University at Albany Police Department Response To

The Final Report of The President's Task Force on 21st Century Policing
June 2016

The following serves as the University at Albany Police Department's response to the May 2015 President's Task Force on 21st Century Policing. This analysis addresses those recommendations that most directly affect the roles and responsibilities of Law Enforcement Agencies comparable to the University at Albany Police Department, and not those of a Federal Level or non-Law Enforcement agencies.

1.1 RECOMMENDATION: Law enforcement culture should embrace a guardian mindset to build public trust and legitimacy. Toward, that end, police and sheriff's departments should adopt procedural justice as the guiding principle for internal and external policies and practices to guide their interactions with the citizen's they serve.

Response: The core of UPD is based upon the Peelian Principles of Policing and Procedural Justice Models. Policies and Procedures guiding this department's mission, and all public interactions, are created upon the very concepts of fairness, equity and benevolence. Emphasis on public trust and legitimacy can be found throughout the hiring and training process of every department member. Department members are held to the standards found in our Ideal Officer Profile congruent with those ideals found in the Procedural Justice Model. In addition, all department members have attended mandatory Procedural Justice in Policing In-Service Training. We have incorporated Fair and Impartial Policing training and mediation to further engrain this culture within the department.

1.2 RECOMMENDATION: Law enforcement Agencies should acknowledge the role of policing in past and present injustice and discrimination and how it is a hurdle to the promotion of community trust. Acknowledgement of Police wrong doing is a part of the Procedural Justice Curriculum.

1.2.1 ACTION ITEM: The U.S. Department of Justice should develop and disseminate case studies that provide examples where past injustices were publicly acknowledged by law enforcement agencies in a manner to help build community trust.

Response: UPD conducts numerous in-service trainings involving individuals and groups representing the campus community. Our purpose is to educate department members on other cultures, ethnicities, races, biases, policing styles, etc. The interactions and discussions as a result of these trainings promote mutual understanding, compassion and promote trust in the diverse community we serve. In addition, the department's Policy Review Committee examines current department policies to determine if they are up to date with current, and projected, policing standards to ensure no injustice or discrimination exists.

1.3 RECOMMENDATION: Law enforcement agencies should establish a culture of transparency and accountability in order to build public trust and legitimacy. This will help ensure decision making is understood and in accord with stated policy.

1.3.1 ACTION ITEM: To embrace a culture of transparency, law enforcement agencies should make all department policies available for public review and regularly post on the department's

website information about stops, summonses, arrests, reported crime, and other law enforcement data aggregated by demographics.

Response: UPD provides access to incident and arrest data on its website which is updated every business day. A daily crime log depicting a 24hr snapshot of reported incidents is also made available on the website. In addition to posting this information on our web page we also allow anyone to sign up and have that information delivered to them by email each business day. A web-based incident search capability is also available for community utilization. Arrests and vehicle stops are tracked and aggregated by demographic classifications. This is published in our annual report and posted on our webpage. Beginning in 2016 all searches will be tracked and aggregated by demographics and posted as well. The University Police Department is currently in process of posting the General Orders Manual online.

1.3.2   ACTION ITEM: When serious incidents occur, including those involving alleged police misconduct, agencies should communicate with citizens and the media swiftly, openly, and neutrally, respecting areas where the law requires confidentiality.

Response: Serious incident information is distributed via ListServ and Press Releases through the University at Albany's News and Communications Department. The SUNY NY Alert System is a resource for community members to receive serious incident response information. The department can quickly communicate information to subscribers via voice, email and text messages. The University Police Department also posts information on its webpage, on Twitter, and on Facebook.

1.4 RECOMMENDATION: Law enforcement agencies should promote legitimacy internally within the organization by applying the principles of procedural justice.

1.4.1   ACTION ITEM: In order to achieve internal legitimacy, law enforcement agencies should involve employees in the process of developing policies and procedures.

Response: The Policy Review Committee is comprised of members representing the various units within the department. This team reviews current policies, makes recommendations for updates and offers insight on policy creation. Administrative and Supervisory review of policy occurs prior to dissemination. This department also released a survey to be completed by its employees regarding management, policies, equipment, etc. thus giving its members a voice and investment in the department operations.

1.5 RECOMMENDATION: Law enforcement agencies should proactively promote public trust by initiating positive non-enforcement activities to engage communities that typically have high rates of investigative and enforcement involvement with government agencies.

1.5.3   ACTION ITEM: Law enforcement agencies should create opportunities in schools and communities for positive, non-enforcement interaction with the police. Agencies should also publicize the beneficial outcomes and images of positive, trust building partnerships and initiatives.

Response: UPD participates in numerous special events and Community Policing initiatives throughout the campus and off-campus community. Civilian Police Academy, Ride Along Programs, Softball Tournaments, Tabling Events, Campus talks and educational programs are just a few of the services we provide to foster trust building through non-enforcement interactions.

1.6 RECOMMENDATION: Law enforcement agencies should consider the potential damage to public trust when implementing crime fighting strategies. Crime reduction is not self-justifying. Overly aggressive law enforcement strategies can potentially harm communities and do lasting damage to public trust, as numerous witnesses over multiple listening sessions observed.

1.6.1 ACTION ITEM: Research conducted to evaluate the effectiveness of crime fighting strategies should specifically look at the potential for collateral damage of any given strategy on community trust and legitimacy.

Response: University Police Department regularly consults with the Police Academic Advisory Committee to discuss this topic. Weekly meetings include a discussion of activity occurring in our community – both criminal and non-criminal in nature – and the appropriate Department response. Discussions regarding our response include not only how the response will impact the issue at hand, but also looks at other impacts the Department's response may have on our community.

1.7 RECOMMENDATION: Law enforcement agencies should track the level of trust in their police by their communities just as they measure changes in crime. Annual community surveys, ideally standardized across jurisdictions and with accepted sampling protocols, can measure how policing in that community affects trust.

1.7.1 ACTION ITEM: The Federal Government should develop survey tools and instructions for use of such a model to prevent local departments from incurring the expense and to allow for consistency across jurisdictions.

Response: The University has long used NASPA surveys, which included Safety and Security questions both on and off-campus, to focus improvement efforts. UPD was guided by the answers for more efficient deployment and programming initiatives. Focus Group surveys have been conducted by this department to aid in determining the opinion of this department's policing style and overall effectiveness. Annual surveys conducted of students nationwide include the topic of campus safety and offer additional insight into the community's perception of UPD, and overall campus safety. The recommendations include the development of a national survey tool, some or all of which may be included in the national survey of college students. The results may then offer greater insight, and a method of comparison for campus and non-campus policing. The Independent Review Committee conduct an Annual Climate Survey which is shared with UPD.

1.8 RECOMMENDATION: Law enforcement agencies should strive to create a workforce that contains a broad range of diversity including race, gender, language, life experience, and cultural background to improve understanding and effectiveness in dealing with communities.

1.8.3   **ACTION ITEM: Successful law enforcement agencies should be highlighted and celebrated and those with less diversity should be offered technical assistance to facilitate change.**

Response: Though bound by Civil Service Policy, UPD employs a diverse workforce along lines of culture, age, race and gender. But the Police Department has not met its racial and ethnic hiring goals.

1.9 RECOMMENDATION: Law enforcement agencies should build relationships based on trust with Immigrant communities. This is central to overall public safety.

1.9.2   **ACTION ITEM: Law enforcement agencies should ensure reasonable and equitable language access for all persons who have encounters with the police or who enter the criminal justice system.**

Response: SUNY System Administration is currently working with NYS Civil Service to include a multilingual UPO 1 position. Once established, it would provide an opportunity for SUNY's statewide to hire multilingual individuals, thereby increasing our ability to provide equitable and reasonable language access for our constituency.

2.1 RECOMMENDATION: Law enforcement agencies should collaborate with community members to develop policies and strategies in communities and neighborhoods disproportionately affected by crime for deploying resources that aim to reduce crime by improving relationships, greater community engagement and cooperation.

2.1.1   **ACTION ITEM: The Federal Government should incentivize this collaboration through a variety of programs that focus on public health, education, mental health, and other programs not traditionally part of the criminal justice system.**

Response: It is a best, and long standing, practice of this department to reach out to other divisions within the community, i.e.: Res Life, International Student Services, Student Focus Groups, etc., to determine the communities needs and create programs to best address those needs. UPD is also informed by a diverse membership of the UPD Advisory Committee.

2.2 RECOMMENDATION: Law enforcement agencies should have comprehensive policies on the use of force that include training, investigations, prosecutions, data collection and information sharing. These policies must be clear, concise and openly available for public inspection.

Response: This department's Use of Force Policy is articulately defined and available for review in the UPD Policy and Procedure Manuals. The Use of Force Policy and training is reviewed regularly to ensure the department stays current with best practices. All members receive Use of Force training annually, at a minimum. All department member uses of force are thoroughly investigated. Our department's Policy and Procedural manuals are currently available to the public. It is anticipated that by July of 2016, they will also be available to the public online.

2.2.1   **ACTION ITEM: Law enforcement agencies policies for training on use of force should emphasize de-escalation and alternatives to arrest or summons in situations where appropriate.**

Response: De-escalation techniques are taught in conjunction with the department's Defensive Tactics training and instruction. Alternatives are also emphasized in the Policy and Procedures Manual and the department's Ideal Officer Profile. Use of force training is delivered to all members annually. Training is also given on an annual or more frequent basis in defensive tactics and the utilization of force related tools including handcuffs, batons, Tasers, and handguns.

2.3 RECOMMENDATION: Law enforcement agencies are encouraged to implement non-punitive peer review of critical incidents separate from the criminal and administrative investigations.

Response: Union Membership has chosen not to participate in a peer review.

2.5 RECOMMENDATION: All federal, state, local and tribal Law enforcement agencies should report and make available to the public census data regarding the composition of their department including race, gender, age and other relevant demographic data. Demographic data will be included in all forthcoming Annual Reports.

2.5.1 ACTION ITEM: The Bureau of Justice Statistics should add additional demographic questions to the Law Enforcement Management and Administrative Statistics (LEMAS) survey in order to meet the intent of this recommendation.

Response: New York State already requires this (and has for more than a decade). UPD reports demographic data to NYS DCJS in accordance with Accreditation mandates and DCJS requirements. Demographic data will be included in all Annual Reports.

2.6 RECOMMENDATION: Law enforcement agencies should be encouraged to collect, maintain, and analyze demographic data on all detentions (stops, frisks, searches, and arrests). This data should be disaggregated by school and non-school contacts.

2.6.1 ACTION ITEM: The Federal Government could further incentivize universities and other organizations to partner with police departments to collect data and develop knowledge about analysis and benchmarks as well as to develop tools and templates that help departments manage data collection and analysis.

Response: This department collects the above referenced data which is made available upon request and is included in the department's Annual Report published yearly on the department's website. Every business day, the department's website is updated with the basic demographic data (race and gender) for all arrests.

2.9 RECOMMENDATION: Law enforcement agencies and municipalities should refrain from practices requiring officers to issues a predetermined number of tickets, citations, arrests or summonses, or to initiate investigative contacts with citizens for reasons not directly related to improving public safety, such as generating revenue.

Response: UPD does not receive revenue through enforcement actions, nor is there a policy in place mandating quotas or establishing minimum activity levels for enforcement activities for any reason

2.10 RECOMMENDATION: Law enforcement Officers should be required to seek consent before a search and explain that a person has the right to refuse consent when there is no warrant or probable

cause. Furthermore, officers should ideally obtain written acknowledgement that they have sought consent to a search in these circumstances.

Response: All UAPD members are trained in the legal requirements of applicable search and seizure laws, and upholding the rights of our community members are at the core of our policing philosophy. We require either written consent to search or a video recording of a verbal consent to search whenever utilizing the consent exemption to the warrant requirement. Further, we are in the process of updating our search policies and training curriculum to ensure and document that officers inform individuals that they have the right to refuse a consensual search.

2.13 RECOMMENDATION: Law enforcement agencies should adopt and enforce policies prohibiting profiling and discrimination based on race, ethnicity, national origin, age, gender, gender identity/expression, sexual orientation, immigration status, disability, housing status, occupation, and/or language fluency.

Response: Policies regarding Preventing Biased Policing are included in the UPD Policy Manual. Members are required to adhere to the policies therein. Annual, or more frequent, review of member activity is conducted to ensure compliance with department policy.

3.2 RECOMMENDATION: The implementation of appropriate technology by law enforcement agencies should be designed considering local needs and aligned with national standards.

3.2.2   ACTION ITEM: Law enforcement agencies should include an evaluation or assessment process to gauge the effectiveness of any new technology, soliciting input from all levels of the agency, from line officer to leadership, as well as assessment from the members of the community.

Response: UPD regularly elicits feedback from department members when instituting new technology. Demos are provided and members are allowed a trial period to test the new product, i.e.: vehicle, Body Worn Camera, etc., and provide feedback as to its effectiveness.

3.5 RECOMMENDATION: Law enforcement agencies should adopt model policies and best practices for technology based community engagement that increases community trust and access.

Response: This department has increased its use of Social Media to engage community involvement and information dissemination. The department's Social Media policy is based upon the model policies of the IACP and Accredited Agencies.

4.1 RECOMMENDATION: Law enforcement agencies should develop and adopt policies and strategies that reinforce the importance of community engagement in managing public safety.

4.1.1   ACTION ITEM: Law Enforcement agencies should consider adopting preferences for seeking "least harm" resolutions, such as diversion programs or warnings and citations in lieu of arrest for minor infractions.

Response: The department's members are encouraged to utilize officer discretion in every incident. Reviews of member activity reveal the appropriate use of officer discretion and utilization of campus judicial, or other programs, when available. The practice of officer discretion is also stressed, and engrained, in UPD Ideal Officer Profile.

4.2 RECOMMENDATION: Community policing should be infused throughout the culture and organizational structure of Law Enforcement agencies.

Response: UPD prides itself on being a Community Policing organization. Community interaction and involvement remains an essential focus of this department's mission and goals.

4.2.1   ACTION ITEM: Law Enforcement agencies should evaluate officers on their efforts to engage members of the community and the partnerships they build. Making this part of the performance evaluation process places an increased value on developing partnerships.

Response: An evaluation system is currently in place on Performance Evaluations beginning with the Field Training Program pertaining to community involvement and interactions.

4.2.2   ACTION ITEM: Law Enforcement agencies should evaluate their patrol deployment practices to allow sufficient time for patrol to participate in problem solving and community engagement activities.

Response: The University, and UPD management, focus on creating and maintaining staffing levels specifically to provide our officers ample time to engage in the community. It allows for officer participation in community development activities and time to develop the best response for incidents.

4.4 RECOMMENDATION: Communities should support a culture and practice of policing that reflects the values of protection and promotion of the dignity of all, especially the most vulnerable.

4.4.2   ACTION ITEM: Law Enforcement agencies should develop programs that create opportunities for patrol officers to regularly interact with neighborhood residents, faith leaders and business leaders.

Response: UPD Officers are often engaged in off-campus community involvement through education and training programs, Drug Education and Personal Safety Programs. Events with the Community Engagement Unit and Community Standards on off-campus locations and National Night Out are just two examples.

4.5 RECOMMENDATION: Community policing emphasizes working with neighborhood residents to co-produce public safety. Law Enforcement agencies should work with community residents to identify problems and collaborate on implementing solutions that produce meaningful results for the community.

Response: Members of UPD regularly work to enhance relationships with other University Departments to identify and address problems. These include Res Life, ODI, and Student Involvement, Counseling Center and the Athletics Department.

4.5.2   ACTION ITEM: Law Enforcement agencies should engage youth and communities in joint training with law enforcement, citizen academies, ride along, problem solving teams, community action teams, and quality of life teams.

Response: UPD offers a Civilian Police Academy, Ride-Along programs, Internships and Work Study opportunities.

4.5.3 ACTION ITEM: Law Enforcement agencies should establish formal community/citizen advisory committees to assist in developing crime prevention strategies and agency policies as well as provide input on policing issues.

Response: This department currently has an Independent Review Committee (IRC) comprised of members from various University Departments.

4.6 RECOMMENDATION: Communities should adopt policies and programs that address the needs of children and youth most at risk for crime or violence and reduce aggressive law enforcement tactics that stigmatize youth and marginalize their participation in schools and communities.

4.6.3 ACTION ITEM: Law Enforcement agencies should work with schools to encourage the use of alternative strategies that involve youth in decision making, such as restorative justice, youth courts and peer interventions.

Response: The University at Albany currently utilizes Restorative Justice Practices in its Student Conduct disciplinary policies. UPD works with Res Life and the Office of Community Standards in disciplinary Judicial Hearings.

5.3 RECOMMENDATION: Law Enforcement agencies should provide leadership training to all personnel throughout their careers.

5.3.3 ACTION ITEM: The U.S. Department of Justice should support and encourage cross-discipline leadership training.

Response: UPD pride ourselves on being a learning organization. Nearly, ¾ of our members are Instructor Development Certified and over ½ are Certified Field Training Officers. All UPD supervisors must attend the NYS DCJS Supervisor Course in accordance with Accreditation standards. In addition, many of supervisors have attended Leadership training offered through the FBI. Ongoing training is always encouraged by this department for its members.

5.6 RECOMMENDATION: POSTs should make Crisis Intervention Training (CIT) a part of both basic recruit and in-service officer training.

5.6.1 ACTION ITEM: Because of the importance of this issue, Congress should appropriate funds to help support law enforcement crisis intervention training.

Response: CIT is currently offered through the NYS DCJS Basic Police Officer Course. CIT based training is incorporated into various in-service trainings offered through this department. Defensive Tactics is just one example.

5.9 RECOMMENDATION: POSTs should ensure both basic recruit and in=service training incorporates content around recognizing and confronting implicit bias and cultural responsiveness.

5.9.2 ACTION ITEM: Law Enforcement agencies should implement training for officers that covers police interactions with the LGBTQ population, including such issues as determining gender identity for arrest placement, the Muslim, Arab, and South Asian communities, and immigrant or non-English speaking groups, as well as reinforcing policies for the prevention of sexual misconduct and harassment.

Response: University members, from various community groups, regularly provide training and education to department members. Over the last year, presentations were conducted by members representing the LQBTQ, International Student, and Muslim Communities. In addition, the University Police Department was the first local agency to adopt a policy addressing interaction between transgender persons and police.

6.2 RECOMMENDATION: Law Enforcement agencies should promote safety and wellness at every level of the organization.

6.2.1. ACTION ITEM: Though the Federal Government can support many of the programs and best practices identified by the U.S. Department of Justice initiative described in recommendation 6.1, ultimate responsibility lies with each agency.

Response: Safety and wellness is embedded in the training and practices of the department. Officer and member safety is emphasized throughout all levels of training. The University also provides EAP assistance for all members.

6.4 RECOMMENDATION: Every Law Enforcement officer should be provided with individual tactical first aid kits and training as well as anti-ballistic vests.

6.4.2 ACTION ITEM: Congress should reauthorize and expand the Bulletproof Vest Partnership (BPV) program.

Response: All UPD sworn Patrol members are provided with anti-ballistic vests and tactical first aid kits.

6.6 RECOMMENDATION: Law Enforcement agencies should adopt policies that require officers to wear seat belts and bullet-proof vests and provide training to raise awareness of the consequences of failure to do so.

Response: It is current UPD policy requires all department members wear their safety belts and ballistic vests. Exemptions to the wearing of the ballistic vests are specified in the Administrative Policy Manual.

7.1 RECOMMENDATION: The President should direct all federal law enforcement agencies to review the recommendations made by the Task Force on 21ˢᵗ Century Policing and, to the extent practicable, to adopt those that can be implemented at the federal level.

7.2 RECOMMENDATION: The U.S. Department of Justice should explore public-private partnership opportunities, starting by convening a meeting with local, regional, and national foundations to discuss the proposals for reform described in this report and seeking their engagement and support in advancing implementation of these recommendations.