

# Johns Hopkins University Police Accountability Board

## Draft Bylaws Template v5

At the March 24, 2022 meeting, a member of the Accountability Board asked for a Bylaws template for the Accountability Board, based on examples of peer oversight bodies' Bylaws shared with the Board. JHU staff developed the document below, a draft Bylaws template, that incorporates legislative requirements as well as Board requests, peer efforts, and best practices. This document notes any applicable requirements in state statute, including the Community Safety and Strengthening Act and the Maryland Open Meetings Act, and it also includes information about the established application and nomination processes. During the May 18, 2022 Meeting, Board members voted on a number of key decision points about Board governance structure; decisions made by the Board during the May 18, 2022 meeting have been incorporated into this draft, accompanying the remaining outstanding matters.

# Bylaws

## **Mission / Charge**

The Johns Hopkins University Police Accountability Board (“the Board”), unique both in Maryland and throughout the country, empowers community members from Johns Hopkins University and the surrounding neighborhoods to help directly shape the development and operation of the Johns Hopkins Police Department (“JHPD”). The Board is an essential component of the Community Safety and Strengthening Act,<sup>1</sup> which passed the Maryland General Assembly during the 2019 legislative session, and is a crucial tool for supporting the transparency, accountability, and overall success of the JHPD. Under the Act, Board members are responsible for sharing community concerns directly with JHPD leadership, reviewing JHPD metrics, and assessing current and prospective department policies, procedures, and training in order to provide recommendations for improvement.<sup>2</sup>

## **Membership**

### Membership and Board Composition

The membership of the Board will reflect JHU’s dedication to fostering and uplifting diverse people, ideas, and experiences. This includes diversity not only in affiliation with the University’s schools, campuses, and communities, but also in race, gender and gender identity, sexual orientation, ethnicity, religion, age, and ability. Board members will be expected to share a respect for diversity and a commitment to working across differences to ensure the ultimate success and effectiveness of the JHPD.<sup>3</sup>

The Board will be composed of:

- Fifteen (15) total members, of which:
- Ten (10) are JHU students, faculty, and staff, including at least one member of the JHU Black Faculty and Staff Association; and
- Five (5) are members of the Baltimore City community unaffiliated with the University, including at least one from the three neighborhoods adjacent to the campus area where the JHPD may patrol (the neighborhoods adjacent to the University’s Homewood, East Baltimore, and Peabody campuses).<sup>4</sup>

### Terms

Two years for non-student members; one year for student members.

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<sup>1</sup> Md. Code Ann., Education § 24-1205.

<sup>2</sup> Md. Code Ann., Education § 24-1205(b); *see also id.* § 24-1205(d).

<sup>3</sup> *See* <https://publicsafety.jhu.edu/jhpd-information/accountability-board/members/>

<sup>4</sup> Md. Code Ann., Education § 24-1205(c)(2); *See* Appendix A.6 - Geographic Boundaries.

The Term is to begin during the first quarterly meeting of the Fall session in the calendar year of the appointment.

### Eligibility Requirements

To be eligible to serve on the Accountability Board, applicants must demonstrate:

- Significant ties to the Baltimore City community through residency (for non-affiliate community members) or either school enrollment or work location (for university affiliate members);
- Student members must be enrolled in a JHU school at one of the University's East Baltimore, Peabody, or Homewood campuses for the duration of their Board term.

### Appointment Process

Pursuant to the Community Safety and Strengthening Act, the Baltimore City Mayor and City Council President each appoint one (1) community member to the Accountability Board; Johns Hopkins University leadership nominates thirteen (13) members, including three (3) community members in consultation with the Baltimore City Council President.<sup>5</sup> All thirteen (13) JHU nominees are subject to confirmation by the Maryland State Senate.<sup>6</sup>

### Committee Structure

If Board are the chair of a committee, they are de facto members of that committee. The administrative support person for the Board will serve as Executive Secretary. Boards members are elected into positions and committees. The seven committees are:

- Agenda Setting
- Communications/Media
- Governance
- Legal/Finance
- Outreach/Community Relations
- Open Meetings Act (OMA) Compliance – may be an individual or would fall under Legal/Finance
- Policy Review

***Executive Secretary.*** The Board shall have an Executive Secretary. The Executive Secretary shall:

- Record the proceedings, draft and maintain the agenda and minutes of board meetings, and perform other administrative duties as assigned by the Board Chair and the Special Assistant to the Vice President for Johns Hopkins Public Safety.

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<sup>5</sup> Md. Code Ann., Education § 24-1205.

<sup>6</sup> See Interim Study on Approaches to Improving Public Safety on and around Johns Hopkins University Campuses, Report to the Maryland General Assembly on HB 103, December 21, 2018. Report available at: <https://publicsafetyinitiatives.jhu.edu/assets/uploads/sites/8/2018/12/Interim-study-report-FINAL.pdf>.

- Be the custodian of the records of the Board, follow record retention schedule in accordance with State law, and provide to any Board member, upon his/her request, full access to the Board's records subject to applicable law.
- Ensure all members of the Board have completed required trainings and confidentiality agreements (as applicable)
- Subject to applicable law, forward all unredacted copies of correspondence sent by the Board and all correspondence received that is addressed to the Board;
- Serve as a liaison between JH Public Safety and the Board

### Officers

- Members will elect a Chair and a Co-Chair. Members may designate other officer roles through amendment of the Bylaws. If additional officers are added, their office must be included in the Bylaws, subject to majority vote.
- Term of Office: The Chair will be elected (can be re-elected) at the June meeting (first meeting after) and serve a one-year term. All other officers term length will be included in the amendment to the Bylaws.
- Duties of the Chair:
  - a) Call meetings to order and, upon a quorum being present, proceed to business
  - b) Preserve order and decorum during meetings, decide all questions of order, and oversee voting,
  - c) Act as liaison between Board members and JH Public Safety leadership and staff
  - d) Facilitate the appointment of subcommittees as needed and agreed by members

## **Membership Expectations**

- Members are expected to adhere to the following regulations during their term of office. Members who fail to meet these expectations may be subject to sanctions, up to and including removal from office.
- Members are expected to attend all meetings, or notify the Chair as soon as practically possible, if they are not able to attend an upcoming meeting.
- Members are expected to be on time for meetings, and notify the Chair in advance if they are going to be late.
- Members are expected to maintain decorum at all times throughout the meeting. Members are expected to interact with each other and any additional attendees of the meeting with civility and respect.

# National Association for Civilian Oversight of Law Enforcement (NACOLE) Code of Ethics

## Preamble

Civilian oversight practitioners have a unique role as public servants overseeing law enforcement agencies. The community, government, and law enforcement have entrusted them to conduct their work in a professional, fair and impartial manner. They earn this trust through a firm commitment to the public good, the mission of their agency, and to the ethical and professional standards described herein.

The standards in the Code are intended to be of general application. It is recognized, however, that the practice of civilian oversight varies among jurisdictions and agencies, and additional standards may be necessary. The spirit of these ethical and professional standards should guide the civilian oversight practitioner in adapting to individual circumstances, and in promoting public trust, integrity and transparency.

## Personal Integrity

Demonstrate the highest standards of personal integrity, commitment, truthfulness, and fortitude in order to inspire trust among your stakeholders, and to set an example for others. Avoid conflicts of interest. Conduct yourself in a fair and impartial manner and recuse yourself or personnel within your agency when significant conflict of interest arises. Do not accept gifts, gratuities or favors that could compromise your impartiality and independence.

## Independent and Thorough Oversight

Conduct investigations, audits, evaluations and reviews with diligence, an open and questioning mind, integrity, objectivity and fairness, in a timely manner. Rigorously test the accuracy and reliability of information from all sources. Present the facts and findings without regard to personal beliefs or concern for personal, professional or political consequences.

## Transparency and Confidentiality

Conduct oversight activities openly and transparently providing regular reports and analysis of your activities, and explanations of your procedures and practices to as wide an audience as possible. Maintain the confidentiality of information that cannot be disclosed and protect the security of confidential records.

## Respectful and Unbiased Treatment

Treat all individuals with dignity and respect, and without preference or discrimination including, but not limited to: age, ethnicity, citizenship, color, culture, race, disability, gender, gender identity,

gender expression, housing status, marriage, mental health, nationality, religion, sexual orientation, socioeconomic status, or political beliefs, and all other protected classes.

### Outreach and Relationships with Stakeholders

Disseminate information and conduct outreach activity in the communities that you serve. Pursue open, candid, and non-defensive dialog with your stakeholders. Educate and learn from the community.

### Agency Self-examination and Commitment to Policy Review

Seek continuous improvement in the effectiveness of your oversight agency, the law enforcement agency it works with, and their relations with the communities they serve. Gauge your effectiveness through evaluation and analysis of your work product. Emphasize policy review aimed at substantive organizational reforms that advance law enforcement accountability and performance.

### Professional Excellence

Seek professional development to ensure competence. Acquire the necessary knowledge and understanding of the policies, procedures, and practices of the law enforcement agency you oversee. Keep informed of current legal, professional and social issues that affect the community, the law enforcement agency, and your oversight agency.

### Primary Obligation to the Community

At all times, place your obligation to the community, duty to uphold the law and to the goals and objectives of your agency above your personal self-interest.

## **Meeting requirements**

Pursuant to the Community Safety and Strengthening Act, the Board must: meet at least quarterly; hold at least one public meeting each year to seek input on JHPD policies, procedures, and training from community members of Baltimore City; and post the minutes from each meeting in a prominent manner on a website available to the public.<sup>7</sup>

### Meeting Frequency and Meeting Agendas

**Quarterly Meetings.** Quarterly meetings feature all Accountability Board members as well as the Vice President for Public Safety. Quarterly meetings provide Board members an opportunity to share advice, guidance, and community feedback, per their legislatively-mandated duties, with the

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<sup>7</sup> Md. Code Ann., Education § 24-120 5(e)

Vice President for Public Safety. Quarterly meetings are viewable by the general public. At least one quarterly meeting a year for public input on policies, procedures, and training from community members of Baltimore City.

“Special” meetings, in addition to the quarterly meetings listed in the statute, will be subject to the Maryland Open Meetings Act. There must be concurrence by the majority of the Board in order to hold special meetings.

### Motions

- Every motion must be seconded by another member prior to consideration by the body
- Only motions moved by JHAB members will be entertained.
- For the body to rescind a motion already approved, the threshold is a majority plus one.

### Debate

A Board member wishing to speak, debate, make a motion, submit a report, or conduct other business shall address the Chair and shall not proceed until recognized by the Chair. If multiple members seek recognition at the same time, the Chair shall choose the order.

Members may sponsor a motion, and the sponsor shall have the privilege of opening and closing debate. No motion can be heard until the member has concluded.

Any member may move to end debate. A majority of the voting Board members present must agree to end the debate or it may continue.

The Chair will be responsible for ensuring that Robert’s Rules of Order, and all other Bylaws are adhered to during meetings.

### Voting

In all meetings where a quorum is present, whether in person or virtually, a majority of the members shall prevail.

### Decorum

Members and all guests shall confine their remarks to the question under discussion or debate, avoiding digression and refraining from personal attacks.

### Standing Committees

Committees shall meet as needed to conduct their business.

All committees should have a minimum of two members and all Board members must participate on at least one committee.

Committee meetings will take place at a time, date, and location determined by agreement of the committee members.

Committee meetings that do not involve a quorum of JHAB members will not be subject to the Open Meetings Act

## **The Maryland Open Meetings Act Compliance and Public Access**

The Board will comply with the Maryland Open Meetings Act.<sup>8</sup> This includes, but is not limited to, the following:

- All Board meetings will be made accessible for public viewing;
- Meeting minutes will be posted on the Accountability Board website.
- Meeting materials, including agendas, will be posted prominently on the Accountability Board website in advance of the meeting.
- Meetings will be live-streamed on the Accountability Board website and accessible by phone.
- Meetings will be recorded and publicly available in an archive on the Accountability Board website.

## **Removal and Discipline**

Board members who are absent from three consecutive meetings, without notice to the Chair/Co-Chair and JH Public Safety staff, will be subject to disciplinary actions. Disciplinary acts will be reviewed by University Leadership, Mayor's Office, and City Council President's Office. Expulsion of members would be referred to the Maryland Senate.

PENDING VERIFICATION/ADDITIONAL GUIDANCE FROM GENERAL COUNSEL

## **Procedural Requirements: Quorum and Voting**

### **Quorum**

A quorum consists of two-thirds of the Board members to include three out of the five community members.

### **Recusal**

If, in any matter that comes before the JHAB, a member determines that their impartiality might reasonably be questioned, the member shall recuse themselves.

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<sup>8</sup> Johns Hopkins University Accountability has committed to complying with the Maryland Open Meetings Act which, among its provisions, requires that Board meetings be open to the public.



## Training Commitments

Prior to attending their first meeting, all members shall attend an orientation. Additional training will be provided at the discretion of the JHAB and JH Public Safety administration. Bylaws are to be included as part of training. Members are responsible for acting in accordance with the training and governing policies that they have received. Members are required to complete the following trainings within 3 months of their appointment:

- Community Safety and Strengthening Act (CSSA)
- Mission and Structure (Bylaws, Board Terms, and Role?)
- [Maryland Open Meeting Act \(OMA\)](#)
- NACOLE Code of Ethics
- Roberts Rules of Order
- Memorandum of Understanding (MOU) with BPD
- JHPD Policy Review

## Duties of the Accountability Board

The Accountability Board is expected to uphold the highest level of integrity. Under the CSSA, the Board is empowered to:

- Serve as a resource that enables community members to share community concerns regarding the Police Department directly with Police leadership;
- Review Police Department metrics;
- Review current and prospective Police Department policies, procedures, and training;
- Provide feedback on existing Police Department policies and practices, including Police Department standards for hiring and recruitment; and
- Propose ideas and provide recommendations for improving Police Department policies, procedures, and performance, including ideas for community-based public safety initiatives.<sup>9</sup>

## Board Meeting Recordings

JHAB Meetings are recorded and can be found [here](#).

## Amendments

[Board Decision\(s\)](#)

The threshold for amending the Bylaws requires a minimum of  $\frac{3}{4}$  or greater vote of the full Board as of the date of the vote.

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<sup>9</sup> Md. Code Ann., Education § 24-1205(b).