

Syracuse University Community Review Board Annual Report 2023

Letter From the Chair

Dear Syracuse University Community,

In the spring of 2020, Syracuse University retained Paul, Weiss, Rifkind, Wharton & Garrison LLP to conduct an independent review of its Department of Public Safety (DPS) following a series of bias-related incidents that occurred on campus in fall 2019 and student protests that followed those incidents in fall 2019 and spring 2020.

On Feb. 22, 2021, The Honorable Loretta E. Lynch of Paul, Weiss, Rifkind, Wharton & Garrison LLP, submitted the "REPORT OF INDEPENDENT COUNSEL TO SYRACUSE UNIVERSITY REGARDING THE DEPARTMENT OF PUBLIC SAFETY" (Independent Counsel Report). The report recommended the creation of a Community Review Board (CRB) to provide community input and accountability for DPS. The recommendations were implemented by the University and resulted in the creation of the CRB.

The first annual report was published to the CRB website in May 2022 and highlights the CRB's Inaugural Board term from 2021-22. The second annual report reviews and highlights the findings and conclusions of our annual¹ review in the following three parts:

¹ This report covers the academic year of 2022-23. This report includes information since the publication of last annual report (May 2022) until April 30, 2023.

Part I – Review appeals of Dispositions of Civilian complaints against DPS Employees: This part of the report will discuss the process the University community must follow to file an appeal and will discuss the CRB’s first appeal, which was the only appeal submitted and decided during the 2022-23 CRB term.

Part II – Review of DPS Standard Operating Procedures (SOPs), Trainings and Key Community-Facing Functions: In this part, we will report on our two assessments of DPS’s policies and procedures to ensure they conform with standards of community policing. Also in this section, the CRB will provide information related to Bias Incident Reports and Weapons Use Reports.

Part III – Community Review Board Composition and Overview: This part sets forth the structure and procedures for the CRB, and outlines the tasks completed by the CRB in its first and second year of operation. We hope this structure can serve as a model to other universities seeking to establish their own CRB or similarly situated board.

In closing, we would like to thank all of those who engage with and support our work to ensure transparent and equitable policing on campus. The CRB operates independently from DPS but has an important relationship to further build with DPS. The CRB looks forward to continuing to serve the entire University community in the next academic year.

Sincerely,



Brianna Sclafani
Chair, Community Review Board

Part I: Review Appeals of Dispositions of Civilian Complaints Against DPS Employees

DPS investigates complaints against its employees as part of its internal review process. If the employee or complainant are not satisfied with that outcome, they can file an appeal of the disposition with the CRB. The CRB is independent from DPS and is not intended to replace DPS’s internal review and disciplinary procedures. The following process, as described in the Independent Counsel Report, outlines the steps and procedures involved in an appeal.

1. A community member must file a complaint with DPS alleging DPS officer/employee misconduct.

2. DPS investigates the complaint according to its Internal Affairs procedures and renders a final disposition.
3. If either the DPS employee or the complainant is unsatisfied with the disposition, they may submit an appeal form (found on the CRB website) to the CRB within 14 days of the date they are notified of the results of the investigation. Any appeal not filed within 14 days shall be dismissed.
4. The CRB will convene a confidential meeting to hear and deliberate on an appeal within 30 days of the date it receives the notice of appeal form.
5. The Chief of DPS or the Chief's designee shall address the CRB regarding the investigation and the basis for the disposition. The complainant and the DPS employee shall be permitted to address the CRB, should either desire to do so.
6. In reviewing a disposition, the CRB may: A. agree with the disposition; B. disagree with the disposition and recommend an alternative disposition; or C. recommend reopening the investigation.
7. The CRB shall submit a brief written analysis of each complaint and investigation and its recommendation to the Chancellor or the Chancellor's designee for a final determination as to the disposition within 14 days of the appeal hearing. The CRB shall simultaneously notify the parties of its recommendation. If the CRB's recommendation is not unanimous, the recommendation shall state the number of members who dissented and the basis for the dissent.
8. The Chancellor or the Chancellor's designee shall review the CRB's recommendation and make a final decision within 15 days of receipt.

In 2022,² DPS conducted two internal affairs investigations. Internal Affairs Investigations address allegations pertaining to DPS officer/employee misconduct, including, without limitation, excessive use of force or violations of a person's civil rights. Results of the two investigations in 2022 are as follows:

1. The DPS investigation determined the complaint was unfounded and closed the matter with no further action.
2. The DPS investigation substantiates the complaint and DPS took corrective action in the forms of retraining and education.

DPS also conducts Quality of Service Complaint Investigations. These investigations address complaints where the complainant alleges that DPS personnel failed to provide services that met the expectations of the complainant, although laws, policies and procedures were followed. Examples include alleged acts of rudeness, discourtesy, unprofessional conduct, sarcasm directed towards another person, poor attitude or a rude

² The CRB received DPS statistics for the year 2022. Since this report is due at the end of the academic year (Spring 2023), 2023 stats will not be included in this report.

and insulting demeanor as described in the DPS Duty Manual. Quality of Service complaints may be handled by a line supervisor. No Quality of Service complaints were filed in 2022.

In August of 2022, the CRB received its first appeal of a DPS Internal Affairs investigation. The appeal was filed by a student subject to University disciplinary action who alleged DPS and Syracuse Police Department engaged in misconduct in their investigations that ultimately led to the student's University disciplinary charges.

Specifically, the student alleged, among other things, DPS and Syracuse Police Department personnel violated the Family Educational Rights and Privacy Act (FERPA) by sharing information about him; and falsely accused the student of violating a no-contact order.

DPS investigated the allegations as pertaining to its personnel and provided the student with a final disposition concluding that the DPS officer involved did not violate any University or DPS policies. The CRB reviewed the student's appeal, underlying Internal Affairs records, 19 DPS reports related to the investigation, and reviewed 15 video surveillance and DPS body worn camera video before scheduling a hearing.

On Sept. 29, 2022, a hearing was held via Zoom, where the student and DPS Chief Craig Stone addressed the CRB members.

After reviewing the student's appeal, relevant portions of the Internal Affairs file, including the disposition, and hearing from the student and Chief Stone, the CRB agreed with the DPS findings that the DPS employee did not violate any University or DPS policies. The CRB referred its recommendations to the Chancellor, who agreed with the CRB's conclusions. The parties were notified of these findings from the Chancellor's office.

Part II – Review of DPS Standard Operating Procedures and Trainings and Key Community Facing Functions

One function and charge of the CRB is to review and comment on any prospective DPS SOPs and trainings.

Review of Standard Operating Procedures

During the report period, the CRB reviewed one SOP and one policy. The one SOP was pertaining to the Arrest, Detention and Transportation of Arrestees (DPS SOP 2009-05). The focus of our review pertained to arrests in an academic setting. To align with best practices in community policing, we reviewed the SOP to make sure it encouraged DPS personnel to make reasonable efforts to arrest a student, faculty or staff member outside of an

academic setting, such as the library or a classroom. After review, the CRB recommended language to the University community in an online public forum for input and ultimately to Chief Stone for consideration.

The CRB also reviewed a new DPS policy pertaining to Exculpatory Evidence. The CRB reviewed the policy and presented it to the University community during an online public forum on Feb. 1, 2023, for input. No changes to the language were recommended by the CRB or by the public.

A public forum regarding the two above policies was held by the CRB on Feb. 1, 2023, from 6-7 p.m. The forum was held via webinar and representatives from the CRB and Chief Stone were present. Attendees were given the opportunity to present questions during the forum. Students, faculty and staff could also submit feedback by sending an email to the CRB. Prior to the forum email invites were sent out to three different lists within the University community with the following results:

- Faculty/Staff: 8,790 sent | 3,924 opened the email (44.64% open rate)
- Students: 27,351 sent | 12,547 opened the email (45.87% open rate)
- Others: 375 sent | 152 opened the email (40.53% open rate)
 - o (The "others" lists are people who are affiliated with the University but don't have a syr.edu email address.)

Review of Training

In February of 2023 the CRB was also asked to review training that two DPS Officers had received. DPS was considering instituting this training as part of mandatory in-service training for its officers and for new police recruits this summer. The Police Executive Forum currently offers the training, titled *Integrating Communications, Assessments and Tactics*. The goal of the 12-hour training course is to provide first responders with skills on defusing critical incidents specifically when dealing with unarmed persons, or persons armed with weapons other than a firearm, or persons who may be experiencing a mental health crisis.

The CRB convened March 10, 2023, and discussed the training. CRB's law enforcement consultant, Tony Perez, provided an overview of the training to the CRB after his review of the 72-page Police Executive Research Forum Training Guide for Defusing Critical Incidents.

The CRB ultimately endorsed the training and recommended that DPS seek to coordinate with the Barnes Center at The Arch, the Office of Diversity and Inclusion and Multicultural Affairs regarding the training.

Review of Bias Incidents From June 30, 2022-May 1, 2023

There have been 15 Bias Incident Reports filed with DPS as of May 1, 2023.³ As of April 25, 2023, nine of these incidents are still currently being investigated by DPS. Six cases have been closed by DPS. For current case updates the CRB invites the University community to review the [Bias Incident Investigation Tracker](#).

Review of Weapons Use Reports

There were no Weapons Use Reports to review for the 2022-23 board term.

Part III – Community Review Board Composition and Overview

CRB Structure and Mission

The mission of the CRB is to ensure transparency and increase an equitable approach to safety and security on campus. The CRB is independent from DPS and is not intended to replace DPS's internal review and disciplinary procedures.

The CRB comprises 11 members: three undergraduate students, one graduate student, one law student, two faculty members, two staff members and two administrators. Current members include:

- Yusuf S. Abdul-Qadir, graduate student, School of Information Studies
- Mary Grace Almandrez, vice president of diversity and inclusion, Office of Diversity and Inclusion
- Linda Baguma, undergraduate student, College of Arts and Sciences
- Jordan Beasley, undergraduate student, College of Arts and Sciences
- Sam Castleberry, undergraduate recruiting specialist, College of Visual and Performing Arts (Vice Chair)
- Theresa A. Jenkins, academic advisor, Newhouse School of Public Communications
- Milton R. Laufer, director and associate professor, School of Music, College of Visual and Performing Arts
- Adia Santos, undergraduate student, College of Arts and Sciences and Maxwell School of Citizenship and Public Affairs
- Brianna C. Sclafani, graduate student, College of Law (Chair)

³ Please see the Bias Incident Reports section of the Department of Public Safety's Website for more information.

- Salatha Willis, associate athletics director for diversity, culture and climate, Student Athletic Development
- Corrinne B. Zoli, research faculty, Forensic Science Institute

COVID-19 and the Operations of the CRB

The COVID-19 pandemic created challenges in 2021 and 2022 as we worked to create the CRB. We found efficiency in conducting meetings via Zoom and continued to hold meetings using the platform in the 2022-23 academic year. The CRB met monthly to create a sound structure regarding the reporting and investigation of internal affairs complaints and to review newly proposed policy changes and training. Creating the foundational operations of the CRB has been impactful for each member. The CRB is confident that the structure that has been operationalized will help position it for sustainable success.

Advisors

The CRB has two advisors. Bethaida “Bea” González, former vice president for community engagement, former special assistant to the Chancellor and former Dean of University College, is the senior advisor to the CRB. Melvin “Tony” Perez, former chief of public safety for Monroe Community College and deputy commissioner for the New York State Division of Criminal Justice Services, serves as the CRB’s expert law enforcement consultant.

Tasks Completed by CRB Since Its Inception

1. Created a webpage which outlines the DPS complaint process and subsequent appeal process performed by the Community Review Board.
2. Hosted regular monthly meetings to keep board members apprised of current issues.
3. Developed an online form for appeal submissions and a dedicated email account to facilitate communications regarding appeals filed with the CRB.
4. Drafted and implemented a confidentiality and conflict of interest policy for all CRB members.
5. CRB members were included in the Department of Public Safety’s new chief interview and selection process in 2022.
6. Provided Chief Craig Stone and Deputy Chief John Sardino with recommendations to amended “Internal Affairs” language in its SOP that clearly outlines the standard of proof for completed investigations.
7. Reviewed and made recommendations to SOP regarding Arrest, Detention and Transportation of Arrestees as it pertained to arrests in an academic setting.

8. Reviewed SOP addressing Exculpatory Evidence.
9. Held University forum regarding proposed SOP recommendations.
10. Held hearing regarding Internal Affairs Complaint Appeal and made finding recommendations to Chancellor.
11. Held Annual Forums in 2022 and 2023.
 - a. Hosted First Annual Forum on April 21, 2022, in the Melanie Gray Courtroom in the College of Law, where CRB members outlined their mission and role. The University community was able to ask questions in person or via Zoom chat.
 - b. Hosted Second Annual Forum on March, 22, 2023, in the Schine Student Center where CRB members outlined their mission and role. The University community was able to ask questions in person or via Zoom chat.
12. Reviewed and made recommendations regarding Police Research Forum training aimed at defusing critical incidents.
13. Proposed bylaw amendments to better align CRB board terms with the academic calendar.