

**Dixie State University
Campus Safety Report
June 3, 2020**

Introduction:

Dixie State University has discussed and compiled answers to the seven (7) questions poised by Commissioner Woolstenhulme. Our data are organized by question with reference to answers by our Campus Police, Title IX Office, and Dean of Students. Our answers are as follows:

1. Procedure and policy for processing complaints from student victims to ensure the privacy and rights of victims.

Campus Police Department:

Privacy and rights of victims are of utmost importance to the DSU Police Department.

The Spillman report writing program utilized by DSUPD allows selected program administrators to “lock” case investigations of importance, or those needing restricted access. This function is currently only utilized and allowed by the Chief of Police, Administrative Sergeant, and Records Administrator. Officers are not able to see a case number, or locate any person or involvement, or anything located in a password protected case, even if a search of the databases occurs, without entering the required password/code beforehand.

Axon, our body worn camera and digital evidence services provider, allows administration to control access levels of all police department employees. Currently, officers are only allowed to see their own video camera recordings and photographs related to cases they are assigned. Officers are NOT allowed to view all videos, images, or digital files, secured in the Axon system. Officers only use department issued body cameras and cellular phones to obtain, record, download, and possess, all related evidence needed for criminal investigations. Only the Chief of Police and Administrative Sergeant, can access, download, share, and control, all materials securely stored in the encrypted Axon software program. Department policy and procedure listed below requires officers to only record or take photographs using the Axon mobile application on department owned and personally issued cell phones.

Chief Barfuss and Administrative Sergeant Ron Bridge are both federally cross-deputized members of the FBI’s Child Exploitation Task Force. As such, they both know and understand how best to use encryption and industry best practices for distributing items of privacy and victims’ rights, to those who have a “need to

know”, such as prosecutors or partner agencies, when a multi-agency investigation occurs.

The following DSU Police Department policies thoroughly explain the procedures and policy for handling all case reports in respect to privacy and victim rights:

Policy 801 – Property and Evidence
Policy 802 – Records Management
Policy 803 - Records Maintenance and Release
Policy 804 – Protected Information
Policy 805 – Jeanne Clery Campus Security Act

Title IX Office:

The Title IX Office is governed by current Policy 154 (Title IX, Harassment and Nondiscrimination), which is being changed to comply with the new Federal Regulations that were just announced May 6, 2020. Confidentiality is paramount, and only those campus officials who are deemed “need to know” are informed of complaints. This may include campus police, general counsel, and the CARE (Crisis Assessment and Risk Evaluation) Team.

Dean of Students:

The Dean of Students Office partners with Campus Police and the Title IX Office ensures compliance with policy. A committee was recently assembled, and we are holding weekly meetings to ensure compliance and implementation of the new regulations that were announced a few weeks ago. Jurisdiction of the incident is important – because not all situations will be Title IX related at this point. Some cases will be handled through the standard Student Code of Conduct and not through Title IX. The CARE Team meets weekly, general details are discussed, and the combined knowledge of the group provides direction for how the case will be best handled.

- 2. How is sensitive evidence of crime being protected from in-department and out of department dissemination beyond that which is reasonably necessary to investigate and prosecute the crimes alleged? How long is evidence held and what is the policy for returning or destroying the evidence to victim at the conclusion of the case?**

Campus Police Department:

Our police Records Administrator is certified through the state of Utah for records handling, in accordance with state and federal guidelines and procedures. The Records Administrator also follows department policy and procedure listed below.

Our Evidence Technician is a sworn law enforcement officer in the department, who has completed nationwide certification in proper storage, destruction, and handling, or evidence, according to industry best practices.

We purchase department owned cell phones specifically for use in collection of evidence and investigative needs, without any cross contamination or need for use of personal cell phones. We have policy/procedure specifically to address cell phone use.

We also use Axon for body camera recording, photograph, and digital evidence storage. Axon systems provide all security stored and access is provided through agency administrators only. Access to all evidence is limited to selected persons, and the ability to download/disseminate information is highly restricted.

Policy 801 – Property and Evidence

Policy 802 – Records Management

Policy 803 - Records Maintenance and Release

Policy 804 – Protected Information

Policy 422 – Portable Audio Video Recorders (Body Cameras)

Policy 701 – Personal Communication Devices

Policy 1103 – Department Issued Cell Phone Use and Expectations

Title IX Office:

The Title IX Office does not keep evidence of crimes in the Title IX Office.

Dean of Students:

The Dean of Students Office does not keep evidence of criminal action.

3. What measures are taken to discipline law enforcement officers who violate policy and procedures that would violate victim's privacy including reporting violations to Utah agencies that have oversight over law enforcement officers?

Campus Police Department:

State law mandates and requires any violations of law or issues concerning honesty and integrity be provided to Utah Peace Officer Standards and Training (POST) for investigation. Dixie State University has forwarded two such cases to POST in the past year. One case was sent for officer ethics issues, and the second case was sent for officer mental health issues. I can provide full case files for these incidents if

requested, but DSUPD administration and DSU Human Resources maintain files with POST notification and involvement.

Utah State Code: Title 53, Chapter 6 part 2 Section 211
Policy 320 – Standards of Conduct
Policy 343 – Discipline and Disciplinary Matrix

Title IX Office:

This question does not apply to the Title IX Office.

Dean of Students Office:

This question does not apply to the Dean of Students Office.

4. What training has been given to campus law enforcement officers regarding best practices and procedures for handling victims reporting crimes—especially crimes involving sexual violence, criminal stalking and dating violence. Has law enforcement been given adequate training by professionals outside of the department?

Campus Police Department:

Every officer at Dixie State University has completed, or is scheduled to complete, the 40 hour Utah Peace Officer Standards and Training (POST) course titled: **Adult Sex Crimes Investigations**, taught by the Utah Department of Public Safety and local experts, in how to properly handle all sexual violence, criminal stalking, and dating violence case investigations. This course is typically for detectives. I specifically require every officer at DSU to complete this course because it is vital they know and understand how to properly handle these types of case investigations.

In addition to the POST course, we have in-house training in which we partner with the DOVE Center, SANE Nurses, and St. George PD victim advocates, on how best to serve victims of crime while maintaining and improving our current best practices in these types of case investigations.

I believe DSU police officers receive adequate training from outside professionals as well as in-house trainings on this specific issue.

Title IX Office:

This question does not apply to the Title IX Office.

Dean of Students Office:

Over the past 12 years of employment at DSU, the current Dean of Students has had numerous opportunities to interact with Campus Police (most often the Chief) in continually addressing best practices, discussing training, including officers in important procedural decisions regarding procedure and protocol etc.

5. Does the campus provide victim advocate resources for students? How is this information regarding availability of victim advocate resources being delivered to students?

Campus Police Department:

Yes, but not directly through Dixie State University programs or personnel. We partner with the DOVE Center to provide victim advocacy assistance to victims of crime. We also partner and receive services from the St. George City Victim Advocates office.

We have many different information and resource pamphlets and materials located in our police department lobby, and our officers carry these resource items to calls and leave them with victims of crime after explaining how to contact advocate services.

Additionally, DSU's campus safety plan, which serves as a one-stop shop for reports, training, and victim resources, is prominently displayed on the police department's main webpage.

Title IX Office:

The Title IX Office does not have a victim advocate on staff. However, we work closely with the DOVE Center by referring students to them for their services. The DOVE Center has an advocate on campus one day a week for two hours during Fall and Spring semesters. The Title IX Office also regularly refers students to this valuable free resource. We have pamphlets for the DOVE Center and flyers for the on-campus advocate that we pass out to students.

Dean of Students Office:

The Dean of Students Office works in tandem with several civic and community entities. The Dean of Students regularly refers students to the appropriate services we offer on campus, and make students aware of services through the DOVE Center and our own Title IX office.

6. Are victims made aware of their right to obtain victim advocate support and how to access those resources? Are victims made aware of the availability of obtaining personal protective orders, including stalking, dating violence and sexual violence injunctions? Are they provided the forms or directions on how to access these self-help protections?

Campus Police Department:

Yes. We participate in the Lethality Assessment Protocol (LAP) and Trauma Informed Victim Interview (TIVI) in partnership with the DOVE Center and in accordance to industry best practices. We provide on-scene contact to victim advocate resources for victims with our department issued cellular phones, and provide the information pamphlets mentioned in question five. Officers address the process and procedures, with location and additional assistance, regarding stalking and sexual violence injunctions available in the courts.

Title IX Office:

As stated above, each student who comes through the office is told about the DOVE Center and given either a pamphlet or a flyer about their services. If a student is in a situation where a protective order, or an injunction is needed, the Title IX Coordinator discusses the possibilities of obtaining one and refers them to the 5th District Court Self-Help webpage (utcourts.gov/selfhelp), where there are directions on how to obtain protective orders.

Dean of Students Office:

Yes. Typically this knowledge and specifics for service would be provided for them through other resources, but the Dean of Students makes certain they are able to access them in a timely and responsible manner.

7. After the most recent incident regarding alleged mishandling of evidence by law enforcement, how do you establish the confidence and trust of students in campus law enforcement and administration that their complaints will be handled seriously and with sensitivity so victims will feel comfortable in coming forward to report abuse and acts of violence inflicted on students.

Campus Police Department:

Trust in law enforcement is not something that can be addressed after an incident demonstrates failures to meet minimum standards of care. Trust and competency comes through developing a complete community oriented policing culture within the agency. Hiring, training, enforcement, engagement, protection, and service, all need to be focused around community oriented policing.

The second way campus law enforcement and administration can develop and gain trust in their community is through agency accreditation. Campus law enforcement need to focus on transparency, opening their processes, procedures, and policies, to an outside agency for review and analysis. Receiving agency accreditation from an independent third party really helps demonstrate you meet or exceed current industry best practices.

Title IX Office:

Comfortability coming forward and trusting the police only happens when there is good leadership at the top and when there is a good track record of officers doing what is expected of them. We have that here at Dixie State University. Chief Barfuss has transformed our police department into a respected and trustworthy department. He has led by example and excellence is now the standard. When I talk with students now who may be leery of going to the campus police, I feel confident in assuring them that their case will be handled seriously, professionally, with sensitivity, and in a timely manner.

Dean of Students Office:

The most important thing the Dean of Students can do is be visible and accessible to the students. The Dean works hard to maintain regular correspondence and communication with our students, so that if and when a situation arises they will know where to turn for assistance, or feel comfortable in bringing a friend or roommate to seek services and support through the Deans office. The Dean of Students trust and respect Chief Barfuss. He relies on his knowledge and expertise to guide him in many difficult situations where a tough decision must be made. He is the perfect campus Chief of Police because he is thorough and knowledgeable, yet approachable. He maintains positive rapport with his officers and with the campus as a whole. The Dean of Students never hesitates telling students that they'll feel supported and comfortable in talking with our officers. The Dean of Students is confident the student issues he sends to DSUPD will be handled appropriately and professionally.

Conclusion:

In short, the Utah Chiefs of Police Association (UCOPA) accreditation has validated our ability to meet or exceed requirements in response to the questions given above. I have attached the UCOPA accreditation process by chapter, which required "proofs" for each standard. Dixie State University is the only university police department to have received full accreditation from any accrediting body. We are now in the International Association of Campus Law Enforcement Administrators (IACLEA) accreditation process, which is an international and "higher" accreditation standard for university policing. I personally believe our campus police department is a model for how a campus police

department should be ran. I think it is important to note that we still need significant funding to provide appropriate and 24 hour coverage. We have been adding to the department annually, however, it would be nice to have a legislative appropriation to provide the funding necessary to have a police department appropriately funded.

Attachments:

Policy 154 – Title IX, Harassment and Nondiscrimination

Policy 318 Victim and Witness Assistance

Policy 320 – Standards of Conduct

Policy 343 – Discipline and Disciplinary Matrix

Policy 422 Portable Audio Video Recorders (Body Worn Camera)

Policy 701 – Personal Communication Devices

Policy 801 – Property and Evidence

Policy 802 – Records Management

Policy 803 - Records Maintenance and Release

Policy 804 – Protected Information

Policy 805 – Jeanne Clery Campus Security Act

Policy 1010 – Personnel Complaints

Policy 1103 – Department Issue Cell Phone Use Expectations and Clarifications

Utah Code

UCOPA – DSUPD Accreditation Process by Chapter 2019

Dixie State University Police Department Policy Manual