

CAMPUS CITIZENS REVIEW BOARD

End of Year Report

2020-2021 Academic Year

CAMPUS CITIZENS REVIEW BOARD

ACADEMIC YEAR 2020-2021 REPORT

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Binghamton University Campus Citizens Review Board
Spring 2021 End-Year Report
July 1, 2021

INTRODUCTION

In June 2020, Binghamton University President Harvey Stenger announced the campus was establishing a Campus Citizen Review Board (CCRB) to examine the University Police Department's (UPD) procedures, policies, actions, and available resources. The board, co-chaired by Karen Jones, Vice President for Diversity, Equity, and Inclusion and Myra Sabir, Associate Professor, Human Development was comprised of 11 members including three members for each group of faculty, students, and staff, as well as an ex-officio person, retired police chief Daniel Chambers. While the board was charged by President Stenger, the membership was chosen by a selection panel representative of the faculty senate, the professional staff senate, and the graduate and undergraduate student government associations. The board's purpose is to provide recommendations following an independent review and evidence-based assessment of the UPD's operation.

Committee Members:

Faculty

Tina Chronopoulos
Elizabeth DiGangi
Joshua Price

Students

Ashley Harris (Intern)
Justin Jabari Randolph
Hannah Jones
Lucas Martinez

Professionals

Diana Castellanos
Ramona Mazzeo
Yongabi Ngoh

Ex Officio Member

Daniel Chambers

Administrative Support

Kate Hastings

The specific charge of the board is as follows:

1. Assess underserved aspects of campus mental health support and community policing, review the UPD annual budget and recommend reallocations of the UPD budget to the president.
2. Review the annual UPD arrest record report prepared by our internal auditor to evaluate biases that may exist when arrests are made and when infractions are referred to the Office of Student Conduct; and make recommendations on how to address patterns of bias reflected in the evidence provided in the auditor's report.

3. Determine if our current UPD policies and procedures are consistent with best practices by monitoring and staying abreast of cutting-edge practices and policy initiatives adopted by other campuses to ensure more equitable policing. Evaluate UPD policies and procedures in light of those standards. To start, this would include determining if our policies are in compliance with [the five NAACP demands](#) on the use of force by police, the recently [proposed legislation in the state of New York](#), the [Obama Commit to Action Pledge](#) and the use of force, equipment and weapons for crowd control.
4. Evaluate the training programs provided to UPD personnel and make recommendations about gaps in that training.
5. Review of the community policing practices of UPD and make recommendations, if needed, for improvements.
6. Directly receive and review complaints against the UPD by members of the campus community and file quarterly reports of these complaints. These reports (redacted) will be made public. A process will be created to collect and provide complaints directly to the CCRB.
7. Monthly meetings of the CCRB, or more frequently if needed, will report its findings to the president on a quarterly basis. These reports will be posted publicly.
8. An annual review of its charge and proposals for a wider scope of work if a need arises.
9. An annual budget and support staff to help the CCRB manage its workflow. In addition, it will be provided with training to help board members serve in their roles.

The board met for the first time January 15, 2021 and subsequently identified six working groups. The board met for 90 minutes every two weeks as did the working groups, each alternating week. The working groups are as follows:

1. Campus Community Policing Philosophy/Implementation and Review of Complaints
2. Community Engagement and Outreach
3. Mental Health
4. Selection and Training of Campus UPD
5. Policies and Procedures (SUNY UPD Policies/Procedures)
6. Arrest Records

The working groups also met outside the scheduled meetings to interview campus members and affiliates to gather information relating to their specific area. Each committee has contributed to this report providing observations relating to their specific area as well as recommendations for improvements and practices for considerations for the Binghamton University Police Department.

EXECUTIVE SUMMARY

In the year 2020, President Joe Biden called for a national review of police reform. This request was echoed by Governor Andrew Cuomo for each municipality to review its community police department; as well as by Binghamton University President, Harvey Stenger, who announced several initiatives to examine the practice of policing at the University. President Stenger announced the creation of the Campus Citizens Review Board.

President Stenger charged a committee comprised of students, staff, faculty, and a retired campus police officer who served as an ex-officio member. The committee has spent the last several months determining the course of action for the respective sub-committee(s) (also referred to as working groups); attended a workshop on the history of policing; reviewed documents; examined data; and interviewed and surveyed members of the campus community. The working groups are as follows:

1. Campus Community Policing Philosophy/Implementation and Review of Complaints
2. Community Engagement and Outreach
3. Mental Health
4. Selection and Training of Campus UPD
5. Policies and Procedures (SUNY UPD Policies/Procedures)
6. Arrest Records

Below is a brief synopsis of each subcommittee's final report, followed by the full report submitted by each subcommittee for the president's review.

Community Policing and Review of Complaints:

The University Police at Binghamton (BUPD), an accredited campus police department, adheres to a community policing model. The University Police identify three elements for community policing: community partnership, problem solving, and change management. To this end, the BUPD partners with the University Center for Training and Development and others on campus to provide programs on personal safety (e.g., Rape Aggression Defense Program), crime reduction/prevention, and more.

More needs to be done to inform the University community about the added value of University Police, particularly in their role to provide a safe and secure campus. For example, more needs to be done to help the campus community understand "why" police serve as first responders to mental health crisis situations or motor vehicle assistance calls.

Consistent with recommendations shared by other subcommittees, the Binghamton University Police Department is encouraged to update its website to highlight its community policing activities; to show the names of officers and other staff; and to revise the complaint/compliment form (currently under review). BUPD is also encouraged to invest in mental health professions or partnerships with local crisis service agencies to assist with mental health crisis calls; conduct a self-review consistent with Governor Andrew Cuomo's Executive Order 203; increase its diversity and anti-bias training as well increase its recruitment of historically underrepresented persons and women; and identify speakers who can speak to community policing and anti-bias policing practices.

Community Engagement and Outreach:

The Outreach and Engagement Subcommittee serves as a conduit for members of the campus community to express their concerns about policing and safety to the administration in lieu of the formal complaint process; the goal is to create an open and ongoing dialogue between the various stakeholders on campus to ensure everyone has a sense of safety and security. Modeling a recent survey created by the SUNY Graduate Workers Against Institutionalized Racism (GWAIR), a Binghamton University survey was reviewed by the board for bias and minor adjustments were made to the framing of some questions. The response rate was less than ideal, additional feedback is needed from the broader community before we can begin to formulate recommendations based on the results.

Moving forward the committee is considering hosting two town-hall forums to collect additional information, especially learning more about the experiences with University Police. The forum would include panelists who can inform and advise about various perspectives on racial bias in policing and the transparency of police misconduct.

It is recommended that we create a speaker and workshop series to inform the campus community on matters of policing of marginalized communities, the history of policing and transformative justice; create a process to encourage community members to confidentially/anonymously discuss their experiences with the CCRB as a way of voicing their concerns about policing on campus without being required to submit an official complaint; and update the University Police website to include meeting with members of the CCRB.

Community Mental Health:

It is recommended that the University expands the response to mental health situations by extending the mobile crisis services from 5 pm – midnight. The university has an existing service model; however, it is ***recommended that a paid, professional, and experienced crisis counselor*** is hired and paired with a student volunteer peer intern during crucial evening hours when such services are lacking.

The evening hours show an increase of mental health crisis situations. During week-day hours, the University has resources including Residential Life Crisis Intervention (through SW interns), University Counseling Center (through urgent appointments). In the evenings, these 2 valuable intervention resources are unavailable. The off hours counseling service (the Protocall phone system for phone crisis evaluation and intervention), provides some evening and weekend support and has increasing utilization over time. First responders rely on in-person crisis counselors during mental health calls to prevent unneeded transports to local emergency rooms. The current MHASt Mobile Crisis team is available for this service and has been used but is understaffed for evening shifts.

Selection and Training:

The committee reviewed the past 51 years of relevant abstracts about law enforcement selection and training programs. Some of the highlights of this rudimentary research found that women police officers tend to be more highly educated; more effective in de-escalating incidents compared to their male counterparts; more focused on community policing; and more likely to serve racially and ethnically diverse communities. Moreover, both men and women rape victims prefer women Sexual Offenses Investigative Technique (SOIT) police officers. Victims or complainants perceive women as more likely to offer empathy and sensitivity, and to practice 'soft' policing in collaboration with social work and other community agencies. The report also covers general law enforcement training, and training in emotional intelligence, resilience, diversity, bias training, PTSD for officers, community mental health, crisis intervention and de-escalation, use of force, and other forms of policing and general responses.

Selection Highlight: Women police officers tend to be more highly educated; more effective in de-escalating incidents compared to their male counterparts; more focused on community policing; and more likely to serve racially and ethnically diverse communities. Moreover, both men and women rape victims prefer women Sexual Offenses Investigative Technique (SOIT) police officers. Victims assess women as more likely to offer empathy and sensitivity, and to practice ‘soft’ policing in collaboration with social work and other community agencies (Chappell, 2008; Clary, 2020; Jamel, 2010; McCarthy, 2013).

Training Highlight: There is a 9 to 1 ratio of training hours of force to de-escalation. De-escalation training is virtually non-existent in law enforcement in general and at Binghamton University.

Policies and Procedures:

Binghamton University Police Department’s Policies and Procedures were compared to cutting-edge standards and best practices set forth by the [NAACP](#), [the Obama 21st Century Report on Policing](#), and [The Contract with Black America](#).

Highlight: Out of seventy-nine (79) cutting edge standards, BUPD clearly meets thirteen (13) sufficiently. BUPD seems to partially meet an additional four (4) standards.

Among the standards met are:

- 6) A ban on the use of knee holds and chokeholds
- 16) Seek consent before a search/explain the right to refuse when there is no warrant or probable cause/obtain written acknowledgement of same.
- 55) Reduce Contact During Traffic Ticketing. Officer must IMMEDIATELY tell the driver why he/she was pulled over. Cannot search a vehicle without an independent warrant. No need for those cited to “sign” tickets. Efforts made to reduce time and contact between officer and driver which benefits both (i.e., digitally limiting contact as technology allows). Tickets issued and sent by mail where possible. If the officer believes the driver is driving recklessly or suspicion of a DUI, they may pull over the car, but pullovers can be challenged by Dash Cam footage. If the footage does not show cause for concern, the officer can be disciplined.
- 72) Agencies should collect, maintain, and report data on use of force to the federal government. Include all officer-involved shootings, whether fatal or nonfatal, and in-custody deaths.

To meet cutting edge standard and best practices, sample recommendations include eliminating asset forfeitures; obtaining body cameras and releasing camera footage to members of the CCRB; and publicizing the standard prohibition of chokeholds.

Arrest Records:

During the calendar years 2018 and 2019, an audit was conducted, evaluating the arrest data for the spring and fall semesters of each year. Based on these data, the auditor found that Black individuals were 1.7 times more likely to be arrested than white individuals. The auditor also found that four UPD officers (*circa* 10% of the department) were responsible for 32.1% of student arrests during the period in question. These same officers were also responsible for 57.8% of Black student arrests. Two recommendations: 1) that the four officers identified should undergo additional bias training and 2) that UPD should purchase a more advanced software system to make the monitoring of arrest activity easier and more thorough and expedient way of collecting and

analyzing data (or perform a separate periodic analysis of demographic arrest activity). To date, neither of these recommendations has been implemented.

COMMUNITY POLICING

Karen Jones, Barret Brenton, Tina Chronopoulos

EXECUTIVE SUMMARY

Observation:

Community Policing on college campuses and policing in general, has become part of a national conversation following the deaths of George Floyd and other unarmed people of color. These discussions have centered on deaths involving police officers and racially-biased law enforcement. In New York, Governor Andrew Cuomo enacted Executive Order 203 in the summer of 2020 (<https://www.governor.ny.gov/news/no-203-new-york-state-police-reform-and-reinvention-collaborative>), (hereafter referred to as EO 203) to encourage local municipalities and other entities to examine and institute systemic change in local law enforcement practices; and accountability as well. While the EO 203 has not been directed to university police departments Binghamton University, as charged by President Harvey Stenger, has begun a review of its University Police using evidence-based practices to examine the department's approach to law enforcement and its community policing philosophy and approaches.

The US Department of Justice's (DOJ) Community Oriented Policing Services (<https://cops.usdoj.gov/>) states that community policing is a philosophical approach using partnerships to resolve and address public safety concerns surrounding crime (and the fear of crime) and social disorder. Accordingly, community policing rests on three components: community partnerships; organizational transformation; and problem solving.

Community Partnerships serve to identify challenges to community relations and develop ways to build trusting relationships and address concerns of safety.

Organizational Transformation supports community partnerships with the use of personnel and a systemic approach to problem solving.

Problem Solving is proactive in identifying challenges and uses a systemic and creative approach to developing and responding to problem situations.



The University Police at Binghamton, one of several accredited campus police departments in the SUNY system, adheres to a community policing model. Like the DOJ's community policing model, the University Police identifies three elements for community policing: **community partnership**, **problem solving**, and **change management**. To this end, the University Police exercises its community policing philosophy by partnering with the University Center for Training and Development and others to provide programs on personal safety (e.g., Rape Aggression Defense Program), crime reduction/prevention, and other engagement opportunities.

University Police Department, which has a 24-7 presence, is often identified as the campus' first responding unit to address calls relating to crimes, vehicle issues, and mental health crises.

Issue/Problem:

- a. Not enough is known about how the University Police Department goes about demonstrating its mission of community policing. For example, campus police officers are not observed walking the grounds of campus, cycling across campus; they are most often seen riding in their vehicles or parked around the perimeter of campus in their vehicles.

- b. Members of the campus community have raised concerns about University Police responding to mental health crisis situations and support for general motor vehicle assistance, amongst other non-law enforcement activities. While it is understandable that University Police are dispatched for emergency situations, there is a concern and, at times, a fear of University Police being present during other these situations in which their presence is not strictly necessary.
- c. The initial charge of the CCRB committee stated that the committee would be able to investigate, review, and evaluate complaints raised about University Police. It later transpired that having members of the CCRB participate in the complaint, and/or review process of University Police would violate their bargaining unit rights.

Limitations to achieving resolution to issue/problems:

- a. It might not be possible to include a provision for effective CCRB oversight in the next contract the university negotiates with the two police unions that represent UPD employees
- b. It might be difficult to persuade UPD to adopt a different or even new model of policing, namely one that abandons community policing and focuses entirely on the law-enforcement aspect of policing since that will invariably mean a reduction in its employees.

Results Highlights

Committee Recommendations

(Brief) Report Summary

Recommendations List:

1. Update website for the following:
 - include photos of interactions with students (and other members of the campus community)
 - include photos of the Binghamton University Police and all members of the department. This would do two things at once: it would put a face to an otherwise faceless department and it would also help the campus community know who the people are who police them.
 - consider removing special Olympic photo
 - include names of everyone employed in the department, sworn officers and civilians (i.e., Officer ‘last name’)
 - place the Fire and Safety report on the website as it includes many “community policing” initiatives which are not listed on the University Police website (<http://asr.binghamton.edu/>)
 - Revise Complaint, compliment form on CCRB website
2. Expand diversity and anti-bias training to include:
 - <https://cops.usdoj.gov/tolerance-training>
 - Institute for Genocide and Mass Atrocity for all officers, not just those in leadership positions.
 - Human Rights Institute
3. Invest in mental health professionals to assist with calls for those experiencing mental health crisis.
4. In partnership with CCRB, initiate the EO 203
5. Increase the diversity representation of the University Police to include those who speak multiple languages.

6. University Police should re-examine other best practices or standard practices for community policing (*see attached community police engagement*) and/or reduce their presence in day-to-day campus activities.
7. The University is encouraged to create a speaker's bureau to address community policing, and anti-racism policing topics
8. Survey the employees of the police department

SUNY Binghamton University/College Police Units to mirror Governor’s EO 203

(Adopted from the 2021 SUNY Racial Equity Action Plan)

Deliverable: Require Binghamton University campus Police & campus stakeholders to develop plan (using evidence based policing strategies) consistent with Governor’s EO 203.	Anticipate d Completi on Date	Notes
<p>Must comply by April 2022; President Stenger could invoke requirement review to be completed by April 2022 upon learning of best practices from municipalities</p>	<p>April 2022</p>	<p>The municipality data for EO 203 is due April 2021. Evidence-based policing (EBP) data exists from other municipalities Chula Vista, CA: used data and analysis to identify specific chronic problems (domestic violence calls and crimes), reviewed evidence for alternatives, created new protocol was most effective, and expanded the initiative citywide; Austin, Texas: reviewed evidence base data of laws finding disparate treatment and inconsistent application; determined curfew law was not essential to reducing crime and disorder; law was repealed.</p> <p>The UK has established a “College of Policing” (https://beta.college.police.uk/about) to examine effective ways to reduce Crime. The center provides research and tools to assist with EBP. As an example, a vulnerability study was conducted to determine the effectiveness of the training to work with vulnerable populations. The findings (relating to the impact of trauma and communication) showed more robust training is needed. (https://whatworks.college.police.uk/Research/Documents/Vulnerability_training_eval.pdf)</p> <p>References: Evidenced-Based Policing in 45 Small Bytes https://www.ojp.gov/pdffiles1/nij/254326.pdf https://www.campbellcollaboration.org/better-evidence/disorder-policing-systematic-review.html</p>

Survey campus (i.e., personal safety committee) to determine if directive already in place at local level relating to EO 203	April 2022	<p>UK established a “College of Policing” to examine ways to reduce crime by using an Evidence-based policing (EBP) Maturity Model to determine influences in an organization examining strategy, structure, capability, and culture. A Logic Model was also introduced to help identify challenges and outcomes.</p> <p>References: https://whatworks.college.police.uk/About/Documents/Maturity_Model/MaturityModel_Guide.pdf https://whatworks.college.police.uk/Support/Documents/LogicModel.pdf</p>
Measure and review BU’s accreditation measure with DCJS	April 2022	<p>BU is one of 13 (as of 2016) state operating NYS University/Campus Police Departments accredited by the DCJS NYS Law Enforcement Accreditation Program (LEAP); accreditation helps agencies to evaluate and improve their performance in accordance with DCJS – allowing for consistency with each campus. The accreditation also promotes public confidence in university police.</p> <p>Reference: https://www.criminaljustice.ny.gov/ops/accred/index.htm</p>
Review benefits packages to compare to NYS and municipalities.	April 2023	<p>Data points from University Police during the working group meeting indicates that the NYS university police benefits (i.e., retirement, schedules, onboarding process) are significantly different than those in municipalities. There also is a lack of URM diversity on the SUNY State Police website. https://www.suny.edu/police/recruitment/</p>
Deliverable: Partner with UPD/local EOC/Civil Service for recruitment, retention of URM officers, etc.	Anticipated Completion Date	Notes
Examine variety of CRJ internship roles (i.e., cyber security, Public	2022	<p>Research shows that diversity strengthens an organization and in policing, its builds community trust. Internships or micro-internships (low-risk, short-term, paid, professional assignments) can lead to an increase of URM representation. Partnering with diverse professional organizations (https://careers.vassar.edu/docs/Internships%20Programs%20Dedicated%20to%20Diversity%20and%20Inclusion.pdf) is another added valued. Modeling “mentorship” (i.e., Girls who Code) programs as has been done in the STEM</p>

<p>Defenders/Assistant District Attorney, other sectors in system) across systems and majors</p>		<p>fields to increase URM is another example of how to build interest from a diverse applicant pool (see PennState Police Internship program). While the research shows “what” and “how” may differ at each campus, researching to learn what can be done to increase interest is necessary. Further, outreach efforts must be targeted to URM communities as noted by Sadulski (2020). The PEW research also suggests more needs to be done to build relationships with diverse communities (i.e., student clubs and organizations). It was also found the few URM in a respective area, will yield fewer applicants (i.e., students)</p> <p>References: https://www.parkerdewey.com/blog/micro-internships-build-diversity https://www.jstor.org/stable/40037228?seq=18#page_thumbnails_tab_contents https://www.police.psu.edu/police-internship https://amuedge.com/diversity-in-police-force-hiring-promotes-community-trust/ https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2016/08/22/does-diversifying-police-forces-reduce-tensions https://www.sciencedirect.com/science/article/pii/S0047235209000658</p>
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COMMUNITY OUTREACH & ENGAGEMENT **SUB-COMMITTEE REPORT**

Joshua Price (Resigned), Hannah Jones, Yongabi Nghoh, Jabari Randolph

Summary

The Outreach and Engagement Subcommittee sees itself as a channel for students, faculty, and staff to express their concerns about policing and safety to the administration outside of the formal complaint process. We seek to create an open and ongoing dialogue between the various stakeholders on campus in order to ensure a sense of safety and security for everyone in the community. Such discussions will ultimately allow us to convey the concerns of the community directly to the board and President Stenger, as well as advocate for community interests by prioritizing needed changes in our recommendations.

This semester the Outreach Committee worked to establish ways for the CCRB to connect with the community and learn about the current climate toward policing and safety on campus.

Problems to Address

Our primary goal was to spread awareness about the CCRB and begin to engage with the student body as broadly as possible. The Outreach Committee also recognized that no focused research has been conducted on the community's policing and safety concerns, particularly after the George Floyd protests, which means the board cannot effectively prioritize the most pressing issues on campus.

Responses

As a first step in building awareness about the board, the Outreach Committee sent emails to forty-one student organizations to give as many students as possible the basic information about our board and invite them to share their concerns with us, either in upcoming CCRB events or by requesting a private meeting. Two groups, the 20:1 Prevention Program and Haitian Student Association, expressed interest in speaking with us. We aim to continue networking with student organizations next semester to build trust and listen to their concerns/experiences. The completion of the CCRB website should help spread awareness about our charges as well; however, it would also be beneficial to have the CCRB site linked to the appropriate Binghamton University pages related to community safety.

In an effort to learn about the broad concerns of the community and avoid privileging the perspective of one group, the Outreach Committee decided to divide our initiative into four parts: a campus-wide survey on safety and policing, town-hall style meetings, a CCRB-hosted speaker series, and individual interviews with community members about their experiences/concerns. We hope that these initiatives will be renewed each year to ensure that the CCRB provides a consistent channel for students, faculty, and staff to voice their concerns. Our progress with each initiative thus far is detailed below, including the limitations and recommendations.

Survey on Community Safety and Policing

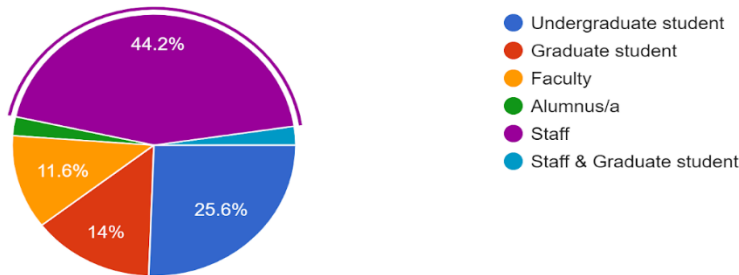
After researching the surveys created by similar boards at other universities, we found that the recent survey created by a SUNY organization, Graduate Workers Against Institutionalized Racism (GWAIR), seemed to combine the best features of them all. Josh, our former member, received their approval for us to circulate it. At this point the survey was reviewed by the board for bias and we made minor adjustments to the framing of some questions considered to be leading. With the consensus of the board, we circulated the survey at the end of the semester through Dateline and an article in Pipe Dream. Because only 43 people responded, we feel that we

need to collect more feedback from the broader community before we can begin to formulate recommendations based on the results.

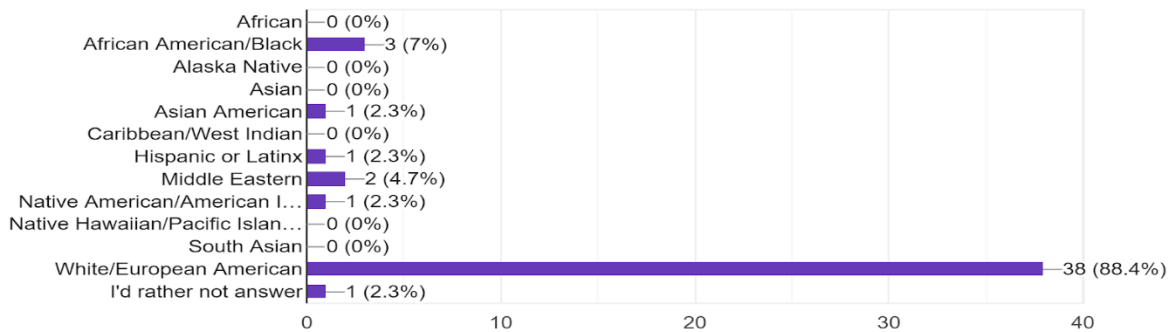
Limitation:

The survey results currently center the perspectives of white staff members and do not reflect the diversity of the campus. See the demographics below.

What is your position at SUNY?
43 responses



How would you describe your racial and/or ethnic identity? Please select all that apply.
43 responses



We feel the survey results would be more substantial (and reflective of the diverse makeup of the campus community) if the survey had been circulated to a much broader audience early in the semester. We wanted the survey to be circulated by HR to all union members (CSEA, GSEU, and UUP) using their respective listservs; however, the points of contact in HR recommended by the CCRB secretary, Kate Hastings, did not respond to our request. We reached out to the Student Engagement Specialist on campus for help circulating the survey to students, but our efforts were stalled by the need for an official CCRB graphic to associate with social media posts.

Recommendations:

- Circulate the survey again at the beginning of the semester to each department and office on campus, as well as to all union members

- Support from the administration in incentivizing people to respond and gaining access to as broad of an audience as possible

Town Hall Meetings

We aimed to host at least two town-hall meetings to begin an open dialogue between students, faculty, and staff to better understand the concerns of the community and create a safe space for sharing their experiences with police. We aimed to host these meetings on Zoom in the second half of the semester and include panelists from within our community to represent the various perspectives on important issues such as racial bias in policing and the transparency of police misconduct. We researched examples from other universities such as the University of Washington's town hall on [campus safety and policing](#) and SUNY-New Paltz's town hall on [university policing and campus climate](#). At this stage we have not yet determined a list of panelists we would like to invite or the dates, but we hope to have these details set by early in the fall semester.

Limitation:

Our former member, Josh Price, had experience organizing town-hall style discussions and offered to take lead on the project. Progress was stalled after his departure from the board when we prioritized completing the survey; however, we would like to host at least three town hall meetings in the next academic year.

Recommendation:

- Widely advertise these events to students, faculty, and staff on all official BU channels of communication to encourage attendance

CCRB Speaker and Workshop Series

The Outreach Committee would like to host a speaker series to educate the community on the issues surrounding the policing of marginalized communities, the history of policing, and calls for transformative justice. This series will ultimately help us, as a campus community, gain a better and deeper understanding of perspectives around policing, racism, abolition, reform, etc. We cannot assume that the average campus citizen understands, realizes, or perhaps even cares about the fact that the presence of police on campus poses a real psychological threat to marginalized communities. It is up to us to educate the community and create the space for a mutual understanding to be reached. We, like the Arrest Committee, think there is “a dire need to educate the campus community, and especially white people, about why calls for reform and even abolishment of the police have been becoming louder and louder over the years, both nationally, in the local community, and on campus.”

Starting this fall, we aim to bring two to three speakers to present on campus (or potentially on Zoom) each semester for the next academic year, perhaps as an annual CCRB speaker series. Each speaker would give a public talk, perhaps in the afternoon, followed by a 10am workshop the next morning, which would be attended by members of the CCRB and would be open also to interested members of the campus community, with the total number of workshop participants capped at around 20 to 25. The workshop would last 1.5-2 hours and would focus either on a reading or practical discussion of community changes that we can make. We want these events to be open and accessible to students, faculty, and staff.

Here is a provisional list of speakers we could invite for next year; it is a mix of scholars and practitioners recommended by members of the board. We hope to contact potential speakers as soon as possible, since we are already a bit behind the curve at the time of writing. Depending on who is available, we may need to contact others and/or ask the community for suggestions.

- Dr. Brendan McQuade (<https://usm.maine.edu/criminology/brendan-mcquade-phd>). McQuade received his PhD at Binghamton in 2015, so he would also have some institutional knowledge from his time here.
- Mariame Kaba, an organizer, educator and curator (<http://mariamekaba.com/workshops>). Her work focuses on ending violence, dismantling the prison industrial complex, transformative justice and supporting youth leadership development. She has a workshop on policing/police violence but it looks like one can also ask her to speak about something else/specific to our group.
- Reesma Menakem, a psychotherapist specializing in the effects of trauma on the human body who focuses on healing historical and racialized trauma carried in the body and the soul (<https://www.resmaa.com/>).
- Dr. Cedric Alexander, a psychologist and a former police chief (<https://clalexandergroup.com/about-me/>).
- Dr. Aisha Beliso-de Jesús, a professor in the American Studies Department at Princeton and founder of the Center on Transnational Policing, which brings together scholars at different levels (undergraduate, graduate, and members of the professoriate) to understand policing in the U.S. and internationally (<https://ams.princeton.edu/people/core-faculty/aisha-beliso-de-jesus>).
- Dr. Jennifer Eberhardt, a professor at Stanford University whose research investigates the consequences of the psychological association between race and crime (info here: <https://web.stanford.edu/~eberhard/about-jennifer-eberhardt.html>)
- Dr. Robert Worden, an associate professor at the University at Albany, whose research revolves around questions about the accountability and responsiveness of criminal justice institutions to the public (info here: <https://www.albany.edu/scj/faculty/robert-e-worden>).
- We would also like to ask someone from the Binghamton community to talk to us about local/grassroots organizing around police reform and the conditions at the jail.

Limitations:

We were not able to begin inviting speakers because we do not currently have a set budget for the CCRB to work with to host events. Our budget will largely depend on the availability of speakers and if the person prefers to travel in person or visit us via Zoom. We estimate needing a total budget of \$12k for the academic year or around \$2k per speaker (to cover their travel accommodations and provide a stipend between \$600-\$1,000, depending on their respective stature in the field). However, we might also be able to get co-sponsorships from other departments/programs, depending on their respective budgets and whether the speakers relate to their interests (e.g. The Institute for Genocide and Mass Atrocity Prevention, the Human Rights Institute, the Center for Civic Engagement, Social Work, Human Development, etc.).

Recommendation:

- Provide the CCRB with designated funds to annually host speakers and workshops in the next academic year and beyond
- Encourage/incentivize staff and faculty to attend

Private Meetings by Appointment

Our primary goal is to listen to the experiences of students, faculty, and staff who have interacted with the UPD and learn from them. The community should feel encouraged to discuss their experiences with us as a way of voicing their concerns about policing on campus without being required to submit an official complaint. Individuals may choose to remain anonymous if they wish. Having these informal discussions will allow us to better determine the sense of safety on campus and areas in urgent need of reform. The Outreach Committee

will be responsible for scheduling the meetings and conveying the individual testimonies to the board in the large group meetings on a rolling basis.

Limitation:

Not enough people on campus know about this function of the CCRB. Although the CCRB website will explain how to schedule a meeting with us, we would like to ensure the entire community is aware that these meetings can function as an alternative to filing an official complaint with the police. We will do more targeted outreach in the next academic year to ensure that the broader community is aware that we are available to meet informally and/or anonymously to listen to their personal concerns about safety and policing on campus.

Recommendations:

- The [UPD complaint webpage](#) should include the option of scheduling a meeting with the CCRB to informally (and/or anonymously) talk about their safety concerns and policing on campus; it should specifically include our contact information (ccrb@binghamton.edu) and explain that we can discuss their options for submit an official complaint, suggestion, or compliment should they wish to do so

MENTAL HEALTH
PROPOSAL FOR EXPANSION OF EVENING CRISIS INTERVENTION SERVICES

Hannah Jones, Ramona Mazzeo, Lucas Martinez, Joshua Price (Resigned)

Introduction: This brief proposal aims to introduce the idea of expansion of evening mental health mobile crisis services. Through interviews with representatives of the UPD (Chief Pelletier), UCC (Dr. Mark Rice), DOS (Beth Riley), Residential Life (Jessica Treadwell), and the MHASt Mobile Crisis Team (Mike Hatch), the following is proposed as a way to improve mental health crisis services to on and off campus students.

Proposal: Expand mental health mobile crisis services from 5 pm – midnight. Using existing model of mobile crisis service, but adapt to campus and students by adding a peer component: under this model, a paid, professional, experienced crisis counselor would be paired with a student volunteer peer intern during crucial evening hours when such services are lacking.

Proposal Reasoning: The evening hours, between 5 pm and 12 am, were cited by the above campus resources as times of increased mental health crisis calls with police intervention while also being a time of less available support. During working hours, Mon-Friday, Campus has resources including Residential Life Crisis Intervention (through SW interns), University Counseling Center (through urgent appointments). In the evening, these 2 valuable intervention resources are unavailable. The off hours counseling service (the Protocall phone system for phone crisis evaluation and intervention), provides some evening and weekend support and has increasing utilization over time. First responders would still want availability of in person crisis counselors to be sent on mental health calls with the aim of preventing unneeded transports to local emergency rooms. The current MHASt Mobile Crisis team is available for this service and has been used but is understaffed for evening shifts. UPD has used this resource with great benefit already. In partnering with this existing service, campus could provide support for on and off campus students locally.

Proposed Structure and Resources:

The University could utilize a shared staff/volunteer/student internship model. We could contribute funds and education for providers to be added to the current established local mobile crisis service second shift. Paid positions (would propose 3 paid crisis counselors and internship leaders to cover shifts 7 days a week) could be partnered with a student volunteer/internship program where a trained staff would provide main coverage but student/peer representation can make service more personalized and accessible while providing a valuable clinical education experience for our students. This experience could be open to SW interns, Undergraduates, Psychology students, Pre-medical and Nursing Students, and Pharmacy Students among others to gain valuable clinical experiences. There is demand among current students for this kind of internship. This is the model the current MHASt crisis team supports, one paid staff and one trained peer mentor per shift, who are dispatched on 911 mental health crisis calls with police as indicated by triage process through 911.

Through this targeted intervention, BU could partner with the community to expand an already existing valuable resource that could be accessible by on and off campus students as well as faculty and staff, thus supporting the “Town/Gown” philosophy of partnering with the community to strengthen local resources while providing increased opportunities for much needed clinical experiences for our students.

SELECTION & TRAINING **SUB-COMMITTEE REPORT**

Elizabeth DiGangi, Diana Castellanos, Myra Sabir,
Ashley Harris (Intern)

Executive Summary

Task: Collect and summarize the evidence on which to base recommendations to President Stenger around selection and training of Binghamton University police officers.

Portion of task completed: The committee has completed the most rudimentary step in collecting, understanding, and summarizing the scholarly literature surrounding law enforcement selection and training programs. We have collected and summarized relevant abstracts of research articles published over the past fifty-one years.

Selection Highlight: Women police officers tend to be more highly educated; more effective in de-escalating incidents compared to their male counterparts; more focused on community policing; and more likely to serve racially and ethnically diverse communities. Moreover, both men and women rape victims prefer women Sexual Offenses Investigative Technique (SOIT) police officers. Victims assess women as more likely to offer empathy and sensitivity, and to practice ‘soft’ policing in collaboration with social work and other community agencies (Chappell, 2008; Clary, 2020; Jamel, 2010; McCarthy, 2013).

Training Highlight: There is a 9 to 1 ratio of training hours of force to de-escalation. De-escalation training is virtually non-existent in law enforcement in general and at Binghamton University.

We wish to express our gratitude for the opportunity to learn about and recommend ways to place Binghamton University at the cutting edge of social evolution in our present world.

Selection

Evidence & “Recommendations”

Education. In terms of education, there is generally no college education requirement to become a police officer. Applicants are required to have earned a high school diploma or its equivalent (Martinez, 2006). Given these educational qualifications, military bases are prime locations for recruitment of future police officers (Moore, 2007). As the difficulty in filling law enforcement positions has increased, some qualification standards have been lowered to increase the pool of candidates. Rules around misdemeanor or felony convictions or a record of prior drug use, for example, have been relaxed (Woska, 2006).

Diversity. The general level of diversity in the police force is low and diminishes as police officers’ rank increases (Van Ewijk, 2012). A diverse police force is important for a number of reasons. Diversity lowers the number and rate of officer-involved killings of African Americans (Legewie and Fagan, 2016). A recent study shows that diversity improves police-community relations (Donohue, 2020). And, as mentioned above, women police officers are more likely to offer empathy, demonstrate sensitivity, and collaborate with other community agencies; however, police culture continues to reinforce the masculine image of policing, which represents a significant barrier to the advancement of women (Schwartz and DeKeseredy, 1997; Franklin, 2005; Workman-Stark, 2015).

Police agencies have found ways to successfully attract, retain, and advance police officers who reflect the diversity of the community (Slahor, 2008). Among the most influential is to appoint diverse officers to the

managerial ranks (Gustafson, 2013; Wilson et al., 2016). Other strategies include the wording of job descriptions (Linos, Reinhard, & Ruda, 2017) and the distribution of hiring information to core constituencies in communities of color (Wilson et al., 2016). Job descriptions that focus on the personal benefits of the job—either emphasizing the challenge of the job or the career benefits—are three times more effective at getting individuals to apply than messages that focus on public service motivation (Linos, 2018). Two recent studies offer strategies to recruit and retain women include a supportive work climate, family-friendly work policies, and the opportunity for social contribution. It is also important to empower women in departments to create the recruiting message and to create a culture that embraces the values women bring to law enforcement and the world in general (Clary, 2020; Donohue, 2020).

BUPD Selection:

Based on the information provided by BUPD, the selection process for campus police officers follows the standard set by the State University of New York System Administration and New York State Department of Civil Service. According to the BUPD website, “To qualify for the civil service exam to become a New York State University Police Officer, candidates must possess a minimum of 60 college credits — a higher standard than many municipal or county law enforcement agencies.” Candidates are recruited from on-campus, SUNY Broome job fairs, and SUNY Central. It is worth noting that the civil service exam is given every 3-4 years.

Recruitment is initiated by the Chief of Police and then through HR by canvassing qualified candidates who have passed the New York Civil Service exam. In addition to a minimum of 60 college credits, eligible candidates must also submit a background questionnaire and fingerprinting for a New York State and FBI criminal history check, as well as clear a psychological and medical screening. Those who have been screened are invited for an interview by a committee composed of members of the Binghamton University Police Department, a union representative, and any additional members appointed by the Chief of Police.

From what can be discerned from the BUPD website, the recruitment job description is minimal, stating only that “*A New York State University Police Officer is responsible for the detection and prevention of crime, and the enforcement of state and local laws, rules, and regulations in a diverse educational environment*” (binghamton.edu/police/about/career.html). Also, based on the information provided by the Chief Police, additional or targeted recruitment is not done in communities of color or directed toward women. Currently, BUPD reports that it has 4 sworn officers of Color and 4 sworn women officers out of 42 sworn officers in the department.

CCRB Selection “Recommendations”

Please note that the Selection & Training subcommittee is reluctant to make ‘evidence-based’ selection recommendations due to the low number of empirical research abstracts in each domain, and because abstracts are the sole source of the information herein. The following preliminary suggestions are proffered.

- Determine whether higher education yields improved policing.
- Revise the job description to include personal benefits of the job.
- Allow women in the department to help revise the job description to convey the department’s supportive work climate, family-friendly work policies, and the opportunity for social contribution.
- Distribute the revised job descriptions to key persons and organizations that reach women and specific communities of color.
- Promote diverse police officers to hiring ranks of the department.
- Add community members to hiring committees.

Training

Evidence & “Recommendations”

It seems that the training, or making, of a police officer begins when recruits enter the police academy and extends long into the years of policing (Beliso-De Jesús, 2019; Van Maanan; 1973). Although there are both conservative and innovative forces in police training (Karp & Stenmark, (2011), Beliso-De Jesús (2020) recently found white supremacy “embedded... in the molding, crafting, and training of police recruits, part of ...an active reshaping of everyday young citizens into police through the recruitment process (p. 143).” Progress along the socialization continuum is the gradual incorporation of an "in the same boat" collective consciousness, stressing a "don't make waves" occupational philosophy (Van Maanan, 1973). Positive attitudes about policing tend to dissipate as police recruits proceed to their respective police agencies where they are assigned a field training officer and are exposed to the work environment and organizational culture (Haarr, 2001). One study determined that the most salient lessons learned in police academy training were those that reinforced the paramilitary structure and culture (Chappell and Lanza-Kaduce, 2010). Dahm (2006) argues that what recruits need are realistic expectations of the job including (1) the obligation to work any shift; (2) the likelihood of being on the night shift for several years before being eligible for day work; (3) the inevitability of having to work for long periods of time without breaks in an emergency situation; (4) *the necessity to maintain self-control when verbally/physically assaulted*; (5) *the requirement to work with people who might be verbally abusive, intoxicated, suicidal, or angry*; (6) *the need to be sensitive, empathetic, and compassionate*; and (7) *the need to be able to effectively deal with disappointment, frustration, and dejection* (emphasis added).”

Procedural Justice Training. Some recent research has shown improved attitudes around procedural justice in police officers due to training (McLean et al.; 2020) while other research has shown no improvement of attitudes or behavior in this domain (Rosenbaum & Lawrence, 2017). McClean and colleagues (2020) found evidence of changed attitudes around procedural justice, but no evidence of altered officer behavior (some contrast in Antrobus, Thompson, & Ariel, 2019). A final study of procedural justice training, showed increased officer support for all of the procedural justice dimensions included in the experiment, in the short term. Post-training, officers were more likely to endorse the importance of giving citizens a voice, granting them dignity and respect, demonstrating neutrality, and (with the least enthusiasm) trusting them to do the right thing. Longer-term, officers who had attended the procedural justice workshop continued to be more supportive of the first three of the four procedural justice principles introduced in training (Skogan, Van Craen, & Hennessy, 2015).

Emotional Intelligence training. An intervention study consisting of short lectures, hypothetical scenarios, role plays, group discussions, subgroup/pair work or individual work and readings that was designed to enhance emotional intelligence, empathy, resilience and stress management skills among police officers resulted in significant improvement in all areas in the intervention group, compared to the control group. In addition, the positive changes remained significant three months after the termination of intervention (Romosiou, Brouzos, & Vassilopoulos, 2019).

Resilience training. A trauma resilience training consisting of 1) practice in both progressive and cue-controlled relaxation methods wherein officers learned how to induce relaxation regardless of the situation; and 2) imagery training using verbally presented scripts to help the officers create mental images of specific, police-work relevant stressors and mentally rehearse appropriate responses resulted in significantly less negative mood, less heart rate reactivity, and better police performance compared to controls. Trends for cortisol and self-reported stress also suggested benefits of training (Arnetz, et al., 2009).

Diversity. A study of diversity training published this year yielded a sole significant finding that white officers are more likely to have lower levels of ethno cultural empathy compared to non-white officers (Vaughn and Johnson, 2021). Another intervention study did not improve experimental group attitudes towards diversity in

the workplace, but it did protect that group from a clear decline in support for diversity over time (Platz, Sargeant, & Strang, 2017).

Bias Training. A recent 1-day pilot training program on ethnic/racial bias in police use of stop and search powers showed the training improved officers' knowledge of stop and search regulations, made them more selective in declared search intentions in hypothetical scenarios, and reduced their support for ethnic/racial stereotyping in policing (Miller et al., 2020).

Mental Health (Police Officers). In terms of how extreme events impact the mental health of police officers, one recent systematic review synthesized existing research on large-scale disasters. Overall, the rates of PTSD among police officers are consistently lower than those of civilians affected by the same disaster, and are lower than other occupations. This undoubtedly speaks to the resilience and training of members of policing organizations that prepare them for this work. Studies also demonstrate that reported distress in terms of acute stress disorder, anxiety and depression, continues to rise in some groups as time-elapses from the event lengthens; suggesting a need to ensure that mental health supports are provided at later stages after the event (Regehr et al., 2020).

Mental Health (Community). Education and training on mental health topics have increased significantly across the US in the last 20 years, and in one recent study, almost all departments reported using a specialized response team for the management of mental health crisis calls (Fiske et al., 2020). Departments vary widely in the amount of training provided on mental-health-related topics, with a median of 6.5 hours for basic recruits and 1 hour for in-service training (Hails & Borum, 2003). A review of the current literature on relevant law enforcement training programs, focusing primarily on crisis intervention team (CIT) training found that broad-based community partnerships working together to develop programs that meet the local needs of both those with mental illness and law enforcement, the availability of mental health treatment centers with no-refusal policies, and a coordinating person or agency to effectively liaise among stakeholders are critical enhancements to CIT training (Campbell, Ahalt, Hagar, & Arroyo, 2017).

In terms of effectiveness, one recent crisis intervention and de-escalation training program for law enforcement significantly decreased stigma and increased self-reported knowledge of mental health resources over baseline (Peterson et al., 2020). Another study published this year showed that training regarding the symptoms of mental illness can increase a law enforcement officer's general knowledge of psychological disorder and reduce bias against people with mental illness (Wise et al., 2021). Finally, research suggests that CIT officers would benefit from continuing education about mental illnesses and that more seasoned officers may be better candidates for CIT training, at least in terms of knowledge retention (Compton & Chen, 2008).

Opioid addiction training. In one study, training law enforcement to respond to opioid overdose with naloxone showed statistically significant increases in nearly all items measuring opioid overdose knowledge; Opioid overdose competencies; and concerns about naloxone administration (Wagner, Bovet, Haynes, Joshua, & Davidson, 2016. For similar results, see also Dahlem, King, Anderson, Marr, Waddell, & Scalera, 2017). A recent mental health simulation training for police and ambulance staff showed statistically significant improvements in self-efficacy and attitudes towards mental illness; improved procedural knowledge, person-centered care, and inter-professional collaboration (Uddin et al; (2020).

Use of Force. A survey administered to the IADLEST (International Association of Directors of Law Enforcement Standards) showed an 8.9 to 1 ratio of training hours of force to de-escalation. Based on the results of the surveys and the analysis using the RPD framework, this thesis recommends achieving parity between force and de-escalation training hours in police recruit training and in-service training (Dayley, 2016).

Some studies have examined why police officers sometimes use too much force. Among individual level predictors of use of force are age and arrestee's resistance. Neighborhood level predictors include violent crime rate and unemployment rate. Lee et al. (2010). Black-on-white homicides increase officer-involved killings of African Americans but black-on-black homicides and measures for political and economic threat do not (Legewie & Fagan, 2016).

A training designed to teach officers to apply techniques to enhance psychological and physiological control during stressful critical incidents showed that the intervention group displayed significantly better physiological control, situational awareness, and overall performance, and made a greater number of correct use of force decisions than officers in the control group (Andersen & Gustafsberg 2016).

De-escalation. A recent study shows that there is limited knowledge concerning the impact of de-escalation training across all professions, and that conclusions about the effectiveness of de-escalation training are limited by the questionable quality of almost all evaluation research designs (Engel et al., 2020). The large majority of de-escalation training evaluations conducted over a 40-year period are in the fields of nursing and psychiatry. In a recent study designed to improve officers' social interaction skills found that results depended heavily on the selection and performance of each agency's own trainers (Wolfe et al., 2020).

BUPD Training

Each new candidate must pass the Basic Course for Police Officers in order to serve as a BU police officer. Binghamton University Police Officers go through the Basic Course sponsored by the Broome County Sheriff's Law Enforcement Academy. This training is 31 weeks total (M-F, 8 hrs daily). The vast majority of the training is either procedural or tactical; for example, 76 Hours of firearms training or 80 hours of Emergency Vehicle operations. Below is a specific breakdown of the training. By contrast, there are limited offerings in the non-tactical areas; for example seven (7) hours is dedicated to Cultural diversity, bias, and sexual harassment; two (2) hours directed to community policing; and four (4) hours on interpersonal skills throughout the 31 weeks of training.

BUPD continues In-Service training for officers twice yearly during semester breaks; however, we were provided only one example of an in-service training, completed in Dec 2020. The General Orders (200s) indicate that In - service trainings will be conducted 2x a year for a total of 21 hours, covering the following topics: firearms, legal updates, use of deadly force, less lethal force (taser, baton), internal control, HazMat, discrimination, sexual harassment. Staff in supervisor roles must take a course on supervision and additional training every year. BUPD is required to keep records of all training and certificates of officers.

The 2020 In Service trainings for BUPD were facilitated by in-house police officers, primarily, with the exception of Riot/Crowd Control and DA Office Updates. Eleven (11) hours was spent on Defensive Tactics, Firearms, and Taser. A combined 2 hours was spent on Hate Crimes/Fair and impartial policing. In addition, two (2) hours was spent on officer Wellness and Mental health, and one (1) hour was spent on Trauma. The remainder of the training was conducted on various other topics such as drugs and emerging trends.

De-escalation training was not part of any of the training schedules provided, even though general order 140: Use of Force requires it (“*B. Training topics include use of force, conflict prevention, conflict resolution and negotiation, and de-escalation techniques and strategies, including, but not limited to, interacting with persons presenting in an agitated condition as well as duty to intervene and prohibited conduct.*”).

Two (2) hours are spent on community policing. Below are some key training topics and amount of time spent for the Basic Course for Police Officers Academy.

160 HRS (1 month) Supervised Field training (on the job training)	48 HRS: Emergency Medical Services (First Responder)
80 HRS Emergency Vehicle Operations	32 HRS: Patrol Function/Mental Illness
64 HRS Officer Survival Training	8 HRS: Community Relations- Ethical Awareness
76 HRS Firearms Training	7 HRS: Cultural Diversity: Bias Related Incident and Sexual Harassment
58 HRS Military Drill (BUPD)	5 HRS: Fair and Impartial Policing
27 HRS Defensive Tactics (DT)	4 HRS: Interpersonal skills/ Arrest Techniques/Rapid deployment
16 HRS Active Shooter	4 HRS: Community Resources- Victim/Witness service (BUPD)
16 HRS Taser	2 HRS: Community Oriented Policing and Problem Solving Media Relations (BUPD)
11 HRS Use of Force	

CCRB Training “Recommendations”

Please note that the Selection & Training subcommittee is reluctant to make ‘evidence-based’ training recommendations due to the low number of empirical research abstracts in each domain, and because abstracts are the sole source of the information herein. The following preliminary suggestions are proffered.

- Include de-escalation training as required by General Order # 140.
- Balance de-escalation training with training on use of force.
- Balance with tactical training and non-tactical training.
- Increase hours spent on community policing to more than the current two (2) hours.

Complete Selection & Training Recommendations List

- Determine whether higher education yields improved policing.
- Revise the job description to include personal benefits of the job.
- Allow women in the department to help revise the job description to convey the department’s supportive work climate, family-friendly work policies, and the opportunity for social contribution.

- Distribute the revised job descriptions to key persons and organizations that reach women and specific communities of color.
- Promote diverse police officers to hiring ranks of the department.
- Add community members to hiring committees. Include de-escalation training as required by General Order # 140.
- Balance de-escalation training with training on use of force.
- Balance with tactical training and non-tactical training.
- Increase hours spent on community policing to more than the current two (2) hours.

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POLICIES & PROCEDURES

Sub-Committee Report

Jabari Randolph, Myra Sabir

EXECUTIVE SUMMARY

Task: Compare Binghamton University Police Department’s Policies and Procedures to cutting-edge standards and best practices set forth by the [NAACP](#), [the Obama 21st Century Report on Policing](#), and [The Contract with Black America](#).

Portion of task completed: The committee has tabulated BUPD’s General Orders (Policies & Procedures) against cutting edge practices and made recommendations accordingly.

Highlight: Out of seventy-nine (79) cutting edge standards, BUPD clearly meets thirteen (13) sufficiently. BUPD seems to partially meet an additional four (4) standards.

Among the standards met are:

- 6) A ban on the use of knee holds and chokeholds
- 16) Seek consent before a search/explain the right to refuse when there is no warrant or probable cause/obtain written acknowledgement of same.
- 55) Reduce Contact During Traffic Ticketing. Officer must IMMEDIATELY tell the driver why he/she was pulled over. Cannot search a vehicle without an independent warrant. No need for those cited to “sign” tickets. Efforts made to reduce time and contact between officer and driver which benefits both (i.e., digitally limiting contact as technology allows). Tickets issued and sent by mail where possible. If the officer believes the driver is driving recklessly or suspicion of a DUI, they may pull over the car, but pullovers can be challenged by Dash Cam footage. If the footage does not show cause for concern, the officer can be disciplined.
- 72) Agencies should collect, maintain, and report data on use of force to the federal government. Include all officer-involved shootings, whether fatal or nonfatal, and in-custody deaths.

Standards partially met include:

- 7) Direct officers to speak to individuals with respect
- 17) Create policies and procedures for policing mass demonstrations that are designed to minimize the appearance of a military operation and avoid using provocative tactics and equipment that undermine public trust.
- 21) Diversify the police force
- 28) Provide officers with individual tactical first aid kits

We wish to express our gratitude for the opportunity to learn about and recommend ways to place Binghamton University at the cutting edge of social evolution in our present world.

Cutting-Edge Standards & Best Practices/Source	Binghamton University Police General Orders	Domain & Status
1) Eliminate Civil and Criminal Asset Forfeiture as it gives police departments economic incentive to	None	Asset Forfeiture Does not meet standard

charge crimes which conflicts with the goals of serving justice. Only exception is if the Assets are related to the crime Contract with Black America		
2) Mandatory Dashboard and Body Cams. In the event they are turned “off” and the incident results in a serious injury or death to any suspect or witness, it will be considered a FELONY punishable by prison unless proof of malfunction. If there is a claim of excessive force or abuse and the cams are “off”, the first incident will result in a warning, the second will be a suspension, and third will require firing. Contract with Black America	None	Dashboard & Bodycams Does not meet standard
3) Cam footage (body and dashboard) to be released within a week for incidents resulting in death, serious injury or that give rise to charges of excessive force Contract with Black America	Documents the release of VMS recordings	Cameras Transparency Recommendation: Release to CCRB
4) Review and consider the Bureau of Justice Assistance’s Body Worn Camera Toolkit to assist in implementing BWC’s Contract with Black America	None	Cameras/Implementing Does not meet standard
5) Non-punitive critical review of serious incidents separate from criminal or administrative investigations Contract with Black America	None	Does not meet standard
6) A ban on the use of knee holds and chokeholds NAACP Contract with Black America	Prohibited uses of force: Any use of a chokehold or similar restraint that applies pressure to the throat or windpipe of a person or may hinder breathing or reduce intake of air is prohibited.	Chokeholds General Order Sufficient Recommendation 1: Publicize this standard

<p>7) Direct officers to speak to individuals with respect</p> <p>Contract with Black America</p>	<p>Sex offenders to be treated with dignity and to receive from the institution courteous, fair, and respectful healthcare and counseling services, where available</p>	<p>Communication: Respect</p>
<p>8) Regular forums and meetings where all community members can interact with all BU police</p> <p>Contract with Black America</p>	<p>None</p>	<p>Community Policing Familiarity Relationship Building</p> <p>Does not meet standard</p>
<p>9) Initiate positive nonenforcement activities</p> <p>Obama 21st Century</p>	<p>Response from Chief Pelletier: We do this, see our Facebook page. Cops on Top, Polar Plunge, Torch Run, Breast Cancer Awareness Month, No-Shave November, Giving Tree, Food Bank Drive, Toys for Tots are just a few.</p>	<p>Community Policing</p> <p>Meets standard</p>
<p>10) Publicize images of community policing</p> <p>Obama 21st Century</p>	<p>Response from Chief Pelletier: We do this, see our Facebook page. Cops on Top, Polar Plunge, Torch Run, Breast Cancer Awareness Month, No-Shave November, Giving Tree, Food Bank Drive, Toys for Tots are just a few.</p>	<p>Community Policing</p> <p>Meets standard</p>
<p>11) Community Policing. Non-armed personnel set up to handle most cases. These include taking reports for crimes already committed, non-active situations, filing of complaints, non-violent crimes or disputes, disputes between neighbors, etc.</p> <p>Contract with Black America</p>	<p>None</p>	<p>Community Policing Non-armed personnel</p> <p>Does not meet standard</p>
<p>12) Infuse community policing throughout the culture of police</p> <p>Contract with Black America</p>	<p>Response from Chief Pelletier: We do this, it is not a general order but it is a directive.</p>	<p>Community Policing</p> <p>Meets standard</p>
<p>13) Allow officers sufficient time for problem solving and community engagement activities</p> <p>Contract with Black America</p>	<p>Response from Chief Pelletier: We do this, it is not a general order but it is a directive.</p>	<p>Community Policing</p> <p>Meets standard</p>

<p>14) Add community policing to performance evaluations of police</p> <p>Contract with Black America</p>	<p>Response from Chief Pelletier:</p> <p>It is a performance evaluation for officers</p>	<p>Community policing Evaluation/Assessment</p> <p>Meets standard</p>
<p>15) Build relationships of trust with immigrant communities</p> <p>Obama 21st Century</p>	<p>University Police shall not inquire about the immigration status of an individual, including a crime victim, a witness, or a person who calls or approaches the police seeking assistance, unless necessary to investigate criminal activity by that individual.</p>	<p>Community Policing/Immigrants</p>
<p>16) Seek consent before a search/explain the right to refuse when there is no warrant or probable cause/obtain written acknowledgement of same</p> <p>Contract with Black America</p>	<p>When there is Probable Cause that a premise should be searched for contraband, officers will obtain a signed Consent to Search Form from the person having control over that area.</p> <p>When asking a person to consent to search, be sure to inform him/her that he/she does not have to consent. If the person does consent, be sure to have them read the form carefully before signing.</p>	<p>Consent to search</p> <p>General Order 420 sufficient</p>
<p>17) Create policies and procedures for policing mass demonstrations that are designed to minimize the appearance of a military operation and avoid using provocative tactics and equipment that undermine public trust.</p> <p>Contract with Black America</p>	<p>General Order 413 provides steps for mass arrests including procedures for arresting and processing.</p> <p>Response from Chief Pelletier:</p> <p>The University is in the process of finalizing its demonstrations policy, we will finalize ours after that is complete. Recent “Free Palestine Rally”, we had no uniformed officers. The actions of the demonstration dictate the police response, we always have a guardian mindset and attempt to de-escalate.</p>	<p>Crowd Control</p> <p>Minimizing the appearance of a military operation is not addressed in general orders</p>
<p>18) Mass demonstrations/ prioritize de-escalation and a guardian mindset</p> <p>Contract with Black America</p>	<p>None</p> <p>Response from Chief Pelletier: The University is in the process of finalizing its demonstrations policy,</p>	<p>crowd control</p> <p>Does not meet standard (in general orders)</p>

	we will finalize ours after that is complete. Recent “Free Palestine Rally”, we had no uniformed officers. The actions of the demonstration dictate the police response, we always have a guardian mindset and attempt to de-escalate.	
19) Emphasize de-escalation and alternatives to arrest or summons Obama 21st Century	None Response from Chief Pelletier: We have always encouraged de-escalation techniques and each officer has had over 8 hours of de-escalation training in the last year. 19 & 20 are the same.	De-escalation Does not meet standard (in general orders)
20) Seek least harm resolutions, such as diversion programs or warnings and citations in lieu of arrest for minor infractions. Contract with Black America	None Response from Chief Pelletier: We have always encouraged de-escalation techniques and each officer has had over 8 hours of de-escalation training in the last year. 19 & 20 are the same.	De-escalation Does not meet standard (in general orders)
21) Diversify the police force Obama 21st Century	4 officers of color 4 women officers (of color?) out of 42	Diversity
22) Publicize diverse police departments Obama 21st Century	None	Diversity Does not meet standard
23) Publicize data regarding the composition of the police force (race, gender, age, etc.) Contract with Black America	None	Diversity Does not meet standard
24) <u>Domestic Abuse</u> . Create Domestic Abuse Services, analogous to Child Protective Services. Personnel trained to deal with Domestic Abuse will be sent on such calls. Like CPS cases, a Domestic Abuse Service member can ask for police backup if they feel the situation is dangerous and warranted.	None Chief Pelletier is in full support of developing this service	Domestic Abuse Does not meet standard

Contract with Black America		
25) Incentivize higher education for police officers Obama 21st Century	None	Education Incentives Does not meet standard
26) Tampering with Evidence results in automatic dismissal from force. Crime to intentionally withhold exculpatory evidence by police or prosecutors. Contract with Black America	None Response from Chief Pelletier: HR Function	Evidence Does not meet standard
27) Newly discovered DNA evidence must be immediately brought forward and considered to reverse wrongful convictions. Not to do so is a crime and applies to police, judges, and prosecutors. (Failure to act will come under the Office of Independent Prosecutors) Contract with Black America	None Response from Chief Pelletier: NY CPL	Evidence Does not meet standard
28) Provide officers with individual tactical first aid kits	Officer has duty to provide attention to medical and mental health needs of persons in custody and obtain assistance and treatment of such needs	First aid Training Equipment General Order 346/Kit provision assumed
<u>29) Once Fired for Cause, Cannot Be Rehired.</u> A Police Officer fired for use of excessive force, violent or inappropriate actions directed at a citizen, non-use of body cams, or for any felony is not allowed to be hired in any other jurisdiction by police departments or any other law enforcement agency. Contract with Black America	None Response from Chief Pelletier: NY CPL	Hiring Practice Does not meet standard
30) Decouple federal immigration enforcement from routine local policing Obama 21st Century	University Police shall not perform the functions of a federal immigration officer or otherwise engage in the enforcement of federal immigration law – whether pursuant to Section 1357(g) of	Immigration The exceptions listed in general order 426 are rendered obsolete by this standard Does not meet standard

	Title 8 of the United States Code or under any other law, regulation, or policy.	
31) University Liable for Officer's Unconstitutional Actions. Overturn with legislation Monell v Department of Social Services Supreme Court case, 436 US 658 (1978) that protected (municipalities) from unconstitutional actions by Police. This will add skin in the game for the University which have the most direct power to reform policing Contract with Black America	None Response from Chief Pelletier: NY CPL	Institutional (University's) Liability Does not meet standard
32) Reasonable and equitable language access Obama 21st Century	None Response from Chief Pelletier: The University does have an on call list of interpreters that we utilize.	Language Access Meets standard
33) Loss of pensions if convicted of a Felony or greater while on the job. Contract with Black America.	None Response from Chief Pelletier: NY CPL/HR	Loss of pension Does not meet standard
34) <u>Mandatory Malpractice Insurance</u> to be carried by Police officers like lawyers and doctors do. This protects victim's ability to collect on bona fide claims. Insurance to be paid for by Police Departments. As a result, an officer who creates too many legal actions will be dropped because of financial pressure by rising insurance rates rather than requiring another officer to "cross the blue line." Insurance companies will also demand de-escalation training to lower rates Contract with Black America	None Response from Chief Pelletier: NY CPL	Mandatory Malpractice Insurance Does not meet standard
35) Misstating the Law by police to suspects to elicit testimony not allowed. Knowingly threatening people with greater charges than the situation dictates gives rise to disciplinary action. When defining	None Response from Chief Pelletier: NY CPL	Manipulation Does not meet standard

<p>“knowingly,” the standard applied will be what a reasonable police officer should have known.</p> <p>Contract with Black America</p>		
<p>36) Annual mental health check for officers</p> <p>Obama 21st Century</p>	<p>None</p> <p>Chief Pelletier in full support</p>	<p>Mental Health Officers</p> <p>Does not meet standard</p>
<p>37) Study mental health issues unique to officers and recommend tailored treatments</p> <p>Obama 21st Century</p>	<p>None</p> <p>Chief Pelletier in full support</p>	<p>Mental Health Officers</p> <p>Does not meet standard</p>
<p>38) Regarding Police Misconduct: Change Standard From “Willfulness” To “Recklessness.” While “recklessness” still poses a high bar to identify and prosecute police misconduct, it will make it more possible.</p> <p>Contract with Black America</p>	<p>None</p> <p>Response from Chief Pelletier: CPL</p>	<p>Misconduct Standard</p> <p>Does not meet standard</p>
<p>39) No Duty to Speak. Police not allowed to escalate a situation merely because a person refuses to talk to police or answer questions without an attorney.</p> <p>Contract with Black America</p>	<p>None</p> <p>Response from Chief Pelletier: CPL</p>	<p>No Duty to Speak</p> <p>Does not meet standard</p>
<p>40) Guardian mindset for law enforcement culture</p> <p>Support a culture of policing that reflects the values of protection and promotion of the dignity of all, especially the most vulnerable</p> <p>Obama 21st Century</p>	<p>None</p> <p>Response from Chief Pelletier: Not a general order topic</p>	<p>Police Culture/Guardian Mindset</p> <p>Does not meet standard</p>
<p>41) Police Unions Can Be Held Liable and Sued for shielding bad cops, suppressing evidence and testimony to that effect, and for knowing and reckless disregard of material evidence that an officer is unfit mentally for the job</p> <p>Contract with Black America</p>	<p>None</p> <p>Response from Chief Pelletier: Police Union is not a general order of UPD policy decision.</p>	<p>Police Unions/Liability</p> <p>Does not meet standard</p>

<p>42) Adopt procedural justice as guiding principle</p> <p>Obama 21st Century</p>	<p>None</p> <p>Response from Chief Pelletier: We had a 4-hour training session on procedural justice 2 months ago. This is a training event not a policy or GO,</p>	<p>Procedural justice</p> <p>Does not meet standard</p>
<p>43) Prohibit profiling based on race, ethnicity, national origin, religion, age, gender, housing status, sexual orientation, disability, immigration status, occupation, and language fluency.</p> <p>Contract with Black America</p>	<p>None</p> <p>Response from Chief Pelletier: CPL</p>	<p>Profiling Harassment Discrimination</p> <p>Does not meet standard</p>
<p>44) <u>Qualified Immunity</u> will be eliminated. Legislation to reverse Supreme Court case Plumhoff v Rickard 572 U.S. 765 (2014) in which the immunity was upheld. Police lawyers can still argue why they should not be charged because they acted in good faith, but the presumption must be reversed.</p> <p>Contract with Black America</p>	<p>None</p> <p>Response from Chief Pelletier: CPL</p>	<p>Qualified Immunity</p> <p>Does not meet standard</p>
<p>45) Refrain from requiring officers to issue a predetermined number of tickets, citations, arrests, summonses and from investigative tactics with citizens to generate revenue.</p> <p>Contract with Black America</p>	<p>None</p> <p>Response from Chief Pelletier: We do not produce revenue or have quotas</p>	<p>Quota</p> <p>Irrelevant</p>
<p>46) Denial of Recertification credentials for police officers whose use of deadly force was unwarranted by federal guidelines</p> <p>NAACP</p>	<p>None</p> <p>Response from Chief Pelletier: Recertification done by DCJS. Not UPD</p>	<p>Recertification Denial</p> <p>Does not meet standard</p>
<p>47) Study dramatic successes in crime reduction in some communities</p> <p>Contract with Black America</p>	<p>None</p> <p>Response from Chief Pelletier: Not a policy, presentation for training</p>	<p>Research Crime Reduction</p> <p>Does not meet standard</p>
<p>48) Resident Officers Incentive Programs/Live where you police</p>	<p>None</p>	<p>Resident Officers</p>

Obama 21st Century Contract with Black America		Incentives Does not meet standard
49) It will be illegal for a police officer to have Sex with A Detainee or Suspect under their charge. It will be considered statutory rape because it is unreasonable to assume consensual sex due to the power dynamic. Contract with Black America	None Response from Chief Pelletier: CPL	Sexual Misconduct Does not meet standard
50) Establish search and seizure procedures related to LGBTQ and transgender populations Contract with Black America	None Response from Chief Pelletier: CPL	Sexuality Gender Does not meet standard
51) Address sexual harassment and misconduct by local police consistent with the recommendations of the International Association of Chiefs of Police. Contract with Black America	None Response from Chief Pelletier: NYS Law	Sexuality Harassment Does not meet standard
52) Reason for Contact: Upon Initial Contact of Any Kind with A Citizen, officers must state reason for contact when an individual is first approached Contract with Black America	None	State Reason for Contact Does not meet standard
53) Stealing. Police officers caught stealing from a person's house or vehicle will be charged with double the penalty a non-officer would be charged with for the same crime. Contract with Black America	None Response from Chief Pelletier: Penal law/CPL	Stealing Does not meet standard
54) The issue of technology's impact on privacy concerns should be addressed in accordance with the protections provided by constitutional law. Contract with Black America	None Response from Chief Pelletier: University has a video monitoring committee that has oversight on all video cameras on campus. Any video surveillance for investigations is per search and seizure in the CPL.	Surveillance Technology Does not meet standard

<p>55) Reduce Contact During Traffic Ticketing. Officer must IMMEDIATELY tell the driver why he/she was pulled over. Cannot search a vehicle without an independent warrant. No need for those cited to “sign” tickets. Efforts made to reduce time and contact between officer and driver which benefits both (i.e., digitally limiting contact as technology allows). Tickets issued and sent by mail where possible. If the officer believes the driver is driving recklessly or suspicion of a DUI, they may pull over the car, but pullovers can be challenged by Dash Cam footage. If the footage does not show cause for concern, the officer can be disciplined.</p> <p>Contract with Black America</p>	<p>When stopping, approaching, and addressing traffic law violators officers should 1. Introduce themselves, tell reasons for stop, and maintain professional demeanor when giving instructions or answering questions. 2. Have safety, prevention, evidence of more serious violations in mind 3. Enforce traffic laws consistently 4. Be accountable for summons and tickets written. 5. Be aware there no ways to void traffic summons once they have been submitted</p>	<p>Traffic Stops</p> <p>General Order 319 sufficient</p>
<p>56) Continuation of Training. Training to be updated every three years in use of excessive force and dealing with mentally ill or disabled people. Such training will also include racial sensitivity training and update Police on new laws locally and federally.</p> <p>Contract with Black America</p>	<p>All officers receive training and demonstrate their understanding on the proper application of force.</p> <p>Training topics include use of force, conflict prevention, conflict resolution and negotiation, and de-escalation techniques and strategies, including, but not limited to, interacting with persons presenting in an agitated condition as well as duty to intervene and prohibited conduct.</p> <p>This policy is not intended to be a substitute for proper training in the use of force. Comprehensive training is the key to the real-world application of the concepts discussed within this policy.</p> <p>Response from Chief Pelletier: A lot packed into this statement, we do, by far, more training than any other department in numerous topics. Some are required yearly by DCJS, Use of Force, Legal updates. Some</p>	<p>Training Continuous/Use of Force/Mental Illness/Racial Sensitivity</p> <p>Recommendations:</p> <p>Make training Continuous</p> <p>Include racial sensitivity training</p> <p>Include training on responding to mentally ill or disabled people</p> <p>Standard met according to Chief Pelletier.</p>

	are done as needed however every item on this list is at least yearly.	
57) Know and Acknowledge the history of policing in the US first month in the Police Academy or other Training. These classes should include history of “Black Codes” and Jim Crow laws. Obama 21st Century Contract with Black America	None Response to Chief Pelletier: Plans are in the works to add this to UPD training.	Training: History of Policing in the US Does not meet standard yet
58) Training that improves social interaction as well as tactical skills Obama 21st Century	None Response from Chief Pelletier: We do this in our reality-based training	Training/ Communication/ Tactics Meets standard
59) Training in cultural diversity Obama 21st Century	None Response from Chief Pelletier: A lot packed into this statement, we do, by far, more training than any other department in numerous topics. Some are required yearly by DCJS, Use of Force, Legal updates. Some are done as needed however every item on this list is at least yearly.	Training/ Diversity Meets standard
60) Training that covers policies for interacting with LGBTQ, Muslim, Arab, South Asian, immigrant, and non-English speaking groups Obama 21st Century	None Response from Chief Pelletier: A lot packed into this statement, we do, by far, more training than any other department in numerous topics. Some are required yearly by DCJS, Use of Force, Legal updates. Some are done as needed however every item on this list is at least yearly.	Training/ Diversity/ Marginalization Meets standard
61) Include content on recognizing and confronting implicit bias and cultural responsiveness Obama 21st Century	None Response from Chief Pelletier: A lot packed into this statement, we do, by far, more training than any other department in numerous topics. Some are required yearly by DCJS, Use of Force, Legal updates. Some	Training/Bias Meets standard

	are done as needed however every item on this list is at least yearly.	
62) Crisis Intervention Training a part of both basic recruit and in-service officer training. Obama 21st Century	None Response from Chief Pelletier: A lot packed into this statement, we do, by far, more training than any other department in numerous topics. Some are required yearly by DCJS, Use of Force, Legal updates. Some are done as needed however every item on this list is at least yearly.	Training/CIT Meets standard
63) Training on policing in a democratic society Obama 21st Century	None Response from Chief Pelletier: A lot packed into this statement, we do, by far, more training than any other department in numerous topics. Some are required yearly by DCJS, Use of Force, Legal updates. Some are done as needed however every item on this list is at least yearly.	Training/Policing in a democratic society Meets standard
64) Publicize information [to public] regarding detentions, stops, frisks, searches, summons, and arrests aggregated by demographics Obama 21st Century	None	Transparency/Demographics Does not meet standard
65) Provide card to everyone stopped of their full name, rank, badge number, and contact information. Contract with Black America	None	Transparency/identification Does not meet standard
66) Mandatory Name Tags and Affiliation Requirements with non-compliance resulting in disciplinary action. (Undercover assignments not requiring compliance must be approved by a court) Contract with Black America	None Response from Chief Pelletier: All officers in uniform wear an Identifying patch on their shoulder and name tape on their uniform.	Transparency/Name Tags Does not meet standard

<p>67) Publicize officer misconduct information and disciplinary histories</p> <p>NAACP</p>	<p>None</p> <p>Response to Chief Pelletier: HR</p>	<p>Transparency/Officer Misconduct</p> <p>Does not meet standard</p>
<p>68) Database open to public scrutiny containing all complaints both internal, from the public, or related to disciplinary actions. Automatic federal DOJ review of any police officer exceeding a predetermined amount of complaints.</p> <p>Contract with Black America</p>	<p>None</p> <p>Response to Chief Pelletier: HR</p>	<p>Transparency/Public Scrutiny</p> <p>Does not meet standard</p>
<p>69) In the interest of transparency, clearly state what information on use of force will be released, when, and under which situations</p> <p>Contract with Black America</p>	<p>Members involved in use of force incidents as described below shall notify their supervisor as soon as practicable and shall complete a departmental use of force report</p> <p>Once the use of force form has been signed and approved by the supervisor, it will be submitted to the Chief of Police, or his/her designee for review. The Chief will determine if the amount of force was necessary, whether department policies were followed and if additional training is needed, etc. Necessary steps shall be determined by the Chief of Police to resolve the matter if necessary.</p> <p>Response to Chief Pelletier: HR</p>	<p>Transparency/Release of Information</p> <p>Does not meet standard</p>
<p>70) Involve peer support counselors/people who have experienced the same trauma</p> <p>Contract with Black America</p>	<p>None</p>	<p>Trauma / Counseling</p> <p>Does not meet standard</p>
<p>71) Use of Force Continuum/ 6 levels/clear rules on escalation</p> <p>NAACP</p>	<p>Response to Chief Pelletier: Force continuum is a training tool not to be used as a policy standard. It has proven ineffective.</p>	<p>Use of Force/Continuum</p> <p>Standard not met.</p> <p>The following is relevant, however.</p>

		<p>State set minimum requirement: Objectively reasonable officer facing the same set of circumstances</p> <p>7 Factors that may be used in determining reasonableness</p> <p>Duty to Intervene: An officer present and observing...shall intervene to prevent the use of unreasonable force.</p> <p>Recommendation 1: include an objectively reasonable outside reviewer (of camera footage)</p> <p>Recommendation 2: Highlight and publicize the duty to intervene as a way of changing fraternal police culture</p>
<p>72) Agencies should collect, maintain, and report data on use of force to the federal government. Include all officer-involved shootings, whether fatal or nonfatal, and in-custody deaths</p> <p>Obama 21st Century</p>	<p>Completed Use of Force forms will be submitted to DCJS for review.</p>	<p>Use of force/Data Collection</p> <p>General order # sufficient</p> <p>Recommendation: Publicize this submission</p>
<p>73) External and independent criminal investigations of use of force resulting in death, officer involved shootings resulting in injury or death, or in-custody deaths</p> <p>Obama 21st Century</p>	<p>When an Officer initiates an unattended death investigation it shall be classified as a major incident. Listed below are additional investigative actions to be employed by Officers:</p> <p>All unattended deaths should be treated as homicides until proof to the contrary is established. Protect the scene and any evidence therein. Any evidence collected should be done so in accordance with established police procedures. When members of this department investigate any death, they will initiate a Death Scene Checklist.</p> <p>Response from Chief Pelletier: investigated by the NYS AG's office</p>	<p>Use of Force/External Investigation</p> <p>General Order 431 does not meet standard</p>

<p>74) New less than lethal technology to control combative suspects</p> <p>Contract with Black America</p>	<p>All sworn personnel are required to complete annual training in the use of pepper spray, the Taser, as well as department authorized batons. The Training Coordinator is responsible for ensuring all sworn personnel are up to date on pepper spray, Taser and baton training.</p> <p>Response from Chief Pelletier: All less than lethal is trained on an annual basis, any less than lethal has to be approved by DCJS before departments can implement them.</p>	<p>Use of force/Nonlethal technology</p> <p>Does not meet standard</p>
<p>75) Elimination of No-Knock Warrants. They are unnecessary as police can secure the scene.</p> <p>Contract with Black America</p>	<p>None</p> <p>Response from Chief Pelletier: CPL</p>	<p>Warrants/No Knock</p> <p>Does not meet standard</p>
<p>76) Any police officer who discharges his weapon five or more times on the job must go back to police academy for retraining and take mandatory course on Anger Management. This threshold of weapon use can be increased or decreased depending upon jurisdictional averages. The intention is to identify and retrain “outliers” as most police officers rarely utilize their guns more than once if at all.</p> <p>Contract with Black America</p>	<p>None</p> <p>Response from Chief Pelletier: CPL</p>	<p>Weapon Use</p> <p>Training</p> <p>Does not meet standard</p>
<p>77) Military Grade Weapons. Will not be brandished in public unless gunfire or deadly force required.</p> <p>Contract with Black America</p>	<p>None</p>	<p>Weapons/Brandishing</p> <p>Does not meet standard</p>
<p>78) Shoot to Wound policy in event of unarmed suspect, fleeing suspect (that poses an imminent danger only) or if deadly force is unnecessary.</p> <p>Contract with Black America</p>	<p>None</p> <p>Response from Chief Pelletier: Shoot to wound is not a real expectation, only in the movies.</p>	<p>Weapons/Shoot to Wound</p> <p>Does not meet standard</p>

<p>79) Whistle-Blower Protection Expanded within the active police force or for those enrolled in a Police Academy. Discouraging officers under 5 years on the job to report bad behavior will be grounds for dismissal. It will be a criminal offense to reveal the identity of a whistle-blower.</p> <p>Contract with Black America</p>	<p>None</p> <p>Response from Chief Pelletier: Protection under NYS law.</p>	<p>Whistle-blower Protection</p> <p>Does not meet standard</p>
<p>80) Limit the total of hours an officer should work within a 24 hour period.</p> <p>Obama 21st Century</p>	<p>Response from Chief Pelletier: GO # 433 states no department member shall work more than 16 hours in a 24 hour period.</p>	<p>Work hours</p> <p>GO # 433 Meets standard</p>

Summary

Out of seventy-nine (79) cutting edge standards, BUPD clearly meets thirteen (13) sufficiently. BUPD seems to partially meet an additional four (4) standards.

Recommendation: Meet remaining cutting edge standards including but not limited to the following:

- Eliminate asset forfeitures.
- Obtain body cameras for BUP force.
- Release camera footage to CCRB.
- Review Body Worn Camera Toolkit.
- Publicize the standard on prohibition of chokeholds.
- Minimize the appearance of military operations.
- Decouple federal immigration enforcement from routine local policing.
- Emphasize de-escalation and alternatives to arrest or summons.
- Make de-escalation training continuous.
- Include or increase racial sensitivity training.
- Include or increase training on responding to mentally ill or disabled people.
- Include an objectively reasonable outside reviewer (of camera footage) in use of force incidents.
- Highlight and publicize the duty to intervene (in the General Orders) as a way to change fraternal police culture.
- Publicize the submission of use of force data to the federal government.
- Publicize the names and diversity data of the force.

ARREST RECORDS REPORT

Lucas Martinez, Yongabi Ngho, Tina Chronopoulos

Summary

We need to think more deeply about what we are saying when we proclaim that “Black Lives Matter” or that we, as a campus, are committed to anti-racism in statements we release to the community. ¹If we truly believe that “Black Lives Matter”, we need to ensure that we are carefully and actively looking for any and all instances in which a BIPOC individual might not feel safe on campus. ² We need to listen when students, staff, and faculty of color, the few that we have amongst us (see pp. 10-11), tell us they do not feel safe or supported in our midst. It is this lived reality of our fellow BIPOC community members and its detrimental impact that should guide us in our reimagining of policing on our campus. In this context, it is important to remember that policing/law enforcement is part of something bigger, namely the criminal justice system, which is predicated on white supremacy and which Michelle Alexander describes as ‘not an independent system but rather as a *gateway* into a much larger system of racial stigmatization and permanent marginalization.’ ³ Finally, given the relatively small percentage of BIPOC folks on our campus, especially amongst staff, we must take with a grain of salt any kind of satisfaction expressed by the campus majority with the way policing happens on our campus. Any survey the University or other entities conduct should take place regularly and should gauge and account for the demographics of the response pool to ensure that BIPOC voices are heard.

Problem

UPD officers are arresting black students at a higher rate than other racialized students. In addition, anecdotal evidence suggests that BIPOC students, staff, and faculty feel unsafe in the presence of law enforcement officers on campus and that UPD officers regularly treat BIPOC folks on campus differently than white folks. ⁴

Response to the problem

The university auditor, Jim Huth, audited the arrest data for the calendar years 2018 and 2019, specifically the spring and fall semesters of each year. Based on this data, the auditor found that Black individuals were 1.7 times more likely to be arrested than white individuals. ⁵The auditor also found that four UPD officers (*circa* 10% of the department) were responsible for 32.1% of student arrests during the time period in question. These same officers were also responsible for 57.8% of Black student arrests. This finding does not include

¹ E.R. Cole, S.R. Harper, ‘Race and rhetoric: An analysis of college presidents’ statements on campus racial incidents’, *Journal of Diversity in Higher Education* 10.4 (2017), 318-33. Cole finds that even though ‘college presidents’ statements broadly mention the racial incident itself’ and ‘regularly address the group or individual who committed the racist act’, they ‘usually do not acknowledge the systemic or institutional issues that foster racial hostility on college campuses.’ See also C.H.F. Davis III, Op-Ed: ‘If Black lives matter to colleges, they’ll divest from campus policing’, LA Times, July 9, 2020: <https://www.latimes.com/opinion/story/2020-07-09/campus-police-divestment-racism>

² The Black Lives Matter Network was founded by three queer women--Alicia Garza, Patrisse Cullors, Opal Tometi. It seeks to organize around and illuminate how Black gender nonconforming people, transgender people, women, and girls are threatened by oppressive systems both in the USA and internationally. See K.Y. Taylor, ed., *How We Get Free: Black Feminism and the Combahee River Collective* (Chicago, IL, 2017).

³ M. Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York, 2012), p. 12.

⁴ J. Thomas & K. Russel, ‘Black students’ lived experiences with and perceptions of law enforcement’, *Diversity & Democracy: Civic Learning for Shared Futures* (2019), 22.1, 14-17. The surveys and focus groups on which this article is based took place in 2017 at the University of Central Oklahoma, a predominantly white institution, with 13% of the population identifying as Black or multiracial.

⁵ This seems to chime, on the whole, with national trends: campus police departments tend to arrest black adults at a higher rate than other racialized groups. See J.E. Knowles, *Policing the American University* (Watertown, MA, 2020), p. 21.

information on the gender of those arrested, which would be important to know since, generally, black men are twice as likely to be arrested than black women across the nation. ⁶

The auditor identified two primary causes for this discrepancy and clear racial bias: (1) During 2018 and 2019, no accountability existed within UPD for apparent racial bias against Black individuals. (2) The Spectrum Justice System software used by UPD does not have the capacity to keep track of whether or not individual officers are affected by racial bias in their activities on the job. The auditor made two recommendations, namely that the four officers identified as being responsible for the department's apparent racial bias against Black students in terms of arrests should undergo additional bias training *and* that UPD should purchase a more advanced software system to make the monitoring of arrest activity easier and more thorough (or perform a separate periodic analysis of demographic arrest activity, which, according to Jim Huth, would be an ineffective way of spending one's time since it took him about three months to review the data for two years). To date, neither of these recommendations has been implemented.

This working group would like to reiterate the auditor's recommendations, specifically the one about upgrading UPD's database system so that the department can begin to ask questions about the way its employees police the campus community. Currently, the SJS cannot answer basic questions such as "How many Asian/Asian American students are arrested each semester and what for?" While maintaining data in a more up-to-date system will not eliminate racial and other biases, it will at least allow the department to track its performance across a number of parameters and make sure that demographic factors do not play into the way its sworn employees do their job. It would also make it possible for the department to determine whether or not its *Fair and Impartial Policing* program is effective. We would also like to recommend that UPD work with other departments on campus, including academic departments should they wish to be involved, when it comes to analyzing data as well as the identification of suitable trainings, for example, after an officer is found to have behaved inappropriately, whether implicitly or explicitly.

Recommendations

In light of the above, this working group puts forward the following recommendations (laid out in more detail in the following pages) which we see as the first step towards the creation of a climate and environment on campus in which a BIPOC individual can feel safe *and* welcome so that they can pursue their studies or careers free from worry and can thrive.

Transparency & Rules of Conduct

- [UPD should update its records management system.](#)
- [UPD should regularly post demographic data relating to law enforcement activities on campus.](#)
- [UPD should establish clear and actionable rules of conduct around racist behavior.](#)
- [UPD should develop and institute clear and actionable rules of conduct on how its employees should interact with *Trans/Non-Binary individuals.](#)
- [UPD should release disciplinary records for all its law enforcement officers.](#)

Education

- [Educate the campus community on why the police is being perceived as a negative entity, particularly in marginalized communities.](#)

⁶ <https://naacp.org/resources/criminal-justice-fact-sheet>
<https://arresttrends.vera.org/demographics>

- [Provide a ‘Know Your Rights’ leaflet \(or training\) to all existing and incoming students, staff, and faculty.](#)

Reduce policing activities and military mindset

- [Divert all non-law enforcement activities to campus safety monitors.](#)
- [Reduce the number of police officers employed by the UPD.](#)
- [Allow applicants for UPD positions to substitute social work experience for college credit.](#)

Limitations to achieving a resolution to the problem

It might be difficult to implement some of the above recommendations for a number of reasons:

- The university’s contract with the Police Benevolent Association of New York, the NYS Correctional Officers and Police Benevolent Association, and other unions may make it almost impossible to hold police officers accountable for racial bias, such as recording a conversation about racial bias in their personnel file (not to mention that it is likely impossible to terminate an officer’s contract for being racially biased).
- Unlike local police forces (e.g. that of Binghamton City which has a Civil Service Commission and is answerable only to the NYS Department of Civil Service when it comes to recruitment), Binghamton University’s UPD must comply not only with the guidelines of the NYS Department of Civil Service but also with those of the NYS University Department as a whole. Therefore it might not be able to unilaterally decide what kinds of qualifications a candidate for a position can and cannot have.
- The biggest obstacle we see at play for all the other recommendations in our report is the fact that, ultimately, policing in this country relies on stoking fear in people about ‘the poor, nonwhite, disabled, and dispossessed and empowering police to be the “thin blue line” between the haves and the have-nots’. ⁷It might therefore be quite difficult to persuade staff and faculty, including administrators, to change the status quo, namely to reduce the power of the police or to implement the kind of change that student activists and abolitionists have been asking for for decades.⁸ We also recognize that the police nationally are increasingly being looked to as the savior for problems created by legislators who are unwilling to address public health, poverty, and the lack of adequate social services and affordable housing, for example. Some of these issues, while not all *directly* at play on our campus, do affect public perceptions of policing. The University will not be able to solve them on its own; it does, however, bear the responsibility of reducing the negative impact police have on our campus community and of educating our campus community, especially white people, on these matters as well as on this country’s brutal and racist history.⁹

Update Records Management System

UPD currently relies on Spectrum Justice System (SJS), ¹⁰a records management system provided free of charge by the NYS Division of Criminal Justice Services. According to the university’s auditor, SJS is perhaps rather outdated at this point, having been updated last in 2006. In addition, Not only does it *not* allow users to see

⁷ A.S. Vitale, *The End of Policing* (Brooklyn, 2017), p. 221. A.S. Vitale is professor of sociology at Brooklyn College. He is also coordinator of the Policing and Social Justice Project at Brooklyn College.

<http://www.brooklyn.cuny.edu/web/news/faculty-experts/vitale-alex.php>

⁸ A.J. Nocella II & D. Gabbard, *Policing the Campus: Academic Repression, Surveillance, and the Occupy Movement* (New York, 2013). M. Kaba, *We Do this ‘till We Free Us: Abolitionist Organizing and Transforming Justice* (Chicago, 2021).

⁹ E.R. Cole, *The Campus Color Line: College Presidents and the Struggle for Black Freedom* (Princeton, 2020).

¹⁰ General Order 119, ‘Records Management System -- Critical Standard’, effective date 02/01/19. (DCJS Standards 8.7).

trends in demographics, for example, it is also not very user-friendly. Moreover, it is not a safe system for record keeping.

Research shows that even computer applications and technology contain racial bias.¹¹ The fact that SJS does not systematically track racial data to allow an agency to search for trends in bias for individual officers, for instance, is an example of this. In terms of arrests and demographic data, SJS proved less valuable to the auditor than the hand-written incident reports as well as arrest reports. In addition, crime statistics and incidents collected for compliance with the CLERY Act do not have a racial component.

A new records management system is needed in order to allow insight into who is being arrested on campus and why and to provide analytical data on other law enforcement activities (e.g. traffic stops, citations, etc). It is extremely important for UPD and campus leadership to be able to know, at any given moment in time (rather than having to rely on the university's auditor to manually go through records over several months) if and how its employees are discriminating against minority groups on campus. For example, it is currently not possible to use SJS to determine the chances of a Black student being arrested because of a vehicle and traffic stop or because of some other reason. It is also currently not possible to determine whether a greater percentage of white or BIPOC students are arrested for drug violations, just to name another example.

Recommendations

1. Purchase a more recent and third-party records management system that is capable of tracking demographic information in a variety of ways for all law enforcement activities/interactions with the campus community.
2. Publish annual arrest, crime, and demographic data that go beyond the requirements of the CLERY Act (see, for example, the information posted by the Police Department at the University at Albany: <https://bit.ly/3i9yX5d>).

Post demographic data

As already mentioned above, it would be helpful for purposes of transparency if the UPD published its annual arrest, crime, and demographic data that go beyond the requirements of the CLERY Act (which does not include a racial component). This would allow the campus community to see for itself which groups of people are policed and for what kinds of infractions, including how the interaction with the law enforcement officer began, e.g. was it a traffic stop or was the officer summoned to the scene? What was the reason for the arrest? Etc. Being able to post this demographic data is, perhaps obviously, predicated on UPD purchasing a new record keeping system/software.

In addition, we also think that it could be helpful for UPD to consider maintaining a weekly incident or crime report online, which should, again and ideally, include demographic data. Within the SUNY system, the University of Buffalo maintains such a page → <http://www.buffalo.edu/police/reporting/see-a-report/weekly-incident-reports.html>), while Cornell University maintains a daily crime log → (<https://dailycrimelog.cupolice.cornell.edu/>).

Recommendations:

1. Publish annual arrest, crime, and demographic data that go beyond the requirements of the CLERY Act.

¹¹ See R. Benjamin, *Race After Technology: Abolitionist Tools for the New Jim Code* (Cambridge/MA, 202). For a specific discussion and critique of facial recognition technology see I.D. Raji & G. Fried, 'About face: A survey of facial recognition evaluation', February 2021, [arXiv:2102.00813](https://arxiv.org/abs/2102.00813)

2. Maintain a weekly crime/incident report online that includes demographic data.

Establish clear and actionable rules of conduct around sexism and racism

The auditor made a second recommendation in his report to the president, namely that the four officers responsible for about 58% of the racially biased arrests should receive additional police bias training. While we do not disagree that bias training is helpful, we respectfully ask that the department institute policies and hiring practices that are geared towards eliminating all racially biased interactions with the campus community across the board.

Currently, there is a provision in the General Order Manual for Rules of Conduct. General order 131 (DCJS Standards 14.1), effective date 02/01/19 does not include anything specific about racism or sexism, or even ableism or homophobia. Section C.1 specifies that ‘rudeness to any member of the department or the public’ is prohibited while an officer is on duty. However, the SUNY-UP Manual does include rules of conduct that are more specific, specifically in section 4.2 ‘Courtesy’:

- A. Employees shall be courteous, civil and tactful in their contacts with others, while in the performance of their duties, whether such contacts are in person or through any other means.
- B. Employees shall not express or otherwise manifest any prejudice concerning age, marital status, handicap, disability, race, creed, color, religion, national or ethnic origin, sex, sexual orientation or other personal characteristics.
- C. Employees shall not use harsh, profane, insolent, or intentionally insulting language toward any other employee or person in the performance of their duties.¹²

We would like to recommend that the department start to develop rules of conduct that articulate in more detail what constitutes rudeness and that account for racist, sexist, ableism, and homophobic behavior. Ideally, this would make it possible to hold officers accountable for such behavior through disciplinary action.

A lesser but still helpful action could be for UPD to formulate a statement that articulates its commitment to anti-racism. An example of such a statement from a police department within the SUNY system can be found here: <https://sites.newpaltz.edu/news/2020/08/university-police-departments-commitment-to-anti-racism/> (see attachments)

Recommendations:

1. UPD should develop and enact rules of conduct that address racist, sexist, ableist, and homophobic behavior.
2. UPD should formulate a statement that articulates its commitment to anti-racism.

Develop clear and actionable rules of conduct on how UPD employees should interact with Trans/Non-Binary individuals

Historically, transgender and non-binary individuals have faced and continue to face violence at the hands of the state, including law enforcement.¹³ Research shows that these individuals are hesitant to seek assistance from law enforcement and that, when they do, they often experience discrimination.¹⁴ Indeed, the President’s

¹² <https://www.suny.edu/sunypp/docs/364.pdf>

¹³ J.L. Mogul, A.J. Richie, J. Whitlock, *Queer (In)Justice: The Criminalization of LGBT People in the United States* (Boston, 2011).

¹⁴ See J.M. Grant, L.A. Mottet, J. Tanis, *Injustice at Every Turn: A Report of the National Transgender Discrimination Survey*, 2011, p. 158. 46% of respondents indicated they were uncomfortable seeing help from police, p. 162. https://transequality.org/sites/default/files/docs/resources/NTDS_Report.pdf

Task Force on 21st-Century Policing includes the recommendation that LGBT-inclusive anti-profiling and anti-bias policies and training for police departments be established:

Recognize that LGBT and gender nonconforming populations often experience extreme discrimination, sexual harassment, and assault. Adopt policies and practices that encourage true dialogue, dignity, respect, and an understanding of the factors that affect these populations when they are involved in the criminal justice system. **Example:** Local government bodies can set policies that promote fair and just policing practices that protect and monitor the rights and treatment of all residents.¹⁵

While UPD may not be actively or deliberately discriminating against and profiling transgender and non-binary individuals (this discrimination and profiling is also known as “walking while trans law”--it was repealed in the State of New York in February 2021),¹⁶we nevertheless recommend that UPD adopt a policy to be integrated into its rules of conduct that regulates how its employees interact with Transgender and non-binary individuals. Since gender is inherent in many interactions people have with each other on a daily basis (think for example of gendered introductions such as Madam/Sir or forms that ask someone to indicate their gender -- is it even necessary to know what an individual’s gender identity is?), having clear rules of conduct in place can significantly reduce the psychological harm for Trans or non-binary individuals during their interactions with police officers.

An example of such a policy, adopted by the Police Department of Syracuse, can be found here: <https://www.syracusepolice.org/document/Interactions-with-Transgender-Individuals-Policy.pdf>. It was developed with the help of a number of organizations, including the Transgender Alliance of Central New York and BlackCuse Pride.¹⁷(see attachments)

Recommendation:

- Develop and adopt a policy regulating interactions with transgender and non-binary individuals

Release disciplinary records for UPD law enforcement officers

Since 1976, law enforcement officers in the State of New York under Civil Rights Law have been able to refuse disclosure, or shield from public scrutiny, personnel records used to evaluate performance toward continued employment or promotion. New York State Civil Rights Law §50-a was seen as an important step to prevent criminal defense lawyers from bringing such records, especially misconduct records, into criminal proceedings. However, the impact of instituting §50-a has been that records of police misconduct and wrongdoing have been concealed from the public, which has a right, under FOIL, to access these records. As Hazelton writes, ‘this statute paradoxically provides New Yorkers the least amount of oversight over some of the state’s most powerful public employees’.¹⁸Hazelton further points out that ‘because police departments are poor self-regulators, it allows officer malfeasance to go unchecked’. Moreover, the State Committee on Open Government notes that “(§50-a) creates a legal shield that prohibits disclosure, even when it is known that

¹⁵ Office of Community Oriented Policing Services, *The President’s Task Force on 21st Century Policing: Implementation Guide -- Moving from Recommendations to Action* (Washington, DC, 2015): <https://cops.usdoj.gov/RIC/Publications/cops-p341-pub.pdf>, p. 17

¹⁶ <https://www.nysenate.gov/legislation/bills/2021/s1351> Senate Bill 1351. We note with interest that local Senate Representative Fred Akshar (R)for district 52 voted against this bill. See 20 below for more information on Akshar’s voting record. Akshar is a law-enforcement officer and currently running for Broome County Sheriff.

¹⁷ See <https://www.syracuse.com/crime/2019/12/syracuse-police-department-releases-new-policy-for-interacting-with-transgender-people.htm>

¹⁸ J.T. Hazelton, ‘The people’s business: The case for amending New York Civil Rights Law Section 501’, *Brooklyn Law Review* 85 (2019-20), 913-41 at 916.

misconduct has occurred."¹⁹ In June 2020, the New York State Legislature voted to repeal §50-a; this was signed into law by Governor Andrew Cuomo as part of the New York State Senate Bill S8496.²⁰ We note that, across the state, police departments have continued to work hard at hiding these disciplinary records from the public. One fairly local department that is bucking the trend is the Police Department of the City of Utica, which has released the personnel files of their officers on their website.²¹

We recommend that UPD, in a gesture of transparency towards the campus community whose trust it seeks, release the personnel records of all its sworn employees. This proactive approach would show the community that UPD does not employ or harbor in its ranks officers who have histories of violence or being sexually inappropriate, for example.

Recommendation:

- **UPD to release, online, personnel records of its sworn employees.**

Educate the campus community

Binghamton University is a predominantly white institution²² in a predominantly white and rural area of New York State. The city of Binghamton, from which the university takes its name, is the poorest city in the entire state of New York.²³ In terms of demographics, 71.2% of the city's residents are white, 11.7% are Black/African American, 5.23% are multiracial, 4.37% are Asian, and 7.15% are Hispanic.²⁴ The make-up of the campus community is somewhat different:

Undergraduate students²⁵

¹⁹ https://assembly.state.ny.us/leg/?default_fld=&leg_video=&bn=A02513&term=2019&Summary=Y&Memo=Y

²⁰ <https://www.nysenate.gov/legislation/bills/2019/s8496>. It received 40 yes votes and 22 no votes. Notably, Fred Akshar, a law enforcement officer and Republican representative for District 52 voted against it. Akshar's voting record places him firmly in the camp of politicians who happily ignore the rights of women, LGBTQ folks, those who are incarcerated, and other marginalized communities. Given his campaign contributions (in 2020 the largest sum was given by the PBA of the City of New York) and his part-time job, this is perhaps not surprising. To get a sense of Akshar's voting record, see <https://justfacts.votesmart.org/candidate/key-votes/166122/fred-akshar-ii>. He regularly votes no on even the most non-controversial issues such as S 4478: *Prohibits the Use of Pesticides at Childrens' Day and Overnight Camps*. Notably, Akshar voted no on A 2277: *Limits the Use of Solitary Confinement*, S 830: *Extends Voting Rights to Convicted Felons on Parole*, S 1351: *Repeals Previous Law Prohibiting Loitering While Engaging in Sex Work*, a law ultimately designed to guard against deliberate discriminating against and profiling of transgender and non-binary individuals, S 8539: *Establishes the Law Enforcement Misconduct Investigative Office*, S 2387: *Requires Menstrual Product Packaging List Ingredients*, S 6209: *Expands the Definition of Race and Prohibits Racial Discrimination* and so on.

²¹ <http://www.cityofutica.com/departments/police-department/department-personnel-records/index>

²² PWI = an institution whose histories, policies, practices, and ideologies center whiteness or the white majority. PWIs, by design, tend to marginalize the identities, perspectives, and practices of people of color. Definition taken from A.R. Morales & J. Raible, 'To teach as we are known: The "Heart and Soul" labor of teacher educators of color working in PWIs', in *Designing Culturally Competent Programming for PK-20 Classrooms* (Lincoln, 2021), pp. 79-97.

²³ According to data available from the US census website, Binghamton is the poorest city in the entire state of New York (33.2% of persons living in poverty). Relative to its population, Binghamton is poorer even than Buffalo (30.1%), Jamestown (29.5%), Syracuse (31%), Rochester (31.3%), and Utica (29.4%)

²⁴ The Town of Vestal, in whose boundaries the campus is located, has 81.6% white residents, 11.6% Asian and 4.3% Black or African American residents, and 4.2% Hispanic residents.

²⁵ Data obtained from the Office of institutional Research:

<https://www.binghamton.edu/offices/oir/institutional-data/student-data/headcount.html>

	Fall 2015	Fall 2016	Fall 2017	Fall 2018	Fall 2019	Fall 2020
Undergraduate Total (Degree and Non-Degree)	13,491	13,632	13,708	14,021	14,165	14,333
American Indian or Alaskan Native	55	61	52	45	48	47
Asian or Pacific Islander	2,105	2,078	2,077	2,216	2,313	2,463
Black - Non Hispanic	771	822	814	847	797	824
Hispanic	1,389	1,447	1,545	1,606	1,690	1,756
White - Non Hispanic	7,533	7,701	7,876	8,020	8,206	8,294
Non-Resident Alien	1,366	1,287	1,127	1,076	925	773
Unknown	272	236	217	211	186	176

Graduate students²⁶

	Fall 2015	Fall 2016	Fall 2017	Fall 2018	Fall 2019	Fall 2020
Graduate Total (Degree and Non-Degree)	3,422	3,660	3,614	3,747	3,959	3,815
American Indian or Alaskan Native	14	18	15	25	26	21
Asian or Pacific Islander	150	187	223	255	313	329
Black - Non Hispanic	117	136	171	200	225	228
Hispanic	124	149	162	175	193	224
White - Non Hispanic	1,401	1,512	1,489	1,607	1,761	1,856
Non-Resident Alien	1,448	1,527	1,454	1,398	1,369	1,088
Unknown	168	131	100	87	72	69

Faculty Demographics 2020²⁷

	Total	White	Native American	Black	Asian and Pacific Islander	Multi	Hispanic
University Total	1,055	775	6	39	187	4	44
Arts & Sciences Total	621	478	5	17	81	4	36
Management Total	67	40	0	2	25	0	0
Nursing Total	91	82	1	3	2	0	3
Watson Total	138	69	0	2	66	0	1
CCPA Total	91	65	0	14	9	0	3
Pharmacy Total	35	29	0	1	4	0	1
Non-Div Programs	12	12	0	0	0	0	0

Staff Demographics 2014-2020²⁸

	2014	2015	2016	2017	2018	2019	2020
University Total	1,687	1,715	1,741	1,789	1,801	1,771	1,777
Asian or Pacific Islander	36	41	40	43	39	37	46
Black	56	48	52	60	64	60	60
Hispanic	29	38	38	40	38	29	34
Native American	7	8	8	7	7	7	6
White	1,552	1,574	1,595	1,633	1,647	1,631	1,624
Multi	7	6	8	6	6	7	7

²⁶ See note 24.

²⁷ Data obtained from the Office of institutional Research: <https://www.binghamton.edu/offices/oir/institutional-data/employee-data/faculty-data.html>

²⁸ See note 26.

Taking the above data from on single semester (Fall 2020) and comparing it to each other reveals the following:

Fall 2020	Undergraduate	Graduate	Staff	Faculty
American Indian or Alaskan Native	0.33%	0.55%	0.34%	0.57%
Asian or Pacific Islander	17.20%	8.60%	2.60%	17.70%
Black (non Hispanic)	5.70%	6%	3.40%	3.70%
Hispanic	12.30%	5.90%	1.90%	4.20%
White (non Hispanic)	57.90%	48.70%	91%	73%
Non-Resident Alien	5.40%	25.50%	n/a	n/a
Other/Multi	1.20%	1.50%	0.40%	0.38%

We have included these demographics here to illustrate the disparities that exist between the different groups that make up our campus community: very obviously, the staff are almost entirely white (at 91%), surpassing even the percentage of white residents in the Town of Vestal and the City of Binghamton in that regard. It is an incontrovertible fact that mistrust of the police is more prevalent in marginalized communities, such as communities of color or LGBTQ folks for which there are very real historical reasons that continue to have repercussions as we write this report. To cite but two examples as they relate to Black folks: first, Jim Crow laws and practices of segregation ‘were designed to encourage lower-class whites to retain a sense of superiority over blacks’²⁹ and made it so that Black individuals found it almost impossible to buy a home or own a business, not to mention having difficulty accessing higher paying jobs or further education. Indeed, today in the US, whites have the highest rates of homeownership (75%), compared to Black (46%), Hispanic (50%), and Asian folks.³⁰ Second, in 2020, Black people were 28% of those killed by police in the US despite making up only 13% of the population.³¹ On the flipside, support of law enforcement tends to be higher among white individuals (especially in more rural and conservative areas, in which Binghamton University is located):

²⁹ Alexander, *The New Jim Crow*, p. 34.

³⁰ <https://www.pewresearch.org/interactives/racial-and-ethnic-gaps-in-the-u-s-persist-on-key-demographic-indicators/>

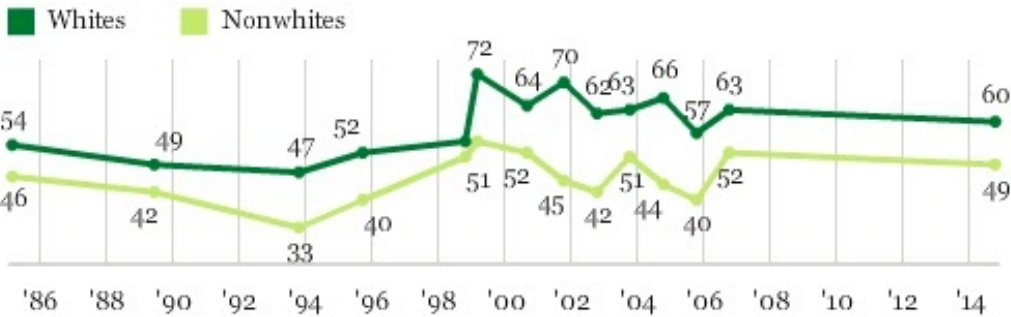
³¹ <https://mappingpoliceviolence.org/>

<https://www.pewresearch.org/fact-tank/2020/06/03/10-things-we-know-about-race-and-policing-in-the-u-s/>

*Confidence in Police to Protect Them From Violent Crime,
U.S. Whites vs. Nonwhites*

How much confidence do you have in the ability of the police to protect you from violent crime -- a great deal, quite a lot, not very much, or none at all?

% A great deal/Quite a lot of confidence



*Recent trend: 1985-2014

GALLUP®

Source: <https://news.gallup.com/poll/179468/nonwhites-less-likely-feel-police-protect-serve.aspx>

Anecdotal accounts reveal that Punisher Skull stickers³² and Blue Lives Matter flags are no longer confined to rural areas outside of Binghamton; over the last year or so they have also started to appear within the city limits and within all districts of the city.



Sample of Punisher items sold by the Thin Blue Line Company, which targets as its customer's law-enforcement employees, their families, and their supporters.

As such, we cannot assume that the average campus citizen, given the demographics cited above, understands, realizes, or perhaps even cares about the fact that the presence of police on campus poses a real psychological threat to marginalized communities. We therefore see here a dire need to educate the campus community, and

³² The Punisher Skull, based on the antihero of the same name who features in a number of comic books published by Marvel Comics, has been appropriated by white supremacists, the military, and police. <https://www.theguardian.com/books/2020/jun/11/how-do-you-stop-the-far-right-using-the-punisher-skull-make-it-a-black-lives-matter-symbol>

The artist Nate Powell has told the story of how the Punisher logo has been appropriated and commodified: <https://popula.com/2019/02/24/about-face/>

especially white people, about why calls for reform and even abolishment of the police have been becoming louder and louder over the years, both nationally, in the local community, and on campus.

We therefore propose a speaker series, on the model used by the Transdisciplinary Areas of Excellence (specifically, the Material and Visual Worlds TAE, more below), that will help us, as a campus community, gain a better and deeper understanding of numerous issues and conversations around police/policing (+ racism, abolition, reform, etc).

What we envision is bringing to campus (or via zoom, depending) two to three speakers each semester for the next academic year (and perhaps repeat the year after). They would give a public talk, perhaps in the afternoon, followed by a 10am workshop the next morning, which would be attended by members of the CCRB and would be open also to interested members of the campus community (total number of workshop participants capped at maybe 20 or so). The workshop would last 1.5-2 hours and would center either on a reading or working out something practical that we can do. The evening/public lecture could be a useful vehicle to showcase to the campus community the kinds of things we are chewing on as well as educate those who perhaps have not had much time or experience in thinking about what it means when we say "Black Lives Matter" or why some folks view the police negatively.

We want these events to be open and accessible not only to students and faculty, but also to staff. We hope that the administration will help us to encourage staff to attend, either by counting attendance towards training requirements or finding other ways to incentivize attendance as far as is feasible within the confines of the various union contracts that exist between the university and its employees. If encouraging staff to attend these talks/workshops is not possible, we also see value in book clubs or activities that get staff talking to each other as well as other groups on campus about why the police are viewed negatively by marginalized communities.

Here is a provisional list of names, a mix of scholars as well as practitioners; we may add to it/contact others, depending on who is available. Resmaa Menakem and Mariame Kaba, for example, are likely going to be in very high demand, getting either of them would be a real scoop. We hope to contact potential speakers as soon as possible, since we are already a bit behind the curve at the time of writing.

- Dr. Brendan McQuade (info here: <https://usm.maine.edu/criminology/brendan-mcquade-phd>). McQuade received his PhD at Binghamton in 2015, so he would also have some institutional knowledge from his time here.
- Mariame Kaba, an organizer, educator and curator. Her work focuses on ending violence, dismantling the prison industrial complex, transformative justice and supporting youth leadership development (info here: <http://mariamekaba.com/workshops/>). She has a workshop on policing/police violence but it looks like one can also ask her to speak about something else/specific to our group.
- Resmaa Menakem, a psychotherapist specialising in the effects of trauma on the human body who focuses on healing historical and racialized trauma carried in the body and the soul (info here: <https://www.resmaa.com/>).
- Dr. Cedric Alexander, a psychologist and a former police chief (info here: <https://clalexandergroup.com/about-me/>).
- Dr. Aisha Beliso-de Jesús, a professor in the American Studies Department at Princeton and founder of the Center on Transnational Policing, which brings together scholars at different levels (undergraduate, graduate, and members of the professoriate) to understand policing in the U.S. and internationally. (info here: <https://ams.princeton.edu/people/core-faculty/aisha-beliso-de-jesus>)
- Dr. Jennifer Eberhardt, a professor at Stanford University whose research investigates the consequences of the psychological association between race and crime (info here: <https://web.stanford.edu/~eberhard/about-jennifer-eberhardt.html>)

- Dr. Robert Worden, an associate professor at the University at Albany, whose research revolves around questions about the accountability and responsiveness of criminal justice institutions to the public (info here: <https://www.albany.edu/scj/faculty/robert-e-worden>).
- We would also like to ask someone from the Binghamton community to talk to us about local/grassroots organizing around police reform and the conditions at the jail

We do not currently have a detailed budget because some of this will depend on the availability of speakers as well as whether speakers will travel in person or visit us via zoom. We envision the stipend being in the range of \$600-\$1,000, depending on the stature of the invitee and/or whether they are a freelancer/self-employed, etc. The quick and dirty math, factoring in maybe \$1k for an on-campus visit (1 or 2 nights in a hotel, flights) plus about \$1k for the stipend for 3 speakers each semester, brings the total to about \$12k for the academic year. We might also be able to get co-sponsorships from some departments/programs, depending on their respective budgets and whether the speakers interest them (e.g. Sociology, the Institute for Genocide and Mass Atrocity Prevention, the Human Rights Institute, the Center for Civic Engagement, Social Work, Human Development, etc).

Recommendations:

- 1. Fund a speaker series to help the community learn about why calls for changing the status quo around campus policing are getting ever louder.**
- 2. Find ways to enable and incentivize staff to attend.**
- 3. Institute other educational activities on the topic.**

Know Your Rights Training/Information

Students, and the general public also, tend to not be aware of their rights when it comes to interactions with the police. For example, most people do not know that they are not obligated to answer questions from a police officer and that anything they say, even if uttered in a seemingly innocuous conversation, can later be used against them.

Having said that, policing in higher education (and our campus is no exception) presents a unique situation in that Student Codes of Conduct often contain clauses that make not cooperating with university officials a violation of this code. Indeed, the Binghamton University Student Code of Conduct prohibits a number of behaviors, including the following: ‘Students engaging, attempting to engage or assisting in the following are subject to disciplinary sanctions. . . . 18. Failing to comply with the directives of University officials acting in performance of their duties’.³³ In other words, students enrolled at Binghamton, whether they live on campus or not, actually give up their right to remain silent and not answer questions if they do not want to.

Students who live on campus sign a Housing License which contains a section on ‘Inspections’ under section ‘V. Safety and Security’, including the following: ‘The University reserves the right to inspect rooms, flats, suites and apartments in the interest of cleanliness and property control. A minimum of 24 hours’ notice will be given prior to such inspections.’ And also: ‘.f. As opposed to inspections, no room may be searched, except by appropriate legal agencies or University personnel with a warrant, or under emergency circumstances, or by authorities to whom the resident has given express consent for each individual instance.’³⁴ In other words, residential staff may inspect a room with 24 hours’ notice but an officer of the law does not have an automatic

³³ The term “University official” includes faculty and staff of the University, student employees who are carrying out assigned work responsibilities and University police officers. See pp. 9-10 <https://www.binghamton.edu/student-handbook/pdfs/accessible-version-of-student-code-of-conduct-2020-21.pdf>

³⁴ https://www.binghamton.edu/residential-life/housing/universityhousinglicense2019_2020.pdf

right to search a student's room without a warrant. Many students do not know this and may feel intimidated by the presence of a police officer outside their door or worry that if they explicitly disagree to converse with the officer or open the door to them (not to mention asking for a warrant) that they will get in trouble. Since UPD officers regularly visit residential communities we think it is of the utmost importance that students be educated on this in a way that affirms their rights and clearly explains the issues and terms at play, such as the meaning of 'probable cause', for instance.

Given that UPD regularly arrests students as well as issues traffic tickets, amongst other things, we recommend that students especially be provided with a 'Know Your Rights' training or leaflet that focuses on the unique interplay between the Binghamton University Student Code of Conduct, the University's Housing License, any other campus regulations, and federal and state law that govern individuals' interactions with law enforcement. General 'Know Your Rights' leaflets are available from the National Lawyers Guild and the New York State Civil Liberties Union.³⁵The University of Montana has produced a flier that we think is a good first step towards producing something similar for our campus community (see attachments).³⁶

Recommendation:

- **Provide students (+ staff and faculty) with a leaflet or training on Know Your Rights/Interacting with the Police**

Divert non-law enforcement activities to campus safety monitors

On our campus, Community Policing takes different forms. It ranges from the UPD hosting the Lost and Found, to UPD officers helping folks who locked themselves out of their offices or assisting someone with a flat tire or battery, to breaking up fights in residence halls over stolen food, responding to fire alarms, all the way to regularly stopping in at the various campus residences and chatting with RAs. Indeed, in an email Chief Pelletier confirmed that on our campus, police work consists of 25% law enforcement and 75% service work (community policing, in other words).

Anecdotal evidence, including initial results from our community survey and from several members of the CCRB indicates that folks of color in particular (but white people also) feel extremely leery of asking the police for assistance with non-police matters and are very uncomfortable when interacting with them if they do. Sometimes these interactions have turned into conversations that the person who asked for assistance did not consent to having. However, given that they were in conversation with a law enforcement officer who is carrying a gun they felt as though they had no choice but to interact with them.

Community policing, or the involvement of law enforcement officers in the everyday lives of a community, has been heralded by some as being a positive thing. Its proponents argue that day-to-day interactions with law enforcement officers around low-stakes or no-stakes issues will help build relationships with the community and will thus help to prevent crime and/or increase public safety. In reality, the police actually prevent very few low-level or even high-level crimes (see below/next section): they usually arrive at the scene *after* someone's laptop has been stolen or someone has been killed. Therefore the argument that they are needed to prevent crime and/or make a community safer is not entirely correct. While it may well be true that, on the whole, campus police departments, including the UPD, are much better at dealing with the public than their municipal

³⁵ <https://www.nyclu.org/en/know-your-rights/what-do-if-youre-stopped-police>
<https://www.nlg.org/wp-content/uploads/2016/04/kyrpamphlet-Eng-May-2015-FINAL.pdf>
<https://www.nyclu.org/en/know-your-rights/your-right-attorney-if-youre-arrested-and-accused-crime>

³⁶ <http://www.umt.edu/self-study2010/std3/Std3Exhibits/RE3-08/KnowYourRightsCard.pdf>

and county counterparts and tend to focus on harm reduction instead of law enforcement, the reality is that their presence poses a psychological as well as real threat to BIPOC individuals on campus, not to mention other minority groups.

There are a number of problems with Community Policing:

(1) Law enforcement officers, by definition, have the power to detain and arrest, to use force, carry weapons, and sometimes have access to personal information about individuals. As such, anyone who comes into contact with a law enforcement officer is not on an equal footing with them, which results in an unequal relationship, one could even argue a non-consensual relationship. Students, in particular, might feel that they *have to* interact with a campus police officer even if they do not want to.

(2) It ignores the historical reality of policing in the USA. In the slave-holding states, police-like forces were established in the course of the 19th century as a way to patrol slaves and prevent them from revolting or enslave them once more after they had escaped. In the north-east, police were brought into existence primarily as a means of suppressing the working class who were organizing, protesting, and striking for regulated work hours, increased wages, etc.³⁷ This history continues to reverberate today and while modern police forces are no longer overly concerned with catching runaway slaves or suppressing striking workers, the way they exert control and define crime or criminality is influenced by concerns about race and class inequality and the potential for social and political upheaval.³⁸ As such, any person of color or anyone from a marginalized background will invariably feel unsafe, at least psychologically, in the presence of a law enforcement officer and may not want to participate in whatever event or occasion at which a police officer is present.³⁹ This is especially and not only true when it comes to a student whose purpose is to live and study on our campus, free from worry and fear. There is also the fact that racial and ethnic disparities are more or less the norm when a BIPOC individual encounters a law enforcement officer (traffic stops, use of force, etc).⁴⁰

(3) It turns every-day problems, such as forgetting one's key or having a flat tire on campus into a problem that needs to be handled by the police. It increases a person's chances of interacting with a police officer and potentially being ensnared in the criminal justice system. Finally, it turns the police into a sort of full-service provider and creates the notion, intentionally or not, that the police are or should be capable of dealing with all kinds of problems, some of which are clearly outside of their wheelhouse. Some of these problems are

³⁷ E. Monkkenon, *Policing Urban America: 1860-1920*, Cambridge/UK, 1981; S. Hadden, *Slave Patrols: Law and Violence in Virginia and the Carolinas*, Cambridge/MA, 2001. See also J. Lepore, 'The invention of the police', *The New Yorker*, July 13, 2020.

³⁸ Alexander, *The New Jim Crow*. See also A. Owusu-Bempah, 'Race and policing in historical context: Dehumanization and the policing of Black people in the 21st century', *Theoretical Criminology* (2016), 21.1, 23-34.

³⁹ The Stonewall Riots were a response to a police raid, a regular occurrence, at the Stonewall Inn in NYC in June, 1969. The Stonewall Inn, a bar owned by the Mafia, had recently allowed entry to drag queens and women, including trans women. LGBTQ individuals were routinely profiled, entrapped, discriminated against and harassed by law enforcement; they would often be ignored if they reported hate crimes; and were discriminated against and not even hired by law enforcement agencies.

Police in NYC continued to enforce anti-gay laws that banned homosexual acts until the 1960s although, even today, members of the LGBTQ community continue to be discriminated against and harassed by the police. Every state in the US had anti-sodomy law on the books until 1961--Illinois was the first to repeal. See <https://www.aclu.org/other/history-sodomy-laws-and-strategy-led-todays-decision>. In 2003, when the Supreme Court ruled as unconstitutional such laws in *Lawrence v. Texas*, twenty-one states still had such laws on the books. To this day, legislators in sixteen states refuse to repeal these laws in order to communicate to their voters their moral outrage at the existence of LGBTQ individuals.

⁴⁰ J. Correll, B. Park, C.M. Judd, B. Wittenbrink, 'The police officer's dilemma: Using ethnicity to disambiguate potentially threatening individuals', *Journal of Personality and Social Psychology* 83.6 (2003), 1314-29. B.K. Payne, 'Prejudice and perception: The role of automatic and controlled processes in misperceiving a weapon', *Journal of Personality and Social Psychology* 81.2 (2001), 181-92

structural, such as lack of adequate mental health care or poverty. Marginalized communities, such as BIPOC students, international students, students with disabilities or those who have to work several jobs to make ends meet, do not need increased interactions with police officers, they need a support system and resources to thrive.

(4) While a community-policing approach may be perceived as inherently less aggressive, the reality is that police officers on campus are still part of the law enforcement community. To wit, some recruits to the UPD are trained at the Broome County Law Enforcement Academy, which provides state-mandated training for 40 law enforcement agencies in the area.⁴¹ They also receive additional training through the Department of Justice, alongside colleagues from other law enforcement agencies. Finally the UPD has a written plan in place for requesting or providing mutual aid to an outside agency,⁴² for the collection and sharing of intelligence,⁴³ and also has a memorandum of understanding with the City of Binghamton for the provision of a ‘University Liaison Officer’ (a sworn member of the City of Binghamton Police Department), whose salary is paid by the University.⁴⁴

In light of the above, we recommend that a different type of employee group assist the campus community with tasks such as Lost and Found, Missing keys or ID cards, Jump-starting a Car, Responding to fire alarms, etc. These jobs could be diverted to and performed by specifically hired and trained staff in Physical Facilities and Emergency Management. It is not *necessary* for a law-enforcement officer to provide someone access to their office, nor is it *necessary* for law-enforcement officers to be present in educational buildings or residencies where students live, study, sleep, eat. Money saved from not hiring new police officers (see next section/below), for instance, could be diverted in order to make these hires.

Recommendation

- **Divert all non-law-enforcement activities to non-sworn and non-gun-carrying campus safety monitors.**

Reduce the number of police officers

‘The police do not prevent crime. This is one of the best kept secrets of modern life. Experts know it, the police know it, but the public does not know it. Yet the police pretend that they are society’s best defense against crime and continually argue that if they are given more resources, especially personnel, they will be able to protect communities against crime. This is a myth.’⁴⁵

⁴¹ This Academy is affiliated with the Broome County Jail, one of the more lethal jails in the state, proportionally to the population it purports to serve. See <https://www.pressconnects.com/story/news/local/2020/03/03/broome-county-jail-inmates-dead-after-lack-medical-health-care-ny-new-york/4857588002/>

Broome County also imprisons individuals at a rate higher than New York City, to say nothing of the racial disparities at the jail: ‘Broome County is not just high, it’s an outlier. Put another way, the number of black people in prison from Broome County is equivalent to 3.9 percent of the county’s total black population, whereas only 0.3 percent of the county’s total white population is incarcerated in the state prison system.’ See C. Henrichson, ‘Take a look at mass incarceration in your own backyard’: <https://www.vera.org/blog/expanding-our-knowledge-on-local-incarceration-trends>

⁴² General order 341, Mutual Aid, DCJS Standards 58.1, Revised 01/07/21.

⁴³ General order 330, Intelligence Collection and Sharing, DJCS Standards 50.7, Revised 09/19/19. ‘To establish policy and procedure governing the collection, use, dissemination and retention of criminal intelligence or intelligence related to homeland security. ... When the need arises, this Department will share information, on a case by case basis, with appropriate law enforcement agencies and internally with members of the New York State University Police at Binghamton.’

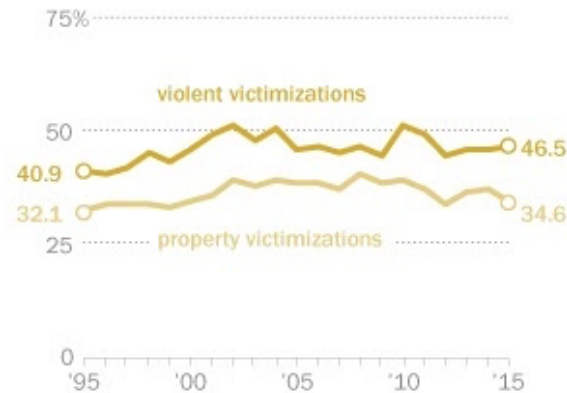
⁴⁴ See attachments.

⁴⁵ D. Bayley, *Police for the Future*, Oxford, 1996, pp. 25-28.

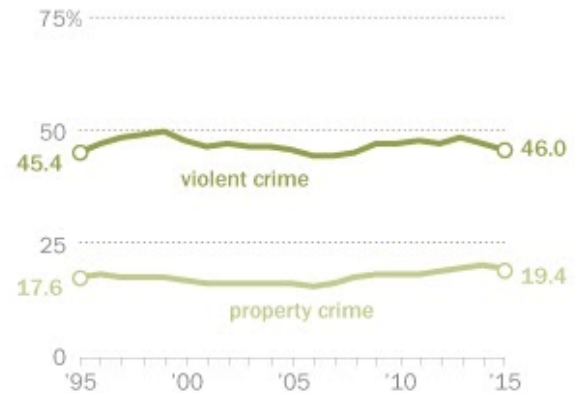
According to a report published by the Pew Research Center, most of the crimes that are reported to police across the US on an annual basis do not lead to an arrest, charge, and prosecution of a suspect:⁴⁶

Fewer than half of crimes are reported, and fewer than half are solved

% of crimes reported to the police (BJS)



% of crimes cleared by police (FBI)



Note: BJS and FBI crime definitions differ for some offenses. 2006 BJS estimates are not comparable with other years due to methodological changes. FBI figures reflect percentage of crimes cleared through arrest or "exceptional means," including cases in which a suspect dies or a victim declines to cooperate with a prosecution.
Source: Bureau of Justice Statistics (reported crimes), FBI (crimes cleared).

PEW RESEARCH CENTER

Binghamton University has not always had a police department: for about the first forty years of its existence or so, the campus was protected by unarmed campus safety officers. In a newspaper report from June 1992 they are still referred to as 'public safety officers':

A Personal Safety Committee, chaired by Sarah Elbert, confirmed that the panel agreed campus public safety officers need handguns, but don't need to carry them. Weapons would be locked up except when needed, Elbert said. August 'A.J.' Kull, of the University Law Enforcement Division Arming Committee, said the panel's plan falls short of what public safety officers want, but it is a step in the right direction to allow them to carry them all the time. Efforts to arm public safety officers began more than 15 years ago.⁴⁷

The newspaper article goes on to explain that the report generated by the Personal Safety Committee 'calls on DeFleur to support efforts to designate campus public safety officers as police officers. They are currently peace officers under state law with limited powers on campus. Peace officers are restricted from using deadly force, serving bench warrants and stopping and frisking suspects on demand, Kull said.'

In December 1992, students rallied and protested against the recommendation by then university president Lois B. DeFleur that university police officers have access to firearms even though, according to the protestors, 'the crime rate on the ... campus does not justify police having access to firearms'.⁴⁸ We are struck by the demands the students were making at the time, almost twenty years ago: 'Student demonstrators also listed other

⁴⁶ J. Gramlich, 'Most violent and property crimes in the US go unsolved', *Pew Research Center*, 03.01.2017: <https://www.pewresearch.org/fact-tank/2017/03/01/most-violent-and-property-crimes-in-the-u-s-go-unsolved/>

⁴⁷ S. Levine, 'BU panel: Give police guns', *Press and Sun Bulletin*, June 22, 1992, p. 1.

⁴⁸ G. Basler, 'Students protest arms recommendation: BU administration office takeover', *Sun and Press Bulletin*, December 4, 1992, p. 1: 'About 100 demonstrators closed the admissions office at Binghamton University Thursday to protest a recommendation that university police have access to firearms. The 2.5-hour takeover of the office followed a rally by some 300 students against the recommendation university President Lois B. DeFleur is considering.'

demands, including the formation of a student patrol, more sensitivity training for campus police, and institution of a faculty-student review board to oversee police conduct.’ Unfortunately, the administration did not heed the students’ demands even though, at the time, the Pipe Dream newspaper contained an editorial pointing out that ‘Guns for ULED (university law enforcement) are dangerous for minorities.’⁴⁹

Once governor Pataki signed legislation to form a SUNY police force in 1998, it quickly became a reality across all SUNY campuses in 1999.⁵⁰ Since then, the number of police officers on our campus has increased steadily, in line with trends on other college campuses.⁵¹ At about 91% of public universities who employed sworn officers these officers carried guns according to the latest report available from the US Department of Justice.⁵²

The creation of campus police departments saw a spurt of growth mainly as a result of three major historical events: (1) protests on college campuses in the 1960s (e.g. the Kent State massacre), (2) the passing on the federal Clery Act (1990), and (3) the Virginia Tech massacre (2007).⁵³ For the most part, campus administrators were motivated by a perhaps understandable desire to protect their students and employees. Having said that, rarely does the presence of police prevent mass shootings or even the murder of individuals, the primary reason cited for justifying their presence on college campuses. As Anderson has written, ‘crime and the presence of law enforcement on campuses are paralleled by declining rates of reported crimes at the schools. Yet even despite apparent reduction in crime, the numbers of campus officers have continued to expand, as have their responsibilities.’⁵⁴

A look at the numbers of how UPD has grown in size since 2007 bears out Anderson’s point about the continued expansion:⁵⁵

⁴⁹ M. Berger, “Year in Review,” *Binghamton Review* VI, no. 1 (Orientation 1993): 9, citing a December 1992 *Pipedream* editorial

⁵⁰ <https://www.suny.edu/police/history/>

⁵¹ Knowles, *Policing the American University*, 1-2.

⁵² B.A. Reaves, Special Report: ‘Campus law enforcement, 2011-12’, *Bureau of Justice Statistics of the US Department of Justice*, 2015, p. 2. <https://bjs.ojp.gov/content/pub/pdf/cle1112.pdf>

⁵³ J.J. Sloan, ‘The modern campus police: An analysis of their evolution, structure, and function’, *American Journal of Police*, 11 (1992), 85-104. S.M. Janosik & D.E. Gregory, ‘The Clery Act and its influence on campus law enforcement practices’, *Journal of Student Affairs Research and Practice*, 41.1 (2003), 182-99. C. Rasmussen & G. Johnson, ‘The ripple effect of Virginia Tech: Accession the nationwide impact on campus safety and security policy and practice’, *Technical Report, Midwestern Higher Education Compact* (2018).

⁵⁴ M.D. Anderson, ‘The rise of law enforcement on college campuses’, *The Atlantic*, 09.28.2015.

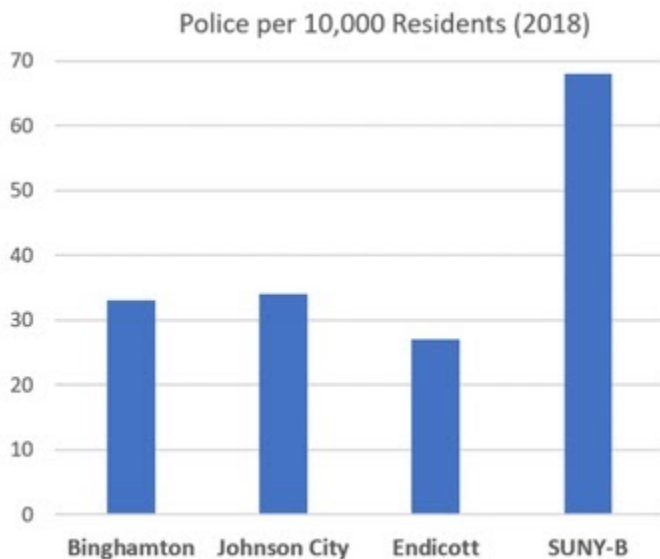
⁵⁵ <https://data.ny.gov/Public-Safety/Law-Enforcement-Personnel-by-Agency-Beginning-2007/khn9-hhpq> The data stops after 2019; the numbers for 2020 and 2021 were obtained from the UPD webpages and the UPD budget respectively.

Year	Sworn Full Time	Civilian Full Time	Civilian Part Time
2007	30	0	0
2008	32	11	1
2009	36	13	2
2010	33	13	2
2011	28	11	1
2012	31	12	1
2013	31	14	2
2014	33	13	3
2015	33	17	5
2016	32	16	3
2017	39	15	1
2018	42	15	3
2019	39	19	2
2020	42	?	?
2021	44	20?	?

Here is the justification for these numbers from the UPD webpage:

UPD is responsible for the safety of the entire campus — a 930-acre main campus, a 13-acre campus in Johnson City and the University Downtown Center in Binghamton — and a total of 118 buildings to protect. These locations include more than 18,000 students, more than 5,600 faculty and staff, and an estimated 270,000 visitors annually who come to campus for admissions tours, athletic events, performing arts productions, conferences, Commencement ceremonies and more. These numbers compare locally to the Village of Endicott, population 12,828 as of 2017, which has 25 patrol officers, three bike patrol officers, two K-9 officers and a detective division; and the Village of Johnson City, population 14, 508 as of 2017, which has 38 full-time officers.⁵⁶

In reality, the size of the UPD is disproportionate to the number of residents in the surrounding area:



There are several problems with the above justification: first, the total number of faculty and staff appears to be inconsistent with the number reported by the Office of Institutional Research for the fall semester 2020, when

⁵⁶ <https://www.binghamton.edu/police/faqs.html>

the University employed 1,777 staff and 1,055 faculty (and not 5,600 in total).⁵⁷As a result, one might think that the total campus population is around 23,600 individuals when in reality it is 20,980, a difference of 2,620. Second, just as with any municipality or village, the total number of people within the community’s boundaries actually fluctuates. There is not going to be a given moment at which all students (18,148) and all staff and faculty (2,832 and not 5,600), nor even all visitors are going to be on campus at the same time. In addition, not all students live on campus and not all faculty come to campus on a daily basis to teach their classes.

Finally, there is one numerical calculation that will illustrate the disproportionate growth of the UPD when compared to the overall growth of the campus population--while the number of students and faculty has increased by about 24% over the last 9 years, the number of law-enforcement officers has gone up by 50%:

Year	Students	Staff	Faculty	UPD
2011	14746	1707	848	28
2020	18148	1777	1055	42
Increase over 9 years	23%	10.60%	24.40%	50%

As we have outlined on pages 18-20, it is highly problematic that police are increasingly dealing with non-law enforcement activities on campus. Rather than increasing or maintaining the numbers of police officers, we recommend that the University invest in mental-health specialists as well as divert non-law enforcement activities to unarmed non-sworn campus safety monitors. This would be a huge *first* step towards making campus safer for BIPOC individuals as well as reducing the number of interactions between the police and marginalized groups.

Recommendations:

- 1. Put a hiring freeze in place for the UPD: do not replace an officer once they retire and do not hire any new officers.**
- 2. Reduce the number of officers employed by UPD by at least 25% over the next 2-3 years.**

Allow applicants to substitute social work experience for college credit

If a hiring freeze on new police recruits as well as other law enforcement personnel is decided against, we strongly recommend that the department reconsider some of its hiring practices. While it may be possible to change the culture of a police department from the inside, through updated training on issues around mental health, de-escalation, or implicit bias (although we remain skeptical that such trainings, which have been on offer for years now, will make a dent in an institution whose historical roots in racism and union-busting are well documented), there are actually two things a department can do *before* it even hires a candidate to ensure that problems do not arise later.

Personal characteristics and psychological testing

We think it is important that those who wish to police our campus community have personal characteristics that include emotional intelligence, empathy, and interpersonal skills. Job descriptions usually list cognitive skills

⁵⁷ <https://www.binghamton.edu/offices/oir/institutional-data/employee-data/index.html>

and rarely go beyond decision-making on the spot, for instance. We recommend that UPD lobby NYS UP to implement psychological tests that look for these traits, rather than focusing solely on left-brain traits. In addition, we recommend that UPD lobby NYS UP to expand preferred degrees/subjects studied by applicants to include the humanities (if it does not already do so). Martha Nussbaum, a professor of philosophy at the University of Chicago, argues that contemporary education in the US fails some of its students, especially those who do not study the humanities. In her view, reading and learning about other societies and historical time periods allows one to develop deeper levels of empathy for “the other” and imagine what it is like to be in a different position than one’s own, which is crucial when it comes to dealing with a campus community that includes a large number of international students, as well as BIPOC individuals.⁵⁸

Allow social service work experience

The militarization of police departments across the nation is nothing new: federal and other grants make it possible for departments to purchase military grade equipment in the guise of waging the War on Drugs. Tank-like vehicles are deployed with paramilitary SWAT teams.⁵⁹ The City of Binghamton owns such a vehicle, a BearCat G3, purchased with assistance from Senator Akshar.⁶⁰ Less attention has been paid to another close relationship law enforcement has with the military: police departments will often allow job applicants to substitute 30 credit hours from a regionally accredited college at time of appointment with two years of active military service.⁶¹ It is not unusual for veterans who join the police to think of themselves as the last defense (the Thin Blue Line) against total societal collapse or anarchy, although this mindset is by no means unique to them. This can lead to an “us and them” mentality, not to mention increased levels of stress, anxiety, and depression.⁶² We therefore recommend that UPD explore the possibility of giving credit to those applicants who have Social Service work experience and to substitute this for active military service. That this is not impossible is evidenced by the fact that, in theory at least, the City of Binghamton updated its Police Officer job description for the year 2018 to reflect the above (see attachments).

Recommendation:

- 1. UPD to lobby NYS UP to seek candidates with a humanities background and to administer psychological testing that seeks out traits such as empathy, emotional intelligence, and interpersonal skills.**

⁵⁸ M.C. Nussbaum, *Not for Profit: Why Democracy Needs the Humanities* (Princeton, 2016). See also C. Scheidenhelm, ‘Losing humanities in education is propelling a deficit of empathy’, *The Hill*, 04.09.2018: <https://thehill.com/opinion/education/382353-losing-humanities-in-education-is-propelling-a-deficit-of-empathy>

⁵⁹ R.M. Steven, R.J. Dezzani, L.D. McAden, ‘Geographies of U.S. police militarization and the role of the 1033 program’, *Professional Geographer* 69.2 (2017), pp. 203-13. See also Alexander, *The New Jim Crow*, pp. 74-75 and pp. 124-25.

⁶⁰ <https://www.bupipedream.com/news/109937/binghamton-police-department-purchases-new-armored-police-vehicle/>
The vehicles are manufactured by Lenco Armored Vehicles: <https://www.lencoarmor.com/model/bearcat-g3-police-government/>. ‘The Lenco BEAR and BearCat Armored Tactical Vehicles are trusted every day by US Armed Forces operating stateside and around the world. Lenco vehicles are in use by the US Army, US Navy and US Air Force for Base Security, Perimeter Patrol, Convoy Protection and Response & Rescue missions. Lenco’s primary vehicle, the BearCat, has speciality variants designed specifically for Tactical Combat Casualty Care, Explosive Ordnance Disposal and Bomb Detection, IED Protection in hostile regions around the world. The Lenco BearCat G2 and G3 is also an ideal platform for Remote Weapons Stations and Troop Transport for Quick Reaction Forces.’
The Broome County Sheriff’s Office also owns such a vehicle: <https://wbng.com/2019/07/09/275k-swat-rescue-vehicle-unveiled-in-binghamton/>

⁶¹ R. Boivin, ‘The “us vs them” mentality: a comparison of police cadets at different stages of their training’, *Police Practice and Research* 21.1 (2020), 49-61. See also G.B. Lewis & R. Pathak, ‘The employment of veterans in state and local government service’, *PMAP Publications* 11 (2014),

⁶² R. Ramchand *et al.*, ‘Suicide prevention in US law enforcement agencies’, *Journal of Police and Criminal Psychology* 34 (2019), 55-66.

2. UPD to lobby UP to allow candidates to substitute social work experience for college credit.