

**UNIVERSITY OF OREGON POLICE DEPARTMENT  
COMPLAINT REVIEW COMMITTEE PROCEDURES**

*Revised and updated February 2020*

Pursuant to ORS 352.118, the University of Oregon hereby establishes a Complaint Review Committee (CRC) to review complaints regarding the University of Oregon Police Department (UOPD), including complaints concerning UOPD policies or the conduct of UOPD personnel.

**Mission Statement**

The CRC's mission is to provide recommendations to the Vice President for Finance and Administration to help ensure that complaints regarding UOPD policies and the conduct of UOPD personnel are resolved in a fair, thorough, reasonable, and expeditious manner. In performing its mission, the CRC shall:

- Have an advisory role;
- Be representative, fair, and accountable;
- Document its work accurately;
- Be timely and responsive;
- Encourage the resolution of a complaint at the earliest opportunity possible;
- Ensure reasonable access to the complaint process for the complainant;
- Account for the unique and culturally diverse nature of the UO community;
- Be responsible by applying resources proportionately to the seriousness of the issues raised by the complaint; and
- Recognize that its actions reflect on the University of Oregon.

**Procedures**

**1.0 IN GENERAL**

**1.1 Application of Procedures**

The following procedures shall be employed by the CRC to govern the receipt of and response to complaints regarding the conduct of UOPD personnel and complaints about UOPD policies.

**1.2 Definitions**

The following are defined terms in these Procedures.

1.2.1 Chief: The Chief of the UOPD.

1.2.2 Complaint: Any documented allegation, including those submitted anonymously and by a third party, involving police action or inaction that the person submitting the Complaint considers to be contrary to law or proper procedure, or in some manner prejudicial to the University, its police department, or the community.

1.2.3 Complaint Resolution Committee or CRC or Committee: The committee created in this document.

1.2.4 President: The president of the University of Oregon or designee.

- 1.2.5 University of Oregon Police Department or UOPD: The law enforcement agency established pursuant to ORS 352.118.
- 1.2.6 UOPD Personnel: Any employee of UOPD.
- 1.2.7 Vice President for Finance and Administration or VPFA: The Vice President for Finance and Administration or designee.

## **2.0 COMPOSITION AND TRAINING OF THE CRC**

### **2.1 CRC Membership**

The CRC membership is appointed by the President and consists of:

- a. At least one undergraduate student and one graduate or professional student, each of whom shall be available year-round. The president of the Associated Students of the University of Oregon may submit the names of three undergraduate students and three graduate or professional students for the President's consideration. Each student member is appointed for a one-year term, which begins on June 1st and ends on May 31st.
- b. Three full-time employees of the University of Oregon, each of whom shall be available year-round. United Academics of the University of Oregon, the Officers of Administration Council, and the Service Employees International Union may each submit the names of three employees for the President's consideration. One employee from each group shall be appointed. Each employee member shall be appointed for a two-year term, which begins on June 1st and ends on May 31st.
- c. Four at large members. Each of these members must be available year-round. Each of the at large members shall be appointed for a two-year term, which begins on June 1st and ends on the May 31st.
- d. Two ex-officio members, including a representative from the Office of General Counsel and a representative from the Division of Student Life.

The Chair shall be selected by the President from among the CRC members. The President may reappoint any of the members. Current UOPD employees are ineligible to serve on the CRC.

### **2.2 Training**

2.2.1 Upon appointment to the CRC, each member shall receive access to the following materials:

- a. The Complaint Resolution Committee procedures, which describe the role of the CRC and confidentiality requirements
- b. The University of Oregon Police Association (UOPA) Collective Bargaining Agreement
- c. The UOPD Policy Manual

2.2.2 Each CRC member is also required to participate in a ride-along (i.e., accompany UOPD officers in

a vehicle on patrol) in order to learn about policing on the university campus.

### **3.0 COMMITTEE REVIEW**

All Complaints involving UOPD personnel or policies shall be reviewed by the CRC. The CRC's review occurs after UOPD has conducted an investigation pursuant to the requirements set forth in the UOPD Policy Manual or UOPA Collective Bargaining Agreement. Instructions regarding the submission of Complaints by phone, mail, online, or in person are available here: <https://police.uoregon.edu/complaints>.

#### **3.1 Meetings and Deliberation**

Because the CRC's mission is to provide recommendations to the VPFA, its meetings are not subject to the Oregon public meetings law. CRC meetings may be open to the public, however, except in case of discussion of information that is exempt from disclosure or is prohibited from being disclosed under any applicable law, rule, policy, or collective bargaining agreement. The CRC will meet as often as is necessary to conduct its business but at least once during each of fall, winter, and spring term. UOPD will provide to the CRC a summary of activity germane to the committee's work.

The CRC may consult with the Chief for explanation and clarification of police procedures, department operations, and related issues. The CRC may also be provided access to policies, practices, guidelines, procedures, or directives, except for those that are of a confidential tactical nature. The Chief may attend CRC meetings unless the Complaint being discussed involves the Chief, in which case the Chief shall have no role or presence. Other senior administrators and staff may also attend and participate in meetings as needed or requested.

#### **3.2 Quorum; Majority Vote; Personal Involvement**

CRC meetings may be conducted only if five members (excluding ex-officio members) are present. Members may be present by telephone or other real-time electronic means. The Chair has full authority to preside over and conduct the meetings and make all procedural decisions, except that public comment may be taken only in writing. A recommendation by the CRC requires the affirmative vote of at least five (5) members. When possible, the committee will work as a whole. Subcommittees designated by the Chair must be comprised of at least (5) members. The Chair shall disqualify a CRC member from participation in any matter in which the member has a personal interest.

#### **3.3 Confidentiality**

- 3.3.1 All information received or developed by the CRC or one of its members is strictly confidential and may be disclosed only to the extent expressly authorized by law. As a condition of appointment to the CRC, every member shall sign a document provided by the University acknowledging CRC member obligations including but not limited to those set forth in this section.
- 3.3.2 Members will protect the security of all information. CRC members are obligated to report breaches of confidentiality, including their own, to the Chair.
- 3.3.3 Breach of this section is a basis for removal of a member from the CRC. Such an allegation shall be brought to the Chair. Should the Chair find the allegation of breach of confidentiality to be true more likely than not, the Chair shall notify the President, who may remove the member from the CRC. The member will also be subject to the consequences described in the Confidentiality Agreement.

3.3.4 If the Chair is alleged to have breached confidentiality, the VPFA shall perform the role of the Chair under this Section.

### **3.4 CRC Recommendation**

The Chair, or the Chair's designee, will draft minutes documenting the issues and/or Complaints discussed at each meeting. Any CRC member who has concerns about UOPD's actions or believes that an issue or Complaint requires additional attention shall notify the Chair that further review is warranted. Following this notification and any further review that is determined necessary by the Chair, the CRC may make one of the following recommendations to the VPFA: (1) that UOPD's investigation or resolution of the Complaint was thorough, fair and reasonable, (2) that UOPD's investigation or resolution of the Complaint was thorough, fair and reasonable but a review of policy, practice or training is recommended, or (3) that concerns exist that require further inquiry. The CRC recommendation may include the factual and legal basis for its recommendation but no additional information. The CRC may not review, recommend, or comment on personnel decisions under any circumstances. The Chair, or the Chair's designee, shall be responsible for preparing any written summary of recommendations to the VPFA.

## **5.0 OTHER**

### **5.1 No Derogation of Authority**

Nothing in this Procedure is in derogation of the authority of the University or any University official. However, all University officials are expected to make every reasonable effort to cooperate and participate in good faith in the processes set forth in this document

### **5.2 Record-keeping**

The University shall maintain records of CRC actions consistent with controlling record retention laws.

### **5.3 Review of Procedures**

The Vice President for Finance and Administration shall periodically conduct a review of the effectiveness of these complaint resolution procedures to determine whether any revisions are warranted and revise the procedures as appropriate. The timing of such review shall be in the Vice President's discretion. In conducting a review, the Vice President will consult with the CRC.

### **5.4 Removal from Committee**

Failure to comply with the obligations outlined in these complaint resolution procedures constitutes grounds for removal from the Committee by the President.