

ORDINANCE #2243

**AN ORDINANCE OF THE BOROUGH OF STATE COLLEGE,
PART 1, CHAPTER 916, COMMUNITY OVERSIGHT BOARD
AMENDMENT FOR THE POLICE DEPARTMENT, IS HEREBY
AMENDED TO READ AS FOLLOWS:**

Definitions. For purposes of the ordinance, the following terms shall have the following defined meanings:

BOROUGH – The Municipality of State College

BOARD — The Community Oversight Board.

CLOSED CASES — The statute of limitations for all possible civil action against the Borough of State College has ended and any lawsuits filed have been fully adjudicated.

DEPARTMENT — The State College Police Department.

ORDINANCE — The Borough ordinance that created the Board, as amended.

POLICE SERVICE AREA — The Police Service Area includes the municipalities of State College, College Township, and Harris Township.

POLICY — Any policy or practice of the Department and any other policy or practice of the Borough or any of its agencies to the extent that it governs or otherwise bears on the work of the Department.

- a. Establishment of Community Oversight Board for the Borough of State College Police Department.
 - (1) There is hereby established a Community Oversight Board for the State College Police Department.
- b. Purpose; Scope of Oversight. The Board’s objectives are to:
 - (1) Act as a resource to Council by providing independent analysis and recommendations on problems, underlying issues, and causes to ensure that Department policies and practices support human and civil rights. The objective of these efforts is to reduce or eliminate systemic bias, prevent misconduct, and build partnerships that promote trust and understanding between law enforcement and the community.
 - (2) Work to create an environment which allows for better communication, understanding, and relations between the Department and the community.
 - (3) Provide a means to review police services in the police service area as defined, with the goal that everyone who lives, works, studies in, or visits the Department’s Service Area may live safely and experience equitable treatment by the police.
- c. Authority and Power.
 - (1) The Board is authorized to receive, process, and follow-up on complaints about the Department from members of the community through a civilian complaint process. The Board should facilitate resolution of these complaints, support individuals seeking to file formal complaints, and, when necessary, make policy recommendations. As set forth in Section g.1, complaints received through the CCP that involve alleged abuse of a

minor, physical injury, or threats of injury shall be referred to the Department for investigation through the Department's internal affairs process.

- (2) The Board is authorized to conduct oversight functions and make recommendations to the Borough Council, the Borough Manager, and the Department regarding law enforcement policies, practices, and procedures. The Department shall provide the Board with timely and unfettered access to necessary information within limits imposed by law, and provide timely, written, and detailed responses to Board questions and/or recommendations. Oversight shall include data analysis, monitoring, and independent review of closed cases.
 - (3) To increase transparency, the Board, at its discretion, is authorized to recommend strategies to provide education and training in the community and to support outreach activities, to engage with stakeholders and community members, and to expand the information available to the public.
 - (4) The Board is authorized to develop and implement a communications plan to promote law enforcement transparency, to convey community concerns to the Department, and to publish an annual report documenting the Board's activities, findings, recommendations, and the Department responses to Board oversight.
 - (5) The Board is authorized to coordinate with existing Borough of State College Authorities Boards and Commissions (ABCs), The Pennsylvania State University, other oversight boards, other Police Departments, and other community organizations to draw on their expertise to advance Board oversight of Department policies and practices.
- d. Nature of the Board. The Board is established by the Borough Council. The Board will exercise its authority and judgment independent of Borough administration as authorized by this Ordinance. The Board shall provide advice, through reports and recommendations, to the Borough Council, the Borough Manager, and the Chief of Police, with respect to matters concerning the Department consistent with the authority in this ordinance. The creation and operation of the Board shall not impair the authority and responsibility of the Police Chief, the Borough Manager, and the Borough Council, as provided in the Borough Charter. Reports, recommendations, conclusions, and findings produced by or for the Board are not binding, factually or legally, on the Borough or any part thereof, including the Department, the Borough Manager, the Borough Solicitor, and the Borough Council.
- e. Board Membership and Requirements.
- (1) The Board shall consist of seven voting members appointed by the State College Borough Council, none of whom are employed by or elected officials of the municipalities in the police service area; a Chairperson and Vice Chairperson will be selected annually from and by the Board members.
 - (2) Qualifications of All Board Members.
 - (a) Members must currently live in the police service area.

Members must have demonstrated capacity for open-mindedness and impartiality and a commitment to the civil rights of all affected parties.

- (b) Members must complete all training required for the position.
 - (c) Members must sign a confidentiality statement promising to maintain and protect the status of confidential information.
 - (d) Members selected should reflect the broadest possible diversity with particular attention to categories of people who have suffered past institutional discrimination in terms of race, ethnicity, gender, gender identity, LGBTQ identity, history of incarceration, immigration or citizenship status, religious minorities, veterans and persons from any other marginalized or underrepresented groups.
- (3) Categories of Membership. Borough Council has a special interest in appointing persons with the following specific experience:
- (a) Involved in community organizations related to serving persons in need.
 - (b) Understanding or appreciation of the role played by systemic racism in society.
 - (c) Knowledge of law enforcement but not employed in a law enforcement position during the previous three years.
 - (d) Background connected to behavioral health and/or intellectual disabilities.
 - (e) Knowledge or understanding of the experiences of children in State College area schools related to policing.
 - (f) Penn State student who lives in the police service area.
- (4) Meetings. The Board shall hold, at a minimum, quarterly meetings.
- (5) Terms. Terms for voting members shall be three years and shall be staggered so that approximately 1/3 of the voting members' terms expire each year.
- (6) Term Limit. No person serving on the Board continuously for nine years shall be eligible for reappointment until the lapse of at least three years.
- (7) Removal of Members. Borough Council may remove on their own or based on a recommendation from the Board any member for cause related to any of the following:
- (a) Failure to complete required training.
 - (b) Failure to attend three consecutive meetings, or three meetings in a calendar year or failing to participate in the work of the Board.
 - (c) Violation of confidentiality, failure to recuse in matters containing a conflict of interest, failure to remain impartial, or other inappropriate action.
- (8) Filling Vacancies. If a seat on the Board becomes vacant, it shall be filled in accordance with the Borough Council's practice on filling authorities, boards, and commission vacancies.

f. Board Training Requirements.

(1) Orientation. A newly appointed member must complete an orientation process which includes:

- (a) An overview of Board policies and procedures.
- (b) An overview of Department policies and procedures, including **those related to internal reviews of use of force incidents, training practices especially for use of force, and anti-bias-based policing and immigration.**
- (c) One ride-along with a Department officer (or equivalent experience under exceptional circumstances).
- (d) Following the initial appointments, any newly appointed Board member must attend one Board meeting as an observer prior to participating in any Board meeting.
- (e) Training of Board members should follow recommendations and training guidelines of the National Association for Civilian Oversight of Law Enforcement (NACOLE) and should be tailored to meet the evolving needs of the Board and the community it serves. Additional training topics may be recommended by Council as part of the annual report requirements listed in Section g.5.c.

(2) Continuing Education.

- (a) In addition to annual updates on topics addressed during the initial training, Board members may receive ongoing continuing education, to include but not limited to additional Department ride-alongs, membership in NACOLE, and participation in training related the purpose of the Board based on available funding.
- (b) The Board should evaluate the utility and/or relevance of participating in the Department's annual in-service training that, in the opinion of the Board, supports effective oversight and training requirements.

g. Duties, Responsibilities, and Limitations.

(1) Civilian Complaint Process. The Board shall facilitate a civilian complaint process that is independent from any existing complaint process in the Department. This alternative means for filing a complaint does not replace or alter the Department Internal Affairs Section procedures for receiving and investigating complaints or allegations of officer misconduct. Complaints received through the CCP that involve abuse of a minor, physical injury, or threats of injury shall be referred to the Department for investigation through the Department's internal affairs process.

This civilian complaint process shall be detailed and clearly outline the procedures for receiving, processing, investigating, and adjudicating each complaint received.

(2) Oversight.

- (a) Data Analysis. The Board shall, within limits imposed by law, have access to, collect, and examine relevant information used to track performance measures and assess outcomes related to police practices and community perceptions.

Dissemination of results will take place in a quarterly or annual report. Analysis of performance measures and outcomes include but are not restricted to the following:

- (b) Monitoring.
 - (i) At least two (2) Board members shall hold quarterly policy reviews with the Department to review redacted summaries of all incidents involving use of force involving any injuries and any complaints received by the Department or through the Board's established CCP, in order to ensure fairness and consistency, and actions consistent with the Department's disciplinary protocol.
 - (ii) Within the limits imposed by law, the information to review may include, but is not restricted to:
 - [a] Use of force and discharge of firearms, including closed cases involving serious injury or death.
 - [b] Search and seizure; domestic violence; pursuit; prisoner detention and transportation management.
 - [c] Race-bias concerns, as well as concerns of other types of bias.
 - [d] Complaint history (early warning system/officer conduct, off-duty expectations, self-reporting of incidences, confidentiality and transparency).
 - [e] Budget, resources, and law enforcement responsibilities.
 - [f] Mental health and crisis intervention response.
- (c) Auditing. The Board Coordinator assigned to the Board shall conduct real-time observation of all internal affairs investigations by observing interviews, asking questions, and observing the overall direction of the Department's disciplinary process and procedures. At the completion of these investigations, the Board Coordinator shall provide information and outcomes to the Board's Monitoring Committee.
- (d) Independent Review of Closed Cases. Within the limits imposed by law, investigation by an independent investigator of closed cases involving use of force resulting in serious injury or death when questions persist even after the monitoring functions have been completed. Investigations will occur at the conclusion of litigation if pursued and will be conducted primarily for the purpose of making policy recommendations to the Council, the Department, and the Borough Manager.
- (3) Education and Training. The Board may recommend strategies to provide education and training in the community to promote understanding of:
 - (a) Diversity, inclusion, equity, immigration, implicit bias, systemic racism, and cross-cultural communication.
 - (b) Legal procedures, community policing and procedural fairness.
 - (c) Police procedures related to de-escalation strategies, handcuffing and restraints, and use of force, including use of TASERS.
 - (d) Behavioral and mental health, physical health, and domestic violence.

- (e) Other issues related to the mission and goals of the Board.
- (4) Outreach and Community Engagement. The Board may foster community engagement and conflict resolution through the following:
 - (a) Supporting community organizations whose missions reflect Board objectives and goals.
 - (b) Facilitating and/or supporting community solutions to address current and past community complaints.
 - (c) Safeguarding the confidentiality of community participants and making it a priority to protect them from retaliation.
- (5) Communications. The Board shall:
 - (a) Develop a plan to keep the public informed of Board activities and to receive community feedback.
 - (b) Promote transparency by providing information to the public, within the limits imposed by law, on law enforcement activities, including release of information and demographics related to use of force, TASER use, body camera recordings, injuries sustained, and other police interactions.
 - (c) Publish an annual report documenting the Board's activities, findings, recommendations, and the Department's responses to Board recommendations and oversight.
 - (i) The annual report shall include a schedule **and details** of the required training that Board members attended during the reporting period.
 - (ii) The annual report shall include a plan for Board training in the upcoming year.
- (6) Limitations. Some of the limitations the Board may have in performing their duties and responsibilities include but may not be limited to any or all of the following:
 - (a) Act 111 of 1968 (police collective bargaining agreements; binding interest arbitration).
 - (b) Borough Code (Title 8, Chapter 11).
 - (i) Civil Service (Subchapter J).
 - (c) Criminal History Record Information Act (CHRIA) (Title 18, Chapter 91).
 - (d) Municipalities, Home Rule and Optional Plans (Title 53, Part III, Subpart E) - State College Home Rule Charter.
 - (e) Act 22 of 2017 (specifically, Chapter 67A of the Act related to recordings by law enforcement officers).
 - (f) Open meetings (Title 65, Chapter 7) - executive session, meeting, work session; exceptions.

h. Board Staffing and Support

(1) Board Coordinator

- (a) The Borough Manager will assign a Borough administrator to serve as the Board Coordinator. The Board Coordinator and the Board Chairperson should meet monthly, at a minimum, to discuss Board-related matters and to plan the full Board meetings.
- (b) The duties and responsibilities of the Board Coordinator, subject to Board review and approval, include but are not limited to the following:
 - (i) Provide administrative and coordination support to the civilian complaint process.
 - (ii) Provide administrative and coordination support to the Board's data analysis, monitoring tasks.
 - (iii) Provide administrative and coordination support to the Board's outreach strategies that provide education and training, promote community engagement, and partnership building.
 - (iv) Provide administrative and coordination support for the drafting, publication, and dissemination of the Board's Annual Report.
 - (v) Review progress by the Department towards implementation of International Association of Chiefs of Police (IACP) recommendations, Crisis Intervention Team (CIT) procedures, and responses to recommendations from the Task Force on Policing and Communities of Color, the Task Force on Mental Health Crisis Services, and other community studies. Ongoing oversight functions (data analysis, monitoring, investigating).
 - (vi) Ongoing oversight functions (data analysis, monitoring, investigating)

(2) Facilities and Staff Support. The Borough shall provide the Board with suitable facilities for the conduct of its meetings and other business. The Borough shall provide the necessary staff and services to provide administrative support for operations, including assistance with scheduling and hosting Board meetings, obtaining necessary equipment, providing necessary technology support and the preparation and dissemination of information.

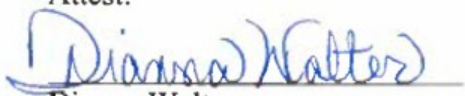
(3) Contracted Services.

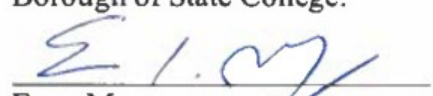
- (a) When necessary for the Board to address their oversight duties and responsibilities, the Board may request from Borough Council, through the Board Coordinator, authorization to contract for any of the following services:
 - (i) Independent legal counsel.
 - (ii) Data analyst.
 - (iii) Other subject matter expert.
- (b) Any contracted services provided must adhere to the Borough's procurement procedures.

i. Effective Date. This ordinance shall take effect immediately.


ENACTED AND ORDAINED this 4th day of May 2026.

Attest:


Dianna Walter
Assistant Borough Secretary

Borough of State College:

Evan Myers
President of Council

EXAMINED AND APPROVED as an Ordinance this 4th day May 2026.


Ezra Nanes
Mayor

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