

Community Review Board – Preliminary Recommendations

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September 18, 2020

Overview

The Syracuse University Public Safety Community Review Board (the “Board”) will be established during the 2020-21 school year to provide community input and accountability for the Department of Public Safety (“DPS”).

I. Powers and Mandate of the Board

- Review appeals of the disposition of DPS investigations into complaints against DPS employees brought by civilian members of the University community;
- Review and comment on prospective new DPS policies and procedures that relate to interactions with the community; and
- Review key community-facing functions of DPS and issue to the Syracuse University community a public annual report of findings and recommendations.

A. Review Any Appealed Dispositions of Investigations into Complaints Against DPS Employees Brought by Members of the University Community

DPS currently has the authority to investigate complaints brought against its own personnel. The Board will review completed DPS internal investigations arising from civilian complaints against DPS personnel made by members of the University community, if the complainant or the DPS employee appeals to the Board the disposition reached by DPS. The Board’s mandate shall be to review DPS’s decision whether a complaint is sustained, and not to review DPS’s decision as to the form or extent of any discipline imposed. The Board is independent from DPS and is not intended to replace DPS’s internal review and disciplinary procedures. In reviewing DPS’s investigation and decision, the Board may:

- Agree with DPS’s disposition;
- Disagree with DPS’s disposition and recommend an alternative disposition; or
- Recommend reopening the investigation.

In evaluating an appeal, the Board will be empowered, subject to any applicable privacy laws, to review the following to the extent they constitute part of the underlying completed investigation record:

- Complaint/Allegation Form
- Relevant incident reports
- Written statements or affidavits by witnesses and parties
- Audio/call log, including recordings from the Emergency Communications Center
- Video footage (from security cameras or body worn cameras)
- Other relevant evidence

The Chief of DPS or his/her designee shall address the Board regarding the investigation and the basis for the disposition. The complainant and the DPS employee will be permitted to address the Board, should they desire to do so.

The Board's analysis of each complaint and investigation, and its recommendation, shall be submitted to the Chancellor or his/her designee for a final determination as to disposition.

B. Prompt Review and Comment on Prospective New DPS Policies, Procedures, and Trainings Relating to Interactions with the University Community

The Board is charged with reviewing and commenting on any prospective DPS policies and procedures ("SOPs") or trainings to be administered to DPS personnel ("Trainings") that relate to interactions with the community and that will be implemented or updated during the Board's term.

DPS shall present any prospective new SOPs or Trainings that relate to interactions with the community and any changes to existing SOPs or Trainings that relate to interactions with the community (together "Proposed SOPs or Trainings") to the Board for review and comment. The Board shall promptly convene a public meeting, at which DPS will present the new policy, and the public will be allowed an opportunity to comment on the policy. Within 30 days of the public meeting, the Board shall issue a written statement either: (i) recommending approval of the Proposed SOP or Training; or (ii) recommending specific changes to the terms of the Proposed SOP or Training.

The decision whether to approve and implement a Proposed SOP or Training will remain in the discretion of the Chief of DPS. The Chief is not obligated to adopt the Board's recommendations. However, to the extent the Board recommends changes to the terms of a Proposed SOP or Training, the Chief of DPS shall respond in writing to the Board's comments and explain whether DPS will adopt or reject the Board's recommendations and why.

In the event that DPS is legally required to implement a Proposed SOP or Training before the process described above can be completed, DPS shall present such a new Proposed SOP or Training to the Board for review and comment as soon as practicable after implementation of the Proposed SOP or Training.

For certain Proposed SOPs or Trainings, the publication of which in whole or in part may pose a significant risk to the safety of the campus (*e.g.*, those pertaining to active shooters or terrorist incidents), the Chief of DPS may engage in additional consultation with the Board to determine which portions of such Proposed SOPs or Trainings will be reviewed by the Board or presented for public comment.

C. Review Key Community-Facing Functions of DPS and Issue to the University Community a Public Annual Report of Findings and Recommendations

The Board shall review the following:¹

- DPS internal affairs investigations regarding complaints made by civilian members of the University community for investigations completed during the Board's term, including any patterns of conduct that may be observed in those complaints and investigations;
- DPS files regarding public comment from civilian members of the University community concerning employees of DPS, including any patterns of conduct that may be observed in those files;
- DPS Weapons Use Reports that were filed during the Board's term. (Weapons Use Reports are required whenever a DPS officer is required to "un-holster (draw) his/her handgun, remove, handle any firearm in the line of duty," pursuant to SOP 2008-18 (Firearms) § V.A.11.);
- Bias Related Incident Reports (as defined in SOP 2007-10 § IV.G) for investigations completed during the Board's term; and
- In the Board's discretion, additional topics of concern that it identifies or that are raised by the University community.

The Board shall publish an annual report summarizing its findings and recommendations on the above topics. In the course of preparing its annual report, the Board shall have the power to request and review materials and data from DPS, including:

- Existing DPS SOPs;
- DPS officer training materials; and
- Statistics, data, and other information generated by DPS in the regular course of business or reasonably requested by the Board.

The Chief of DPS shall report to the Board annually on the above topics. The Chief of DPS shall also respond in writing to the Board's annual report. The Board of Trustees shall commit to set the Board's annual report as an agenda item at a meeting of the Board of Trustees or appropriate subcommittee(s) of the Board of Trustees each year.

II. Board Composition

The composition of the Board should reflect the diversity of the University community and a broad array of perspectives. The Board shall be composed of:

- Two undergraduate students serving two-year staggered terms.
- One graduate or graduate professional school student serving a two-year term, to rotate among the graduate/professional schools.
- Two faculty members, who do not serve as administrators, serving two-year staggered terms, to rotate among the faculties.
- Two administrators serving two-year staggered terms.

¹ Internal Affairs files, Weapons Use Reports, and Bias Related Incident Reports will be reviewed on an anonymized basis, meaning that names of individuals involved will be omitted.

- Two staff members, who do not serve as administrators, including at least one staff member who is a member of a campus labor union, serving two-year staggered terms.²

The members of the Board shall be selected with consideration given to the need for and importance of diversity on the Board, including—but not limited to—race, creed, color, gender, gender identity, national origin, religion, marital status, age, disability, sexual orientation, and status as a disabled veteran.

The members of the Board shall elect a chairperson. The Board shall also have designated professional staff and a budget as appropriate to fulfill its duties. The Board shall engage an external law enforcement adviser, who shall attend and participate in all meetings of the Board. The Board shall have the power to engage legal or other expert advice as appropriate or needed. The members of the Board shall attend annually a full-day training session to include, but not limited to, training on principles of community policing and anti-bias training.

III. Meetings

As outlined above in Section I, the Board shall meet as needed to review and consider appeals. In addition, the Board shall meet as frequently as required to fulfill its additional mandates. It shall hold public meetings to solicit community input on Proposed SOPs or Trainings, and shall, at a minimum, hold one public forum each year to solicit input on DPS from the University community.

² Employees of DPS shall not be eligible to serve on the Board.