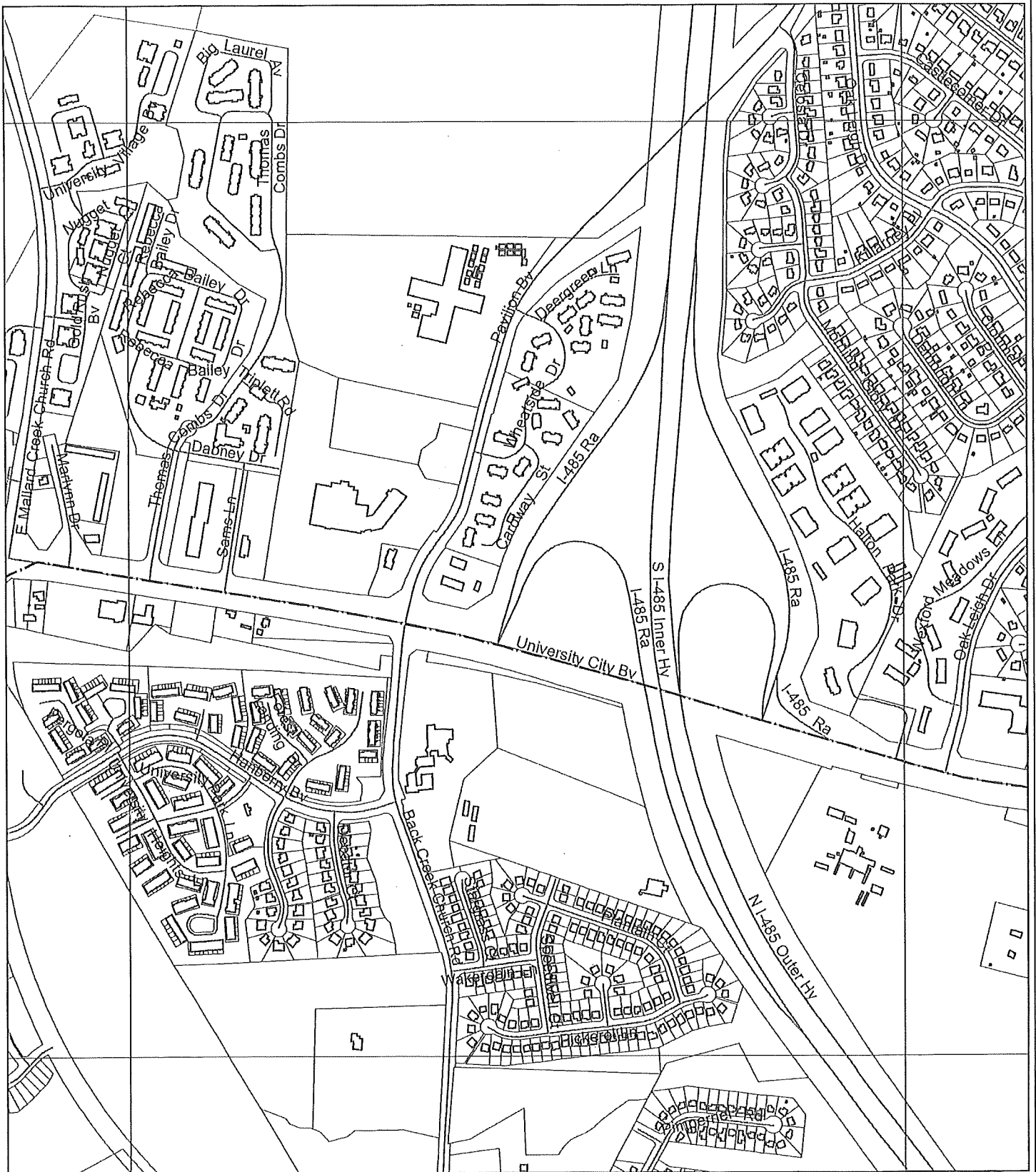


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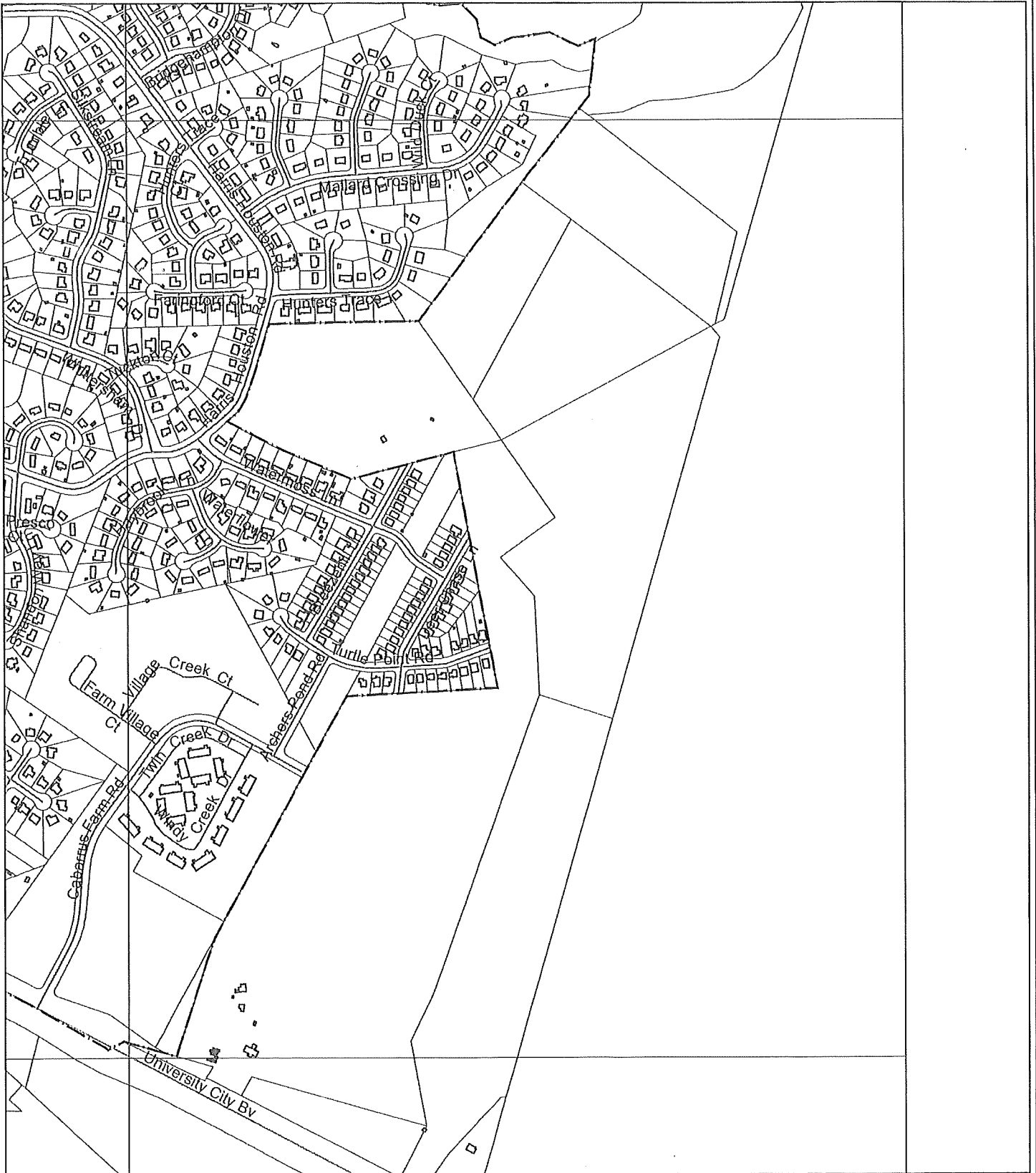
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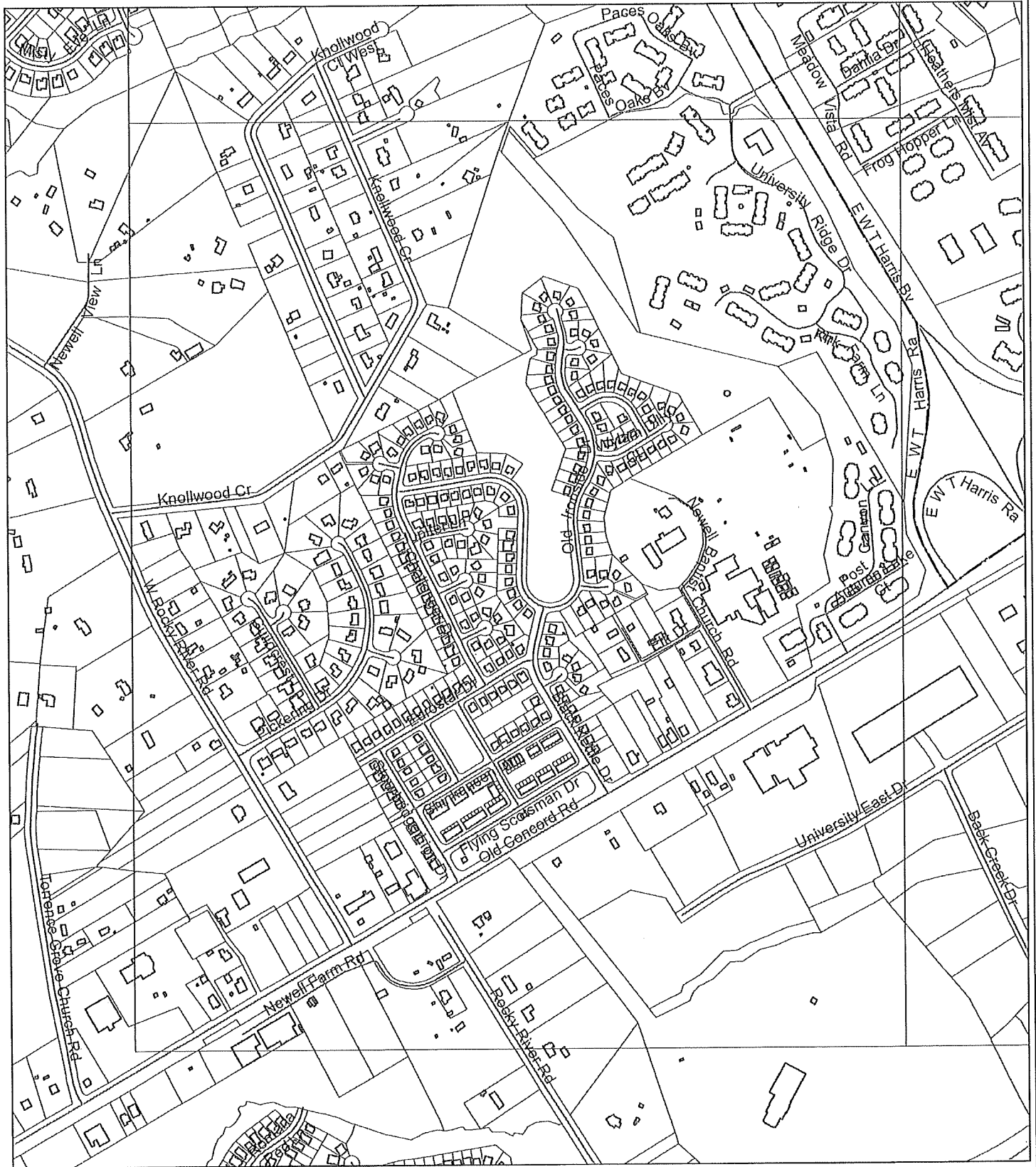




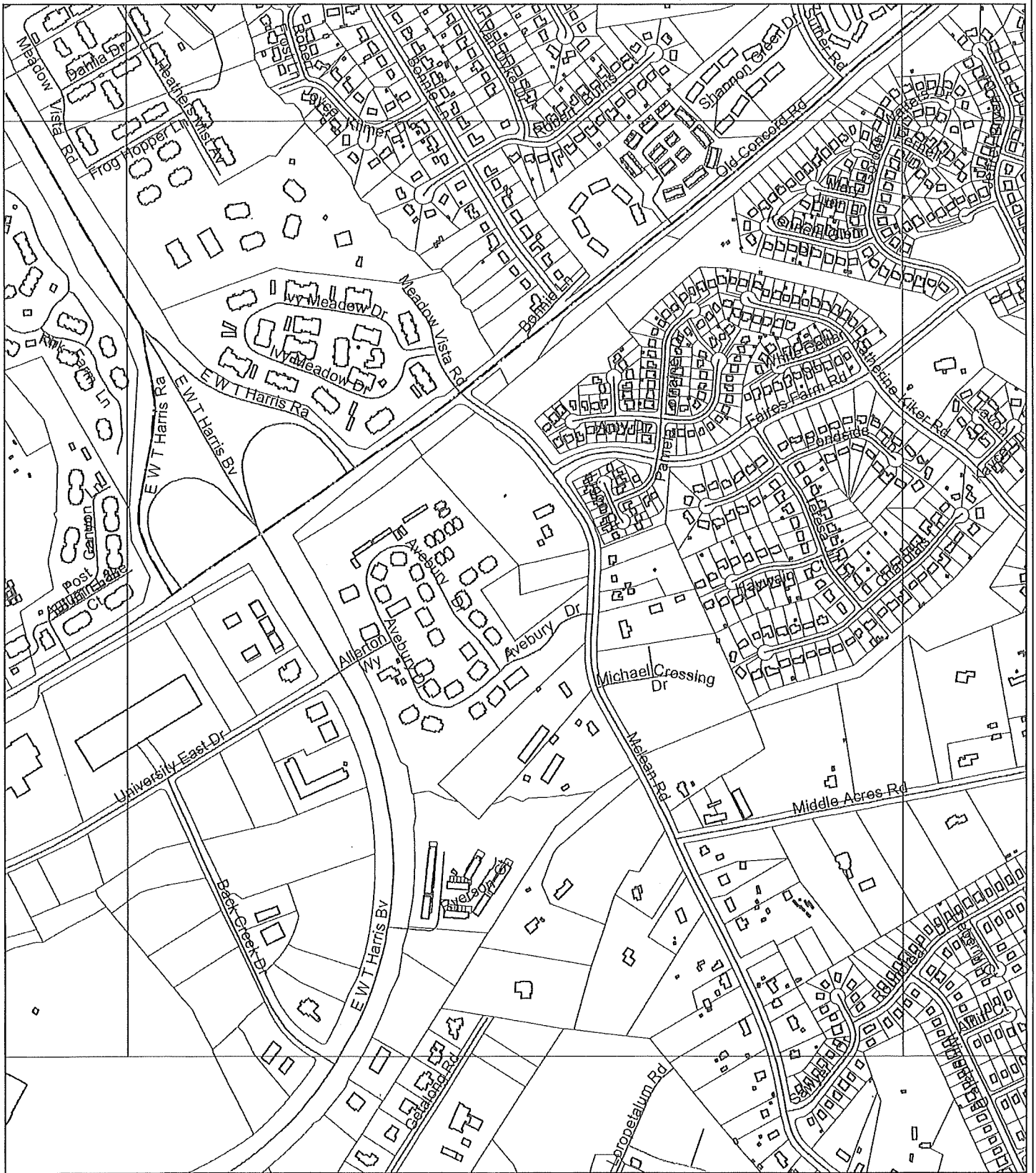
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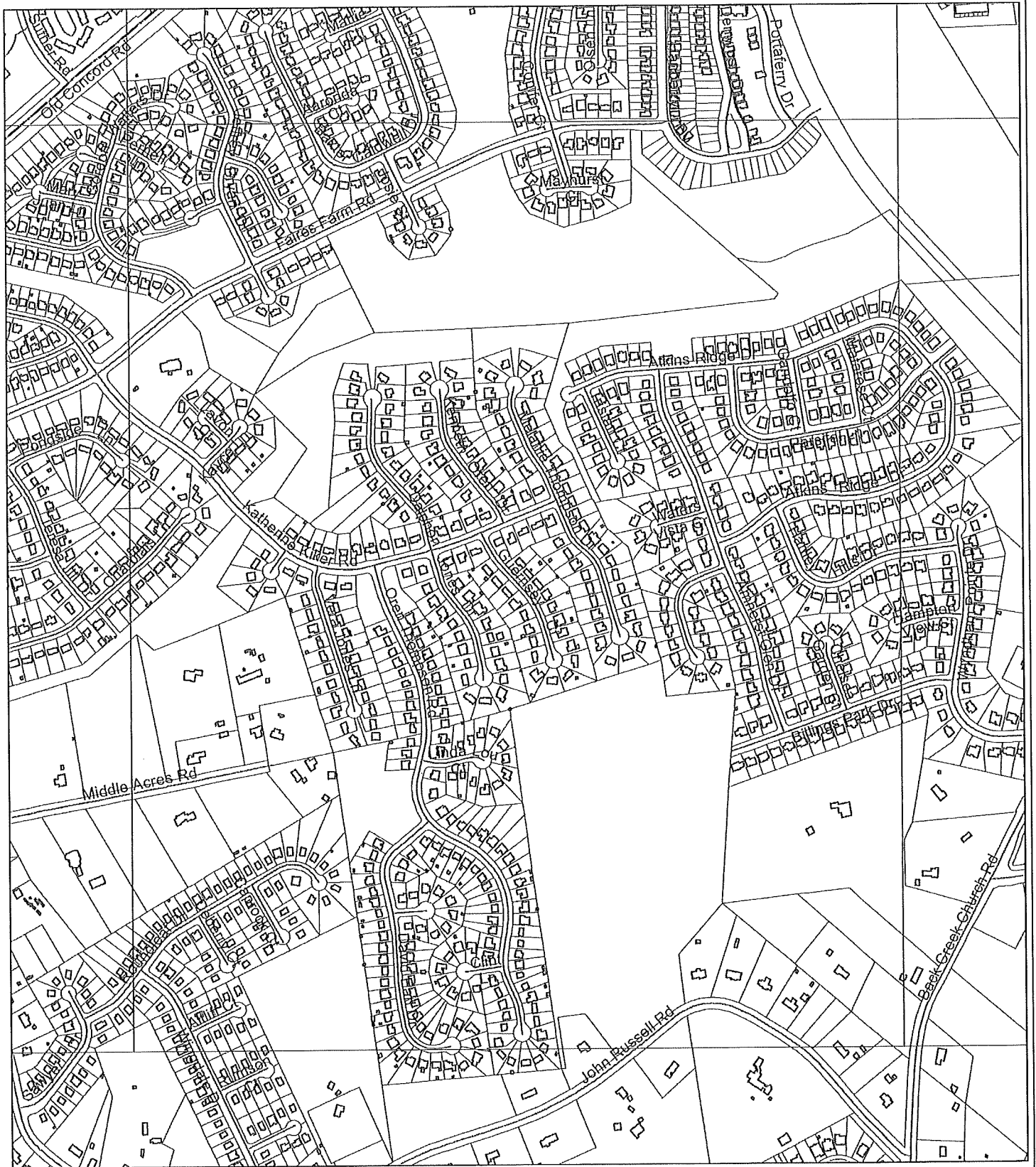
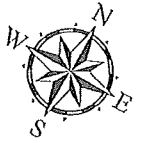
4A



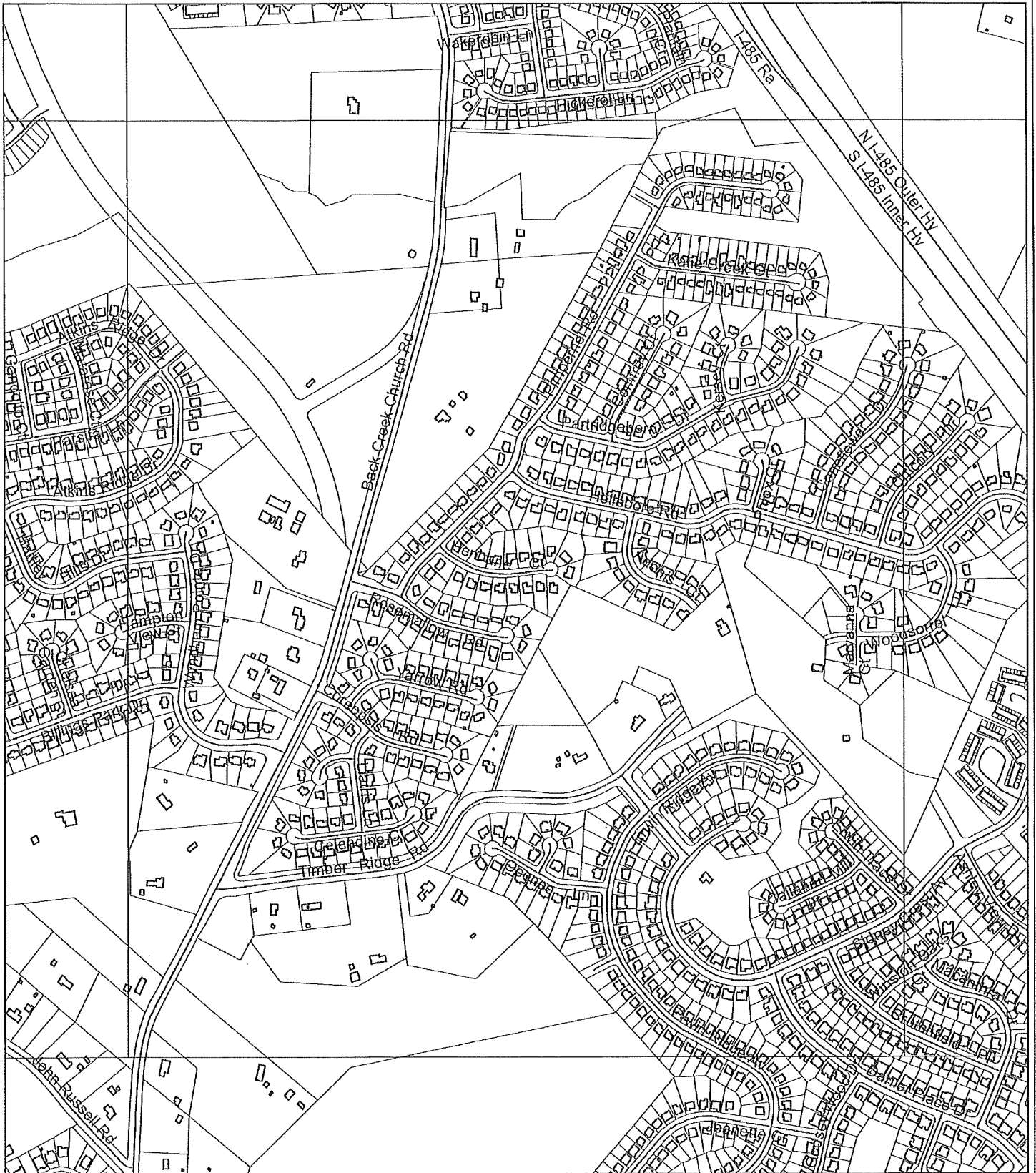
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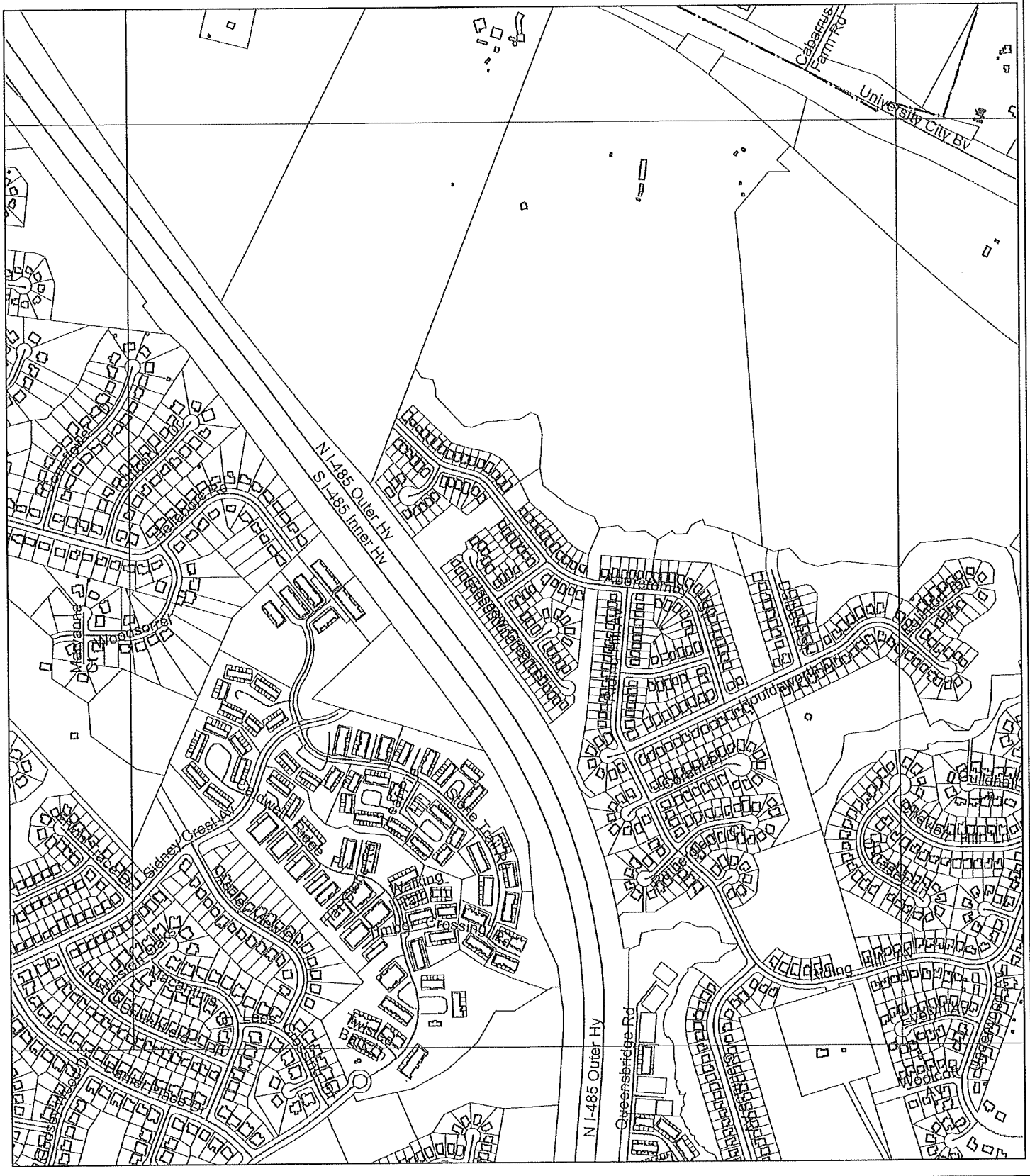
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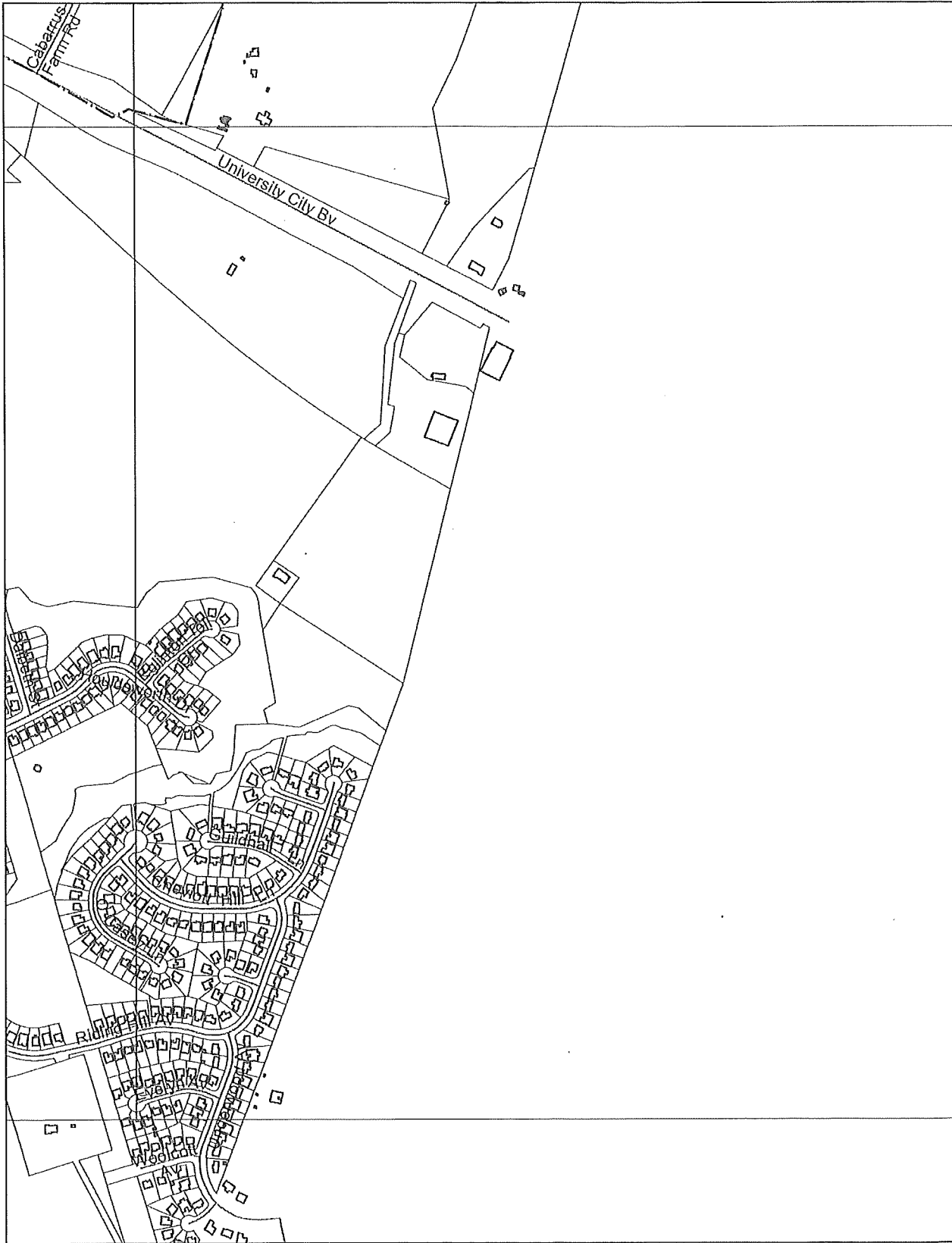
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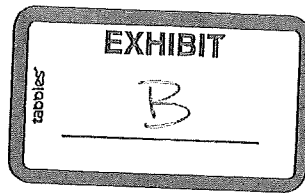


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THE UNIVERSITY OF NORTH CAROLINA AT CHARLOTTE

RESOLUTION
AUTHORIZING THE EXECUTION OF AGREEMENTS
ALLOWING FOR TEMPORARY POLICE ASSISTANCE AND
EXTENSION OF JURISDICTION FOR CAMPUS LAW ENFORCEMENT

WHEREAS, on June 3, 1988, the Board of Trustees of The University of North Carolina at Charlotte established a campus law enforcement agency pursuant to N.C. Gen. Stat. §116-40.5; and

WHEREAS, N.C. Gen. Stat. §§74E-6, 90-95.2 and 160A-288 authorize the head of a law enforcement agency to provide temporary assistance to another such agency in enforcing the laws of North Carolina if so requested in writing by the law enforcement head of the requesting agency; and

WHEREAS, such temporary assistance includes allowing officers to work temporarily with the officers of the requesting agency and lending equipment and supplies; and

WHEREAS, UNC Charlotte's Department of Police and Public Safety will benefit from occasional assistance from other law enforcement agencies and other law enforcement agencies will benefit from occasional assistance from UNC Charlotte's Department of Police and Public Safety; and

WHEREAS, assistance will be provided by UNC Charlotte only where the responsible UNC Charlotte officials determine that such assistance will not unduly interfere with the safety and security of the UNC Charlotte community; and

WHEREAS, N.C. Gen. Stat. §116-40.5 authorizes the Board of Trustees upon a constituent institution of The University of North Carolina which has established a campus law enforcement agency to enter into joint agreement with the governing board of any municipality to extend the law enforcement authority of campus police officers into any or all of the municipality's jurisdiction; and

WHEREAS, such extension of jurisdiction will allow the campus law enforcement agency to better patrol UNC Charlotte and the population of students attending UNC Charlotte and the community will benefit from the patrol of the campus law enforcement agency; and

WHEREAS, such extension has been agreed to by the City of Charlotte pursuant to the Agreement to Extend Law Enforcement Authority and to Provide Cooperation Between the Charlotte-Mecklenburg Police Department and The University of North Carolina at Charlotte (hereinafter the "Agreement"), a copy of which is attached hereto and incorporated herein; and

WHEREAS, the Charlotte City Council has reviewed and approved said Agreement; and

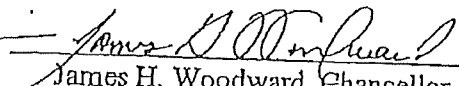
WHEREAS, the Effective Date of the Agreement shall be May 22, 2004 and the term of the Agreement shall be for two years.


NOW THEREFORE, BE IT RESOLVED:

1. That on behalf of The University of North Carolina at Charlotte the Chancellor may enter written agreement with such ~~other~~ entities as the Chancellor deems appropriate, providing the general terms and conditions under which UNC Charlotte will temporarily provide or receive law enforcement assistance as contemplated in N.C. Gen. Stat. §160A-288; and
2. That before any such assistance is provided or received, the Vice Chancellor for Business Affairs, or the Chancellor (or, in the absence of both of them, another responsible university official who is not a law enforcement officer and who has been designated in advance in writing by the Vice Chancellor for Business Affairs) shall review and, where justified, approve each such request to provide or receive police assistance; and
3. That on behalf of The Board of Trustees of the University of North Carolina at Charlotte, the Chancellor may enter a written agreement to extend the jurisdiction for the UNC Charlotte Department of Police and Public Safety for a reasonable distance around the properties of UNC Charlotte in the interest of better protecting UNC Charlotte and its student population, pursuant to and as contemplated in N.C. Gen. Stat. §116-40.5.

BE IT FURTHER RESOLVED that the Chancellor is authorized to take necessary steps to implement this policy.

The foregoing resolution was approved by the Board of Trustees of The University of North Carolina at Charlotte at its meeting on _____, 2004.


James H. Woodward, Chancellor
The University of North Carolina at Charlotte


Howard C. Bissell
Chairman, Board of Trustees

