

Johns Hopkins University
Police Accountability Board
Materials for Fall 2020

June 05, 2020

Introduction

On December 21, 2018, Johns Hopkins University (“JHU” or “the University”) published a report to the Maryland General Assembly on HB 1803 titled the “Interim Study on Approaches to Improving Public Safety on and around Johns Hopkins University Campuses.” This report outlined the University’s multi-faceted approach to constitutional policing, informed both by community input and academic insight.¹ On April 1, 2019, the Maryland General passed SB 793, the Community Safety and Strengthening Act (“the Act”), which Governor Hogan signed into law on April 18, 2019.

The Act affords Johns Hopkins University the opportunity to create the Johns Hopkins Police Department (“JHPD” or “the Department”), envisioned and enacted into law as a model for progressive 21st century policing. The legislation is among the most progressive pieces of enabling legislation for a police department ever enacted into law in the United States, and includes a broad range of provisions – from investments in the Baltimore City YouthWorks Summer Program and the Baltimore City Children and Youth Fund to extensive transparency and oversight requirements – that mark a fundamental reconstitution of what it means to be a truly responsive and responsible modern police department. Among the most central of the legislation’s provisions, and perhaps most immediately efficacious, is the creation of the Johns Hopkins University Police Accountability Board (“the Board”).

Unique both in Maryland and throughout the country, the Board empowers community members from JHU and the surrounding neighborhoods to help directly shape the development and operation of the future JHPD. Recommended based on community input and research into best practices among police departments nationally, the Board is a crucial element in ensuring the success of the Department. Under the law, Board members are charged with sharing community concerns directly with department leadership, reviewing police department metrics, and assessing current and prospective department policies, procedures, and training in order to provide recommendations for improvement. The University hopes the Board members are seen by the University and Baltimore City community as an unmistakable voice for good – a megaphone elevating the voices of the City.

The Board is not the only feature of the JHPD ensuring the elevation of community concerns. The Act outlines a multi-layered model of civilian oversight, of which the JHPD Accountability Board is a critical piece. Another oversight mechanism is the JHPD’s accountability to the Baltimore City Review Board (CRB). The JHPD is subject to the jurisdiction of the CRB, which has the authority to process, investigate, and evaluate complaints lodged by members of the public regarding abusive language, false arrest, false imprisonment, harassment, or excessive force by police officers. Additionally, JHPD is also subject to a State-mandated complaint process to ensure that everyone has the ability to file a complaint. The complaint data and a summary of the process must be reported annually to the Mayor of Baltimore City, the Baltimore City Council, the Maryland General Assembly, and the Johns Hopkins University Police Accountability Board. These reports must also be made publicly available and posted on the Department’s website. And, if disciplinary steps are recommended against an officer and the officer requests an administrative hearing, the JHPD is also required to establish an

¹ Johns Hopkins University, “Interim Study on Approaches to Improving Public Safety on and around Johns Hopkins University Campuses,” December 21, 2018, available online at <https://publicsafetyinitiatives.jhu.edu/>

administrative hearing board that includes up to two voting members of the public (the maximum allowable under Maryland law). This multi-tiered model is reflective of the University's commitment to ensuring the JHPD is publicly accountable to its community.

Importantly, the Accountability Board is designed to represent this community – one of diverse people, ideas, and experiences – not only in affiliation with the University's schools, campuses, and communities, but also in areas such as race, gender and gender identity, sexual orientation, ethnicity, religion, age, and ability. The inaugural Accountability Board members capture the best that Johns Hopkins and the City of Baltimore have to offer. From professors of epidemiology, to undergraduates, medical students, and fellows, to the Chairperson of the Board of Directors of the Better Waverly Community Organization, the Board, nominated by the eight-person nominating committee, appointed by JHU leadership, and unanimously confirmed by Maryland State Senate on Friday February 28, 2020, reflect the myriad identities and perspectives of our University, City, and national community.

It is no accident that the Board was among the first of the transparency measures to come to fruition. By launching the Accountability Board now, well before our first University police officers are recruited and trained, we are ensuring the Board can provide guidance throughout each stage of the multi-year implementation process. Early Board involvement will help embed our values and commitments around community-oriented public safety practices from the department's inception.

This binder serves as a guide to help lay the groundwork for a transparent Accountability Board. The binder is meant to aid Accountability Board members, as it includes bylaws and sample agenda templates, in addition to supporting research. Insights and innovations gleaned from practitioners nationwide, in conjunction with scholarship on oversight committees and accountability mechanisms, have been leveraged and adapted to suit our model, and serve as the foundational elements for the Johns Hopkins University Police Accountability Board.

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Essentials: The Johns Hopkins Police Department

Characteristics of the JHPD

Geography / Jurisdictional Boundaries

Primary Responsibility

The JHPD has primary law enforcement responsibility for its campus area, defined as property that is:

- (1) Owned, leased, operated by or under the control of the University;
- (2) Located within specific boundaries (listed in the Act) on the Homewood, East Baltimore, and Peabody campuses; and
- (3) Used for educational or institutional purposes.

The Act prohibits JHU from expanding its area of primary responsibility beyond narrowly defined statutory boundaries.

Shared Responsibility

The JHPD is authorized to share law enforcement responsibility with the BPD in areas adjacent to its campus areas, subject to community agreement and authority from BPD documented in the MOU. In order for the JHPD to operate in an adjacent area, the Baltimore City Council must pass a resolution confirming that Johns Hopkins sought community input and received agreement from a majority of community members.

Limitation of Police Powers

The JHPD is not permitted to exercise police powers on any property – other than its campus area and other areas where there is community support – unless:

- (1) Engaged in fresh pursuit of a suspected offender;
- (2) Necessary to facilitate the orderly flow of traffic to and from the university's campus area;
- (3) Specially requested or authorized by the Mayor of Baltimore City in specific emergencies; or
- (4) Ordered by the Governor under a declared state of emergency.

Transparency and Oversight Mechanisms

Trust and confidence are essential between the JHPD and the Johns Hopkins community – including residents of the neighborhoods around the University's campuses – and requires transparency and community accountability. The JHPD is more transparent and accountable to public and community oversight than any other Maryland law enforcement agency.²

² See Appendix A.3 - Reporting Requirements Chart.

Transparency and Reporting

- Maryland Public Information Act (MPIA): The JHPD is required to comply with the MPIA and provide public access to JHPD law enforcement records.
- State-Mandated Annual Reporting: As a state-authorized police department, the JHPD is required to comply with all applicable state reporting requirements, including reporting on use of force incidents, officer-involved deaths, and race-based traffic stops. The JHPD is also subject to reporting requirements – beyond those currently required of other state-authorized law enforcement agencies – regarding recruitment efforts, department size, department funding, arrests, complaints, use of surveillance technologies, officer-involved shootings, officer discipline, and demographic data on the JHPD security workforce. This information must be reported annually to the Mayor of Baltimore City, the Baltimore City Council, the Maryland General Assembly, and the Johns Hopkins University Police Accountability Board, and posted publicly.
- Independent Evaluation and Review: The Act requires an independent evaluation and review of the JHPD within ten years, after which the General Assembly must act.

Technology

- Body-Worn Cameras: Officers are required to wear and use body-worn cameras. Also, JHPD policies must ensure the adoption and use of appropriate technologies.
- Police Equipment: The JHPD is prohibited from acquiring military grade vehicles or military grade hardware unless the items are available for commercial sale in Maryland.
- Criminal Justice Information System: It is the intent of the General Assembly that the JHPD functions as a criminal justice unit under the federal-state Criminal Justice Information System, adhering to the rules and regulations regarding criminal history record information and related data.

Public Accountability

- Civil Liability and Costs: The JHPD does not have the state immunity protections that apply to state, municipal, and public university police departments in Maryland. JHU is responsible for all costs associated with the JHPD, and JHPD employees are not entitled to state personnel benefits.
- State-Mandated Complaint Process: The JHPD must establish a process that allows any person, including members of the police department and the public, to file complaints against JHPD officers. That process must ensure timely investigation of all complaints regarding the JHPD and its employees. Annually, the JHPD must provide a description of the complaint process and a summary of complaint data – including the number, type, and disposition of all complaints – to the Mayor of Baltimore City, the Baltimore City Council, the Maryland General Assembly, and the

Johns Hopkins University Police Accountability Board. These reports must also be made publicly available and posted on the Department's website.

- Baltimore City Civilian Review Board: The JHPD is subject to the jurisdiction of the Civilian Review Board of Baltimore City (CRB). The Civilian Review Board has the authority to process, investigate and evaluate complaints lodged by members of the public regarding abusive language, false arrest, false imprisonment, harassment, or excessive force by police officers. Currently, two other university police departments in Baltimore City are under the jurisdiction of the CRB: Baltimore City Community College and Morgan State University.
- Johns Hopkins Police Department Hearing Board: The JHPD is required to establish an administrative hearing board if disciplinary steps are recommended against an officer of the JHPD and that officer requests an administrative hearing by a hearing board. The hearing board must include up to two voting members of the public, which is the maximum allowable under Maryland law.

Filing a Complaint

Process for Filing a Complaint

The quality of a public safety organization is measured by how it holds itself accountable for its missteps and how it treats those at the receiving end of them. The JHPD is committed to an accessible complaint process open to any member of the community. In the event of a complaint about officer conduct from a member of the community, JHPD will follow a clear path of investigation, fact-finding, and discipline where warranted. Community members will also be able to take complaints of officer misconduct to the city's Civilian Review Board.

Accessibility of Filing a Complaint

Complaints can be made to the University by walk-in, phone call, email, externally, internally, and via a news story. The University and the Accountability Board will publicly promote the process for filing complaints (i.e., publish on website, provide printed fliers, etc.) and will work to ensure equitable access for all Baltimore residents, including those who are elderly, illiterate, or disabled, as well as those with language barriers, to safely and easily submit inquiries to the Accountability Board.

Training, Policies and Accreditation

The JHPD must meet extensive training, policy development, and third-party accreditation requirements, including:

- Maryland Police Training and Standards Commission training and certification;
- Policies, practices, and training that ensure constitutional and community-oriented policing that:
 - advances impartial and non-discriminatory policing, including training on appropriate searches, preventing profiling, and implicit bias against racial, religious, sexual, and other minorities;
 - ensures appropriate use of force and safe treatment of individuals in custody;
 - supports the lawful exercise of rights of free expression, particularly in the context of a university community;
 - promotes appropriate interactions with youth and individuals who are in crisis or have behavioral health or other disabilities;
 - builds trust between victims of sexual assault and the JHPD; and
 - promotes community engagement.

Workforce Standards, Recruitment, Hiring, and Training

The JHPD is required to promote recruiting and hiring of diverse candidates using local hiring and residency initiatives and to make specific local hiring commitments, including:

- Maintaining a 25% local residency requirement for JHPD officers within five years;
- Tracking and publicly reporting recruitment and workforce data; and
- Hosting or participating in at least four job fairs in Baltimore City each year to recruit and interview applicants for positions in the JHPD.

Size of Department

- The JHPD is to employ not more than 100 employees.
- The JHPD will replace current armed off-duty BPD officers at the University.
- The JHPD is designed to serve as a modest supplement to Hopkins' current 1000+ member security team.
- The JHPD will partner with BDP in adjacent neighborhoods with community input.

Community Oriented

The University must ensure constitutional and community-oriented policing through the adoption of policies, practices, and training that:

- Advance impartial and nondiscriminatory policing to promote disability and diversity awareness and prevent profiling and implicit bias against racial, ethnic, sexual, religious, and other minorities;
- Promote appropriate interactions with individuals who are under the age of 18, have behavioral health or other disabilities, or are in a crisis;
- Ensure appropriate use of force, including the use of alternative force, the use of de-escalation techniques, and for any officer who carries a firearm, the use of nonlethal or less-lethal weapons;
- Guarantee the adoption and use of appropriate and effective technology; and
- Ensure safe and human treatment of individuals in custody.

JHPD Reporting Requirements

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- 1 Use of force incident reports (MD Public Safety Code 3-514);
 - 2 The number of serious officer-involved incidents to MPTC (MD Public Safety Code 3-518);
 - 3 The number of officers disciplined to MPTC (MD Public Safety Code 3-518);
 - 4 The type of discipline administered to each officer who was disciplined to MPTC (MD Public Safety Code 3-518);
 - 5 Death involving a law enforcement officer to the Governor's Office of Crime Control and Prevention, including:
 - Deaths in the line of duty (must include the race, gender, ethnicity, and age of the officer and the individual)
 - Officer-involved deaths (must include the race, gender, ethnicity, and age of the officer and the individual) (MD Public Safety 3-507);
 - 6 License plate data annually to legislature (MD Public Safety 3-509);

- 7 Post all of the official policies of the law enforcement agency, including public complaint procedures and collective bargaining agreements online (MD Public Safety 3-515);
- 8 Post citizen complaint process online (MD Public Safety 3-519);
- 9 Legislation requires reporting of a description of the complaint review process;
- 10 Officers must report all traffic stop data, including: gender, race, and DOB of driver to LE agency (MD Transportation 25-113);
- 11 Legislation reporting of the total number of traffic stops to the City Council, Mayor, and General Assembly;
- 12 Total number of police officers employed by the University (disaggregated by race, ethnicity, gender, age, and when applicable, officer rank) to the City Council, Mayor, and General Assembly;
- 13 Total number of Baltimore City residents who were hired as members of JHPD workforce by zip code to the City Council, Mayor, and General Assembly;
- 14 The number, type, and disposition of complaints filed against university police officers to the City Council, Mayor, and General Assembly;
- 15 The number of officers disciplined, including the type of discipline administered to the City Council, Mayor, and General Assembly;
- 16 Report community engagement plans annually to the Accountability Board;
- 17 Report on the number of community outreach events to the Mayor, City Council, and General Assembly.
- 18 Applicant data to the Mayor, City Council, and General Assembly;
- 19 JHU campus security workforce data to the Mayor, City Council, and General Assembly;
- 20 JHPD budget to the Mayor, City Council, and General Assembly;
- 21 Total number of crimes that resulted in arrests to the Mayor, City Council, and General Assembly;
- 22 The number and type of individuals who filed a complaint (student, faculty, unaffiliated individual) to the Mayor, City Council, and General Assembly;
- 23 The number of officer-involved shootings, line of duty deaths, and in-custody deaths to the Mayor, City Council, and General Assembly.

Research: Scholarship and Literature Review

Designing a Police Accountability Board: Best Practices and Policies

The following is a brief review of academic scholarship regarding best practices and policies to consider when designing an objective, transparent, and fair university police accountability board. It is here important to note both the value and the limitations of this exercise. In our comprehensive review of the scholarship on civilian oversight boards, there appeared to be little to no discussion of the community accountability boards for university police departments. Instead, the vast majority of the academic literature focused on municipal police departments. Municipal police departments have significantly more power than the JHPD, oversee a larger jurisdiction, and are funded by taxpayer dollars. For these reasons, among others, the scholarly recommendations to oversight boards dedicated to ensuring accountability of municipal police departments are not precisely analogous to the JHPD.

With that said, the exercise is not futile. As described in the Interim Report,³ training, transparency, and civilian oversight are viewed as essential to help prevent racial profiling, excessive force, and other abuses of police power, and this research is shared as a demonstration of the manifest ways in which the Community Safety and Strengthening Act and the Johns Hopkins Police Department have sought to reach the highest bar of public accountability and community policing.

The Community Safety and Strengthening Act was informed by community input, extensive research into peer university oversight boards, and a thorough examination of best practices outlined by scholars on the subject. The result is a multi-faceted, multi-layered model of civilian oversight, of which the Accountability Board is one of the essential layers. As stated above, the Board is designed to ensure community input in the current and prospective police department policies, procedures, and training and to provide recommendations to University leadership on current and prospective police department policies, procedures, and training. Another distinct, though complementary, oversight layer is the Baltimore City Review Board (CRB). The JHPD is subject to the jurisdiction of the CRB, which has the authority to process, investigate, and evaluate complaints lodged by members of the public regarding abusive language, false arrest, false imprisonment, harassment, or excessive force by police officers.

The JHPD is also subject to a State-mandated complaint process, and is required to establish a process that allows any person, including members of the police department and the public, to file complaints against JHPD officers, ensure a timely investigation of all complaints, and annually report a description of the process and summary of the complaint data to the Mayor of Baltimore City, the Baltimore City

³ Johns Hopkins University, "Interim Study on Approaches to Improving Public Safety on and around Johns Hopkins University Campuses," December 21, 2018, available online at <https://publicsafetyinitiatives.jhu.edu/>

Council, the Maryland General Assembly, and the Johns Hopkins University Police Accountability Board. These reports must also be made publicly available and posted on the Department's website. Additionally, if disciplinary steps are recommended against an officer and the officer requests an administrative hearing, the JHPD is also required to establish an administrative hearing board that includes up to two voting members of the public, which is the maximum allowable under Maryland law. Finally, it is worth noting that the JHPD does not have state immunity protections that apply to state, municipal, and public university police departments in Maryland, JHPD employees are not entitled to state personnel benefits, and JHU is responsible for all costs associated with the JHPD.

This multi-tiered model is reflective of the University's investment in ensuring JHPD is subject to community oversight. The discussion below compares best practices cited by the foremost scholars on police oversight with the actions taken by the University and enacted into law.

Purpose

Effective civilian oversight boards come in a variety of forms, but most share the goals of (a) mitigating police misconduct, (b) performing fair and thorough reviews of complaints issued against the police under their oversight, (c) auditing existing policies and procedures, and (d) offering proposed recommendations to modify these guidelines if deemed obsolete or misaligned with responsible policing.⁴ Although the scope and focus of these boards will vary, Dr. Samuel Walker, a foremost scholar on police accountability mechanisms, has found that these objectives are typically represented in the foundational structure of any civilian oversight board. Incorporating these key responsibilities enables members to hold both parties accountable and improve community-police relations long-term.

The Community Safety and Strengthening Act passed by the Maryland State Senate on April 1, 2019, details the legal mandates issued to the purpose, structure, and function of the Johns Hopkins University Police Accountability Board. Section 24-1205(b) of the Act outlines the Board's purpose which is to: (1) Enable community members to share community concerns regarding [JHPD] directly with [JHPD] leadership; (2) Review [JHPD] metrics; (3) Provide feedback on existing [JHPD] policies and practices, including...standards for hiring and recruitment; (4) Suggest ideas for improving [JHPD] policies, procedures, and performance, including ideas for community-based public safety initiatives."⁵ The legislation mandates a charge that expands beyond most municipal police department accountability boards, capturing well goals (a), (c), and (d). Importantly, the ability to submit complaints for review by the Baltimore City CRB also satisfies goal (b). Based on extensive research and consultations with national experts, we believe there is no university police department in the country, public or private – and, in fact, no municipal police department in the country not under a consent decree – that is subject to more extensive and layered statutory accountability mechanisms than the JHPD.

⁴ Samuel Walker, "Police Accountability: Current Issues and Research Needs (218583)," Paper presented at the National Institute of Justice Policing Research Workshop: Planning for the Future, Washington, DC, November 28-29 (2006): 1-35, <https://www.ncjrs.gov/pdffiles1/nij/grants/218583.pdf>.

⁵ Md. Code Ann., Education § 24-1205(b).

Notably, research on the establishment of civilian accountability boards suggests they are often designed as a reactionary solution or as a means of last resort,⁶ rather than a prophylactic tool to encourage community engagement in public safety from the beginning.⁷ By instituting the Johns Hopkins University Police Accountability Board, whose feature is to inform JHPD policy, prior to the creation of a university police department, the inaugural members of this Board will be uniquely positioned to support the design and ethos of a police department that prioritizes the community that it serves and respects the role that it has been afforded to compassionately and dutifully serve and protect.

Spirit

Scholars like Udi Ofer have concluded that successful civilian review boards encompass three main characteristics: they are (1) representative of the community they serve; (2) transparent and inclusive to both the public and the police department; and (3) steadfast to neutrality.

(1) Representative of the community they serve

Measures taken by the University, as outlined in the Act, have sought to fulfill the letter and spirit of the proposals for community representation. For instance, the applicant pool for the inaugural Accountability Board was 43% community members, 26% staff members, 15% graduate students, 8% faculty members, 5% undergraduates, and 3% post-docs, fellows, and residents. The applicants represented more than 60 different Baltimore communities. 55 of the applicants lived, worked, or studied in or around the East Baltimore campus, 62 in or around the Homewood campus, and four in or around the Peabody campus. In all, applicants represented over 50 different Baltimore City neighborhoods. 91 applicants completed an optional demographic survey, revealing those applicants to be of eight different racial and ethnic groups; to use six different descriptions of gender identity and seven different descriptions of sexual orientation; and between 18-78 years of age.

The inaugural Board members represent and/or reside in a variety of Baltimore neighborhoods, belong to the JHU Black Faculty and Staff Association, and include community members unaffiliated with the University, selected with advisory support from the Mayor of Baltimore and the Baltimore City Council President.⁸ Furthermore, the Mayor of Baltimore City and The Baltimore City Council each appointed their own Board member. The remaining thirteen (13) members were selected by a diverse Nominating Committee, appointed by University leadership, and confirmed by the Maryland State Senate.

⁶ Reenah Kim, "Legitimizing Community Consent to Local Policing: The Need for Democratically Negotiated Community Representation on Civilian Advisory Councils," *Harvard Civil Rights-Civil Liberties Law Review* 36, (2001): 461–525, https://pdfs.semanticscholar.org/8857/ac8685beabb84c24c8984729163b05e77258.pdf?_ga=2.160338687.373228457.1588174781-20035186.1586185393; Samuel Walker and Betsy Wright Kreisel, *Police Accountability: The Role of Citizen Oversight*, (Belmont, CA: Wadsworth Publishing, 2001) Found in National Association for Civilian Oversight of Law Enforcement (NACOLE), "Civilian Oversight of Law Enforcement: A Review of the Strengths and Weaknesses of Various Models" (Sept. 2016).

⁷ Udi Ofer, "Getting It Right: Building Effective Civilian Review Boards to Oversee Police.," *Seton Hall Law Review* 46(4), 1033-1062. <https://scholarship.shu.edu/cgi/viewcontent.cgi?article=1572&context=shlr>

⁸ Md. Code Ann., Education § 24-1205©

(2) Transparent and inclusive to both the public and the police department

It is imperative for the Board to establish and maintain a sense of trust and respect with both the public and the police department throughout its tenure. Scholars suggest incorporating some or all of the following activities:

- Both Udi Ofer and the United Nations Office on Drugs and Crime’s “Handbook on Police Accountability, Oversight and Integrity” suggest publishing regular reports and an annual report on a dedicated Board website.⁹
- Where complaint review is a function of the Board, make the findings and procedures of every review public. Making reports and activities public will serve as an oversight for the oversight board and hold it accountable to the community.¹⁰
- Filing complaints should be accessible and simple for everyone. For example, complaints should be received in multiple formats to accommodate those with disabilities, technological or literacy difficulties, etc. (i.e. digital form, telephone, in person, or by mail). Additionally, during the initiative’s launch, the Board may consider running awareness campaigns in multiple languages and offer translators via phone to educate the public about the complaint process.¹¹

It is here important to again recall the multi-layered model proposed in the Act. Each facet of this model works to fulfill the above recommendations. For instance, the JHPD Accountability Board will be responsible for (1) meeting quarterly, at a minimum, (2) holding at least one public meeting annually to seek input on [JHPD] policies, procedures, and training from community members of Baltimore City,” and (3) publishing each meeting’s minutes in a prominent manner on a website available to the public.”¹² Acting in concert with the Accountability Board is the Baltimore City CRB, which adds the essential function of reviewing public complaints against the JHPD.

While the above recommendations are proposed for municipal oversight boards, it is here the Accountability Board might provide advice on and guidance for JHPD policies. JHPD Accountability Board members can take steps to ensure adherence to best practices by making certain that the Board’s engagement with the community (i.e. communications, activities, events, etc.) is accessible to all Baltimore residents interested in participating.

(3) Steadfast to neutrality

⁹ United Nations Office on Drugs and Crime, “Handbook on Police Accountability, Oversight and Integrity,” UN Publications (2011), https://www.unodc.org/pdf/criminal_justice/Handbook_on_police_Accountability_Oversight_and_Integrity.pdf.

¹⁰ Ibid.

¹¹ Reenah Kim, “Legitimizing Community Consent to Local Policing: The Need for Democratically Negotiated Community Representation on Civilian Advisory Councils,” *Harvard Civil Rights-Civil Liberties Law Review* 36, (2001): 461–525, https://pdfs.semanticscholar.org/8857/ae8685bcabb84c24c8984729163b05e77258.pdf?_ga=2.160338687.373228457.1588174781-20035186.1586185393.

¹² Md. Code Ann., Education § 24-1205(e).

The Board is intended to serve as an objective third party agency to review community concerns and existing institutional policies that may threaten police-community relations. Staying neutral will be critical to maintaining privileged access to police leadership, relevant documents and resources, and serving as a respected forum to report alleged police misconduct. Ways to maintain neutrality, as outlined in the United Nations Office on Drugs and Crime's "Handbook on Police Accountability, Oversight and Integrity," may include:¹³

- granting police officers due process throughout the entirety of an investigation;
- copying all affected parties on ongoing correspondence about a particular complaint;
- trusting documented evidence over hearsay or testimonies; and/or
- providing equal and equitable access to the Board throughout the process.

The above are practices implicitly discussed in the Accountability Board Bylaws and are to be practiced in accordance with the Bylaws as written.

Notable Scholars

Olugbenga Ajilore, Senior Economist, Center for American Progress

Topics: CRB Models; Providing the CRB with sufficient resources and funding to be effective

Joseph De Angelis, Associate Professor, University of Idaho

Topics: Importance of Board neutrality; General Board functions and logistics

Reenah Kim, Attorney, Federal Trade Commission

Topic: Procedural models and designing the complaint review process. Wrote a paper as a student at Harvard Law (referenced above) that details paradigm procedural models for CRB complaint review procedures. Though the paper was published in 2001, its content is relevant and worth consideration.

Jessie Lee, Senior Consultant, IACP

Topics: Team building; Establishing/maintaining trust in the public, JHPD, and Board; Negotiations

Christina Lopez, Distinguished Visitor from Practice, Georgetown Law

Topics: Consent Decrees: How a responsible police department should act; Police accountability mechanisms; Police misconduct prevention models

John MacDonald, Professor, University of Pennsylvania

Topic: Best practices for building trust with police departments

Tracey Meares, Professor, Yale Law School

Topics: Building trust within a community; General police accountability mechanisms; Consent Decrees: How a responsible police department should act

¹³ United Nations Office on Drugs and Crime, "Handbook on Police Accountability, Oversight and Integrity," UN Publications (2011), https://www.unodc.org/pdf/criminal_justice/Handbook_on_police_Accountability_Oversight_and_Integrity.pdf

Udi Ofer, Deputy National Political Director and Director of the Justice Division, ACLU
Topics: CRB Models; Board mission, functions, logistics; CRB best practices; Scope of authority

Tom R. Tyler, Professor, Yale Law School
Topics: Procedural models and designing a fair complaint review process; Public cooperation with the police: Why people may help the police fight crime in their communities

Samuel Walker, Professor Emeritus, University of Nebraska – Omaha*
Topics: Police accountability mechanisms; Board's role and authority (auditor/advisor vs. adjudicator); General Board mission, functions, and logistics; CRB best practices
*Most cited scholar on police accountability

Daniel Webster, Professor, Johns Hopkins Bloomberg School of Public Health
Topics: Turning data into policy; Public attitudes and interactions with University Police

Ronald Weitzer, Professor, George Washington University
Topic: Police–Community Relations with a specific focus on majority-Black cities

Scott Wolfe, Associate Professor, Michigan State University
Topic: Organizational justice and police misconduct

Appendices

Appendix A - JHPD Legislation and Related Documents

- [Appendix A.1](#) - Community Safety and Strengthening Act
- [Appendix A.2](#) - Bill Summary
- [Appendix A.3](#) - Reporting Requirements Chart
- [Appendix A.4](#) - Infographic - Oversight and Discipline
- [Appendix A.5](#) - Issue Paper - Complaint and Disciplinary Proceedings
- [Appendix A.6](#) - JHPD Geographic Boundaries

Appendix B - Procedural Elements

- [Appendix B.1](#) – Session I Agendas

Appendix C - Peer Accountability Board Information

- [Appendix C.1](#) - Select Peer University Oversight Structures
- [Appendix C.2](#) - Examples of Accountability Board Bylaws
- [Appendix C.3](#) - NACOLE Code of Ethics
- [Appendix C.4](#) - Safety and Security Models at Ivy Plus Peers and Other Private Urban University Peers Outside of Maryland/DC
- [Appendix C.5](#) - Baltimore City Civilian Review Board Maryland Code of Public Local Laws - Public Local Laws of Baltimore City Article 4 § 16-41

Appendix D - Literature Consulted on Accountability Boards

Appendix A.1 - Community Safety and Strengthening Act

LAWRENCE J. HOGAN, JR., Governor

Ch. 25

Chapter 25

(Senate Bill 793)

AN ACT concerning

Community Safety and Strengthening Act

FOR the purpose of altering certain appropriations required to be made to a certain fund; requiring certain appropriations to be made to certain funds; providing that certain appropriations are in addition to certain other funding; establishing the Law Enforcement Apprenticeship Cadet Program in the Department of Labor, Licensing, and Regulation; specifying the purposes of the Cadet Program; requiring the Department of Labor, Licensing, and Regulation to administer the Cadet Program and award grants under the Cadet Program on a certain basis to certain law enforcement agencies; establishing the eligibility under the Cadet Program; requiring that the amount of a certain grant be based on the number of certain apprentices that are employed by the law enforcement agency; prohibiting the amount of a certain grant from exceeding a certain amount; requiring the Governor to include certain appropriations in the annual State budget for the Cadet Program; requiring the Department of Labor, Licensing, and Regulation to adopt certain regulations; authorizing the Johns Hopkins University to establish a police department based on a certain memorandum of understanding under certain circumstances; requiring the memorandum of understanding to require that the Baltimore Police Department have certain responsibilities and take certain actions; providing that a certain University police officer has certain powers granted to a peace and police officer under certain circumstances; requiring the University to adopt certain standards, qualifications, and prerequisites under certain circumstances; requiring the University to ensure constitutional and community-oriented policing through the adoption of certain policies, practices, and training under certain circumstances; requiring the University to establish a certain process for the filing and investigation of certain complaints under certain circumstances; requiring the University to maintain a police department in which a certain percentage of the workforce are residents of Baltimore City under certain circumstances; requiring the University to employ not more than a certain number of employees within the police department under certain circumstances; requiring the University to host a certain number of job events, at certain sites in Baltimore City, at which individuals are interviewed for the police department workforce; prohibiting the police department from acquiring certain aircraft, drones, vehicles, or weapons, except under certain circumstances; prohibiting the police department from receiving certain equipment from a federal military surplus program; requiring the University police department to acknowledge and respond to certain recommendations of the University Police Accountability Board within a certain period of time under certain circumstances; requiring the University to seek certain accreditation under certain circumstances; requiring the University to require University police officers to wear and use body-worn cameras in a certain manner under certain circumstances; requiring the University to continue to make use of

certain security personnel or building guards under certain circumstances; requiring the University to establish a University Police Accountability Board under certain circumstances; specifying the purpose, composition, and authority of the Accountability Board; requiring the Accountability Board to hold certain meetings and post certain meeting minutes on a certain website; providing that the police department of the University is subject to the jurisdiction of the Civilian Review Board of Baltimore City under certain circumstances; requiring the police department of the University to establish a certain league under certain circumstances; requiring the University to report certain information in a certain manner under certain circumstances; providing that this Act may not be construed to affect certain rights of a certain employee to engage in certain collective bargaining; requiring the University to allow a person or a governmental unit to access certain information in a certain manner under certain circumstances; providing that the University, the police department, and the officers, employees, and agents of the University or police department are not entitled to certain immunities and may not raise a certain defense under certain circumstances; providing that no action may be maintained against the State under certain circumstances; requiring the Department of Legislative Services to conduct a certain evaluation on or before a certain date in a certain manner, under certain circumstances; requiring the Department of Legislative Services to prepare certain legislation under certain circumstances; requiring the Department of Legislative Services to issue a certain report relating to the modification or termination of certain provisions of this Act under certain circumstances; requiring the University to be solely responsible for certain benefits afforded to the employees of the police department; providing that the employees of the police department are not entitled to certain benefits afforded to State personnel arising out of their employment with the police department; requiring a certain hearing board to include certain members under certain circumstances; providing that the terms ~~“criminal justice unit”~~, “law enforcement officer”, “police officer”, and “law enforcement unit” include a member of the police department of the University for certain purposes; declaring the intent of the General Assembly regarding the police department of the University for certain purposes; requiring the University to take certain actions before entering into a certain memorandum of understanding; requiring the University to provide certain notice in a certain manner; requiring the University to post a certain copy of an executed memorandum of understanding on a certain website under certain circumstances; declaring the intent of the General Assembly regarding funding of the East Baltimore Historical Library; requiring certain funds to be used in a certain manner; altering certain definitions; defining certain terms; providing for the construction of certain provisions of this Act; providing for the termination of certain provisions of this Act, under certain circumstances; and generally relating to community safety and enhancement.

BY repealing and reenacting, without amendments,
Article – Housing and Community Development
Section 4–509(a), (b), and (c)
Annotated Code of Maryland

(2006 Volume and 2018 Supplement)

BY repealing and reenacting, with amendments,
Article – Housing and Community Development
Section 4–509(j)
Annotated Code of Maryland
(2006 Volume and 2018 Supplement)

BY adding to
Article – Human Services
Section 8–1201 to be under the new subtitle “Subtitle 12. Baltimore City Programs”
Annotated Code of Maryland
(2007 Volume and 2018 Supplement)

BY adding to
Article – Labor and Employment
Section 11–603
Annotated Code of Maryland
(2016 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,
Article – Criminal Procedure
Section 2–101(a) ~~and 10–201(a)~~
Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,
Article – Criminal Procedure
Section 2–101(c)(25) and (26) ~~and 10–201(f)~~
Annotated Code of Maryland
(2018 Replacement Volume)

BY adding to
Article – Criminal Procedure
Section 2–101(c)(27) ~~and 10–205~~
Annotated Code of Maryland
(2018 Replacement Volume)

BY adding to
Article – Education
Section 24–1201 through ~~24–1200~~ ~~24–1212~~ 24–1213 to be under the new subtitle
“Subtitle 12. Police Department of the Johns Hopkins University”
Annotated Code of Maryland
(2018 Replacement Volume and 2018 Supplement)

BY repealing and reenacting, without amendments,

Article – Public Safety

Section 3–101(a) and (e)(1)(i), 3–107(a) and (c)(1) and (2), 3–201(a) and (f)(1)(i), and 3–212(a)

Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, with amendments,

Article – Public Safety

Section 3–101(e)(1)(ii)25. and 26. and (2)(ix) and (x), 3–107(c)(3), and 3–201(f)(1)(ii)21. and 22.

Annotated Code of Maryland
(2018 Replacement Volume)

BY adding to

Article – Public Safety

Section 3–101(e)(1)(ii)27. and (2)(xi) and 3–201(f)(1)(ii)23.

Annotated Code of Maryland
(2018 Replacement Volume)

BY repealing and reenacting, without amendments,

The Public Local Laws of Baltimore City

Section 16–41(a)

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement and 2000 Supplement, as amended)

(As enacted by Chapter 499 of the Acts of the General Assembly of 2006, as amended by Chapter 130 of the Acts of the General Assembly of 2015)

BY repealing and reenacting, with amendments,

The Public Local Laws of Baltimore City

Section 16–41(g)

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement and 2000 Supplement, as amended)

(As enacted by Chapter 499 of the Acts of the General Assembly of 2006, as amended by Chapter 130 of the Acts of the General Assembly of 2015)

BY repealing and reenacting, without amendments,

The Public Local Laws of Baltimore City

Section 16–42

Article 4 – Public Local Laws of Maryland

(1979 Edition and 1997 Supplement and 2000 Supplement, as amended)

(As enacted by Chapter 499 of the Acts of the General Assembly of 2006)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Housing and Community Development

4–509.

(a) (1) In this section the following words have the meanings indicated.

(2) “Anchor institution” means:

(i) an institution of higher education in the State; or

(ii) a hospital institution in the State that:

1. has a group of at least five physicians who are organized as a medical staff for the institution;

2. maintains facilities to provide, under the supervision of the medical staff, diagnostic and treatment services for two or more unrelated individuals; and

3. admits or retains the individuals for overnight care.

(3) “Blighted area” means an area in which a majority of buildings have declined in productivity by reason of obsolescence, depreciation, or other causes to an extent that they no longer justify fundamental repairs and adequate maintenance.

(4) “Fund” means the Seed Community Development Anchor Institution Fund.

(b) There is a Seed Community Development Anchor Institution Fund.

(c) The purpose of the Fund is to provide grants and loans to anchor institutions for community development projects in blighted areas of the State.

(j) (1) For fiscal year 2019, the Governor shall include in the annual budget bill or the capital budget bill an appropriation of \$4,000,000 to the Fund.

(2) For fiscal [years] YEAR 2020 [through 2022], the Governor shall include in the annual budget bill or the capital budget bill an appropriation of \$5,000,000 for the Fund.

(3) FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL OR THE CAPITAL BUDGET BILL AN APPROPRIATION OF \$10,000,000 FOR THE FUND.

Article – Human Services

SUBTITLE 12. BALTIMORE CITY PROGRAMS.

8-1201.

(A) FOR FISCAL YEARS 2021, 2022, 2023, AND 2024, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION OF NOT LESS THAN:

(1) \$3,500,000 TO THE LOCAL MANAGEMENT BOARD FOR BALTIMORE CITY FOR THE BALTIMORE CHILDREN AND YOUTH FUND; AND

(2) \$1,000,000 FOR THE BALTIMORE CITY YOUTHWORKS SUMMER JOBS PROGRAM.

(B) (1) THE FUNDING REQUIRED UNDER THIS SECTION SHALL BE IN ADDITION TO ANY STATE FUNDING OTHERWISE AVAILABLE TO THE ENTITIES SPECIFIED IN SUBSECTION (A) OF THIS SECTION.

(2) FOR FISCAL YEARS 2021, 2022, 2023, AND 2024, THE GOVERNOR SHALL IDENTIFY IN THE ANNUAL BUDGET AS INTRODUCED HOW THE FUNDING REQUIRED UNDER THIS SECTION IS BEING USED TO SUPPLEMENT AND NOT SUPPLANT THE FUNDING FOR EACH ENTITY LISTED IN SUBSECTION (A) OF THIS SECTION.

Article – Labor and Employment

11-603.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “CADET PROGRAM” MEANS THE LAW ENFORCEMENT CADET APPRENTICESHIP PROGRAM.

(3) “LAW ENFORCEMENT AGENCY” MEANS THE POLICE DEPARTMENT OF A COUNTY, MUNICIPAL CORPORATION, OR UNIVERSITY IN THE STATE.

(B) THERE IS A LAW ENFORCEMENT CADET APPRENTICESHIP PROGRAM IN THE DEPARTMENT.

(C) THE PURPOSES OF THE CADET PROGRAM ARE TO:

(1) PROVIDE YOUNG INDIVIDUALS OPPORTUNITIES TO BEGIN A CAREER IN LAW ENFORCEMENT;

(2) FOSTER POSITIVE RELATIONSHIPS BETWEEN THE PUBLIC, PARTICULARLY YOUNG INDIVIDUALS, AND LAW ENFORCEMENT AGENCIES;

(3) DEVELOP A COHORT OF INDIVIDUALS QUALIFIED TO JOIN A LAW ENFORCEMENT AGENCY;

(4) ENCOURAGE LAW ENFORCEMENT AGENCIES TO HIRE APPRENTICES; AND

(5) HELP LAW ENFORCEMENT AGENCIES OFFSET ADDITIONAL COSTS, IF ANY, ASSOCIATED WITH HIRING APPRENTICES.

(D) (1) THE DEPARTMENT SHALL:

(I) ADMINISTER THE CADET PROGRAM; AND

(II) AWARD GRANTS UNDER THE CADET PROGRAM ON A COMPETITIVE BASIS TO LAW ENFORCEMENT AGENCIES THAT MEET THE REQUIREMENTS UNDER PARAGRAPH (2) OF THIS SUBSECTION.

(2) A LAW ENFORCEMENT AGENCY IS ELIGIBLE TO RECEIVE A GRANT IF THE LAW ENFORCEMENT AGENCY EMPLOYS AT LEAST ONE APPRENTICE WHO:

(I) HAS BEEN EMPLOYED BY THE AGENCY FOR AT LEAST 7 MONTHS;

(II) IS ENROLLED IN THE FIRST YEAR OF AN APPRENTICESHIP PROGRAM REGISTERED WITH THE MARYLAND APPRENTICESHIP AND TRAINING COUNCIL UNDER § 11-405(B) OF THIS TITLE; AND

(III) LIVES IN A ZIP CODE IN WHICH AT LEAST 10% OF THE POPULATION IS BELOW THE POVERTY LEVEL AS ESTABLISHED BY THE U.S. DEPARTMENT OF COMMERCE, BUREAU OF THE CENSUS, IN THE MOST RECENTLY RELEASED DATA.

(E) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, THE AMOUNT OF A GRANT AWARDED UNDER THE CADET PROGRAM:

(I) SHALL BE BASED ON THE NUMBER OF APPRENTICES WHO MEET THE DESCRIPTION IN SUBSECTION (D)(2)(I) THROUGH (III) OF THIS SECTION WHO ARE EMPLOYED BY THE ELIGIBLE LAW ENFORCEMENT AGENCY; AND

(II) MAY NOT EXCEED \$2,000 FOR EACH APPRENTICE WHO MEETS THE DESCRIPTION IN SUBSECTION (D)(2)(I) THROUGH (III) OF THIS SECTION WHO IS EMPLOYED BY THE ELIGIBLE LAW ENFORCEMENT AGENCY.

(2) THE AMOUNT OF A GRANT AWARDED TO AN ELIGIBLE UNIVERSITY LAW ENFORCEMENT AGENCY MAY NOT EXCEED \$1,000 FOR EACH APPRENTICE WHO MEETS THE DESCRIPTION IN SUBSECTION (D)(2)(I) THROUGH (III) OF THIS SECTION WHO IS EMPLOYED BY THE ELIGIBLE UNIVERSITY LAW ENFORCEMENT AGENCY.

(F) FOR FISCAL YEAR 2021 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE STATE BUDGET AN APPROPRIATION OF AT LEAST \$750,000 FOR THE CADET PROGRAM TO:

(1) PROVIDE GRANTS TO ELIGIBLE LAW ENFORCEMENT AGENCIES; AND

(2) COVER THE ADMINISTRATIVE COSTS OF OPERATING THE CADET PROGRAM.

(G) THE DEPARTMENT SHALL ADOPT REGULATIONS NECESSARY TO CARRY OUT THIS SECTION, INCLUDING REGULATIONS TO:

(1) DEVELOP REQUIREMENTS FOR GRANT APPLICATIONS;

(2) DEVELOP A PROCESS FOR REVIEWING GRANT APPLICATIONS AND AWARDING GRANTS TO ELIGIBLE LAW ENFORCEMENT AGENCIES; AND

(3) DETERMINE THE MAXIMUM AMOUNT THAT AN ELIGIBLE LAW ENFORCEMENT AGENCY MAY BE AWARDED UNDER THE CADET PROGRAM EACH FISCAL YEAR.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article – Criminal Procedure

2–101.

(a) In this title the following words have the meanings indicated.

(c) “Police officer” means a person who in an official capacity is authorized by law to make arrests and is:

(25) an employee of the Warrant Apprehension Unit of the Division of Parole and Probation in the Department; [or]

(26) a member of the police force of the Anne Arundel Community College;
OR

(27) A MEMBER OF THE POLICE DEPARTMENT OF THE JOHNS HOPKINS UNIVERSITY ESTABLISHED IN ACCORDANCE WITH TITLE 24, SUBTITLE 12 OF THE EDUCATION ARTICLE.

10-205.

IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE POLICE DEPARTMENT OF THE JOHNS HOPKINS UNIVERSITY, ESTABLISHED IN ACCORDANCE WITH TITLE 24, SUBTITLE 12 OF THE EDUCATION ARTICLE, SHALL FUNCTION AS A CRIMINAL JUSTICE UNIT FOR THE PURPOSES OF THIS SUBTITLE.

Article – Education

SUBTITLE 12. POLICE DEPARTMENT OF THE JOHNS HOPKINS UNIVERSITY.

24-1201.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “ACCOUNTABILITY BOARD” MEANS THE UNIVERSITY POLICE ACCOUNTABILITY BOARD.

(C) (1) “CAMPUS AREA” MEANS ANY PROPERTY THAT IS:

(I) OWNED, LEASED, OPERATED BY, OR UNDER THE CONTROL OF THE UNIVERSITY ~~IN THE HOMEWOOD, EAST BALTIMORE, AND PEABODY CAMPUSES OF THE UNIVERSITY; AND~~

(II) LOCATED ON:

1. THE HOMEWOOD CAMPUS, MEANING THE AREA BOUNDED BY WEST UNIVERSITY PARKWAY AND EAST UNIVERSITY PARKWAY ON THE NORTH, EAST 28TH STREET AND WEST 28TH STREET ON THE SOUTH, REMINGTON AVENUE AND STONY RUN STREAM ON THE WEST, AND NORTH CALVERT STREET ON THE EAST;

2. THE EAST BALTIMORE CAMPUS, MEANING THE AREA BOUNDED BY EAST EAGER STREET ON THE NORTH, EAST BALTIMORE STREET ON THE SOUTH, NORTH CAROLINE STREET ON THE WEST, AND NORTH CASTLE STREET ON THE EAST; OR

3. THE PEABODY CAMPUS, MEANING THE AREA BOUNDED BY WEST MADISON STREET AND EAST MADISON STREET ON THE NORTH, EAST HAMILTON STREET AND WEST HAMILTON STREET ON THE SOUTH, CATHEDRAL STREET ON THE WEST, AND SAINT PAUL STREET ON THE EAST; AND

~~(H)~~ (III) USED FOR EDUCATIONAL OR INSTITUTIONAL PURPOSES.

(2) “CAMPUS AREA” INCLUDES THE PUBLIC PROPERTY THAT IS IMMEDIATELY ADJACENT TO THE CAMPUS, INCLUDING:

**(I) A SIDEWALK, A STREET, OR ANY OTHER THOROUGHFARE;
AND**

(II) A PARKING FACILITY.

(D) “MEMORANDUM OF UNDERSTANDING” MEANS AN AGREEMENT BETWEEN THE JOHNS HOPKINS UNIVERSITY AND THE BALTIMORE POLICE DEPARTMENT REGARDING MATTERS RELATED TO POLICE JURISDICTION AND OPERATIONS.

(E) “POLICE DEPARTMENT” MEANS A UNIVERSITY POLICE DEPARTMENT ESTABLISHED UNDER THIS ~~SECTION~~ SUBTITLE.

(F) “UNIVERSITY” MEANS THE JOHNS HOPKINS UNIVERSITY.

(G) “UNIVERSITY POLICE OFFICER” MEANS A POLICE OFFICER OF A POLICE DEPARTMENT ESTABLISHED UNDER THIS ~~SECTION~~ SUBTITLE.

24-1202.

(A) SUBJECT TO THE REQUIREMENTS OF THIS SUBTITLE, THE JOHNS HOPKINS UNIVERSITY MAY ESTABLISH A POLICE DEPARTMENT BASED ON A MEMORANDUM OF UNDERSTANDING.

(B) THE MEMORANDUM OF UNDERSTANDING SHALL REQUIRE THAT THE BALTIMORE POLICE DEPARTMENT:

(1) HAVE PRIMARY RESPONSIBILITY FOR ALL INVESTIGATIONS AND ARRESTS RELATED TO PART I OFFENSES SPECIFIED UNDER THE UNIFORM CRIME REPORTING PROGRAM, EXCEPT:

- (I) THEFT;
- (II) BURGLARY; AND
- (III) MOTOR VEHICLE TAKING;

(2) MAINTAIN ANY EVIDENCE COLLECTED FROM CRIME SCENES AT THE EVIDENCE CONTROL UNIT OF THE BALTIMORE POLICE DEPARTMENT, IN ACCORDANCE WITH BALTIMORE POLICE DEPARTMENT GOVERNING PROCEDURES AND REGULATIONS; AND

(3) IMPOUND ANY STOLEN VEHICLES IN ACCORDANCE WITH BALTIMORE POLICE DEPARTMENT GOVERNING PROCEDURES AND REGULATIONS.

(C) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, A UNIVERSITY POLICE OFFICER HAS THE POWERS GRANTED TO A PEACE AND POLICE OFFICER.

(2) (I) A UNIVERSITY POLICE OFFICER MAY EXERCISE THESE POWERS ONLY:

1. ON THE UNIVERSITY'S CAMPUS AREA; AND

2. ~~CONCURRENTLY WITH THE BALTIMORE POLICE DEPARTMENT, WITHIN~~ SUBJECT TO SUBPARAGRAPH (II) OF THIS PARAGRAPH, WITHIN AREAS IMMEDIATELY ADJACENT TO THE CAMPUS AREA, AS SPECIFIED IN AN THE EXECUTED MEMORANDUM OF UNDERSTANDING DEVELOPED WITH INPUT FROM THE RELEVANT COMMUNITY.

(II) A UNIVERSITY POLICE OFFICER MAY EXERCISE THESE POWERS WITHIN AREAS ADJACENT TO THE CAMPUS AREA ONLY IF:

1. THE UNIVERSITY RECEIVES A MAJORITY OF SUPPORT FROM THE MEMBERS OF THE RELEVANT CAMPUS-ADJACENT COMMUNITIES FOR THE POLICE DEPARTMENT TO OPERATE IN THEIR COMMUNITIES; AND

2. THE BALTIMORE CITY COUNCIL APPROVES A RESOLUTION AFFIRMING THAT THE UNIVERSITY HAS RECEIVED THE SUPPORT REQUIRED UNDER ITEM 1 OF THIS SUBPARAGRAPH AND SPECIFYING OF THE CAMPUS-ADJACENT COMMUNITY AREAS IN WHICH THE POLICE DEPARTMENT IS AUTHORIZED TO OPERATE.

(iii) A UNIVERSITY POLICE OFFICER MAY NOT EXERCISE THESE POWERS ON ANY OTHER PROPERTY UNLESS:

1. ENGAGED IN FRESH PURSUIT OF A SUSPECTED OFFENDER;

2. NECESSARY TO FACILITATE THE ORDERLY FLOW OF TRAFFIC TO AND FROM ~~PROPERTY OWNED, LEASED, OPERATED BY, OR UNDER THE CONTROL OF THE UNIVERSITY~~ A CAMPUS AREA;

3. SPECIALLY REQUESTED OR AUTHORIZED TO EXERCISE THE POWERS IN BALTIMORE CITY BY THE MAYOR OF BALTIMORE CITY IF:

A. THERE IS A SUDDEN AND UNFORESEEN EMERGENCY OF SUCH PUBLIC GRAVITY AND URGENCY THAT IT REQUIRES AN IMMEDIATE RESPONSE TO PROTECT THE PUBLIC WELFARE; AND

B. THE MAYOR ISSUES AN ORDER DECLARING AN EMERGENCY THAT SPECIFIES THE MANNER IN WHICH THE POLICE OFFICER'S POWERS WILL BE EXERCISED; OR

4. ORDERED TO EXERCISE THE POWERS BY THE GOVERNOR UNDER A DECLARED STATE OF EMERGENCY.

24-1203.

(A) IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE UNIVERSITY SHALL:

(1) ADOPT STANDARDS, QUALIFICATIONS, AND PREREQUISITES FOR HIRING AND TRAINING UNIVERSITY POLICE OFFICERS THAT COMPLY WITH THE REGULATIONS OF THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION;

(2) ADOPT STANDARDS FOR CHARACTER, EDUCATION, HUMAN RELATIONS, PUBLIC RELATIONS, AND EXPERIENCE FOR UNIVERSITY POLICE OFFICERS;

(3) ENSURE CONSTITUTIONAL AND COMMUNITY-ORIENTED POLICING THROUGH THE ADOPTION OF POLICIES, PRACTICES, AND TRAINING THAT:

(I) PROMOTE RECRUITING AND HIRING DIVERSE CANDIDATES, USING LOCAL HIRING AND RESIDENCY INITIATIVES;

(II) ADVANCE IMPARTIAL AND NONDISCRIMINATORY POLICING TO PROMOTE DISABILITY AND DIVERSITY AWARENESS AND PREVENT PROFILING AND IMPLICIT BIAS AGAINST RACIAL, ETHNIC, SEXUAL, RELIGIOUS, AND OTHER MINORITIES;

(III) PROMOTE APPROPRIATE INTERACTIONS WITH INDIVIDUALS WHO:

1. ARE UNDER THE AGE OF 18;

2. HAVE BEHAVIORAL HEALTH OR OTHER DISABILITIES;

OR

3. ARE IN CRISIS;

(IV) ENSURE APPROPRIATE USE OF FORCE, INCLUDING:

1. THE USE OF ALTERNATIVES TO FORCE;

2. THE USE OF DE-ESCALATION TECHNIQUES; AND

3. FOR ANY OFFICER WHO CARRIES A FIREARM, THE USE OF NONLETHAL OR LESS-LETHAL WEAPONS;

(V) GUARANTEE THE ADOPTION AND USE OF APPROPRIATE AND EFFECTIVE TECHNOLOGY, ~~INCLUDING BODY WORN CAMERAS AND OTHER RECORDING DEVICES;~~

(VI) ENSURE SAFE AND HUMANE TREATMENT OF INDIVIDUALS IN CUSTODY;

(VII) SUPPORT THE LAWFUL EXERCISE OF RIGHTS OF FREE EXPRESSION, PARTICULARLY IN THE CONTEXT OF A UNIVERSITY COMMUNITY;

(VIII) BUILD TRUST BETWEEN VICTIMS OF SEXUAL ASSAULT AND THE POLICE DEPARTMENT AND OTHER UNIVERSITY OFFICIALS, CONSISTENT WITH UNIVERSITY POLICY AND FEDERAL AND STATE LAW;

(IX) PROMOTE COMMUNITY ENGAGEMENT, INCLUDING:

1. REPORTING COMMUNITY ENGAGEMENT PLANS EACH YEAR TO THE ACCOUNTABILITY BOARD ESTABLISHED UNDER § 24-1205 OF THIS SUBTITLE; AND

2. ESTABLISHING A PROCESS TO CONSIDER COMMUNITY OR UNIVERSITY REQUESTS FOR ADDITIONAL JURISDICTION FOR THE POLICE DEPARTMENT; ~~AND~~

(x) ESTABLISH A PROCESS TO:

1. ALLOW ANY PERSON, INCLUDING MEMBERS OF THE POLICE DEPARTMENT, TO FILE COMPLAINTS AGAINST UNIVERSITY POLICE OFFICERS; AND

2. ENSURE TIMELY INVESTIGATION OF ALL COMPLAINTS REGARDING THE POLICE DEPARTMENT AND ITS EMPLOYEES; ~~AND~~

(xi) REQUIRE TRAINING FOR UNIVERSITY POLICE OFFICERS REGARDING SEARCHES, INCLUDING CONSENSUAL SEARCHES; AND

(xii) REQUIRE THAT A UNIVERSITY POLICE OFFICER BE CERTIFIED BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION;

(4) SUBJECT TO SUBSECTION (B) OF THIS SECTION, WITHIN 5 YEARS AFTER THE EXECUTION OF A MEMORANDUM OF UNDERSTANDING UNDER § 24-1202 OF THIS SUBTITLE, MAINTAIN A POLICE DEPARTMENT IN WHICH AT LEAST 25% OF THE POLICE DEPARTMENT'S WORKFORCE ARE RESIDENTS OF BALTIMORE CITY;

(5) REQUIRE UNIVERSITY POLICE OFFICERS TO WEAR AND USE BODY-WORN CAMERAS IN ACCORDANCE WITH:

(i) PROCEDURES ADOPTED BY THE UNIVERSITY; AND

(ii) THE BODY-WORN CAMERA POLICY ESTABLISHED BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION UNDER § 3-511 OF THE PUBLIC SAFETY ARTICLE;

(6) EMPLOY NOT MORE THAN 100 EMPLOYEES WITHIN THE POLICE DEPARTMENT; AND

(7) SEEK ACCREDITATION BY THE COMMISSION ON ACCREDITATION FOR LAW ENFORCEMENT AGENCIES, THE INTERNATIONAL ASSOCIATION OF CAMPUS LAW ENFORCEMENT ADMINISTRATORS, OR A SIMILAR ORGANIZATION.

(B) SUBSECTION (A)(4) OF THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE UNIVERSITY TO HIRE AN OFFICER WHO:

(1) DOES NOT MEET THE POLICE OFFICER CERTIFICATION REQUIREMENTS OF THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION SPECIFIED UNDER § 3-209 OF THE PUBLIC SAFETY ARTICLE; OR

(2) FAILS AN ASSESSMENT THAT EVALUATES AN APPLICANT BASED ON THE STANDARDS ADOPTED UNDER SUBSECTION (A)(2) OF THIS SECTION.

(C) IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE UNIVERSITY SHALL HOST OR PARTICIPATE IN AT LEAST FOUR JOB EVENTS IN EACH CALENDAR YEAR, LOCATED IN DIFFERENT SITES IN BALTIMORE CITY, REPRESENTATIVE OF THE BALTIMORE CITY COMMUNITY, AT WHICH INDIVIDUALS ARE INTERVIEWED FOR POSITIONS IN THE POLICE DEPARTMENT WORKFORCE.

(D) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE POLICE DEPARTMENT MAY NOT ACQUIRE ANY MILITARY GRADE VEHICLE OR MILITARY GRADE HARDWARE, INCLUDING:

(I) AN ARMORED OR WEAPONIZED:

1. AIRCRAFT;

2. DRONE; OR

3. VEHICLE; OR

(II) A WEAPON DESIGNATED AS A TITLE II WEAPON UNDER THE NATIONAL FIREARMS ACT.

(2) IF ANY OF THE ITEMS SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION ARE AVAILABLE FOR COMMERCIAL SALE IN THE STATE, THE UNIVERSITY, AT ITS OWN EXPENSE, MAY PURCHASE THE ITEMS FOR THE POLICE DEPARTMENT.

(3) THE POLICE DEPARTMENT MAY NOT ACCEPT ANY OF THE ITEMS SPECIFIED UNDER PARAGRAPH (1) OF THIS SUBSECTION FROM A PROGRAM OPERATED BY THE FEDERAL GOVERNMENT FOR THE TRANSFER OF SURPLUS MILITARY EQUIPMENT TO A LAW ENFORCEMENT AGENCY.

(E) IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE POLICE DEPARTMENT SHALL ACKNOWLEDGE AND RESPOND TO ANY RECOMMENDATIONS OF THE UNIVERSITY POLICE ACCOUNTABILITY BOARD WITHIN 120 DAYS AFTER RECEIVING THE RECOMMENDATIONS.

24-1204.

IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE UNIVERSITY SHALL CONTINUE TO MAKE USE OF UNIVERSITY SECURITY PERSONNEL OR BUILDING GUARDS IN ADDITION TO THE POLICE DEPARTMENT.

24-1205.

(A) IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE UNIVERSITY SHALL ESTABLISH A UNIVERSITY POLICE ACCOUNTABILITY BOARD.

(B) THE PURPOSE OF THE ACCOUNTABILITY BOARD IS TO:

(1) ENABLE COMMUNITY MEMBERS TO SHARE COMMUNITY CONCERNS REGARDING THE POLICE DEPARTMENT DIRECTLY WITH POLICE DEPARTMENT LEADERSHIP;

(2) REVIEW POLICE DEPARTMENT METRICS;

(3) PROVIDE FEEDBACK ON EXISTING POLICE DEPARTMENT POLICIES AND PRACTICES, INCLUDING POLICE DEPARTMENT STANDARDS FOR HIRING AND RECRUITMENT; AND

(4) SUGGEST IDEAS FOR IMPROVING POLICE DEPARTMENT POLICIES, PROCEDURES, AND PERFORMANCE, INCLUDING IDEAS FOR COMMUNITY-BASED PUBLIC SAFETY INITIATIVES.

(C) (1) THE ACCOUNTABILITY BOARD SHALL BE COMPOSED OF 15 INDIVIDUALS, INCLUDING:

(I) STUDENTS, FACULTY, AND STAFF OF THE UNIVERSITY; ~~AND~~

(II) MEMBERS OF THE BALTIMORE CITY COMMUNITY FROM THE NEIGHBORHOODS ADJACENT TO THE CAMPUS AREA; AND

(III) A MEMBER OF THE JOHNS HOPKINS UNIVERSITY BLACK FACULTY AND STAFF ASSOCIATION.

(2) THE ACCOUNTABILITY BOARD SHALL INCLUDE AT LEAST ONE COMMUNITY REPRESENTATIVE WHO IS UNAFFILIATED WITH THE UNIVERSITY FROM EACH OF THE FOLLOWING NEIGHBORHOODS:

(I) THE NEIGHBORHOOD ADJACENT TO THE UNIVERSITY'S HOMEWOOD CAMPUS;

(II) THE NEIGHBORHOOD ADJACENT TO THE UNIVERSITY'S EAST BALTIMORE CAMPUS; AND

(III) THE NEIGHBORHOOD ADJACENT TO THE UNIVERSITY'S PEABODY CAMPUS.

(3) EXCEPT AS PROVIDED IN PARAGRAPH (4) OF THIS SUBSECTION, UNIVERSITY LEADERSHIP SHALL APPOINT THE INDIVIDUALS TO THE ACCOUNTABILITY BOARD WITH THE ADVICE AND CONSENT OF THE SENATE.

(4) (I) THE MAYOR OF BALTIMORE CITY AND THE BALTIMORE CITY COUNCIL PRESIDENT EACH SHALL APPOINT AN INDIVIDUAL TO THE ACCOUNTABILITY BOARD.

(II) UNIVERSITY LEADERSHIP, IN CONSULTATION WITH THE BALTIMORE CITY COUNCIL, SHALL APPOINT THE COMMUNITY REPRESENTATIVES SPECIFIED UNDER PARAGRAPH (2) OF THIS SUBSECTION WITH THE ADVICE AND CONSENT OF THE SENATE.

(D) THE ACCOUNTABILITY BOARD SHALL HAVE THE AUTHORITY TO:

(1) REVIEW POLICE DEPARTMENT METRICS INVOLVING CRIME;

(2) REVIEW CURRENT AND PROSPECTIVE POLICE DEPARTMENT POLICIES, PROCEDURES, AND TRAINING; AND

(3) PROVIDE RECOMMENDATIONS TO THE UNIVERSITY ON CURRENT AND PROSPECTIVE POLICE DEPARTMENT POLICIES, PROCEDURES, AND TRAINING.

(E) THE ACCOUNTABILITY BOARD SHALL:

(1) MEET AT LEAST QUARTERLY;

(2) HOLD AT LEAST ONE PUBLIC MEETING EACH YEAR TO SEEK INPUT ON POLICE DEPARTMENT POLICIES, PROCEDURES, AND TRAINING FROM COMMUNITY MEMBERS OF BALTIMORE CITY; AND

(3) POST THE MINUTES FROM EACH MEETING IN A PROMINENT MANNER ON A WEBSITE AVAILABLE TO THE PUBLIC.

24-1206.

IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE POLICE DEPARTMENT IS SUBJECT TO THE JURISDICTION OF THE CIVILIAN REVIEW BOARD OF BALTIMORE CITY ESTABLISHED UNDER § 16-42 OF THE PUBLIC LOCAL LAWS OF BALTIMORE CITY.

24-1207.

IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE POLICE DEPARTMENT SHALL ESTABLISH AT LEAST ONE POLICE ATHLETIC/ACTIVITY LEAGUE IN BALTIMORE CITY THROUGH THE NATIONAL ASSOCIATION OF POLICE ATHLETIC/ACTIVITIES LEAGUE, INC., AT ITS OWN EXPENSE.

24-1208.

(A) IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, ON OR BEFORE OCTOBER 1 EACH YEAR, THE UNIVERSITY SHALL REPORT FOR THE PREVIOUS FISCAL YEAR:

(1) THE TOTAL NUMBER OF UNIVERSITY POLICE OFFICERS EMPLOYED BY THE UNIVERSITY;

(2) THE FOLLOWING INFORMATION RELATING TO INDIVIDUALS WHO APPLIED TO JOIN THE UNIVERSITY POLICE DEPARTMENT WORKFORCE:

(i) THE TOTAL NUMBER OF INDIVIDUALS WHO APPLIED, REPORTED BY COUNTY, STATE, AND ZIP CODE OF RESIDENCE;

(ii) THE TOTAL NUMBER OF INDIVIDUALS WHO WERE HIRED AS MEMBERS OF THE WORKFORCE, REPORTED BY COUNTY, STATE, AND ZIP CODE OF RESIDENCE;

(iii) THE NUMBER OF APPLICANTS, REPORTED BY COUNTY, STATE, AND ZIP CODE OF RESIDENCE, WHO WERE DISQUALIFIED DURING THE

APPLICATION PROCESS FOR FAILING TO MEET THE CERTIFICATION REQUIREMENTS OF THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION;

(IV) THE NUMBER OF APPLICANTS, REPORTED BY COUNTY, STATE, AND ZIP CODE OF RESIDENCE, WHO WERE DISQUALIFIED BY FAILING AN ASSESSMENT THAT EVALUATES AN APPLICANT BASED ON THE STANDARDS ADOPTED UNDER § 24-1203(A)(2) OF THIS SUBTITLE; AND

(V) THE NUMBER OF BALTIMORE CITY RESIDENTS, REPORTED BY ZIP CODE OF RESIDENCE, WHO WERE HIRED AS MEMBERS OF THE WORKFORCE;

(3) THE FOLLOWING INFORMATION, REPORTED BY COUNTY, STATE, AND ZIP CODE OF RESIDENCE, FOR THE JOHNS HOPKINS UNIVERSITY CAMPUS SECURITY WORKFORCE:

(I) THE NUMBER OF APPLICANTS TO THE WORKFORCE; AND

(II) THE NUMBER OF INDIVIDUALS HIRED TO THE WORKFORCE;

~~(2)~~ **(4) THE AMOUNT OF FUNDS USED TO MAINTAIN THE POLICE DEPARTMENT;**

~~(3)~~ **(5) THE TOTAL NUMBER OF CRIMES THAT RESULTED IN A UNIVERSITY POLICE OFFICER ARRESTING AN INDIVIDUAL;**

~~(4)~~ **(6) THE TYPES OF CRIMES THAT RESULTED IN A UNIVERSITY POLICE OFFICER ARRESTING AN INDIVIDUAL;**

~~(5)~~ **(7) THE TOTAL NUMBER OF TRAFFIC STOPS;**

~~(6)~~ **(8) (I) THE NUMBER, TYPE, AND DISPOSITION OF COMPLAINTS FILED AGAINST UNIVERSITY POLICE OFFICERS; AND**

~~(2)~~ **(II) THE NUMBER AND TYPE OF INDIVIDUALS WHO FILED COMPLAINTS, INCLUDING WHETHER THE INDIVIDUAL WHO FILED THE COMPLAINT WAS A STUDENT, A FACULTY MEMBER, A STAFF MEMBER, OR AN INDIVIDUAL UNAFFILIATED WITH THE UNIVERSITY;**

~~(7)~~ **(9) A DESCRIPTION OF THE COMPLAINT REVIEW PROCESS THE UNIVERSITY USES TO REVIEW A COMPLAINT FILED AGAINST A UNIVERSITY POLICE OFFICER;**

~~(8)~~ **(10) THE NUMBER OF OFFICERS DISCIPLINED, INCLUDING THE TYPE OF DISCIPLINE ADMINISTERED;**

~~(9)~~ (11) THE NUMBER OF UNIVERSITY POLICE OFFICER-INVOLVED SHOOTINGS, LINE-OF-DUTY DEATHS, AND IN-CUSTODY DEATHS; ~~AND~~

~~(10)~~ (12) A DESCRIPTION OF THE NUMBER OF COMMUNITY OUTREACH EVENTS BY THE POLICE DEPARTMENT; AND

(13) A LIST OF ANY SURVEILLANCE TECHNOLOGIES USED BY THE POLICE DEPARTMENT.

(B) THE INFORMATION REQUIRED UNDER SUBSECTION (A) OF THIS SECTION SHALL BE:

(1) DISAGGREGATED BY RACE, ETHNICITY, GENDER, AGE, AND, WHEN APPLICABLE, OFFICER RANK; AND

(2) REPORTED IN A MANNER, CONSISTENT WITH FEDERAL LAW, THAT PROTECTS THE CONFIDENTIALITY OF THE INDIVIDUAL WHO FILED THE COMPLAINT TO THE EXTENT POSSIBLE.

(C) THE UNIVERSITY SHALL REPORT THE INFORMATION SPECIFIED IN SUBSECTION (A) OF THIS SECTION TO:

(1) THE MAYOR OF BALTIMORE CITY;

(2) THE BALTIMORE CITY COUNCIL;

(3) IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, THE GENERAL ASSEMBLY; AND

(4) THE ACCOUNTABILITY BOARD.

(D) THE UNIVERSITY SHALL SUBMIT ALL INCIDENT REPORTS TO THE BALTIMORE POLICE DEPARTMENT USING THE STANDARD REPORTING POLICIES AND SYSTEMS OF THE BALTIMORE POLICE DEPARTMENT.

24-1209.

NOTHING IN THIS SUBTITLE SHALL BE CONSTRUED TO AFFECT THE RIGHT OF EMPLOYEES OF THE POLICE DEPARTMENT TO FORM, JOIN, SUPPORT, OR PARTICIPATE IN A LABOR ORGANIZATION TO ENGAGE IN COLLECTIVE BARGAINING UNDER APPLICABLE FEDERAL LAW.

24-1210.

(A) IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE POLICE DEPARTMENT SHALL ALLOW A PERSON OR GOVERNMENTAL UNIT TO ACCESS INFORMATION IN THE SAME MANNER AS A PERSON OR GOVERNMENTAL UNIT WOULD BE ABLE TO ACCESS A PUBLIC RECORD OF A LAW ENFORCEMENT AGENCY UNDER THE PUBLIC INFORMATION ACT IF THE INFORMATION IS:

(1) INCLUDED IN RECORDS THAT ARE:

(i) CREATED SOLELY FOR LAW ENFORCEMENT PURPOSES; OR

(ii) RELATED TO AN ARREST FOR A CRIMINAL OFFENSE; AND

(2) WOULD BE SUBJECT TO DISCLOSURE UNDER THE PUBLIC INFORMATION ACT IF THE INFORMATION WERE IN A RECORD CREATED BY A LAW ENFORCEMENT AGENCY.

(B) THIS SECTION MAY NOT BE CONSTRUED TO MAKE AN INDEPENDENT INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN § 10-101 OF THIS ARTICLE, SUBJECT TO THE PUBLIC INFORMATION ACT.

24-1211.

(A) IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE UNIVERSITY, THE POLICE DEPARTMENT, AND THE OFFICERS, EMPLOYEES, AND AGENTS OF THE UNIVERSITY OR POLICE DEPARTMENT:

(1) ARE NOT ENTITLED TO IMMUNITY UNDER TITLE 5, SUBTITLE 3 OF THE COURTS ARTICLE (LOCAL GOVERNMENT TORT CLAIMS ACT), TITLE 12, SUBTITLE 1 OF THE STATE GOVERNMENT ARTICLE (MARYLAND TORT CLAIMS ACT), OR COMMON LAW PUBLIC OFFICIAL IMMUNITY; AND

(2) MAY NOT RAISE THE DEFENSE OF SOVEREIGN IMMUNITY.

(B) NO ACTION MAY BE MAINTAINED AGAINST THE STATE FOR THE CONDUCT OR OTHER ACTS OF THE UNIVERSITY, THE POLICE DEPARTMENT, OR THE OFFICERS, EMPLOYEES, OR AGENTS OF THE UNIVERSITY OR POLICE DEPARTMENT.

24-1212.

(A) (1) IF THE UNIVERSITY ESTABLISHES A POLICE DEPARTMENT UNDER THIS SUBTITLE, THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL CONDUCT A PRELIMINARY EVALUATION OF THE POLICE DEPARTMENT ON OR BEFORE

DECEMBER 15, 2027, IN THE SAME MANNER AS A PRELIMINARY EVALUATION IS CONDUCTED UNDER THE MARYLAND PROGRAM EVALUATION ACT.

(2) IF THE LEGISLATIVE POLICY COMMITTEE DOES NOT DETERMINE THAT A FULL EVALUATION IS NEEDED, THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL PREPARE LEGISLATION TO EXTEND THE TERMINATION DATE UNDER SUBSECTION (C) OF THIS SECTION AND THE EVALUATION DATE UNDER PARAGRAPH (1) OF THIS SUBSECTION.

(B) IF THE LEGISLATIVE POLICY COMMITTEE DETERMINES A FULL EVALUATION IS NECESSARY, THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL, IN THE SAME MANNER AS IS REQUIRED UNDER THE MARYLAND PROGRAM EVALUATION ACT:

(1) CONDUCT A FULL EVALUATION IN THE SAME MANNER AS A FULL EVALUATION; AND

(2) ISSUE A FULL REPORT TO THE GENERAL ASSEMBLY RECOMMENDING THAT THIS SUBTITLE SHOULD BE REESTABLISHED, WITH OR WITHOUT CHANGES, OR ALLOWED TO TERMINATE.

(C) SUBJECT TO THE EVALUATION AND REESTABLISHMENT PROVISIONS OF THIS SECTION, THIS SUBTITLE AND ALL POLICIES AND STANDARDS ADOPTED UNDER THIS SUBTITLE SHALL TERMINATE AND BE OF NO FURTHER EFFECT AFTER JULY 1, 2029.

24-1213.

(A) THE UNIVERSITY SHALL BE SOLELY RESPONSIBLE FOR THE PENSION, RETIREMENT, AND ANY OTHER BENEFITS AFFORDED TO THE EMPLOYEES OF THE POLICE DEPARTMENT.

(B) THE EMPLOYEES OF THE POLICE DEPARTMENT ARE NOT ENTITLED TO STATE PENSION, STATE RETIREMENT, OR ANY OTHER BENEFITS AFFORDED TO STATE PERSONNEL ARISING OUT OF THEIR EMPLOYMENT WITH THE POLICE DEPARTMENT.

Article – Public Safety

3-101.

- (a) In this subtitle the following words have the meanings indicated.
- (e) (1) “Law enforcement officer” means an individual who:

- (i) in an official capacity is authorized by law to make arrests; and
- (ii) is a member of one of the following law enforcement agencies:

25. the Warrant Apprehension Unit of the Division of Parole and Probation in the Department of Public Safety and Correctional Services; [or]

26. the police force of the Anne Arundel Community College;

OR

27. THE POLICE DEPARTMENT OF THE JOHNS HOPKINS UNIVERSITY ESTABLISHED IN ACCORDANCE WITH TITLE 24, SUBTITLE 12 OF THE EDUCATION ARTICLE.

(2) “Law enforcement officer” does not include:

(ix) a City of Hagerstown fire and explosive investigator as defined in § 2–208.5 of the Criminal Procedure Article; [or]

(x) a Howard County fire and explosive investigator as defined in § 2–208.6 of the Criminal Procedure Article; **OR**

(XI) THE CHIEF OF POLICE OF THE POLICE DEPARTMENT OF THE JOHNS HOPKINS UNIVERSITY ESTABLISHED IN ACCORDANCE WITH TITLE 24, SUBTITLE 12 OF THE EDUCATION ARTICLE.

3–107.

(a) (1) Except as provided in paragraph (2) of this subsection and § 3–111 of this subtitle, if the investigation or interrogation of a law enforcement officer results in a recommendation of demotion, dismissal, transfer, loss of pay, reassignment, or similar action that is considered punitive, the law enforcement officer is entitled to a hearing on the issues by a hearing board before the law enforcement agency takes that action.

(2) A law enforcement officer who has been convicted of a felony is not entitled to a hearing under this section.

(c) (1) Except as provided in paragraph (5) of this subsection and in § 3–111 of this subtitle, the hearing board authorized under this section shall consist of at least three voting members who:

(i) are appointed by the chief and chosen from law enforcement officers within that law enforcement agency, or from law enforcement officers of another law enforcement agency with the approval of the chief of the other agency; and

(ii) have had no part in the investigation or interrogation of the law enforcement officer.

(2) At least one member of the hearing board shall be of the same rank as the law enforcement officer against whom the complaint is filed.

(3) (i) Subject to [subparagraph] **SUBPARAGRAPHS (ii) AND (III)** of this paragraph, a chief may appoint, as a nonvoting member of the hearing board, one member of the public who has received training administered by the Maryland Police Training and Standards Commission on the Law Enforcement Officers' Bill of Rights and matters relating to police procedures.

(ii) If authorized by local law, a hearing board formed under paragraph (1) of this subsection may include up to two voting or nonvoting members of the public who have received training administered by the Maryland Police Training and Standards Commission on the Law Enforcement Officers' Bill of Rights and matters relating to police procedures.

(III) AT THE JOHNS HOPKINS UNIVERSITY, IF AUTHORIZED BY LOCAL LAW, A HEARING BOARD FORMED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE TWO VOTING MEMBERS OF THE PUBLIC WHO HAVE RECEIVED TRAINING ADMINISTERED BY THE MARYLAND POLICE TRAINING AND STANDARDS COMMISSION ON THE LAW ENFORCEMENT OFFICERS' BILL OF RIGHTS AND MATTERS RELATING TO POLICE PROCEDURES.

3-201.

(a) In this subtitle the following words have the meanings indicated.

(f) (1) "Police officer" means an individual who:

(i) is authorized to enforce the general criminal laws of the State;
and

(ii) is a member of one of the following law enforcement agencies:

21. the parole and probation employees of the Warrant Apprehension Unit of the Division of Parole and Probation in the Department who are authorized to make arrests; [or]

22. the police force of the Anne Arundel Community College;

OR

23. THE POLICE DEPARTMENT OF THE JOHNS HOPKINS UNIVERSITY ESTABLISHED IN ACCORDANCE WITH TITLE 24, SUBTITLE 12 OF THE EDUCATION ARTICLE.

3–212.

(a) Subject to the hearing provisions of subsection (b) of this section, the Commission may suspend or revoke the certification of a police officer if the police officer:

(1) violates or fails to meet the Commission’s standards; or

(2) knowingly fails to report suspected child abuse in violation of § 5–704 of the Family Law Article.

Article 4 – Baltimore City

16–41.

(a) In this subheading the following words have the meanings indicated.

(g) “Law enforcement unit” means:

(1) the Police Department of Baltimore City;

(2) the Baltimore City School Police;

(3) the Housing Authority of Baltimore City Police;

(4) the Baltimore City Sheriff’s Department;

(5) the Baltimore City Watershed Police Force;

(6) the police force of the Baltimore City Community College; [or]

(7) the police force of Morgan State University; **OR**

(8) THE POLICE DEPARTMENT OF THE JOHNS HOPKINS UNIVERSITY.

16–42.

(a) The Civilian Review Board of Baltimore City is established to provide a permanent, statutory agency in Baltimore City through which:

(1) complaints lodged by members of the public regarding abusive language, false arrest, false imprisonment, harassment, or excessive force by police officers

of a law enforcement unit shall be processed, investigated under § 16–46 of this subheading, and evaluated; and

(2) policies of a law enforcement unit may be reviewed.

(b) Jurisdiction of the Board shall extend only to complaints against police officers with respect to abusive language, false arrest, false imprisonment, harassment, and use of excessive force as defined in § 16–41 of this subheading and by the law enforcement unit’s rules and regulations.

(c) A law enforcement unit shall place posters in all law enforcement unit stations and elsewhere throughout the City to explain the procedure for filing a complaint.

(d) An explanation of the Board’s complaint procedures shall be made to all police officers in a general order to be included in the manual of rules and procedures of a law enforcement unit, and shall be included in the training program for new police officers.

(e) Each member of the Board shall receive training on the issues of abusive language, false arrest, false imprisonment, harassment, and excessive force.

SECTION 3. AND BE IT FURTHER ENACTED, That:

(a) Before executing a memorandum of understanding under Section 2 of this Act, the Johns Hopkins University shall:

(1) post publicly the proposed memorandum of understanding document for 30 days on a website available to the public;

(2) provide the Baltimore City Council 30 days *after the public posting period specified in item (1) of this subsection* to review and submit written comments to the University on the proposed memorandum of understanding;

(3) provide affected individuals, neighborhoods, community groups, and local officials with an opportunity to review and comment on the proposed memorandum of understanding; and

(4) host at least two public forums to present the proposed memorandum of understanding:

(i) one of which the University shall hold on or near the Homewood and Peabody campuses; and

(ii) one of which the University shall hold on or near the East Baltimore campus.

(b) The University shall provide notice of the public forums required under subsection (a)(4) of this section at least 10 days before the forum by:

(1) posting a notice on a website available to the public; and

(2) e-mailing *and mailing* a notice to University affiliates and community associations that are in proximity to the campuses.

(c) If a final memorandum of understanding is executed by all parties, the University shall post a copy of the executed memorandum of understanding on a website available to the public.

SECTION 4. AND BE IT FURTHER ENACTED, That:

(a) It is the intent of the General Assembly that the East Baltimore Historical Library in Baltimore City receive State funds in the amount of \$100,000 if the Johns Hopkins University provides matching funds.

(b) Any funds provided to the East Baltimore Historical Library under subsection (a) of this section shall be used for the acquisition, planning, design, construction, or capital equipping of the East Baltimore Historical Library.

SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019.

Approved by the Governor, April 18, 2019.

Summary of the Community Safety and Strengthening Act

Passed by the MD General Assembly on April 1, 2019

The Community Safety and Strengthening Act ([SB 793](#)) makes investments in programs to help address the root causes of crime both in Baltimore and across Maryland and authorizes Johns Hopkins University (JHU) to establish a university police department, the Johns Hopkins Police Department (JHPD). The summary below provides information about the Act as amended and approved by the Maryland General Assembly.

OVERVIEW OF COMMUNITY INVESTMENTS

The Community Safety and Strengthening Act supports a series of initiatives, for the City of Baltimore and communities statewide, to help address the root causes of crime through investments in community development, youth engagement and economic opportunity. Those community investments include the following:

Seed Community Development Anchor Institution Fund (Seed Fund)

The Seed Fund is a statewide program that provides competitive matching grants to anchor institutions for community development projects in blighted areas. Across the state, more than 75 hospitals and colleges are eligible to apply for matching grants from this fund. The Community Safety and Strengthening Act increases available funds from \$5 million to \$10 million and makes the funding permanent.

Maryland Law Enforcement Cadet-Apprenticeship Program

The Community Safety and Strengthening Act builds upon the 2018 re-launch of the police cadet program in Baltimore to address police shortages statewide and build a pipeline of qualified local candidates. The Act establishes an apprenticeship grant program that provides a grant of up to \$2,000 per cadet-apprentice to law enforcement agencies across the state (\$1,000 per cadet-apprentice for a university police department) to support the hiring, training and mentorship of young adults for a career in law enforcement. To be eligible for an award, the law enforcement agency must employ at least one apprentice who (1) has been employed by the agency for at least seven months; (2) is enrolled in the first year of a specified apprenticeship program; and (3) lives in a zip code in which at least 10% of the population is below the federal poverty level. The Act requires at least \$750,000 of funding for the program each year.

Johns Hopkins Police Department Police Athletics / Activities League (PAL)

The Community Safety and Strengthening Act requires a JHPD to establish, operate and fully fund at least one Police Athletics / Activities League. PAL is a national program that works to promote the prevention of juvenile crime by building relationships among youth, police and community. There are currently only two PAL programs in the country offered by university police departments, including a PAL launched last year in West Baltimore by the University of Maryland Baltimore Police Force.

East Baltimore Historical Library

The Community Safety and Strengthening Act provides that it is the intent of the General Assembly that the East Baltimore Historical Library receives \$100,000 in State funds if JHU provides a matching grant of \$100,000.

Baltimore City YouthWorks Summer Program

The Community Safety and Strengthening Act provides state funding for the Baltimore City YouthWorks Summer Program to provide \$1 million per year for four years. Note that JHU currently collaborates with Baltimore City YouthWorks to fund and operate a complementary summer youth jobs program, investing over \$1 million per year and employing more than 450 young people each summer.

Baltimore City Children and Youth Fund

The Community Safety and Strengthening Act provides \$3.5 million per year for four years to the Baltimore City Children and Youth Fund, a grant program launched in 2015, with overwhelming support from the Baltimore City Council and Baltimore voters, for neighborhood-based groups that provide youth employment, mentorship and training opportunities. The state funding will be administered by the city's Local Management Board.

JOHNS HOPKINS UNIVERSITY POLICE DEPARTMENT (JHPD)

The Community Safety and Strengthening Act authorizes JHU to establish a university police department based on a memorandum of understanding (MOU) between JHU and the Baltimore Police Department with input from the community.

Memorandum of Understanding (MOU)

Consistent with police departments at public universities in Baltimore City and across Maryland, the JHPD is required to enter into a memorandum of understanding with the BPD regarding matters related to police jurisdiction and operation. Under this MOU, JHPD will be able to respond to calls for service within its jurisdiction, with BPD retaining primary responsibility for subsequent investigations and arrests related to more serious Part I offenses specified under the Uniform Crime Reporting Program, except theft, burglary and motor vehicle taking. The BPD will also maintain evidence collected from crime scenes at the Evidence Control Unit of BPD and will impound any stolen vehicles.

JHU is required to post the draft MOU online and present it to community members during at least two public forums – one near the Homewood and Peabody campuses and the other near the East Baltimore Campus. Notice of public forums must be provided by both email and mail to university affiliates and community associations at least 10 days in advance. The Baltimore City Council and the public each must have at least 30 days to review the proposed MOU and submit written comments. When a final MOU is agreed to, the University must publicly post a copy online.

Geography / Jurisdictional Boundaries

- **Primary Responsibility:** The JHPD has primary law enforcement responsibility for its campus area, defined as property that is:
 1. Owned, leased, operated by or under the control of the University;
 2. Located within specific boundaries (listed in the Act) on the Homewood, East Baltimore and Peabody campuses; and
 3. Used for educational or institutional purposes.

The Act prohibits JHU from expanding its area of primary responsibility beyond narrowly defined statutory boundaries.

- **Shared Responsibility:** The JHPD is authorized to share law enforcement responsibility with the BPD in areas adjacent to its campus areas, subject to community agreement and authority from BPD documented in the MOU. In order for the JHPD to operate in an adjacent area, the Baltimore City Council must pass a resolution confirming that Johns Hopkins sought community input and received agreement from a majority of community members.

Limitation of Police Powers

The JHPD is not permitted to exercise police powers on any property – other than its campus area and other areas where there is community support – unless:

1. Engaged in fresh pursuit of a suspected offender;
2. Necessary to facilitate the orderly flow of traffic to and from the university's campus area;
3. Specially requested or authorized by the Mayor of Baltimore City in specific emergencies; or
4. Ordered by the Governor under a declared state of emergency.

Transparency and Reporting

- **Maryland Public Information Act (MPIA):** The JHPD is required to comply with the MPIA and provide public access to JHPD law enforcement records.
- **State-Mandated Annual Reporting:** As a state-authorized police department, the JHPD is required to comply with all applicable state reporting requirements, including reporting on use of force incidents, officer-involved deaths and race-based traffic stops. The JHPD also is subject to reporting requirements – beyond those currently required of other state-authorized law enforcement agencies – regarding recruitment efforts, department size, department funding, arrests, complaints, use of surveillance technologies, officer-involved shootings, officer discipline and demographic data on the JHPD security workforce. This information must be reported annually to the Mayor of Baltimore City, the Baltimore City Council, the Maryland General Assembly, and the Johns Hopkins University Police Accountability Board and posted publicly.
- **Independent Evaluation and Review:** The Act requires an independent evaluation and review of the JHPD within ten years, after which the General Assembly must act

to extend or reauthorize the JHPD or it will terminate. The results of the evaluation and review will be publicly available.

Use of Technology

- **Body-Worn Cameras:** Officers are required to wear and use body-worn cameras. Also, JHPD policies must ensure the adoption and use of appropriate technologies.
- **Police Equipment:** The JHPD is prohibited from acquiring military grade vehicles or military grade hardware unless the items are available for commercial sale in Maryland.
- **Criminal Justice Information System:** Provides that it is the intent of the General Assembly that the JHPD functions as a criminal justice unit under the federal-state Criminal Justice Information System, adhering to the rules and regulations regarding criminal history record information and related data.

Public Accountability

The JHPD is subject to several layers of public accountability and oversight, including:

- **Johns Hopkins University Police Accountability Board:** JHU is required to establish a 15-member JHPD Police Accountability Board, which must meet regularly to review police department metrics around crime, assess current and prospective police department policies, procedures and training and provide recommendations to University leadership on current and prospective police department policies, procedures and training. The meeting minutes of the Board must be posted prominently on a public website and the University must acknowledge and respond to any recommendations from the Board within 120 days. Five seats on this Board are set aside for community members from the neighborhoods around Johns Hopkins' Homewood, East Baltimore and Peabody campuses, including one member appointed by the Mayor and another appointed by the City Council president. One Board member must be a member of Johns Hopkins' Black Faculty and Staff Association. With the exception of the two members appointed by the Mayor and City Council President, all JHPD Accountability Board members must be confirmed by the Senate of Maryland.
- **Civil Liability and Costs:** The JHPD does not have the state immunity protections that apply to state, municipal and public university police departments in Maryland. JHU is responsible for all costs associated with the JHPD, and JHPD employees are not entitled to state personnel benefits.
- **State-Mandated Complaint Process:** The JHPD must establish a process that allows any person, including members of the police department and the public, to file complaints against JHPD officers. That process must ensure timely investigation of all complaints regarding the JHPD and its employees. Annually, the JHPD must provide a description of the complaint process and a summary of complaint data – including

the number, type and disposition of all complaints – to the Mayor of Baltimore City, the Baltimore City Council, the Maryland General Assembly and the Johns Hopkins University Police Accountability Board. These reports must also be made publicly available and posted on the Department's website.

- **Baltimore City Civilian Review Board:** The JHPD is subject to the jurisdiction of the Civilian Review Board of Baltimore City (CRB). The Civilian Review Board has the authority to process, investigate and evaluate complaints lodged by members of the public regarding abusive language, false arrest, false imprisonment, harassment or excessive force by police officers. Two other university police departments in Baltimore City are under the jurisdiction of the CRB: Baltimore City Community College and Morgan State University.
- **Johns Hopkins Police Department Hearing Board:** The JHPD is required to establish an administrative hearing board if disciplinary steps are recommended against an officer of the JHPD and that officer requests an administrative hearing by a hearing board. The hearing board must include up to two voting members of the public, which is the maximum allowable under Maryland law.

Workforce Standards, Recruitment, Hiring and Training

- **Training, Policies and Accreditation:** The JHPD must meet extensive training, policy development and third-party accreditation requirements, including:
 - Maryland Police Training and Standards Commission training and certification;
 - Policies, practices and training that ensure constitutional and community-oriented policing that:
 - advances impartial and non-discriminatory policing, including training on appropriate searches, preventing profiling, and implicit bias against racial, religious, sexual and other minorities;
 - ensures appropriate use of force and safe treatment of individuals in custody;
 - supports the lawful exercise of rights of free expression, particularly in the context of a university community;
 - promotes appropriate interactions with youth and individuals who are in crisis or have behavioral health or other disabilities;
 - builds trust between victims of sexual assault and the JHPD; and
 - promote community engagement; and
 - Standards for character, education, human relations, public relations, and experience for university police officers.
- **Limited Size of JHPD:** The JHPD may not employ more than 100 employees, and the University must continue to rely on unarmed security personnel across its Baltimore campuses.

- **Local Hiring and Recruitment:** The JHPD is required to promote recruiting and hiring of diverse candidates using local hiring and residency initiatives and make specific local hiring commitments, including:
 - Maintaining a 25% local residency requirement for JHPD officers within five years;
 - Tracking and public reporting of recruitment and workforce data; and
 - Hosting or participating in at least four job fairs in across Baltimore City each year to recruit and interview applicants for positions in the JHPD.

Appendix A.3 - Reporting Requirements Chart

All State-Authorized Law Enforcement Agencies (including public university police departments)	BPD	JHPD
Use of force incident reports (MD Public Safety Code 3-514)	Use of force incident reports (MD Public Safety Code 3-514)	Use of force incident reports (MD Public Safety Code 3-514)
The number of serious officer-involved incidents to MPTC (MD Public Safety Code 3-518)	The number of serious officer-involved incidents to MPTC (MD Public Safety Code 3-518)	the number of serious officer-involved incidents to MPTC (MD Public Safety Code 3-518)
The number of officers disciplined to MPTC (MD Public Safety Code 3-518)	The number of officers disciplined to MPTC (MD Public Safety Code 3-518)	the number of officers disciplined to MPTC (MD Public Safety Code 3-518)
The type of discipline administered to each officer who was disciplined to MPTC (MD Public Safety Code 3-518)	The type of discipline administered to each officer who was disciplined to MPTC (MD Public Safety Code 3-518)	the type of discipline administered to each officer who was disciplined to MPTC (MD Public Safety Code 3-518)
Death involving a law enforcement officer to the Governor’s Office of Crime Control and Prevention, including: <ul style="list-style-type: none"> - Deaths in the line of duty (includes the race, gender, ethnicity, and age of the officer and the individual) - Officer-involved deaths (includes the race, gender, ethnicity , and age of the officer and the individual) (MD Public Safety 3-507) 	Death involving a law enforcement officer to the Governor’s Office of Crime Control and Prevention, including: <ul style="list-style-type: none"> - Deaths in the line of duty (includes the race, gender, ethnicity, and age of the officer and the individual) - Officer-involved deaths (includes the race, gender, ethnicity , and age of the officer and the individual) (MD Public Safety 3-507) 	Death involving a law enforcement officer to the Governor’s Office of Crime Control and Prevention, including: <ul style="list-style-type: none"> - Deaths in the line of duty (includes the race, gender, ethnicity, and age of the officer and the individual) - Officer-involved deaths (includes the race, gender, ethnicity , and age of the officer and the individual) (MD Public Safety 3-507)
License plate data annually to legislature (MD Public Safety 3-509)	License plate data annually to legislature (MD Public Safety 3-509)	License plate data annually to legislature (MD Public Safety 3-509)
Post all of the official policies of the law enforcement agency, including public complaint procedures and collective bargaining agreements online (MD Public Safety 3-515)	Post all of the official policies of the law enforcement agency, including public complaint procedures and collective bargaining agreements online (MD Public Safety 3-515)	Post all of the official policies of the law enforcement agency, including public complaint procedures and collective bargaining agreements online (MD Public Safety 3-515)
Post citizen complaint process online (MD Public Safety 3-519)	Post citizen complaint process online (MD Public Safety 3-519)	Post citizen complaint process online (MD Public Safety 3-519) Bill also requires reporting of a description of the complaint review process

Officers must report all traffic stop data, including: gender, race, and DOB of driver to LE agency (MD Transportation 25-113)	Officers must report all traffic stop data, including: gender, race, and DOB of driver to LE agency (MD Transportation 25-113)	Officers must report all traffic stop data, including: gender, race, and DOB of driver to LE agency (MD Transportation 25-113) Bill also requires reporting of the total number of traffic stops to the City Council, Mayor and General Assembly.
	Post community policing policy online (local LE agencies only) (MD Public Safety 3-517)	
	The total number of sworn police officers in the Department annually to City Council, Mayor, Baltimore City Delegation to General Assembly and online (MD Public Safety 3-512)	Total number of police officers employed by the University (disaggregated by race, ethnicity, gender, age, and when applicable, officer rank) to the City Council, Mayor and General Assembly.
	The number of sworn African American police officers in the Department annually to City Council, Mayor, Baltimore City Delegation to General Assembly and online (MD Public Safety 3-512)	Total number of police officers employed by the University (disaggregated by race, ethnicity, gender, age, and when applicable, officer rank) to the City Council, Mayor and General Assembly.
	The number of sworn female police officers in the Department annually to City Council, Mayor, Baltimore City Delegation to General Assembly and online (MD Public Safety 3-512)	Total number of police officers employed by the University (disaggregated by race, ethnicity, gender, age, and when applicable, officer rank) to the City Council, Mayor and General Assembly.
	The number of sworn police officers in the Department who are residents of Baltimore City annually to City Council, Mayor, Baltimore City Delegation to General Assembly and online (MD Public Safety 3-512)	Total number of Baltimore City residents who were hired as member of JHPD workforce by zip code to the City Council, Mayor and General Assembly
	The number of recruiting events the Department sponsored or participated in in Baltimore City annually to City Council, Mayor, Baltimore City Delegation to General Assembly and online (MD Public Safety 3-512)	

	<p>The number of instances of use of force that resulted in the transport of a civilian to a hospital by an emergency vehicle, when the injury occurred as a direct result of an officer's actions annually to City Council, Mayor, Baltimore City Delegation to General Assembly and online (MD Public Safety 3-512)</p>	
	<p>The number of civilian complaints about the use of force by an officer; annually to City Council, Mayor, Baltimore City Delegation to General Assembly and online (MD Public Safety 3-512)</p>	<p>The number, type, and disposition of complaints filed against university police officers to the City Council, Mayor and General Assembly</p>
	<p>The number of officers who were suspended with pay annually to City Council, Mayor, Baltimore City Delegation to General Assembly and online (MD Public Safety 3-512)</p>	<p>The number of officers disciplined, including the type of discipline administered to the City Council, Mayor, and General Assembly</p>
	<p>The number of officers who were suspended without pay annually to City Council, Mayor, Baltimore City Delegation to General Assembly and online (MD Public Safety 3-512)</p>	<p>The number of officers disciplined, including the type of discipline administered to the City Council, Mayor, and General Assembly</p>
	<p>The percentage of patrol officers who were assigned to neighborhood patrols annually to City Council, Mayor, Baltimore City Delegation to General Assembly and online (MD Public Safety 3-512)</p>	
	<p>The number of youth under the age of 18 years referred to intervention programs by officers annually to City Council, Mayor, Baltimore City Delegation to General Assembly and online (MD Public Safety 3-512)</p>	
	<p>A description of the Department's community policing efforts, including community policing programs, participation in town hall meetings, and efforts to engage with schools, recreation centers, community centers, and senior centers annually to City Council, Mayor, Baltimore City Delegation to General Assembly and online (MD Public Safety 3-512)</p>	<p>Report community engagement plans annually to the Accountability Board.</p> <p>Report on the number of community outreach events to the Mayor, City Council, and General Assembly.</p>

		Applicant data to the Mayor, City Council, and General Assembly
		JHU campus security workforce data to the Mayor, City Council, and General Assembly.
		JHPD budget to the Mayor, City Council, and General Assembly
		Total number of crimes that resulted in arrests to the Mayor, City Council, and General Assembly
		The number and type of individuals who filed a complaint (student, faculty, unaffiliated individual) to the Mayor, City Council, and General Assembly
		The number of officer-involved shootings, line of duty deaths, and in-custody deaths to the Mayor, City Council, and General Assembly

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JHU Police Department Proposal

Officer Oversight and Discipline

The quality of a public safety organization is measured by how it holds itself accountable for its missteps and how it treats those who experience them. If a Johns Hopkins Police Department (JHPD) is created, the university is committed to establishing an accessible complaint process open to any member of the community. Complaints of JHPD officer misconduct would be fully investigated, with appropriate discipline given.

PROPOSED JHPD OFFICER OVERSIGHT AND ACCOUNTABILITY CHANNELS



A 15-member Johns Hopkins Police Accountability Board meeting quarterly, including one public meeting annually (with minutes posted online) to provide input on operations, training, policies and procedures.



An administrative and disciplinary hearing board including the maximum number of civilian community members allowable by law.



Additional oversight for police misconduct by the Baltimore City Civilian Review Board.



Public reporting of data about use of force, officer-involved incidents and office complaints.

Proposed JHPD Complaint Process

In the event of a complaint about officer conduct from a member of the community, a JHPD would follow a clear path of investigation, fact-finding and discipline, where warranted. Community members would also be able to take complaints of officer misconduct to the city's Civilian Review Board.



STEP 1:

Complaint received by police department – walk-in, phone call, email, external, internal or news story.



STEP 2:

Complaint reviewed by JHPD Internal Affairs Commander.



STEP 3:

Discipline recommended.



STEP 4:

If hearing is requested, allow maximum civilian participation on the hearing board.



RESOLUTION:

The hearing board renders a decision. An officer can appeal a guilty finding to the Circuit Court.

Johns Hopkins is committed to building and supporting a security operation that is accountable and responsive. If anyone has concerns about the conduct of a member of the Johns Hopkins security operation, please let us know at <http://security.jhu.edu/>

Appendix A.5 - Issue Paper - Complaint and Disciplinary Proceedings



ISSUE PAPER

Johns Hopkins Police Department Complaint & Disciplinary Process

Johns Hopkins University & Medicine (“Johns Hopkins”) is exploring creating an independent, professional police department to augment its existing safety and security operation. Currently, the majority of our campus public safety contingent serves to help deter crime by observing and reporting urgent needs, but lacks the capacity to intervene in unfolding crimes.

Creating a Johns Hopkins Police Department (JHPD) would allow the university to build a campus public safety contingent that can provide more visible deterrence and respond more quickly and effectively to crimes and campus-specific threats like active shooter incidents. A sworn police department would be able to stop and arrest persons engaged in crimes on Johns Hopkins properties, use lights and sirens, access law enforcement data bases, and communicate with local law enforcement through shared radio frequencies. It would also afford Johns Hopkins a trained police contingent that is prepared to meet the unique needs of a university community, all in coordination with city, state and federal law enforcement partners.

We see this as a critical and unique opportunity to build a model university police department that reflects contemporary best practices in community policing, and upholds in every way the core values of our institution – including an unwavering commitment to equity and inclusion, a deep respect for freedom of expression, and a meaningful connection to our neighbors – undergirded by our commitment to transparency and accountability.

Core Institutional Values Informing JHPD Administrative Approach to Complaints & Discipline

A relationship of trust and confidence between the Johns Hopkins Police Department and the broader Johns Hopkins community – including residents of the neighborhoods around the university’s campuses – is essential for the JHPD to effectively serve and protect. At the heart of this relationship is accountability. As police are authorized to exercise certain powers – the powers to stop, search, detain, arrest, and use force – it is paramount that the Johns Hopkins and surrounding communities trust that JHPD officers will use those powers appropriately, and that they will be held properly accountable if those powers are abused or misused.

Johns Hopkins is also committed to procedural fairness. Complaints of JHPD officer misconduct must be fully investigated, with context properly examined, before discipline is determined. The institution will seek and obtain a full and impartial understanding of the facts in each case.

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Johns Hopkins' commitment to transparency is also vital to these considerations. The institution has an obligation to inform its community and the public about JHPD's administrative complaint and disciplinary process.

Rationale for Administrative Complaint and Disciplinary Process for JHPD Employees

Although the university already has complaint and disciplinary processes for its employees, the powers of JHPD employees are unique, and so complaints about their conduct require special attention. For example, JHPD officers will interact with the wider Baltimore community and will be empowered by law to limit the freedoms of those community members when warranted. Accordingly, the university has an obligation to maintain an administrative complaint and disciplinary process for JHPD employees that enables anyone – Hopkins affiliate or not – to file a complaint, and that includes public reporting as permitted by law.

Limitations on Police Complaint and Disciplinary Processes under Maryland Law

Maryland's [Law Enforcement Officers' Bill of Rights](#) (LEOBR), Md. Public Safety Code Ann., §§ 3-101 *et seq.*, applies to any individual who (1) in an official capacity is authorized by law to make arrests and (2) is a member of a listed law enforcement agency in the state (to include the Johns Hopkins Police Department). Below are some of the parameters that LEOBR places on complaint and disciplinary processes:

- **1-year time limit on police brutality complaints.** No investigation that may lead to disciplinary action for police brutality may be initiated, and no action may be taken, on any complaint filed after 366 days. § 3-104(c)(2)
- **Disclosure to officer of parties to the investigation.** The officer under investigation shall be informed of the name, rank, and command of all officers involved in the investigation. § 3-104(d)(1)
- **Advance disclosure to officer of nature of investigation.** Before an interrogation, the officer under investigation shall be informed in writing of the nature of the investigation. § 3-104(d)(2)
- **Right to counsel for officer.** The officer to be interrogated regarding a complaint has the right to be represented by counsel or another responsible representative of the law enforcement officer's choice who shall be present and available for consultation at all times during the interrogation. § 3-104(j)(1)
- **Up to 5 business days allowed before any interrogation of the accused.** The officer to be interrogated regarding a complaint has the right not to be interrogated for up to 5 business days until representation is obtained. § 3-104(j)(2)(i)
- **Discipline must be imposed by a hearing board, not a supervisor.** If the investigation or interrogation of an officer results in a recommendation of demotion, dismissal, transfer, loss of pay, reassignment, or similar action that is considered punitive, the

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officer is entitled to a hearing on the issues by a hearing board before the law enforcement agency takes that action. § 3-107(a) With one exception, that hearing board must be comprised mainly of fellow officers. § 3-107(c)

- **If the hearing board finds an officer not guilty, that decision is final.** The head of the relevant law enforcement agency has no ability to review a finding of not guilty. § 3-108(a)(3)

Best Practices that Will Be Adopted by the Johns Hopkins Police Department

The University has surveyed complaint and disciplinary processes at municipal police departments, county police departments, and peer university police departments across the country, and has also consulted the work of leading research and advocacy organizations involved in policing, both from the law enforcement perspective and the citizen perspective. It has also reviewed the provisions of LEOBR, which puts limits on how the conduct of officers may be investigated (see above). The following best practices are ones that both uphold Johns Hopkins' core institutional values and are consistent with LEOBR, and therefore will be incorporated into the JHPD administrative complaint and disciplinary processes:

Complaint Intake Process

- Implement a simple, user-friendly system for receiving complaints and enabling complainants to track the status of their complaints;
- Accept complaints through a wide variety of means, including in person, by phone, by email, through the JHPD website, by mail, and by internal memo;
- Accept complaints from all sources, including not just students, faculty, staff, and individual neighbors, but also community associations, advocacy and legal services organizations, local elected officials, and members of the JHPD;
- Accept anonymous complaints;
- Accept complaints regarding conduct by any JHPD employee, whether or not that employee is an officer;
- Accept complaints regarding conduct by a JHPD officer that allegedly happened while the officer was off duty;
- Accept complaints courteously and professionally, with disciplinary consequences for JHPD employees who either refuse to assist complainants or retaliate against them;
- Require JHPD employees to be trained on appropriate treatment of complainants who self-identify as victims of alleged JHPD misconduct;
- Process complaint intake in a timely fashion

Complaint Investigation Process

- Create an internal affairs unit (IAU) to investigate complaints that is housed in a different location from the rest of the JHPD and that reports directly to the Chief (LEOBR § 3-104(b) requires investigation be done by a sworn law enforcement officer in most cases);
- Ensure adequate staffing of the IAU;

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- Ensure that funding of the IAU is not determined by employees who may come under its investigation;
- Implement a body-worn camera program to help verify complaints and reduce the incidence of complaints;
- Train IAU investigators on courteous and professional treatment of victims of alleged JHPD misconduct;
- Retain ability to refer a complaint to an independent third party for investigation;
- Require that body to audio- and/or video-record its interrogations (LEOBR § 3-104(k)(2) requires there be a record of the interrogation that is written, taped, or transcribed);
- Render an investigative finding of either sustained, unsustained, exonerated, or unfounded (LEOBR § 3-110 requires this)

Investigative Review & Disciplinary Recommendation Process

- Establish a committee that reviews the complaint investigation and makes a disciplinary recommendation;
- Establish a hearing board for those officers who challenge the finding of the complaint investigation (LEOBR § 3-107(a) requires this for any investigation that results in a recommendation of demotion, dismissal, transfer, loss of pay, reassignment, or similar action that is considered punitive);
- Allow up to two non-police individuals to serve on the hearing board (LEOBR §§ 3-107(c)(3) and 3-107(c)(5) allow this);
- Establish clear guidelines for the hearing board to use to determine disciplinary outcomes, for consistency;
- Resolve all complaints against police as soon as is practicable after the investigation commences
- Allow for broader community review through the JHPD Community Advisory Councils

Disciplinary Process

- Ensure clarity and respect in the disciplinary process for all employees involved;
- Use progressive discipline, with disciplinary actions progressing in severity based on the nature and gravity of the offense at issue, its relationship to the employee's assigned duties and responsibilities, the employee's work record, and other relevant factors;
- Allow for expedited discipline, such as a Preliminary Discipline Officer (PDO) system, when it is evident that such discipline is necessary to maintain an orderly and productive work environment;
- Educate all new hires on conduct requirements and the disciplinary process

Transparency

- Publish the complaint and disciplinary processes online;

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- Provide a formal complaint tracking mechanism (e.g., complaint number) that allows the complainant to inquire about the complaint's status, either online or over the phone;
- Include annual reporting of number and types of formal complaints received; number and types of complainants (e.g., faculty, student, staff, neighborhood resident); number and type of complaints resulting in JHPD discipline; and number and types of disciplinary actions taken

Works Consulted

- ***Selected police departments whose policies/G.O.s were reviewed:***
 - Howard County Department of Police, Administrative Order on Internal Investigations (Nov. 2017)
 - Montgomery County Department of Police, Disciplinary Process for LEOBR-Covered Sworn Officers (Aug. 2002)
 - Baltimore Department of Police, Draft Policy on Complaint Intake and Classification Process (Mar. 2018; pending consent decree approval)
 - University of Texas – Austin Police, Blueprint for Campus Police: Responding to Sexual Assault (Mar. 2016)
 - Yale University Police Department, General Order on Civilian Complaints, Internal Investigations and Discipline (Feb 2016)
- ***Selected organizations consulted:***
 - ACLU of Connecticut, "[Earning Trust: Addressing Police Misconduct Complaints in Connecticut](#)" (Jan. 2017)
 - Campaign Zero, "[Community Oversight](#)"
 - International Association of Campus Law Enforcement Administrators, "[IACLEA Accreditation Standards Manual](#)" (May 2018)
 - International Association of Chiefs of Police (IACP), "[Internal Affairs: A Strategy for Smaller Departments](#)" (2001)
 - IACP, "[Testimony of the International Association of Chiefs of Police, Task Force on 21st Century Policing Listening Session on Police Oversight](#)," (Jan. 30, 2015)
 - U.S. Department of Justice, Community Oriented Policing Services (COPS), "[Building Trust Between the Police and the Citizens They Serve: An Internal Affairs Promising Practices Guide for Local Law Enforcement](#)" (2007)
 - U.S. Department of Justice, COPS, "[Collaborative Reform Initiative: An Assessment of the San Francisco Police Department](#)" (Oct. 2016)
 - Yale Law School Justice Collaboratory, "[Principles of Procedurally Just Policing](#)" (Jan. 2018)
- ***Selected academic articles consulted:***

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- Haas, Nicole E., Maarten Van Craen, Wesley G. Skogan, and Diego M. Fleitas, "[Explaining officer compliance: The importance of procedural justice and trust inside a police organization](#)," *Criminology & Criminology Justice*, 15(4), 442-463 (Jan. 2015)
- Trinkner, R., Tom R. Tyler, and Phillip Atiba Goff, "[Justice from within: The relations between a procedurally just organizational climate and police organizational efficiency, endorsement of democratic policing, and officer well-being](#)," *Psychology, Public Policy, and Law*, 22(2), 158-172. (May 2016)
- Wolfe, Scott E. and Alex R. Piquero, "[Organizational Justice and Police Misconduct](#)," *Criminal Justice and Behavior*, 38(4), 332-353 (Feb. 2011)
- National Institute of Justice, "[Police Discipline: A Case for Change](#)," *New Perspectives in Policing* (June 2011)
- National Institute of Justice, "[Race and Policing: An Agenda for Action](#)," *New Perspectives in Policing* (June 2015)
- **Selected statutory and case references:**
 - Md. Code Ann., Public Safety §§ 3-101 *et seq.*, Law Enforcement Officers' Bill of Rights
 - *Calhoun v. Commissioner, Baltimore City Police Dep't*, 103 Md. App. 660 (1995)
 - *Maryland State Police v. Dashiell*, 443 Md. 435 (2015)
 - *Maryland State Police v. Resh*, 65 Md. App. 167 (1985)
 - *Meyers v. Montgomery County Police Dep't*, 96 Md. App. 668 (1993)
 - *Ocean City Police Dep't v. Marshall*, 158 Md. App. 115 (2004)

JHU Police Department Proposal

Senate Bill 793/House Bill 1094

The Community Safety and Strengthening Act authorizes a Johns Hopkins police department (JHPD) to patrol Johns Hopkins' three main campuses in Baltimore - Homewood, Peabody and East Baltimore.

- JHPD's campus jurisdiction is shown in GREEN**
- JHPD may patrol an area adjacent to the campus/GREEN only with:
 1. Authorization from BPD
 2. Agreement from the community *and*
 3. Approval from the Baltimore City Council

**Johns Hopkins' "campus area" follows the federal Clery definition and includes only properties owned or leased by Johns Hopkins for educational or related purposes. The DOTTED LINES are boundaries in the legislation for JHU's campus areas. The green area cannot be expanded beyond those boundaries even if Johns Hopkins acquires additional properties in the future.

To learn more, visit the JHU Public Safety Initiatives website at <https://publicsafetyinitiatives.jhu.edu>.



JHU Police Department Proposal

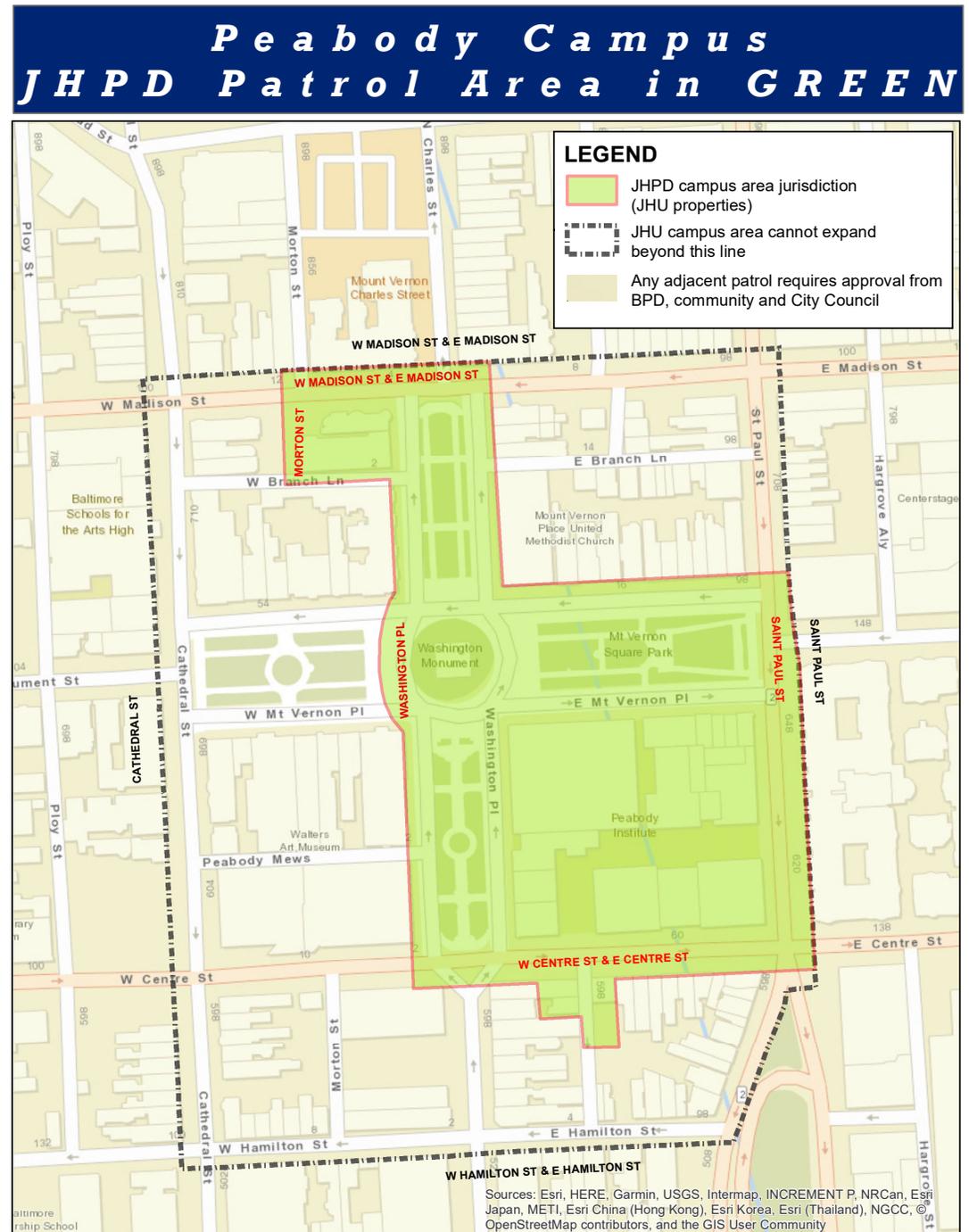
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Appendix B.1 - Johns Hopkins University Police Accountability Board Session I Agenda

June 8, 2020 (Session 1)

Theme:

Introductions

Meeting Purpose

The central goal of this meeting is to help the Accountability Board members become more familiar with each other and share their respective visions for the Board. During the meeting, members will also get a brief overview of JH Security and the Accountability Board Bylaws.

Discussion Topics

Premised on themes of mutual understanding, trust, and team building, the first meeting serves as an opportunity for Board members to better understand their colleagues. Discussion topics might include:

- Who are *you*?
- What is your passion?
- Is there an experience/personal story that inspired your desire to serve on the JHPD Accountability Board?
- Why does serving on the JHPD Accountability Board matter to you?
- Why does serving on the JHPD Accountability Board matter to you?
- What are you hoping to accomplish by serving on the board?
- Are there specific topics or aspects of serving on the Board that would be helpful to learn more about?
- What is your vision for an accountable police department?

JH Presentations

- Introductions from JH Safety and Security
- The Accountability Board: An Overview of Legislative Requirements, JH Commitments and Bylaws
- Updates from Security JH

Johns Hopkins University Police Accountability Board
Session I Meeting Agenda

June 8, 2020
6:30pm – 7:30pm

1. Welcome (6:30pm - 6:33pm)
2. Board Member Introductions (6:33pm – 6:48pm)
Name, affiliation, reason for wanting to serve on the Board (1 minute each)
3. Introduction from JH Safety and Security (6:48pm – 6:53pm)
4. The Accountability Board: An Overview of Legislative Requirements, JH Commitments, and Bylaws (6:53pm - 7:03pm)
5. Priorities for the Board and its Members: Input, Ideas, Values, and Vision (7:03pm – 7:25pm)
 - What guidelines, structures, or programs do you want to see in place with the JHPD?
 - What issues should the Accountability Board prioritize during its initial meetings?
6. Updates from Security (7:25 – 7:30pm)
 - JHPD implementation
 - VP of Security Search
 - MOU
 - Brief Overview of resources

Appendix C.1 - Select Peer Oversight Structures

Functions, Powers, and Reporting Responsibilities

(1) Brown University Department of Public Safety (DPS) – Public Safety Oversight Committee (PSOC)

Functions/Powers

- Advisory only
- Receives information regarding DPS training, practices, and policies, including policies governing use of force
- Receives general data and information about complaints filed with DPS
- Prepares an annual report for the Chief of Police and the Executive Vice President of Planning & Policy, containing an account of DPS complaint activity for the preceding year, and making policy recommendations where necessary and appropriate

Institutional setting

- Quasi-independent of DPS, meetings convened by Executive Vice President of Planning & Policy

Reporting requirements

- Report to the Chief of Police and Executive Vice President of Planning & Policy

Meeting requirements

- Meetings are not open to the public
- Minutes are posted publicly and community members are invited in to participate/speak
- Meetings held at least 2 times a semester and more at request of Chief of Police or EVP for Planning & Policy

Other notes

- Brown's DPS also has a Community Relations and Outreach Bureau (CROB) that "acts as a liaison and information resource to each diverse sector of the Brown community," apparently including the non-university Providence community.
 - CROB has a Crime Prevention Unit, which focuses on robust community notifications, residential safety, building security measures, crime mapping, and crime prevention input (e.g. blue light emergency phones, lighting placement)

(2) Cornell University Police Department — Public Safety Advisory Committee

Functions/Powers

- Advising CUPD
 - "Advise Cornell Police on issues of public safety and victims' advocacy."
- External focus
 - Educating the campus community, including security personnel and those persons who advise or supervise students, about sexual assault, domestic violence and stalking offenses pursuant to section sixty-four hundred thirty-two of this article" (Article 129-A, Section 6431, 3(a))

Reporting requirements

- The committee shall report, in writing, to the college president or chief administrative officer on its findings and recommendations at least once each academic year, and such report shall be available upon request. (Article 129-A, Section 6431, 4)

Meeting requirements

- Not specified

(3) Northwestern University PD – Police Advisory Board

Functions/Powers

- Advisory only
- Receives updates from NUPD of public safety concerns on campus and in surrounding community
- Receives and aggregates concerns voiced by students, faculty, staff, and community members
- Provides input on programs aimed at improving campus safety
- Establishes protocols for communicating concerns to the University community
- Makes recommendations to NUPD and university leadership

Institutional setting

- Independent of NUPD

Reporting requirements

- Not specified, but presumably VP for Student Affairs

Meeting requirements

- Not specified

(4) UM-Baltimore Police Force (UMBPF) – Safety Awareness Committee

Functions/Powers

- Liaison from university to UMBPF – meant purely to raise community awareness “of the conditions and circumstances which led to a vulnerability to crime”
- Also the body that provides feedback to UMBPF on new policies and procedures that may impact the university community

Institutional setting

- Within UMBPF

Reporting requirements

- Reports to UMBPF Safety Awareness Officer (Corporal J.R. Jones; 410-706-5548)

Meeting requirements

- Meets first Thursday of every other month

(5) UC Berkeley Police Department (UCPD) – Police Review Board (PRB)

Functions/Powers

- Reviews appeals taken from civilian complaint investigations undertaken by the UCPD

- “In appropriate cases, it has the power to order the department to reopen its investigation or to conduct its own independent investigation and hearings in the matter”
- Performs an audit role, examining the overall performance of the department's complaint process and the quality of police-community interactions
- Also in audit role, makes policy recommendations concerning those issues as appropriate
- Prepares an annual report addressing the cases decided on appeal and the information forwarded by UCPD to the Board outside of the appeals process, which is publicly available
- In both its review and audit capacities, the Board reports to the Vice Chancellor-Administration.
- Established 1990

Institutional setting

- Independent of UCPD

Reporting requirements

- Reports to Vice Chancellor for Administration and Finance

Meeting requirements

- Meetings are not open to the public
- Must hold at least one public meeting a year “to receive community input and discuss a draft of its annual report”

(6) UC Davis Police Department (UCDPD) – Police Accountability Board (PAB)

Functions/Powers

- Advisory only
- Charged with making recommended findings to the Chief of Police based on objective investigations into complaints of misconduct filed against UC Davis police officers
 - Complaints may be filed by anyone, including non-university community members and non-US citizens
 - The PAB does not review complaints filed by UCDPD employees
 - “The Chief of Police . . . retains full and final authority, discretion, and responsibility regarding the ultimate disposition of [complaints], including disciplinary determinations and whether to accept, reject or modify the PAB’s recommendations”
- Works with independent campus investigators from the Office of Compliance and Policy
- Issues an annual, public report detailing summary information and statistical data regarding the number of complaints filed, the type of complaints filed, analysis of trends or patterns, the ultimate disposition of the complaints (sustained, not sustained, exonerated, or unfounded), and the percentage of complaints in which the recommendations of the PAB were either accepted, rejected or modified by the Chief of Police
- Established in 2014

Institutional setting

- Independent of the UCDPD

Reporting requirements

- Reports to the Associate Executive Vice Chancellor of Campus Community Relations

Meeting requirements

- Meetings are open to the public
- Meetings are held quarterly, with time/location publicly posted and minutes publicly posted
- Closed meetings are held monthly in between these public meetings, with summaries publicly posted (new as of Feb. 2018)

Other notes

- Code of Ethics: The PAB is governed by a Code of Ethics, which is modeled on the Code of Ethics developed by the National Association for Civilian Oversight of Law Enforcement (NACOLE)
- Training: PAB members and alternates must receive training developed by the Office of Campus Community Relations regarding police procedures, relevant legal issues, impartiality, the confidential nature of police misconduct investigations and discipline, and the civilian oversight field. PAB members also have the opportunity to accompany members of the UCDDP on a ride along.

(7) U. Chicago PD – Independent Review Committee

Functions/Powers

- Reviews complaints brought against University police by members of the University community AND the public whom UCPD serves “if those complaints relate directly or indirectly to issues of excessive force, violation of rights, abusive language, or dereliction of duty. The Committee evaluates the actions of UCPD and, when necessary, makes recommendations regarding UCPD’s policies and procedures.”
- Produces an annual report of all incidents including any recommended changes to policies/procedures, which is publicly available

Institutional setting

- Independent of UCPD; UCPD also has its own internal review and discipline procedures

Reporting requirements

- Reports to Provost and EVP for Finance & Administration

Meeting requirements

- Not specified

(8) U. Michigan PD – Police Department Oversight Committee

Functions/Powers

- Considers grievances submitted to it
- May conduct its own hearings of grievances, including questioning any employee believed to have information relevant to the grievance
 - If Police Chief objects to hearing, s/he can register that objection to the Committee. If, after receiving the Committee's response, the Police Chief continues to object, the Police Chief may appeal to the Executive Director, Division of Public Safety and Security. If the Executive director supports the appeal, the matter shall be referred to the President for a decision.
- May report its findings and recommendations - including any recommendations for disciplinary measures against any officer of the Police Department-to the Executive Director, Division of Public Safety and Security. No portion of any such report that contains confidential information provided to the Committee shall be made public unless required by law. The Executive Director shall review the report and advise the Committee of the disposition of the matter.

Institutional setting

- Division of Public Safety and Security, which is above the Police Department

Reporting requirements

- Reports to Executive Director of the Division of Public Safety and Security

Meeting requirements

- Meetings are not open to the public; all grievances are treated confidentially
- Only meets when in receipt of a grievance “filed directly with the Committee”
- Committee as a whole may release written statements to advise the public of the procedural status of an ongoing investigation

(9) U. Pennsylvania PD – Division of Public Safety Advisory Board

Functions/Powers

- Advisory only
- Assists VP for Public Safety with development of strategic direction of the Division
- Offer recommendations and “constructive criticism” of the Division
- Assist with educating Penn community about programs, services, initiatives of the Division (e.g. the body-worn cameras project)

Institutional setting

- Division of Public Safety, at the VP’s level

Reporting requirements

- VP for Public Safety
- Reports out to University of Pennsylvania community, not the public: (1) numbers of complaints against police; and (2) chart of number of pedestrian and vehicle stops, broken down by race, gender, ethnicity of person stopped, and officer ID

Meeting requirements

- Meetings are not open to the public
- Board meets 4 times/year

(10) Vanderbilt University Police Department (VUPD)– Community Oriented Result and Expectation (CORE) Committee

Functions/Powers

- Advisory only
- Makes recommendations to VUPD regarding safety and security on campus, and related procedures for VUPD to follow
- Serves as a vehicle for gathering stakeholder feedback and dialogue on university policing
- Established 2016

Institutional setting

- Division of Administration, which is the division to which VUPD reports

Reporting requirements

- Reports to Vice Chancellor for Administration

Meeting requirements

- Not specified

(11) Villanova Department of Public Safety – Police Oversight Board

Functions/Powers

- Advisory only
- Liaison between community and University Police; gets briefed by Director of Public Safety on complaints – including all use of force incidents – and subsequent investigations by members of the public against officers
- Reviews summary of all police citations issued and criminal charges filed
- Makes recommendations to Executive VP on provision of police services, campus safety programs
- Receives complaints via an online form, which the Department then investigates through its IA function
 - Provides students/faculty/staff ability to report complaints anonymously
- Produces an annual report of Committee activities

Institutional setting

- Independent of the Department of Public Safety

Reporting requirements

- Reports to the Executive Vice President

Meeting requirements

- Monthly meeting minutes are posted publicly¹
- Open public forum held at least once a year

(12) Wake Forest University Police Department — Police Advisory Board

Functions/Powers

- Advise and Make Recommendations
 - “Advise and make recommendations to the Vice President for Campus Life and the Chief of Police concerning the provision of police protection and services within the university.”
 - Submit written annual report each June regarding Board activities

Meeting requirements

- One regular meeting each month

Rules and Bylaws

- Elect offices and determines rules of procedure based on board determination

¹ Found here <https://www1.villanova.edu/villanova/publicsafety/oversight-committee.html>

Membership

(1) Brown University Department of Public Safety — Public Safety Oversight Committee (PSOC)

- 3 faculty
- 3 university administrators
- 3 undergrads
- 1 medical school student
- 1 non-medical school grad student
- 2 staff members
- 2 members of DPS
- 2 “individuals external to the university”
- Executive Vice President for Planning & Policy (ex-officio)
- Vice President for Campus Life and Student Services or designee (ex-officio)
- Chair of the Officer Conduct Review Board (ex-officio)

(2) Cornell University Police Department — Public Safety Advisory Committee

- Students, staff, and faculty
- Six members, at least half of whom shall be female
- See above for details on membership, as a product of appointment policy

(3) George Washington University (GW) Police Department (GWPD) — Student Advisory Board

- 14 undergraduates and graduate students²
- Advised by two representatives from GW police
- Rep. from Enrollment and the Student Experiences

(4) Northwestern PD — Police Advisory Board

- 20 person board:
- Vice President for Student Affairs (chair)
- ED, Multicultural Student Affairs
- Dean of Students
- Director, Judicial Affairs
- Director, EEO/AA & Disability Services
- University Residential Life rep
- Graduate/Professional Students - Chicago/- Evanston rep
- Associated Student Government rep
- For Members Only rep
- Coalition of Colors rep
- Alianza rep
- Muslim Cultural Students Association rep
- Feinberg School of Medicine rep
- NUSAC rep
- Student Senate, Feinberg School of Medicine rep
- Student Bar Association - Law School rep
- Kellogg School of Management rep
- Graduate Student Association rep
- Associate Vice President for Public Safety (ex-officio, non-voting)
- NUPD Chief of Police (ex-officio, non-voting)
- OGC member (advisory)

(5) UC Davis Police Department (UCDPD) — Police Accountability Board (PAB)³

- 7-member Board:
- 2 undergraduate students

² (NOTE: August 2018 article said only eight to 12 students, and official board application said 10) (find)

³ (Bylaws also require the appointment of 7 alternates)

- 1 graduate student
- 1 faculty member
- 1 staff member
- 2 health system members (who can be students, faculty or staff)

University of Chicago PD — Independent Review Committee

- 11-member Committee:
 - 3 faculty (1 designated by Provost as chair)
 - 3 students
 - 2 staff members
 - 3 community members

(6) University of Michigan PD — Police Department Oversight Committee

- 6-member Committee:
 - 2 faculty (1 Senate faculty and 1 non-Senate faculty)
 - 2 staff (one union and one non-union)
 - 2 students

(7) Vanderbilt University Police Department (VUPD)– Community Oriented Result and Expectation (CORE) Committee

- 20-member Committee:
 - VUPD rep (chair; vice-chairs rotate annually)
 - Office of Equity, Diversity and Inclusion rep
 - Multicultural Leadership Council rep
 - Graduate Student Council rep
 - Bishop Joseph Johnson Black Cultural Center rep
 - Office of LGBTQI Life rep
 - Athletics rep
 - International Student and Scholar Services rep
 - Community/neighborhood rep
 - University Staff Advisory Council (USAC) rep
 - Vanderbilt Student Government rep
 - National Pan-Hellenic Council rep
 - Interfraternity Council rep
 - Panhellenic Council rep
 - Office of Residential Education rep
 - Faculty Senate rep
 - University News and Communications rep
 - Office of Risk and Insurance Management rep
 - Office of the General Counsel rep
 - Project Safe Center for Sexual Misconduct Prevention/Response rep

(8) Villanova Department of Public Safety — Police Oversight Board

- 8-member Board + 1 ex-officio member + 1 OGC advisory member:
 - 1 member of UA who serves as chair:
 - Currently the Associate Director of Athletics
 - 3 faculty, currently:
 - Faculty Director of Villanova’s Program on Intergroup Relations
 - Assistant Professor of Peace and Justice Education
 - Associate Professor of English and Director of Africana Studies Program
 - Associate Professor of Political Science

- 2 students:
 - Grad student (currently from school of management)
 - Undergrad student (currently from chemical engineering)
- 1 staff: Currently vacant
- 1 at-large member (alumnus, parent, neighbor): Currently an alumnus who is a retired ASA for the FBI in the Philadelphia region
- Director of Public Safety (ex-officio, non-voting)
- OGC rep (advisory on police legal issues)

(9) Wake Forest University Police Department — Public Advisory Board

- Students, Faculty and Staff from all areas and departments on campus.
- Current Board Members (*student rep. not listed on site*)
 - Committee Chair
 - Current Administrative Representatives
 - Chief WFU Police
 - Director of Crisis Communication
 - Associate University Chaplain, Chaplain's Office
 - Manager, Deacon One Card
 - Sr. Partner, Human Resources
 - Associate Athletic Director, Athletics
 - Associate Director, WFUSB-Integrative Student Services
 - Major, WFU Police
 - Faculty Representatives
 - Assistant Teaching Professor
 - Associate Professor, English
- Membership Duration
 - All student appointments shall be for one academic year; all non student appointments shall be for 2 academic years
 - All non student appointments shall be for 2 academic years. All Board members are eligible for three terms of reappointment. Student appointments may vary

(10) Yale Police Department – Advisory Committee/Community Engagement Model

3 “Teams and Committees” under “Community Policing Partnerships

- Community Engagement Team
 - Leadership
 - Chief Ronnell Higgins
 - Officer Martin Parker
 - Officer Martha Ross
 - Purposes/Role
 - Engage with student groups, residential colleges, athletics department, New Haven communities, and others to be aware of campus needs and concerns
 - Works collaboratively with community members to address issues and concerns.
 - “Better lives of Yale students, faculty and staff”
- New Haven Community Police Partnership

- Selected members of the Yale Police have been assigned to partner with the New Haven Police Department and participate in regularly scheduled community management team meetings in neighborhoods bordering Yale
- Meetings are held once a month in each of New Haven's police districts to provide a forum for city representatives, businesses, and residents to share information and address neighborhood issues.
- Advisory Committee on Community Policing
 - Members
 - Committee Chair
 - Janet Lindner
 - Lindner is the Vice President for Human Resources, and serves as the Chair of the Board of the United Way of Greater New Haven
 - Faculty
 - Nancy Angoff, Tracey Meares, Stephen Pitti
 - Staff
 - Ronnell Higgins, Darin Latimore, Duane Lovello, Deb Stanley-McAulay
 - Students
 - Evan Gordon, Hannah Ingber, Sam Kuhn, Lucy Liu, Nina Todd
 - New Haven community partner
 - Albert Lucas

Appointment Processes

(1) Brown University Department of Public Safety — Public Safety Oversight Committee (PSOC)

- 2-year appointments with staggered terms (so that there is not complete turnover every 2 years)
- Faculty member are appointed by faculty
- Administrators are appointed by the Executive Vice President for Planning & Policy
- Undergrads are appointed by the Undergraduate Council of Students
- Medical student appointed by the Medical Student Council
- Graduate student appointed by the Graduate Student Council
- Staff members appointed by the Staff Advisory Council

(2) Cornell University Police Department — Public Safety Advisory Committee

- According to the the New York State senate.gov Website: The Laws Of New York Consolidated Laws Education Title 7: State And City Colleges And Institutions-Cornell University Article 129-A: Regulation By Colleges Of Conduct On Campuses And Other College Property Used For Educational Purposes
- Section 6431, Advisory Committee on Campus Security” States:
 - 1. The president or chief administrative officer of each college, except those independent colleges ineligible to receive state aid under section sixty-four hundred one of this title, shall appoint an advisory committee on campus security.
- “One-third of the committee shall be appointed from a list of students that contains at least twice the number to be appointed which is provided by the largest student governance organization on such campus, one-third thereof shall be appointed from a list of faculty members that contains twice the number to be appointed which is provided by the largest faculty organization on such campus, and one-third of whom shall be selected by the president or chief administrative officer.” (Article 129-A, Section 6431, 2)

(3) Northwestern University PD — Police Advisory Board:

- The board has existed for about 10 years, an the appointment process has becoming increasingly less formal
- Initially, the Dean of Students was tasked with recruiting students for the board
- The focus of the board was student representation
- First step was to engage student government president
 - SGA president met with Less to discuss the Public Safety Committee
 - Asked SGA to provide two representatives for the committee
- Not formal selection process— gauges interest via senate and picks those people
- Decision to have a staff advisory committee
 - Meets with chair and requests two staff representatives
 - Faculty senate, office of equity and office of diversity and inclusion and women’s rights groups

(4) UC Davis Police Department (UCDPD) — Police Accountability Board (PAB)

- Appointed by Associate Executive Vice Chancellor of Campus Community Relations

- Appointments made after receiving nominations from:
 - Academic Federation
 - Academic Senate
 - Associated Students of UCD
 - Graduate Student Association
 - Staff Assembly
 - Student Life
 - UCD Health System
- 2-year terms
- Board members elect their own chair and vice-chair

(5) University of Chicago PD — Independent Review Committee

- Appointed by the Provost
- People may contact the Associate Provost for Faculty & Student Affairs to provide nominations for membership

(6) University of Michigan PD — Police Department Oversight Committee

- Members are nominated and elected by peers through peer bodies (e.g. faculty senate)
- 2-year terms

(7) Vanderbilt University Police Department (VUPD)– Community Oriented Result and Expectation (CORE) Committee

- Nominations by the chancellor and vice chancellors
- Vice-chair position is external to VUPD and rotates annually

(8) Villanova Department of Public Safety — Police Oversight Board

- Appointed by University president; committee chair
- All non-student appointments are for 2 academic years (student appointments vary in length)
- All members are eligible for 3 terms of reappointment

(9) Wake Forest University Police Department — Public Advisory Board

- Application submitted
- All board members shall be appointed by the Chair and WFU Chief of Police subject to confirmation by the Vice President for Campus Life or his/her designee.
- Vacancies occurring otherwise than through the expiration of terms shall be filled for the remainder of the term of the member being replaced. Vacancies shall be filled in the same manner as original appointments.

Chair Person Selection Process

University	Chair (Position)	Current Chair	Chair Process Selection
Brown - <u>Public Safety Oversight Committee</u>	<i>Not specified</i>	Russel Carey - Executive Vice President for Planning & Policy, Chair	<i>Not specified</i>
Cornell - <u>Public Safety Advisory Committee</u>	<i>Not specified</i>	<i>Not specified</i>	<i>Not specified</i>
Northwestern - <u>Police Department Advisory Board</u>	Vice President for Student Affairs	Julie Payne-Kirchmeier, interim (search Committee formed 10.3.2019 after Dean Telles-Irvin's passing)	VP of Student Affairs — Based on Board Membership description on the website, it seems that the Vice President for Student Affairs is always the Committee Chair.
UChicago - <u>Independent Review Committee</u>	Faculty member	Jonathan Masur, Faculty member, Professor of Law (2018-2019)	Designated by Provost — "The Committee is appointed by the Provost and consists of three faculty members, one of whom is designated by the Provost as Chair."
UC Berkeley - <u>Police Review Board</u>	<i>Not specified</i>	Jonathan Simon, Professor of Law, Berkeley Law, PRB Chair (2017-2018)	Appointed by Vice Chancellor in Consultation with Board — "A Chair, who shall be an individual of judicial temperament and background. The Vice Chancellor-Administration shall consult with the members of the Board before making a final selection."

University	Chair (Position)	Current Chair	Chair Process Selection
UC Davis - <u>Police Accountability Board</u>	Membership can be found here, position not specified	<u>Chair:</u> Lisa Feldmann Vice-Chair: Kara Carr	Appointed by the Board — “As needed, the Police Accountability Board shall elect one (1) of its members as the Chairperson and one (1) as the Vice-Chairperson (who shall preside only in the Chairperson’s absence).”
UMichigan - <u>Police Department Oversight Committee</u>	<i>There does not appear to be a chair</i>	<i>There does not appear to be a chair</i>	<i>There does not appear to be a chair</i>
UPenn - <u>DPS Advisory Board</u>	<i>Not specified</i>	<i>Not specified</i>	<i>Not specified</i>
Vanderbilt - <u>Community Oriented Result and Expectation Committee (CORE)</u>	Vanderbilt University Police Department Representative; vice chair external to the police department will provide additional leadership for the group. Position rotates annually.	<i>Not specified - only available info was 2016 press release</i>	<i>Not specified - only available info was 2016 press release</i>
Villanova - <u>Police Oversight Board</u>	1 Member of University Admin who serves as chair	Rev. Rob Hagan, O.S.A, Associate Director of Athletics	Appointed by President The Chair and all other Committee members shall be appointed by the University President.

University	Chair (Position)	Current Chair	Chair Process Selection
<p>Wake Forest - <u>Public Advisory Board</u></p>	<p><i>Not specified</i></p>	<p>Rian Bowie, Associate Teaching Professor, English (2019-2020)</p>	<p>Board Selects Chair, supplementary processes unclear —</p> <p>II.1: All board members shall be appointed by the Chair and WFU Chief of Police</p> <p>V.3: The Board shall elect such officers as it deems necessary in order to conduct its business. The Board shall adopt such rules of procedures as it deems necessary (ex. Chair, vice chair, secretary, etc).</p> <p><i>It is unclear in the bylaws how these two rules function together.</i></p>
<p>Yale - <u>Advisory Committee on Community Policing</u></p>	<p><i>Not specified</i></p>	<p>Janet Lidner, the VP of Human Resources</p>	<p><i>Not specified</i></p>

Appendix C. 2 - Examples of Accountability Board Bylaws

The bylaws included below are copied directly from their institutional website/founding documents. The point of including these documents as such is to provide University leadership with a sense of how the bylaws are written by their respective institutions.

University Peer Accountability Boards

Brown – Public Safety and Oversight Committee¹

Purpose

The Public Safety Oversight Committee (PSOC) was established to serve in an advisory capacity to the Executive Vice President for Planning & Policy and the Chief of Police for the purpose of reviewing the practices, policies and procedures of the Department of Public Safety, and making policy recommendations where appropriate.

Membership

The PSOC will be comprised of seventeen regular members appointed for terms of two years. Initial appointments will be made for one or two years to facilitate staggered terms such that approximately one-half the appointments will expire each year. The membership will consist of the following: three faculty appointed by faculty in accordance with the Faculty Rules and Regulations; three administrators appointed by the Executive Vice President for Planning & Policy; two members of the Department of Public Safety appointed by the Chief of Police; three undergraduate students appointed by the Undergraduate Council of Students; one medical student appointed by the Medical Student Council; one graduate student appointed by the Graduate Student Council; two staff members appointed by the Staff Advisory Council and two individuals external to the University appointed by the Executive Vice President for Planning & Policy.

In addition to the regular members the Executive Vice President for Planning & Policy, the Vice President for Campus Life and Student Services or his/her designee and the Chair of the OCRB will serve as ex officio members of the PSOC.

Functions

In the performance of its duties, it is expected that the PSOC will meet two times per semester. At the request of the Chief of Police or the Executive Vice President of Planning & Policy, the PSOC may meet at additional times during the year for purposes as may be specified. The PSOC shall receive information regarding the Department of Public Safety training, practices, and policies, including policies governing the use of force, and general data and information about complaints filed with the Department of Public Safety. The PSOC should prepare an annual report for the Chief of Police and the Executive Vice President of Planning & Policy, containing an account of

¹ See Brown University, "Brown University Public Safety Oversight Committee," <https://www.brown.edu/about/administration/public-safety/public-safety-oversight-committee>

DPS complaint activity for the preceding year, and making policy recommendations where necessary and appropriate.

University of California, Davis – Police Accountability Board (Bylaws)²

Article 1 - Name and Purpose

The Police Accountability Board (PAB) was established in 2014 whose purpose is to promote accountability, trust, and communication between the University of California, Davis (UCD) community and the UCD Police Department (UCDPD) by independently reviewing and making recommendations regarding investigations of complaints made by members of the campus community and the general public (also referred to as civilian complaints) in a fair and unbiased manner.

Article 2 - Qualifications

PAB members and alternates must: (1) commit the necessary time throughout the year for PAB training and meetings; (2) prepare and read the appropriate materials in connection with making recommendations; and (3) maintain ethical standards, including confidentiality. Other than mandatory quarterly meetings, alternates need not attend meetings or review investigation materials if the PAB member will be in attendance.

In order to ensure independence, no member or alternate of the PAB can be a current or former UC Davis Police Department employee, or a current employee of Campus Counsel or the Compliance and Policy Unit of the Offices of the Chancellor and Provost.

Article 3 - Composition

The PAB shall be comprised of seven (7) members who broadly represent the diversity of the UCD community. The PAB shall include:

Two (2) undergraduate students; One (1) graduate student;
One (1) faculty member;
One (1) staff member; and
Two (2) UCD Health members (who can be students, faculty or staff).

The following entities may submit nominations for representation on the PAB:

Academic Federation Academic Senate

Associated Students of UCD Graduate Student Association Staff Assemblies

Student Life UCD Health

Article 4 - Nominations, Selections, and Alternates

The entities identified in Article 3 may nominate a representative to the PAB, utilizing each entity's respective nomination process. Each entity will provide at least two (2) nominees. The Associate Executive Vice Chancellor (AEVC) of Campus Community Relations will select one (1) PAB representative and one (1) alternate from the entities' nominees, which will result in seven (7) PAB

² See UC Davis Police Accountability Board, "PAB Bylaws," <https://pab.ucdavis.edu/bylaws>

members and seven (7) alternates and maintain the composition identified above. All fourteen (14) representatives will participate in training and each can have access to the confidential investigation reports and attend meetings.

Article 5 - Terms

Initially, the inaugural PAB members and alternates served two- (2) year terms. In order to maintain institutional knowledge at the conclusion of the pilot, some members' and alternates' terms were extended, and former alternates were given the opportunity to serve as members. Beginning in 2016, new members and alternates generally serve two (2) year terms except in circumstances where the member or alternate will not be a qualifying representative of his or her entity for the entire term. For example, a senior graduating mid-term or a faculty member retiring mid-term would not be eligible to serve for the entire two- (2) year term. To the extent possible, after the first year of the term, members will become alternates and alternates will become members, thereby allowing full participation on the PAB during the two- year term. The AEVC of Campus Community Relations will work with the various entities to maintain both a member and an alternate representative and develop a pipeline of candidates in the event that a member or alternate can no longer serve on the PAB.

Article 6 - Officers

As needed, the PAB shall elect one (1) of its members as the Chairperson and one (1) as the Vice-Chairperson (who shall preside only in the Chairperson's absence). Officers shall be elected annually and hold office for one (1) year terms. Officers, however, may be reelected to serve consecutive terms.

Article 7 - Ethics

The PAB will be governed by the attached Code of Ethics, which is modeled on the Code of Ethics developed by the National Association for Civilian Oversight of Law Enforcement (NACOLE).

Article 8 - Removal

The appointment of any PAB member who has been absent from three (3) consecutive regular or special meetings shall automatically terminate effective on the third such absence.

Any breach of the PAB's Code of Ethics will be cause for review. The AEVC of Campus Community Relations may remove a PAB member or alternate for cause, including transgressions of policy, confidentiality, or ethical standards.

Article 9 - Quorum and Voting

Five (5) members physically present shall constitute a meeting quorum. Decisions of the PAB shall be made by vote of a majority of the members in attendance provided that a quorum exists. Alternates will only participate and vote in meetings when the PAB member representing their entity is absent.

Article 10 - Recusal

PAB members must recuse themselves from a matter when (1) an actual conflict of interest exists; (2) there is an appearance of impropriety; or (3) a member is concerned with whether he or she can participate objectively and in an unbiased manner.

Article 11 - Training and Confidentiality Commitments

PAB members and alternates shall receive training developed by the Office of Campus Community Relations regarding police procedures, relevant legal issues, impartiality, the confidential nature of police misconduct investigations and discipline, and the civilian oversight field. PAB members will also have the opportunity to accompany members of the UCDPD on a ride along.

Each member shall execute a confidentiality agreement.

Article 12 - Police Accountability Board Powers and Duties

1. Review relevant UCDPD policies and procedures and all investigation reports submitted regarding complaints made by members of campus community and the general public against the UCDPD. The PAB will not review any complaints filed by UCDPD employees.
2. Solicit public input by holding regularly scheduled and advertised meetings at least quarterly, which shall include time for public comment. Additional meetings shall be scheduled on an as-needed basis.
3. Run its meetings utilizing Roberts Rules of Order as a guide.
4. Review and deliberate in closed session, consistent with applicable law, to protect the confidential nature of the complaints and investigation reports.
5. Submit advisory recommendations to the Chief of Police regarding (1) UCDPD policies and procedures/training and (2) the findings of investigation reports. The PAB may also solicit progress reports from the Chief of Police regarding policy and training recommendations. The Chief of Police, however, retains full and final authority, discretion, and responsibility regarding the ultimate disposition of the matter, including disciplinary determinations and whether to accept, reject or modify the PAB's recommendations.
6. Prepare an annual public report for the UCD community and the public as detailed further in Article 13.

Article 13 - Reporting

In the interests of transparency and accountability, and in conformity with Penal Code section 832.7, the PAB shall issue an annual, public report detailing summary information and statistical data regarding the number of complaints filed, the type of complaints filed, analysis of trends or patterns, the ultimate disposition of the complaints (sustained, not sustained, exonerated or unfounded) and the percentage of complaints in which the recommendations of the PAB were either accepted, rejected or modified by the Chief of Police.

Article 14 - Amendment

After consultation with the PAB, these bylaws and any amendments or supplements thereto may be adopted, amended, altered, supplemented or repealed by UCD.

University of Chicago - Police Department Independent Review Committee³

Committee Charge:

The University of Chicago Police Department (UCPD) is a professional police force deputized by the Superintendent of Police of the City of Chicago, with regular police powers while on duty in the areas of Hyde Park, Kenwood, North Kenwood, and Woodlawn. Over the years, the University police officers have performed a valuable service and demonstrated a commitment to the University community and the broader surrounding neighborhoods.

From time to time, however, complaints have been made about individual incidents or policies. The University has established the Independent Review Committee to help ensure the campus and community's confidence in UCPD is maintained. The Independent Review Committee reviews complaints brought against University police by members of the University community and the public whom UCPD serves if those complaints relate directly or indirectly to issues of excessive force, violation of rights, abusive language, or dereliction of duty. The Committee evaluates the actions of UCPD and, when necessary, makes recommendations regarding UCPD's policies and procedures. The Committee reports its findings and recommendations to the Provost and the Executive Vice President for Administration & Chief Financial Officer. A Committee report of all incidents including any recommended changes to policies or procedures is produced annually for the Provost, President, and Executive Vice President for Administration & Chief Financial Officer and is made available to the campus and community.

The Committee has regularly scheduled meetings to review all UCPD complaint reports and related policy, procedural, and communication issues. Additional meetings may be called by the Chair to review individual incidents or as necessary to produce the annual report.

The Committee is independent from UCPD. It is not intended to replace UCPD's internal review and discipline procedures.

UCPD Complaint Review Process:

Members of the University community and the public whom UCPD serves may bring complaints about UCPD's actions to UCPD, to the Committee by contacting the Chair, to the Office of the Vice President for Campus and Student Life, to any member of the Dean-on-Call Program, to the Office for Civic Engagement, or to the Office of the Student Ombudsperson. All complaints will be referred to UCPD for investigation.

Complaints brought against UCPD are investigated by UCPD. For each allegation within a complaint, UCPD makes a determination as to whether it is:

- (1) Unfounded—the allegations are not factually accurate; the alleged conduct did not occur.
- (2) Exonerated—the alleged conduct did occur but was justified under the circumstances.

³ See The University of Chicago, "Independent Review Committee for the University of Chicago Police Department," <https://csl.uchicago.edu/node/130380>; See The University of Chicago Safety & Security, "Our Responsibilities," https://safety-security.uchicago.edu/police/our_responsibilities/

- (3) Sustained—the alleged conduct did occur and was not justified under the circumstances.
- (4) Not Sustained—the written record of the investigation does not support a determination of whether the alleged conduct occurred. A classification of Not Sustained is used whenever a case involves conflicting stories that are not clearly resolvable on the basis of evidence presented to the Committee.
- (5) Administratively Closed—no investigation was completed due to the fact that the complainant did not either (i) sign an affidavit for the investigation to proceed, a requirement of the State of Illinois for a citizen complaint investigation (except in an instance of alleged serious or criminal violation) or (ii) otherwise cooperate with the investigation.

Independent Review Committee Review Procedures:

In reviewing UCPD's determinations, the Committee may:

- (1) Agree with UCPD's disposition of the complaint.
- (2) Identify an issue not raised in the original complaint that is raised in the report record and ask that UCPD investigate the issue; the identified issue will be labeled "supplemental."
- (3) Disagree with disposition of an allegation within a complaint and suggest an alternate disposition.
- (4) Suggest that UCPD consider different or additional sanctions for University officers involved in an incident.
- (5) If warranted, suggest that UCPD review its procedures and considering amending them be altered to address a particular issue or concern.
- (6) If needed, request information about an officer's prior record. As part of its review, the Committee may ask for a summary of past disciplinary action against an officer. Also, the Committee may ask for a summary of past commendations an officer has received.
- (7) If needed, request UCPD procedures related to recurring problems relevant to the complaint under review.

Composition of the Independent Review Committee:

The Committee is appointed by the Provost and consists of three faculty members, one of whom is designated by the Provost as Chair, three students, two staff members, and three community members. Individuals wishing to propose someone for membership to the Committee may contact the Associate Provost for Faculty and Student Affairs.

University of Michigan - Police Department Oversight Committee (Procedures)⁴

Membership and Election Procedures

Members of the Committee shall be elected and will include two members of the faculty, two members of the staff and two students.

Faculty Members

- (1) All employees on the Ann Arbor campus who are not registered students at the University of Michigan and who have any phrase containing any of the words "professor", "scientist", "lecturer", "instructor", "librarian", "archivist" or "curator" in any of their titles at any percentage are deemed to be faculty for the purposes of these procedures.
- (2) These "faculty" are divided in to two categories:
 - (i) Those who are members of the University Senate
 - (ii) Those who are not.
- (3) There will be one elected representative from each category:
 - (i) The Senate Advisory Committee on University Affairs (SACUA) will develop a slate of at least two candidates, who are members of the University Senate and who are employed on the Ann Arbor campus, for one of these faculty positions. The Secretary of the Senate will organize an electronic ballot with the aid of the SACUA and University Human Resources offices every other year. Members of the University Senate will vote for one representative from a slate of at least two. The Senate member with the highest vote will then be appointed to the Committee for a term of two years. Vacancies during a term will be filled from the nominating slate in the order of votes.
 - (ii) University Human Resources will organize an election every other year for one representative for the active faculty who are not members of the University Senate. The slate will be developed by nominations at large and will contain at least two names. Members of this faculty category will vote for one representative from a slate of at least two candidates via an electronic ballot. The faculty member with the highest vote will then be appointed to the Committee for a term of two years. Vacancies during a term will be filled from the nominating slate in the order of votes.

Staff Members

University Human Resources will organize the elections for the two staff member representatives. Staff members are employees on the Ann Arbor campus. One staff representative will be nominated and elected by staff members represented by a collective bargaining agreement. The other staff representative will be nominated and elected by all other staff members. These elections will be held on alternating years via electronic ballot. The two staff members with the highest number of votes will then be appointed to the Committee for terms of two years. Vacancies during a term will be filled from the respective ballot in order of the number of votes received.

⁴ See The University of Michigan Police Department Oversight Committee, "Committee Procedures," <https://hr.umich.edu/working-u-m/workplace-improvement/police-department-oversight-committee/committee-procedures>

Student Members

Two students will serve one year terms on the Committee. The Central Student Government will nominate two students for election by the student body.

Meetings

The Committee shall meet when in receipt of a grievance filed directly with the Committee. Business may not be conducted unless a quorum of the members is present. A quorum shall be one more than half of the current membership.

The Committee also shall meet two times a year to receive and discuss the semi-annual report made by the Police Chief regarding grievances submitted to the Department.

Confidentiality

All grievances and reports made to the Committee pursuant to these procedures shall be treated confidentially by the Committee. Information about a grievance will not be released by committee members, except as specified in these procedures, or as required by law. The Committee as a whole may release written statements to advise the public of the procedural status of an ongoing investigation.

Grievance Procedures

Grievances about a police officer or the Police Department may be submitted to the Committee by calling (734) 647-7292, emailing pdoversight@umich.edu, or filing a grievance at the office of Staff HR Services, 2005 Wolverine Tower, 3003 S. State St., Ann Arbor, Michigan 48109. Grievances should be presented in writing using the Committee's standard grievance form.⁵

Grievances may also be submitted directly to the Police Department. Grievances submitted to the Department shall be reported within five business days to the Committee by the Police Chief.

The Police Chief will meet with the Committee on a semi-annual basis to provide a summarized report of all grievances received by the Department during the previous six-month period.

Consideration of Grievances

Referral to the Police Chief

The Committee may refer a grievance to the Police Chief, who shall conduct an investigation or review, in accordance with University policies and procedures. The Committee may supplement the referral with any specific suggestions, recommendations, or concerns it has with regard to the issues to be investigated or reviewed.

At any time, the Committee may request, and the Police Chief shall provide, an interim report on the progress of an investigation/review of a grievance submitted to her or him. The report may be oral and/or in writing.

⁵ <https://hr.umich.edu/sites/default/files/police-dept-grievance.pdf>

Upon completion of the investigation or review, the Police Chief shall report to the Committee. The report shall include a summary of: the steps followed, the findings and conclusion, any actions taken, and an explanation for any unreasonable delays. The report may be oral and/or in writing. The Committee may accept the report as final, or it may ask the Police Chief to investigate further and submit another report, or it may choose to conduct additional investigation on its own.

Consideration by the Committee

The Committee may conduct its own hearing of any grievance submitted to it. In conducting such a hearing, the Committee may question any employee believed to have any information relevant to the grievance, and such employee will meet with the Committee in a timely fashion, on terms that are consistent with the University's policies, procedures and labor agreements.

If the Police Chief objects to the hearing, the Police Chief may register that objection to the Committee. If, after receiving the Committee's response, the Police Chief continues to object, the Police Chief may appeal to the Executive Director, Division of Public Safety and Security. If the Executive director supports the appeal, the matter shall be referred to the President for a decision.

Committee Action

Upon completion of the investigation of a grievance, the Committee may:

- (1) Determine that no further action is warranted, and notify all affected persons of that decision.
- (2) Report its findings and recommendations - including any recommendations for disciplinary measures against any officer of the Police Department-to the Executive Director, Division of Public Safety and Security. No portion of any such report that contains confidential information provided to the Committee shall be made public unless required by law. The Executive Director shall review the report and advise the Committee of the disposition of the matter.

Administrative Support

University Human Resources will provide administrative support to the Committee, including receipt of grievances submitted to the Committee, logistical and communications support for the nomination and election processes for faculty and staff representatives, and any other needs identified by the Committee.

Approval of Procedures

These procedures must be reviewed by the Office of the General Counsel and approved by the Executive Director, Division of Public Safety and Security or the President. If the Committee proposes changes to the procedures, the Executive Director may approve them; however, only the President may reject them.

Villanova University – Police Oversight Committee⁶

Mission:

The mission of the Villanova University Police Oversight Board is to provide vision, guidance and oversight to the delivery of police services to the Villanova University community. Through its members, the Committee will facilitate communication and develop a mutual understanding of roles and expectations between the community and the University Police. This highly collaborative partnership will optimize police resources on campus by providing thoughtful insight into the safety and security needs of our diverse campus community and by monitoring police activity on campus.

Appointment of Terms:

- (1) The Committee shall consist of two students, three faculty members, one staff member, a University Administrator, and an at-large member of the University community (ie. alumni, parent, neighbor). The Director of Public Safety shall be a non-voting, ex-officio member of the Committee. A representative from the Office of General Counsel shall advise the Committee on police legal issues.
- (2) The Chair and all other Committee members shall be appointed by the University President.
- (3) All non-student appointments shall be for two academic years. All Committee members are eligible for three terms of reappointment. Student appointments may vary.

Responsibilities of the Committee:

The Committee functions in an advisory capacity, and should strive to work collaboratively with the Department of Public Safety. However, the Committee is not intended to act as a management arm of the Department, nor is it intended to supplant or replace existing University processes. Existing University policies, procedures, and practices for dealing with issues such as employee relations are to be utilized to adjudicate complaints against Departmental employees.

The specific duties of the Committee shall include:

- (1) To serve as a liaison between the Public Safety Department and the University community
- (2) To advise and make recommendations to the Executive Vice President concerning the provision of police services to the University community.
- (3) To be briefed by the Director of Public Safety regarding complaints and subsequent investigations by members of the public against Public Safety officers.
- (4) To be briefed on all use of force incidents.
- (5) To review a summary of police citations issued and criminal charges filed.
- (6) To function as a sounding board for the Director of Public Safety on various issues or concerns involving the Department and the Villanova University community.
- (7) To provide input on programs and initiatives to enhance campus safety.
- (8) To promote and support public awareness of the University's police services and programs.
- (9) To prepare an annual report of Committee activities, which shall be forwarded to the Executive Vice President.

⁶ See Villanova Police Oversight Committee, "Charter," <https://www1.villanova.edu/villanova/publicsafety/oversight-committee.html>

Operating Procedures

- (1) The Committee will meet monthly during the academic year. The schedule of meetings will be developed at the beginning of each academic year.
- (2) For purposes of conducting the Committee's business, a simple majority of the Board's voting members must be present.
- (3) The Committee shall adopt such rules of procedure as it deems necessary.
- (4) Meetings will be closed with the exception of public forums held as necessary and attendance may be restricted to members of the campus community.
- (5) The Committee shall coordinate an open public forum each academic year to receive campus concerns.
- (6) The Chair will meet annually with the Trustees' Audit and Risk Committee.

Wake Forest Police Department Advisory Board (Bylaws)⁷

I. Composition of the Board

Committee Chair

- Rian Bowie, Associate Teaching Professor, English

Administrative Representatives

- Regina Lawson, Chief WFU Police
- James Byrd, Director, Physical Security and OneCard
- Daniella Feijoo, WFU Fellow
- Christopher Hairston, Senior Associate Athletic Director
- Amanda Horton, Senior Associate Director, Integrative Student Services
- Angela Mazaris, Director, LGBTQ Center
- Liz Orr, Associate Chaplain, Catholic Life
- Donna Sides, Campus Engagement Manager
- Derri Stormer, Major, WFU Police

II. Appointment of Terms:

1. All board members shall be appointed by the Chair and WFU Chief of Police subject to confirmation by the Vice President for Campus Life or his/her designee.
2. All non student appointments shall be for 2 academic years. All Board members are eligible for three terms of reappointment. Student appointments may vary.
3. Vacancies occurring otherwise than through the expiration of terms shall be filled for the remainder of the term of the member being replaced. Vacancies shall be filled in the same manner as original appointments.

III. Compensation:

No Board member shall receive compensation for services performed

IV. Duties of the Board:

The duties of the Board shall include, but not be limited to the following:

4. To advise and make recommendations to the Vice President for Campus Life and the Chief of Police concerning the provision of police protection and services within the university.
5. To enhance police-community relations.
6. To review and make recommendations concerning police department policies, procedures and programs.
7. To promote and support public awareness of the university's police services and programs.
8. To hold public meetings from time to time to solicit public input regarding police services and programs and campus safety.
9. To serve as a liaison between the police department and the university community.
10. The board shall make a written annual report each June to the Vice President for Campus Life regarding the Boards activities. This report shall be available to the public upon request.

⁷ Wake Forest University, "Advisory Board Members and Bylaws," <https://campuslife.wfu.edu/office-of-the-vice-president/police-advisory-board/advisory-board-members-and-bylaws/>

V. Meeting and Procedures:

1. The Board shall have a least one regular meeting per month on such day of the month at such time as may be determined by the Board. Special meetings may be held as often as the Board deems necessary.
2. For purposes of conducting the Boards business, exercising its powers and for all other purposes, a quorum of the Board shall consist of a majority of members. Any action taken by a majority of consisting groups of those present, when those present constitute a quorum at any regular or special meeting of the Board, shall be deemed and taken as the action and decision of the Board.
3. The Board shall elect such officers as it deems necessary in order to conduct its business. The Board shall adopt such rules of procedures as it deems necessary (ex. Chair, vice chair, secretary, etc).
4. Meetings will be closed with the exception of public forums held as necessary and attendance may be restricted to the campus community.

Municipal Accountability Board

City of Rochester – Police Accountability Board⁸

- City residency is required for a minimum of 12 months prior to appointment
- Appointments are unpaid positions
- The Board will be comprised of 9 members: 4 members shall be appointed by the Council (with representation from each Council District), 4 members shall be appointed from 12 recommendations by the Police Accountability Board Alliance, and 1 member shall be appointed by the Mayor; all members are subject to confirmation by the City Council
- The Board will meet as needed, frequency will be determined by caseload
- Other meetings will be scheduled as needed and the Board will be responsible to create by-laws, hire an Executive Director, and work with Rochester Police Department (RPD) and Locust Club to develop a disciplinary matrix
- Terms will be 3 years (the initial board will have staggered terms)
- Members of the Board and their immediate family members cannot be current or former members of the RPD
- Board Members cannot be elected officials, or have been an elected official within the past 3 years, or an immediate family member of a current elected official
- Board Members and their immediate family cannot be attorneys who have represented any party in a police misconduct lawsuit regarding the RPD, Chief of Police or Locust Club
- Board Members will review and assess RPD policies, procedures, patterns and practices annually and make recommendations for change to the Chief of Police, Mayor and City Council
- Training will be required on topics listed in Section 18-7 of Local Law 2019-2 / Int. No. 45A (this legislation can be found by visiting www.cityofrochester.gov)

⁸ The City of Rochester, Police Accountability Board Membership, <https://www.cityofrochester.gov/PAB/>

Appendix C.3 - NACOLE Code of Ethics



National Association for Civilian Oversight of Law Enforcement 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 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 a 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 dialogue 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.

The following oversight agencies have adopted the NACOLE Code of Ethics:

- Citizen Oversight Board, City & County of Denver, CO
- Citizens' Law Enforcement Review Board, San Diego County, CA
- Citizens' Review Board on Police Practices, San Diego, CA
- Civilian Review Board, Eugene, OR
- Independent Review Panel, Miami, FL
- Milwaukee Fire and Police Commission, Milwaukee, WI
- Office of Citizen Complaints, San Francisco, CA
- Office of Community Complaints, Kansas City, MO
- Office of Police Complaints, Washington, D.C.
- Office of Professional Accountability, Seattle, WA
- Office of the Community Ombudsman, Boise, ID
- Office of the Independent Monitor, City & County of Denver, CO
- Office of the Independent Police Auditor, Bay Area Rapid Transit District, San Francisco, CA
- Office of the Independent Police Auditor, San Jose, CA
- Office of the Police Auditor, Eugene, OR
- Office of the Police Ombudsman, Spokane, WA
- Richmond Police Commission, Richmond, CA

Appendix C.4 - Safety and Security Models at Ivy Plus Peers

Safety and Security Models at Ivy Plus Peers and Other Private Urban University Peers Outside of Maryland/DC

See p. 4 for Maryland/DC Peers // See p. 8 for Additional Models

University	Source of authority	Jurisdiction	Arrest power?	Investigatory power?	Who hires?	Who pays?	Who trains?	Accredited? IACLEA/CALEA
Brown U. Department of Public Safety	State law, licensed as RI Special Police Officers	“On campus and upon the streets and highways adjacent to campus”	Y	Y	University	University	University & state – must attend a state-certified police academy	Y CALEA
Carnegie Mellon U. Police Department	State law <i>Detectives & Private Police Act (“Act 501”)</i>	CMU property (Pittsburgh police patrol city streets that border & pass through campus)	Y	Y	University	University	University & state – must complete state-approved police academy training	N <i>But state accredited</i>
U. Chicago Police Department	State law	On campus and in specifically defined neighborhood area nearby campus	Y	Y	University	University	University & state – must be trained in accordance with IL police training and standards board	Y CALEA
Columbia U. Department of Public Safety	NY State-certified security guards	Columbia University property	N	N	University	University	University & state – must complete NY State security officer training	N
Cornell U. Police Department (nicknamed “Cornell Police”)	State law <i>Section 2.20 of the NY State Crim. Pro. Law & as authorized by NY State Ed. Law, §§ 5708--09</i>	“[W]ithin grounds or premises owned or controlled by Cornell U., including any public highway that crosses or adjoins such property”; “shares jurisdiction with local agencies in adjacent areas”	Y	Y	University	University	University & state – Sworn officers complete the 629-hour municipal police training, the certified Basic Course for Police Officers training, and then are assigned to a field training officer to learn about the Cornell environment	Y IACLEA
Dartmouth College Department of Safety and Security	N/A	Dartmouth “College-owned and controlled property”	N	N	University	University	University & state – all uniformed personnel attend the NH Campus Safety Academy	N

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Safety and Security Models at Ivy Plus Peers and Other Private Urban University Peers Outside of Maryland/DC

See p. 4 for Maryland/DC Peers // See p. 8 for Additional Models

University	Source of authority	Jurisdiction	Arrest power?	Investigatory power?	Who hires?	Who pays?	Who trains?	Accredited? IACLEA/CALEA
Drexel U. Department of Public Safety	State law	On campus and in a specifically defined neighborhood area nearby campus	Y	Y	University	University	University	Y CALEA
Duke U. Police Department	State law	“Property owned by, or under the control of, Duke University, which includes adjacent public streets and sidewalks”	Y	Y	University	University	University & state – university has a professional recruiting and training unit	Y CALEA
Harvard U. Police Department	State law, special state police officers <i>MA Gen. Laws Ch. 22C § 63</i>	On and around Harvard properties; as SSPOs they can respond to any “breach of the peace” on city streets in Cambridge, Somerville, and Boston	Y	Y	University	University	University & state – receive same academy training as Cambridge police (note: no MOU with other local PDs)	N
MIT Police Department (nicknamed “MIT Police”)	State law, special state police officers <i>MA Gen. Laws Ch. 22C § 63</i>	MIT property ← NB: They are ALSO sworn in as deputy sheriffs in the 2 relevant counties	Y	Y	University	University	University & state	N
NYU Department of Public Safety	NY State-certified security guards	On and around NYU campuses	N use citizen arrest	N	University	University	University & state - must complete NY State security officer training	N
Northwestern University Police	State law <i>State of Illinois statutes (110 ILCS 1005/0.01-3.0)/Private College Act)</i>	On campus and “in close proximity to campus” when responding to a “student-related incident”	Y	Y	University	University	University & state – must complete state-approved policy academy training	N
U. Penn Police Department	State law <i>C’wealth of Pennsylvania Munic’l Police Officers Act</i>	On campus and in a specifically defined neighborhood area nearby campus	Y	Y	University	University	University & state – must complete state training and additional university training	Y CALEA

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Safety and Security Models at Ivy Plus Peers and Other Private Urban University Peers Outside of Maryland/DC

See p. 4 for Maryland/DC Peers // See p. 8 for Additional Models

University	Source of authority	Jurisdiction	Arrest power?	Investigatory power?	Who hires?	Who pays?	Who trains?	Accredited? IACLEA/CALEA
Princeton Department of Public Safety	State law <i>New Jersey statutes (Title 18A, Sections 6-4.2 and 6-4.5)</i>	On campus and at university properties near campus	Y	Y	University	University	University & state – must complete “same police academies and annual training as their municipal counterparts”	Y CALEA
Stanford U. Department of Public Safety	MOU w/ Santa Clara County	Stanford University property	Y	Y	University	University	University & state – includes 24-week police academy, in-field training	N
Tulane U. Police Department	State law <i>La. St. Law Rev. Stat. 17:1805</i>	On campus and in a specifically defined neighborhood area nearby campus	Y	Y	University	University	University & state – must attend a state-certified police academy	Y CALEA
Wash U St. Louis Police Department	State law	On campus and in a specifically defined neighborhood area nearby campus	Y	Y	University	University	University & state – must receive same state-required training as municipal counterparts	N
Yale U. Police Department	State law <i>CT Gen. Statutes, Public Act No. 83-466, § 3*</i>	“[O]n campus and within an extended patrol area as agreed upon by NHPD”	Y	Y	University	University	University & state – 818 hours of basic training + 12 weeks in-field training; Has full-time Training and Professional Standards Unit	N

* “The City of New Haven, acting through its board of police commissioners, may appoint persons designated by Yale University to act as Yale University police officers. Such officers having duly qualified under section 7-294d of the general statutes, and having been sworn, shall have all the powers conferred upon municipal police officers for the city of New Haven. They shall be deemed for all purposes to be agents and employees of Yale University, subject to such conditions as may be mutually agreed upon by the city of New Haven, acting through its board of police commissioners, and Yale University.”

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Safety and Security Models at Baltimore-Area and DC-Area University Peers

University (^{Pr} =private)	Source of authority	Jurisdiction	Arrest power?	Investigatory power?	Who hires?	Who pays?	Who trains?	Accredited? IACLEA/CALEA
American University^{Pr} Police Department	DC Code & regs re: special police <i>DC Code § 23-582</i> <i>DCMR 6-A12</i>	Property “owned or controlled by” AU	Y	Y	University	University	University – 10-week Campus Public Safety Institute program	N
Baltimore City Community College Department of Public Safety Est. 2006	State law <i>MD Code, Educ. § 16-513/ Crim. Pro. § 2-101</i>	Property owned, leased, operated by, or under the control of BCCC. Works closely BPD NW District to share information and receive first responder support	Y	Y	University	University	University & state – must be trained according to guidelines established by MD Police Training Commission	N
Catholic University of America^{Pr} Department of Public Safety	DC Code & regs re: special police <i>DC Code § 23-582</i> <i>DCMR 6-A12</i>	Property “owned or controlled by” CUA	Y	Y	University	University	University – 10-week Campus Public Safety Institute program + 56-hour basic firearms course + semiannual firearms qualification	N
Community College of Baltimore County Department of Public Safety	State law <i>MD Code, Pub. Safety § 3-303</i> (Special Police Officers)	On CCBC-owned, leased, or rented property as described in the commission	Y	Y	University	University	University & state (see Md. Code, Pub. Safety § 3-303)	N
Coppin State University[‡] Police Department	State law <i>MD Code, Crim. Pro. § 2-101 / Educ. § 13-601 / Pub. Safety § 3-101</i>	Property owned, leased, operated and/or controlled by Coppin Via an MOU, concurrent jurisdiction and authority in areas “contiguous to the University”	Y	Y	University	University	University & state – must be trained according to guidelines established by MD Police Training Commission	N
George Mason University Police Department	State law	“streets, parking lots, buildings, and grounds” of its campuses Working relationship with state and county police	Y	Y	University	University	University & state – must complete state training	N <i>but state accredited</i>

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Safety and Security Models at Baltimore-Area and DC-Area University Peers

University (^{Pr} =private)	Source of authority	Jurisdiction	Arrest power?	Investigatory power?	Who hires?	Who pays?	Who trains?	Accredited? IACLEA/CALEA
George Washington University^{Pr} Police Department	DC Code & regs re: special police <i>DC Code § 23-582</i> <i>DCMR 6-A12</i>	Property owned, leased, or controlled by GWU Working relationship with Metropolitan PD (frequent info sharing); no MOU	Y	Y	University	University	University – 10-week Campus Public Safety Institute program	Y CALEA
Georgetown University^{Pr} Police Department	DC Code & regs re: special police <i>DC Code § 23-582</i> <i>DCMR 6-A12</i>	Property owned, leased, or controlled by GU Working relationship with Metropolitan PD (frequent info sharing); no MOU	Y	Y	University	University	University – coordinated by FT Training and Recruitment Sergeant	N
Goucher College^{Pr} Office of Public Safety	N/A	College property. Balt. County PD has jurisdiction over the campus for all criminal incidents. (No MOU)	N	Y	University	University	University (all officers have prior security or law enforcement experience/training)	N
Howard University^{Pr} Department of Public Safety	DC Code & regs re: special police <i>DC Code § 23-582</i> <i>DCMR 6-A12</i>	Properties/facilities owned and operated by HU. Via an MOU, concurrent jurisdiction and authority with Metropolitan PD on HU campuses (except for the North Campus)	Y	Y	University	University	University – 10-week Campus Public Safety Institute program	N
Loyola University Maryland^{Pr} Department of Public Safety	State law <i>MD Code, Pub. Safety § 3-303</i> (Special Police Officers)	On Loyola-owned, leased, or rented property as described in the commission. Off-duty BDP officers patrol “outlying areas and the perimeter of the campus.” BPD patrols area surrounding campus.	Y	Y	University	University	University & state (see Md. Code, Pub. Safety § 3-303)	N
Maryland Institute College of Art^{Pr}	State law <i>MD Code, Pub. Safety § 3-303</i>	On MICA-owned, leased, or rented property as described in the commission.	Y	Y In cooperation with BPD	University	University	University & state – must complete training with certified	N

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Safety and Security Models at Baltimore-Area and DC-Area University Peers

University (^{Pr} =private)	Source of authority	Jurisdiction	Arrest power?	Investigatory power?	Who hires?	Who pays?	Who trains?	Accredited? IACLEA/CALEA
Department of Campus Safety	(Special Police Officers)	One off-duty BBPD officer patrols the campus during the evening hours when classes are in session. Via an MOU, BPD has primary jurisdiction for investigating crime.					public safety instructors	
Morgan State University Police and Public Safety Department	State law <i>MD Code, Education § 14- 106</i>	On campus and in close proximity to campus for student-related incidents. Via an MOU, BPD provides mutual aid and assistance with the investigation and enforcement of certain crimes both on and off campus.	Y	Y	University	University	University & state – must complete MD Police Training Commission approved course & receive 240 hours field training	N
Notre Dame of Maryland University^{Pr} Office of Public Safety	N/A	Property owned by NDMU. BPD patrols non-campus locations nearby.	N	Y In cooperation with BPD	University	University	University	N
Stevenson University^{Pr} Campus Security	N/A	Greenspring and Owings Mills campuses “and certain non-campus property as appropriate.” Currently pursuing an MOU with Balt. County PD	N	N	University	University	University	N
Towson University[‡] Police Department (nicknamed Towson “Police”)	State law <i>MD Code, Crim. Pro. § 2-101 / Educ. § 13-601 / Pub. Safety § 3- 101</i>	“[A]ll property owned by the university and on the roadways within or immediately adjacent to the campus.” MOU w/ Balt. County PD for supplemental staffing	Y	Y	University	University	University & state – must complete MD Police Training Commission approved course	Y IACLEA & CALEA (only PD in state w/ dual accredit’n)
UDC Police Department	DC Code re: mayor-	Buildings and properties owned or controlled by UDC.	Y	Y	University	University	University	N

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Safety and Security Models at Baltimore-Area and DC-Area University Peers

University (^P =private)	Source of authority	Jurisdiction	Arrest power?	Investigatory power?	Who hires?	Who pays?	Who trains?	Accredited? IACLEA/CALEA
	appointed special police <i>DC Code § 5.129.02</i> <i>DCMR 6-A12</i>	MPD has primary jurisdiction in all areas off campus, but UDC can respond to student/staff incidents adjacent to it						
UMBC[‡] Police Department	State law <i>MD Code, Crim. Pro. § 2-101 / Educ. § 13-601 / Pub. Safety § 3- 101</i>	UMBC property. Via an MOU, Baltimore County PD handles serious criminal investigations (e.g., felony sexual offenses and homicides)	Y	Y	University	University	University & state – must complete MD Police Training Commission approved course	Y CALEA
University of Baltimore[‡] Police Department	State law <i>MD Code, Crim. Pro. § 2-101 / Educ. § 13-601 / Pub. Safety § 3- 101</i>	Via an MOU, concurrent jurisdiction and authority with BPD within defined boundaries (approx. 40 square blocks from above Penn Station down to Madison St.)	Y	Y	University	University	University & state – must complete MD Police Training Commission approved course	Y CALEA
University of Maryland, Baltimore[‡] Police Force Est. 1975	State law <i>MD Code, Crim. Pro. § 2-101 / Educ. § 13-601 / Pub. Safety § 3- 101</i>	Via an MOU, concurrent jurisdiction and authority with BPD within university boundaries, including streets and sidewalks “immediately adjacent” to campus	Y	Y	University	University	University & state – must complete MD Police Training Commission approved course	Y CALEA
University of Maryland, College Park[‡] Police Department	State law <i>MD Code, Crim. Pro. § 2-101 / Educ. § 13-601 / Pub. Safety § 3- 101</i>	Via an MOU, concurrent jurisdiction with Prince George’s County PD on campus property and “areas adjacent to the campus” in College Park and Adelphi	Y	Y	University	University	University & state – must complete MD Police Training Commission approved course	Y CALEA

[‡] Part of the University System of Maryland, and therefore under the umbrella of the state-authorized University System of Maryland Police Force.

Appendix G

Universities that Formally Rely on Municipal Police

University (^{pr} = private)	Police Arrangement	Shared Jurisdiction	Who hires?	Who pays?	Who trains?	NOTES
Auburn University Department of Campus Safety & Security (DCSS)	All campus crimes are reported to and investigated by the City of Auburn Police Division (APD), through a written agreement with the university *Auburn has 1 campus safety officer as well (unarmed) *APD and a DCSS substation are co-located on a building on campus (as of 2018)	*APD has full jurisdiction over the university campus. DCSS receives accident, incident, and arrest reports, as well as non-traffic citations, from APD for incidents occurring on the university's Clery geography on a regular basis. *DCSS also receives reports of student arrests and serious incidents (to include acts of violence) involving students regardless of location. Sexual misconduct incidents are shared with Auburn's Title IX Coordinator for investigation.	APD	APD	APD	Certain details from reports received from APD, or full reports, involving Auburn students may be shared with the Division of Student Affairs for review and referral to the Office of Student Conduct for potential action, if the behavior documented is in violation of university policy
Boise State University Department of Public Safety	BSU security officers do building security, grounds security, citizen aid, and emergency response and Boise Police (BPD), though a contract, do crime control *BPD officers serving BSU are stationed at the Public Safety substation	*BPD officers have full law enforcement authority on all property owned or controlled by Boise State University, including streets adjacent to and running through the Boise State University campus, as well as at certain local off-campus locations the University owns or controls, and public property "contiguous" to campus	BPD	BPD	BPD	Although BPD patrols on campus, "[t]he Department of Public Safety . . . has administrative responsibility for law enforcement activities on campus," including emergency response
Colorado College^{pr} Department of Campus Safety	Combines full-time, professional, unarmed Campus Safety patrol officers with armed police officers contracted through a written agreement with the Colorado Springs Police Department (CSPD)	*1 full-time, armed campus resource officer is stationed on campus during reg. business hours *Additional patrol of border zones by armed CSPD officers in vehicles *On Friday and Saturday nights, extra-duty CSPD officers patrol throughout the campus and the surrounding neighborhoods	CSPD	CSPD	CSPD	First piloted in 2010; Board of Trustees approved it on ongoing basis in 2015
Colorado Mesa University	Combines 2 full-time sworn police officers with 4 Grand Junction PD officers and 1	*Grand Junction PD has full jurisdiction over campus and surrounding neighborhoods.	Grand Junction PD	Grand Junction PD	Grand Junction PD	Campus Safety Officer Program started in 2016

Appendix G

Universities that Formally Rely on Municipal Police

University (^{pr} = private)	Police Arrangement	Shared Jurisdiction	Who hires?	Who pays?	Who trains?	NOTES
Campus Safety and Student Conduct (article here)	PD sergeant, assigned to campus for a 3-year term *Grand Junction PD has a substation on campus	*CMU's sworn police officers patrol campus in conjunction with Grand Junction PD.				In 2017, these officers "almost doubled the amount of time spent on proactive policing at the college, with over 700 hours spent on foot and bicycle patrol on and around campus."
Community College of Allegheny County Safety and Security	*CCAC has 4 directors of security – 1 per campus – who are sworn police officers who report to their campus presidents *Pittsburgh PD and Allegheny Sheriff's Office provide the additional police protection, through contracts w CCAC *CCAC also uses contract security guards	Not publicly available	Pittsburgh PD & Allegheny Sheriff	CCAC (via contract with Pittsburgh PD & Allegheny Sheriff)	Pittsburgh PD & Allegheny Sheriff	
Missouri State University Department of Safety and Transportation	*Non-commissioned Public Safety Officers (PSOs) work in tandem with sworn officers from the Springfield Police Department (SPD), under a written agreement *SPD has a substation on campus with 10 officers	The SPD Officers have full police power including authority to investigate any and all reports of criminal activity – including full powers of arrest, and power to search – on any property owned, leased, or controlled by MSU, and any other properties within the city limits of the City of Springfield.	SPD	SPD	SPD	Apart from 911 calls, all crimes on MSU property are reported first to MSU's Director of Safety and Transportation, who then reports them to SPD. SPD officers at MSU are "assigned to serve through community oriented policing with a focus on prevention."
Oregon State University Department of Public Safety	Department of Public Safety provides security services, including asking for ID, and has authority to enforce university policies and do citizen arrests, while Oregon State Police or municipal police enforce state and federal law	Corvallis campus: Oregon State Troopers have full police power and may enforce state and federal statutes on campus. Cascades campus: City of Bend PD has full police power and may enforce municipal, state, and federal statutes on campus.	OSP or BPD	OSP or BPD	OSP or BPD	

Appendix C.5 - Baltimore City Civilian Review Board Maryland Code of Public Local Laws

POLICE DEPARTMENT

PLL § 16-40

PARK POLICE

§ 16-40. Status in Police Department.

Any person who became a member of the Baltimore City Police Department as a result of the merger of the Park Police, a Division of the Department of Recreation and Parks, of the City of Baltimore, with the Police Department shall be deemed to have been a member of the Baltimore City Police Department for the period such person was employed as a member of the said Park Police Division; and the period of each person's employment time spent with the Park Police Division prior to the effective date of the merger on January 1, 1961, shall be held to have been spent in the service of the Baltimore City Police Department for purposes of probationary period, seniority rating, length of service for compensation, or additional compensation, eligibility for promotion and all other purposes except eligibility for membership in the Special Fund for Widows; and each person shall continue in the rank attained in the Park Police Division during his tenure in the Baltimore City Police Department, until promoted, reduced, retired, dropped, dismissed, or otherwise altered, according to law, and in the same manner as other members of the Baltimore City Police Department. Any person who is a member of the Baltimore City Police Department shall be given credit for all the purposes aforesaid for all time spent as a member of the said Park Police Division. (P.L.L., 1969, §16-40.) (1961, ch. 290.)

CIVILIAN REVIEW BOARD

§ 16-41. Definitions.

(a) *In general.*

In this subheading the following words have the meanings indicated.

(b) *Abusive language.*

"Abusive language" means the use of remarks intended to be demeaning, humiliating, mocking, insulting, or belittling that may or may not be based on the actual or perceived race, color, religion, sex, national origin, sexual orientation, or gender identity of an individual.

(c) *Excessive force.*

(1) "Excessive force" means the use of greater physical force than reasonably necessary to repel an attacker or terminate resistance.

(2) "Excessive force" does not include force that is reasonably necessary to effect a lawful purpose.

(d) *False arrest.*

"False arrest" means an arrest made without legal justification.

(e) *False imprisonment.*

“False imprisonment” means the intentional restriction without legal justification of the freedom of movement of a person who is aware of the restriction and who does not consent.

(f) *Harassment.*

(1) “Harassment” means:

- (i) repeated or unwarranted conduct that is intended to be overtly demeaning, humiliating, mocking, insulting, or belittling; or
- (ii) any conduct that is intended to cause unnecessary physical discomfort or injury.

(2) “Harassment” does not include conduct that is reasonably necessary to effect a lawful purpose.

(g) *Law enforcement unit.*

“Law enforcement unit” means:

- (1) the Police Department of Baltimore City;
- (2) the Baltimore City School Police;
- (3) the Housing Authority of Baltimore City Police;
- (4) the Baltimore City Sheriff’s Department;
- (5) the Baltimore City Watershed Police Force;
- (6) the police force of the Baltimore City Community College; or
- (7) the police force of Morgan State University.

(h) *Police officer.*

“Police officer” means a member of a law enforcement unit authorized to make arrests. (1999, chs. 196, 197; 2000, ch. 290; 2006, ch. 499; 2015, ch. 130.)

§ 16-42. Board established; jurisdiction; notice of procedures; training.

(a) *Board established.*

The Civilian Review Board of Baltimore City is established to provide a permanent, statutory agency in Baltimore City through which:

- (1) complaints lodged by members of the public regarding abusive language, false arrest, false imprisonment, harassment, or excessive force by police officers of a law

enforcement unit shall be processed, investigated under § 16-46 of this subheading, and evaluated; and

(2) policies of a law enforcement unit may be reviewed.

(b) *Board jurisdiction.*

Jurisdiction of the Board shall extend only to complaints against police officers with respect to abusive language, false arrest, false imprisonment, harassment, and use of excessive force as defined in § 16-41 of this subheading and by the law enforcement unit's rules and regulations.

(c) *Public notice.*

A law enforcement unit shall place posters in all law enforcement unit stations and elsewhere throughout the City to explain the procedure for filing a complaint.

(d) *Notice to officers.*

An explanation of the Board's complaint procedures shall be made to all police officers in a general order to be included in the manual of rules and procedures of a law enforcement unit, and shall be included in the training program for new police officers.

(e) *Training Board members.*

Each member of the Board shall receive training on the issues of abusive language, false arrest, false imprisonment, harassment, and excessive force.
(1999, chs. 196, 197; 2000, ch. 290; 2006, ch. 499.)

§ 16-43. Composition; officers; meetings; staff.

(a) *Composition of Board.*

(1) The Board is composed of:

- (i) one member of the public from each of the nine police districts in Baltimore City selected by the Mayor, subject to the advice and consent of the City Council;
- (ii) one representative of the Fraternal Order of Police;
- (iii) one representative of the Vanguard Justice Society;
- (iv) the Commissioner or the Commissioner's designee;
- (v) one representative of the American Civil Liberties Union of Maryland; and
- (vi) one representative of the Baltimore City Branch of the National Association for the Advancement of Colored People.

(2) Each public member of the Board:

- (i) shall be a voting member of the Board; but
- (ii) may not be a current employee of a municipal, county, state, or federal law enforcement agency.

(3) Each voting member of the Board shall be a resident of Baltimore City.

(b) *Officers.*

At its first meeting each year, the Board shall elect a Chair and Secretary.

(c) *Meetings — frequency.*

- (1) The Board shall meet as often as necessary to perform its functions and duties, but it shall meet at least once a month.
- (2) Each year at least four meetings of the Board shall be held in locations rotated throughout different police districts in the City.

(d) *Meetings — quorum; voting.*

- (1) The Board shall determine what constitutes a quorum.
- (2) In all matters where a quorum is present, a majority of the voting members of the Board shall prevail.

(e) *Terms; voting status.*

- (1) The term of a public member of the Board appointed under subsection (a)(1)(i) of this section is 3 years.
- (2) (i) The terms of the public members are staggered as required by the terms provided for the public members of the Board on October 1, 1999.
- (ii) A public member of the Board is not eligible to serve for more than two full successive terms.
- (3) At the end of a term, a public member appointed under subsection (a)(1)(i) of this section continues to serve until a successor is appointed and qualifies.
- (4) A public member who is appointed under subsection (a)(1)(i) of this section after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.
- (5) A member who is appointed under subsection (a)(1)(ii), (iii), (iv), (v), or (vi) of this section shall serve in a nonvoting advisory capacity.

(f) *Staff.*

(1) The Mayor of Baltimore City shall assign staff to the Board for the periodic meetings of the Board from the Office of the City Solicitor and the Community Relations Commission.

(2) Baltimore City may hire an independent administrator to serve the Board.
(1999, chs. 196, 197; 2015, ch. 130; 2017, ch. 598.)

§ 16-44. Filing complaints.

(a) *Where filed.*

An individual who claims to have been subjected to or witnessed an act of abusive language, false arrest, false imprisonment, harassment, or excessive force, or injury allegedly resulting from excessive force caused by a police officer, may file a complaint at

the Office of the Internal Investigative Division,

the Legal Aid Bureau,

the Maryland Human Relations Commission,

the Baltimore Community Relations Commission, or

at any of the police district stations.

(b) *When filed.*

A complaint shall be made within 1 year of the action giving rise to the complaint.

(c) *Form.*

(1) The complaint shall be reduced to writing on a form authorized by the Board and signed and sworn to by the complainant.

(2) The complaint shall include:

(i) the name of the complainant;

(ii) if known, the name of the police officer allegedly involved;

(iii) the date, time, and place of the alleged misconduct;

(iv) the circumstances of the alleged misconduct; and

(v) an explanation of the alleged misconduct that is deemed to be wrongful.

(d) *Referral to IID and Board Secretary.*

One copy of the completed form shall be retained by the recipient of the complaint and a copy given to the complainant. A copy shall be sent within 48 hours to the Internal Investigative Division and the Secretary of the Board.

(e) *Docketing; referral to Board members.*

The Secretary of the Board shall assign a consecutive number to each complaint, and within 48 hours, shall send a copy to each member of the Board. The Secretary shall also maintain on file a record of each complaint.

(1999, chs. 196, 197; 2006, ch. 499; 2017, ch. 598.)

§ 16-45. Investigations.

(a) *IID to investigate within 90 days.*

The Internal Investigative Division shall make a comprehensive investigation of each complaint and submit its Internal Investigative Division Report relating to the incident alleged to the Board within 90 days from the date of the complaint.

(b) *Extension.*

For good cause shown, the Board may extend the time allowed to complete the report required under subsection (a) of this section.

(1999, chs. 196, 197.)

§ 16-46. Board proceedings.

(a) *Board review of complaint.*

(1) The Board shall review all complaints alleging police misconduct described in § 16-42(a)(1) of this subheading.

(2) The Board may investigate, simultaneously with the Internal Investigative Division, each complaint it deems appropriate and report its findings to the Internal Investigative Division.

(b) *Witnesses and records.*

(1) The Board may issue a subpoena, signed by the Chairman of the Board, to compel:

- (i) the attendance and testimony of a witness other than the accused officer; and
- (ii) the production of any book, record, or other document.

(2) If a person fails to comply with a subpoena issued under this subsection, on petition of the Board, a court of competent jurisdiction may compel compliance with the subpoena.

- (3) A police officer may submit a witness list to the Board 10 days or more before the Board takes testimony.
 - (4) The Chairman or the Secretary of the Board may administer oaths in connection with any proceeding of the Board.
 - (5) The police officer or the police officer's representative shall have the right to question witnesses who testify about the complaint.
 - (6) All witness testimony shall be recorded.
- (c) *Board review of report; recommendations.*
- (1) The Board shall review the Internal Investigative Division's Report.
 - (2) On review of the Internal Investigative Division Report and the Board's investigative report, if any, of each case, the Board shall recommend to the head of the appropriate law enforcement unit one of the following actions:
 - (i) sustain the complaint and may recommend the appropriate disciplinary action against the police officer;
 - (ii) not sustain the complaint;
 - (iii) exonerate the police officer;
 - (iv) find that the complaint is unfounded; or
 - (v) require further investigation by the Internal Investigative Division.
- (d) *Submission to unit head.*

The Board shall submit a statement of its findings and recommendations to the head of the appropriate law enforcement unit within 30 days of receipt of the Internal Investigative Division Report.

(1999, chs. 196, 197; 2000, ch. 290; 2006, ch. 499.)

§ 16-47. Penalty for false statements, etc.

Any person who knowingly makes a false statement, report, or complaint in the course of an investigation by the Internal Investigative Division or the Board conducted under the provisions of this subheading is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$500 or imprisonment not exceeding 6 months or both.

(1999, chs. 196, 197.)

§ 16-48. Final decision by unit head.

(a) *Consideration of Board recommendation.*

The head of the appropriate law enforcement unit has final decision-making responsibility for the appropriate disciplinary action in each case, but the head of the appropriate law enforcement unit may not take final action until after reviewing the recommendation of the Board under § 16-46(c)(2) of this subheading.

(b) *Expungement or records.*

If a complaint is not sustained or the police officer is exonerated, on written request by the police officer sent to the Board, the Board shall expunge all records of the complaint.
(1999, chs. 196, 197; 2000, ch. 290.)

§ 16-49. Rights preserved.

The procedures established under this subheading may not be construed to abrogate any constitutional, statutory, or common law right of:

- (1) a police officer against whom a complaint is filed; or
- (2) the complainants, investigators, or witnesses who participate in the complaint procedure under this subheading.

(1999, chs. 196, 197.)

§ 16-50. Disciplinary proceeding unaffected.

The procedures established under this subheading may not be construed to affect or change the methods and procedures for suspension or dismissal of police officers.
(1999, chs. 196, 197.)

§ 16-51. Officer's right to notice and hearing.

A police officer may not be penalized or affected adversely in any way as a result of the procedures established under this subheading without having been first afforded proper written notice of the charges lodged against the officer and the right to a hearing before the Police Trial Board in accordance with due process of law.
(1999, chs. 196, 197.)

§ 16-52. Records.

(a) *Names to be kept confidential.*

Records containing the names or identification of complainants, investigators, and witnesses may not be disclosed or released to the public.

(b) *Records maintenance.*

(1) The Internal Investigative Division shall retain sole custody of an Internal Investigative Division Report.

(2) Except for an Internal Investigative Division Report, the Board shall be the custodian of all records of a proceeding for a complaint under this subheading, including personal notes, audio recordings, memoranda, letters, and forms resulting from a complaint and proceedings before the Board involving the complaint.

(1999, chs. 196, 197.)

§ 16-53. Rules and regulations.

Subject to the provisions of this subheading, the Board may adopt reasonable and proper regulations to govern its procedures.

(1999, chs. 196, 197.)

§ 16-54. Semiannual statistical report.

(a) *Board to publish.*

The Board shall prepare and publish a semiannual statistical report regarding the complaints processed under this subheading.

(b) *Submission.*

The Board shall submit the report semiannually to the Mayor and City Council of Baltimore City and the Commissioner.

(1999, chs. 196, 197.)

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