

SMCCCD PUBLIC SAFETY STUDY

DISTRICT ADMINISTRATION SUMMARY AND PRELIMINARY RECOMMENDATIONS FOR IMPLEMENTING THE MARGOLIS HEALY REPORT RECOMMENDATIONS

CONTEXT

With nearly 40,000 students attending the District's colleges each year, and with several thousand employees and thousands of visitors on the three campuses throughout the year, the safety of students, employees and members of the community is paramount. While the District's crime statistics reflect minimal – and mostly petty – crimes committed each year, unfortunately, there have been violent events at colleges and universities across the nation that focus our attention on local safety, awareness and response.

In October 2015, the District's Board of Trustees directed staff to explore "best practices" in public safety with the goal of improving the role and function of that department on all of our campuses. To that end, a Public Safety Services Committee was formed to help guide the District's research process and coordinate broad engagement with various stakeholders to discuss all aspects of public safety district-wide. This Committee is comprised of faculty, staff and student representatives.

In May 2016, the Committee recommended and the Board approved a comprehensive, district-wide public safety study, to be conducted by Margolis Healy and Associates, LLC, a nationally-recognized campus safety consulting firm. The Margolis Healy report is being used as the foundation for staff crafting recommendations to the Board. Additionally, based on summary information provided in the Margolis Healy study, District administrators have solicited input from local law enforcement leaders (San Bruno Police Department, San Mateo County Sheriff's Office and San Mateo Police Department) on the contents and recommendations in the study.

With the Margolis Healy study, input from local law enforcement partners, campus constituencies and stakeholder groups, staff has formulated the recommendations contained within this document.

DISTRICT PUBLIC SAFETY

SAFE CAMPUSES

Each year, in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, the District regularly provides information regarding crime statistics and security measures. **For the most recent reporting year (2016), there were no violent crimes** to report and less than 20 total crimes (generally petty in nature) across the whole District. This trend of minimal, non-violent crimes has been consistent year over year. **Again, our campuses are safe learning environments where minimal criminal activity occurs.**

SAFETY OPERATIONS

The District's Department of Public Safety (DPS) is an unarmed, non-sworn multi-campus security department. The Department is comprised of 18 full-time officers (including one chief/director, three captains/campus chiefs and one lieutenant) and two full-time dispatchers. The Department also employs two permanent part-time officers, five temporary hourly employees and one full-time public safety assistant for parking enforcement. The department is in the process of onboarding a full-time emergency preparedness manager.

As a public safety department and NOT a police department, the District's DPS has no legal authority to conduct arrests, issue moving citations, etc. The District authorizes officers to carry pepper spray and batons for self-defense purposes and handcuffs should it become necessary to legally detain an individual (through a citizen's arrest) until local law enforcement arrives on scene. Arrests by DPS personnel are only made by them as a last resort. In the event criminal activity occurs on any of our campuses, the DPS has adopted an "observe and report" position. Because of DPS's limited legal authority and minimal availability of self-defense equipment, officers are instructed and trained to be observant witnesses and report criminal activity to local law enforcement partners in a timely manner.

MARGOLIS HEALY CONSULTANT SAFETY STUDY

As previously mentioned, campus security consultant Margolis Healy & Associates, LLC, was retained to conduct a comprehensive study, focusing on the SMCCCD DPS. The study included examination of policies, procedures, scheduling, equipment and various other areas of operations. As part of the process, the consultant held 15 public forums across the District, conducted nearly 80 stakeholder interviews and administered a questionnaire to all students and employees in the District that resulted in more than 700 responses. Student leaders also administered a survey to students that resulted in more than 1,000 responses. Additionally, various individuals have attended Board meetings and shared their views with Trustees.

Upon completion of the study, Margolis Healy is presenting 71 recommendations across 13 major areas, such as Role and Mission, Organizational Structure, Physical Security, Training and a host of other measures that will provide the DPS with greater opportunities to engage and enhance the safety of faculty, staff and students at all three of the District's colleges. A full roster of the consultant recommendations is included with this staff report as Appendix A. There are many of the consultant's recommendations with which the District agrees and is eager to implement. There are other recommendations that, for various reasons (i.e. fiscal, etc.), the District does not agree and does not intend to bring forward for consideration at this time.

VALIDATOR

The District is using the Margolis Healy study, in part, as a validator of the work the DPS currently employs and/or was planning to undertake prior to the commission of the study. The consultant identified several areas where the District is currently adhering to "best practices" and there are hosts of other commonly used methods that were in-process of being implemented by DPS before this study was completed.

MAJOR CONSULTANT RECOMMENDATIONS

The Margolis Healy study has five priority themes and each is briefly highlighted below. It should be noted that these recommendations are those of the consultant and may not be reflected in the administration recommendations in the next section of this document.

- **Margolis Healy Recommended Priority #1: Clarify Role, Mission and Strategy**

The consultant believes that there is a wide variation within the SMCCCD community regarding the perceptions of the role of the DPS, as well as expectations for what officers should do or be capable of doing. It is the consultant's belief that it is important to clarify these points and it is important to understand the various expectations of the DPS from segments of the campus community. ***The District agrees with this priority area recommendation and summary information about how the District would implement this proposal is included in Staff Recommendation #1 on page 4.***

- **Margolis Healy Recommended Priority #2: Develop a Written Directive System**

The consultant believes that the Public Safety Department does not have an adequate set of written directives (policies, procedures, formal protocols, etc.) capable of providing appropriate guidance to supervisors and officers. The consultant believes that developing a comprehensive standard operating procedure (SOP) manual is fundamental to ensuring consistency of DPS actions across the Colleges. ***The District agrees with this priority area recommendation.***

- **Margolis Healy Recommended Priority #3: Develop a Strategy for Engaging with the Campus Community**

The consultant received feedback that the campus communities have a desire for more personable engagement and positive interactions with DPS officers (i.e., be more visible, more recognizable, understand their role, etc.). The DPS strategy should be refined in recognition of the national landscape and carried out by officers who acknowledge and understand its need, and who are able to embrace a community policing approach to campus safety. ***The District agrees with this priority area recommendation and summary information about how the District would implement this proposal is included in Staff Recommendation #1 on page 4.***

- **Margolis Healy Recommended Priority #4: Develop a Comprehensive Physical Security Program**
The consultant commended the District for its investment in and deployment of security systems and technology. The consultant believes that past solutions have been singular in nature and not comprehensive or employed enterprise-wide throughout the three colleges. The consultant recommends that the District develop a comprehensive public safety program that weaves together the various technological and mechanical countermeasures to create redundancy and multiple layers of awareness and safety. ***The District agrees with this priority area recommendation.***
- **Margolis Healy Recommended Priority #5: Enhance Emergency Management Planning**
The consultant notes that the District has worked to develop an all-hazards emergency operations plan consistent with contemporary standards in higher education. The consultant believes that the District and the Colleges can do more to enhance training and familiarization with the plan. ***The District agrees with this priority area recommendation; however, staff notes that DPS has substantial plans in place, conducts trainings on the campuses regularly, hosts response simulations frequently and is in the process of onboarding a full-time emergency preparedness manager.***

OVERARCHING MARGOLIS HEALY RECOMMENDATION

The consultant also recommended that the District transition to a sworn police department, where officers would have legal authority including detaining individuals to conduct investigations, applying for and executing search and arrest warrants, enforcing vehicle and traffic laws, and using force in situations that may require it. Additionally, the consultant outlined two options for implementing such a transition to a sworn department, including one option to arm officers. The full detail of these recommendations is included in Margolis Healy's report.

The District does NOT agree with the recommendation to transition to a sworn police department, and the District does NOT agree with the recommendation to have armed officers. There is a portfolio of reasons for this conclusion, including (in no particular order):

1. Reviewing data that reinforce that our campuses are safe places to learn, work and visit.
2. Understanding that local law enforcement does not support the District transitioning to its own police department.
3. Estimating the significant initial costs to establish – and substantial ongoing costs to support – a new police department (many millions of dollars).
4. Considering that there has been nationwide decline in trust and confidence of law enforcement in many underrepresented communities.
5. Realizing that having a sworn and armed police department is not congruent with the approach the District wants to pursue in establishing a more community-based, -focused, and -accessible public safety strategy.

Moreover, it is the opinion of District administration that Margolis Healy did not present alternative options in their report regarding armed officers. For instance, authorizing DPS officers to be an armed, non-sworn security entity or disbanding DPS entirely and having a sworn department such as the San Mateo County Sheriff's Office provide all protection related services for the District. Further, they did not discuss a "School Resource Officer" (SRO) model, such as many local school districts have adopted. In the SRO model, the District would contract with local law enforcement agencies for sworn, armed officers to be embedded on each campus. Contracting with a third-party security company for armed personnel was also not discussed.

PERSPECTIVES OF LOCAL LAW ENFORCEMENT PARTNERS

The overarching recommendations of the consultant's report have been shared with the leaders of the local law enforcement organizations that provide direct service to the three college campuses: San Bruno Police

Department (for Skyline College), San Mateo Police Department (for College of San Mateo) and the San Mateo County Sheriff's office (for Cañada College). These conversations are ongoing.

All three law enforcement organizations had concerns about having separate, sworn law enforcement agencies at our colleges that are within their respective jurisdictions. These concerns varied from the idea that the department would not be a "full service" department and would rely on their respective departments to take on incidents and investigations that DPS would not have resources or expertise to handle, such as major crimes (sex crimes, complex assaults, financial crimes, etc.). There was also a feeling that DPS would increase its profile by conducting traffic enforcement and other proactive enforcement that could become escalated, requiring a request for assistance from the agencies. While all three law enforcement organizations assured the District that they would respond to a mutual aid request for assistance in a major incident, they would be reticent to have their officers respond to routine requests for assistance if the District had a sworn police department.

The three law enforcement organizations expressed an interest in contracting with the District for services similar to the SRO model. They presented the District with two separate contract proposals for the delivery of law enforcement services to the campuses in their respective jurisdictions.

DISTRICT ADMINISTRATION PRELIMINARY RECOMMENDATIONS

The Margolis Healy study, the positions of local law enforcement organizations, the feedback from internal stakeholders, and understanding the current public safety environment leads the District administration to offer the following preliminary recommendations for Board consideration:

1. Clarify the mission and role of the Department of Public Safety. Staff believe that a new operating model is in order, with a more community-focused approach to safety that engages the campus communities in creating and maintaining safe environments. With this approach, officers would literally shed their "police" uniforms for more informal attire, making DPS officers more approachable in appearance and demeanor. Officers would be assigned to regular shifts on the same campus as to allow the campus communities to recognize and know their public safety staff.
2. Publically reject the Margolis Healy recommendation to create a sworn police department in any form and reject the recommendation to arm officers. Staff recommends that no changes be made at this time to the Department of Public Safety's status and it should remain as an unsworn, unarmed safety organization. With this, DPS would continue to adhere to a strict "Observe and Report" position and rely on local law enforcement agencies to timely respond to unlawful incidents on the District's campuses.
3. Implement, where agreeable and financially and practically feasible, the recommendations of the Margolis Healy study. The District does not agree with all of the recommendations outlined in the study, but where there is agreement, the District should immediately pursue implementation. A full roster of the recommendations and the District's evaluation of the consultant's recommendations are included as Appendix A.
4. Explore alternatives to enhance local law enforcement services on or near the District's campuses. This would include determining if alternative patrol configurations by local law enforcement are possible, if enhanced and well coordinate training by local law enforcement with DPS staff is possible. Moreover, staff will consider, where feasible, providing space on the three campuses for local law enforcement. Additionally, aligning communications and other resources to allow for more accurate and faster response times should be aggressively pursued.

NEXT STEPS

The Board of Trustees was briefed on the public safety study and the staff's recommendations at their study session on November 8, 2017. After discussion, the Board concurred in theory with these preliminary recommendations (but took no action at that time) and directed staff to socialize the recommendations and consult with the various stakeholder groups throughout the District (including the Academic Senates, Classified Senates and Associated Students on each campus, along with the unions and other appropriate groups or individuals). Staff is more than half way through this consultative process and anticipates the briefings to conclude by the end of March and then to hold open forums on each campus in early/mid April.