November 12, 2019

To: Dr. Joanne Smith  
   Vice President for Student Affairs

From: Eric Algoe  
   Vice President for Finance and Support Services

Subject: S.R. 2019-2020.10 A Resolution Calling on Texas State University to Implement an Independent Police Advisory Council

Texas State University intends to restructure the current Safety and Security Task Force to form a permanent group committed to many of the items listed in the above-named legislation.
MEMORANDUM

TO: Dean of Students Dr. Margarita Arellano
    Assistant Dean of Students Kathryn Weiser

DATE: Tuesday, October 8, 2019

FROM: Corey Benbow, Student Body President

SUBJECT: S.R.19 A Resolution Calling on Texas State University to Implement an Independent Police Advisory Council

I approve of this legislation passed by the Student Government Senate which is Calls on the University Administration establishes an Independent Police Advisory Council strategically positioned independent of the Police Department in order to provide authentic community engagement, policy review, informal complaint analysis, as well

Corey F. Benbow
Student Body President '19-20
Texas AUTHOR
Senator DoSalvo, Cody

SPONSORS
Senator Moncada, David
Senator Wicker, Catherine
Senator Camargo, Eduardo
Senator Halter, Colton
Senator Nieves, Preston
Senator Cleveland, Jacob
Senator Struck, Ry
Senator Bailey, Brett
Senator Torpey, Kelly
Senator Mack, Christopher
Senator Florence, Andrew
Senator Norman, Tyreoneta
Senator Richardson, Brittlin
Senator Tichy, James
Senator Perrodin, Jules
Senator Llagas, Rica
Senator Gonzales, Matthew


Date of First Reading: September 30, 2019

A Resolution

To be known as "A Resolution Calling on Texas State University to Implement a Campus Safety and University Police Advisory Council," which calls on the University administration to establish a Campus Safety and University Police Advisory Council strategically positioned in order to provide authentic community engagement, policy review, informal complaint analysis, as well as research through data transparency on issues of campus safety.

1 WHEREAS: Student Government serves as the official voice for

2 students at Texas State University; and
3. WHEREAS: The University Police Department (UPD) serves as the officially recognized law enforcement on the Texas State University campuses\(^1\); and

WHEREAS: UPD is expected to create a high-performing, diverse team, committed to the principles of community policing through the demonstration of best practices in university law enforcement while providing a safe and inclusive learning and working environment\(^2\); and

WHEREAS: UPD publicly commits to adhering to the following values to guide their conduct, including Transparency - availability of information for effective collaboration and cooperation with our community; Respect - treat everyone with dignity and compassion; Integrity - uphold the highest ethical standards; Innovation - create visionary solutions in the pursuit of excellence\(^3\); and

WHEREAS: The Chief of Police, under the general administrative direction of the University President\(^4\), is responsible for and has commensurate authority to command, direct, and organize the UPD; and

\(^1\) https://www.police.txstate.edu/about/history-and-mission.html
\(^2\) https://www.police.txstate.edu/about/history-and-mission.html
\(^3\) https://www.police.txstate.edu/about/history-and-mission.html
WHEREAS: In 2014 the University of California Davis established a robust independent Police Accountability Council (PAB) that includes multiple undergraduate students, graduate students, and staff members as voting members⁵; and

WHEREAS: The University of California Merced has recently created a Police Advisory Council of 16 members that includes representation of students, faculty, and staff including a reserved spot for an undocumented student⁶; and

WHEREAS: Municipalities across the nation have adopted robust oversight of police departments in order to foster a more direct feedback loop between police and the communities they serve; and

WHEREAS: The University currently has an ad-hoc Safety and Security Taskforce which touches on many of the concerns noted by current Texas State Community members; and

WHEREAS: Texas State University Systems Rules and Regulations, Chapter IV, Section 2.2(10), authorizes the University President to appoint campus committees, councils, and

⁵ https://pab.ucdavis.edu/pab_members.html
⁶ https://chancellor.ucmerced.edu/about-office/police-advisory-board
teams, and appointing or establishing procedures for
the appointment of faculty, and staff\(^7\); and

WHEREAS: UPD can demonstrate its commitment to the core value
of innovation through adoption of transparent
community government practices even if other major
Texas universities have not; therefore,

BE IT RESOLVED: The Student Government at Texas State
University, through the advocacy of its
Senators and Student Body President, call on
the University President to institutionalize
the Safety and Security Taskforce by
restructuring its membership, retrofitting its
purpose, and renaming so as to clearly outline
its purpose and scope, the newly
institutionalized council will be organized as
a Presidential Council to be known as the
Campus Safety and University Police Advisory
Council and will be organized and self-
sustained in accordance principles in Appendix
A;

BE IT RESOLVED: The Student Government authorizes the Student
Body President to negotiate in good faith

\(^7\) https://gata-docs.its.txstate.edu/fcr:8107d675-b45d-4f40-bc44-500035a30dce/2019 Rules and Regs (rev thru 08-
22-19).pdf
related to the specifics of this resolution in order to bring about the creation of a council with the stated purpose and goals even if it does not exactly fit the exact wording in Appendix A; and

BE IT RESOLVED: This legislation shall be forwarded to the Student Body President for further action.
I. PURPOSE

A. The Campus Safety and University Police Advisory Council functions in an advisory capacity to the university and University Police Department related to issues of campus safety and police department operations. The Council should strive to work collaboratively with the Texas State University Police Department. However, the Council is not intended to act as a component of the Police Department and is situated specifically as a Presidential Council so that can provide independent oversight and objective advice and scrutinize University Police Department practices, policies, and processes. While the Council is an independent body, the Council will regularly report directly to the University President or Vice President designee. The Council will have other responsibilities and rights granted by the university which include:

1. Advise university staff responsible for safety, emergency response, and university police on issues related to their area of operation.
2. Conduct annual campus safety and lighting walk review.
3. Serve as a liaison between the University Police Department and the University community.
4. Advise and make recommendations to the President or designee concerning policy and practices of the University Police.
5. Advise and make recommendations to the President or designee concerning actions of the University Police Department and officers.
6. To be briefed by the Chief of Police regarding complaints of officer behavior and subsequent investigations of officers.
7. Conduct campus wide survey or use other methods to assess campus and police engagement.
8. To be briefed on all use of force incidents by the University Police.
9. To function as a sounding board for the Chief of Police and President or designee on various issues or concerns involving the University Police.
104 10. To provide input on programs and initiatives to enhance campus safety.
105 11. To prepare an annual report of the Council’s activities, which must be
106    forwarded to the University President and made public on the University
107    Police website.
108
109 II. SUPPORT
110    A. The President or Vice President designee will provide financial and staff support for
111    the operations of this Council.
112
113 III. COMPOSITION
114    A. The Council will consist of nine (9) members of the campus community; eight (8)
115    will serve as voting members, one (1) will serve as ex officio member. All members
116    of the Council will be appointed to two (2) year terms. All new members of the
117    Council must be accepted by the previous year’s Council prior to taking a position on
118    the Council. All members of the Council must have demonstrated a commitment to
119    our University’s diversity and inclusion statement.
120    B. Voting members will be composed of the primary constituent groups of the campus
121    community: 1) Students, 2) Faculty, 3) Staff, 4) Local Community:
122        1. There will be three (3) student representatives, one (1) appointed by the
123           Student Government, one (1) appointed by the Residence Hall
124           Association, and one (1) appointed by the Underrepresented Students
125           Advisory Council.
126        2. There will be two (2) faculty representatives appointed by Faculty Senate.
127        3. There will be two (2) staff representatives appointed by Staff Council.
128        4. There will be one (1) member of the local San Marcos community as
129           selected through a process outlined by the Council.
130        5. There will be one (1) non-voting and ex officio designee from UPD
131           leadership (though not the Chief of Police).
132    C. The Council will be Co-Chaired by one faculty representative and one student
133    representative as elected from within the Council.
134
135 IV. OPERATING PROCEDURES
A. The Council will set its own operating procedures, policies, and processes which
    cannot conflict with university police or the following standing rules of the
    Committee:
    1. The Council will meet at least monthly during the academic year. The
       scheduled of meetings will be developed at the beginning of each
       academic year by the Co-chairs.
    2. For the purposes of conducting the Council's business, a simple majority
       of the Council's voting members must be present.
    3. Meetings will be closed with the exception of public comment period
       during each meeting, and any public forum events conducted by the
       Council.
    4. The Council will coordinate an open public forum each academic year to
       receive campus concerns.
    5. The Co-Chairs will meet annually with the Texas State University System
       Board of Regents Audit and Risk Council or designee.

V. ACCOUNTABILITY TO COMMUNITY
    A. The Council will release an annual report every academic year. This report will
       summarize a pertinent finding about community and police engagement, as well as
       clearly outline the role and impact of the Council. The Annual Report will be
       intentionally shared with members of the campus community that are more impacted
       by policing.
       1. The Council will conduct at least one Public Forum or Town Hall style
          event a year to hear feedback from the campus community. Public
          meetings must be coordinated and facilitated by the Council and reflect
          the current needs of the campus community.
       2. The Council will facilitate and review survey data relating to the campus
          community's experience with the University Police.
          i. This data will be collected and evaluated by the Council using
             available university tools.
          ii. This data will be distilled into a public report for the campus
              community.
iii. This data will then be used to inform the ways in which the Council engages with members of the campus community around policing.