



***RULES FOR THE  
OPERATION OF THE  
MARQUETTE UNIVERSITY  
POLICE DEPARTMENT  
ADVISORY BOARD***

# **ARTICLE I: ORGANIZATION OF THE MARQUETTE UNIVERSITY POLICE DEPARTMENT ADVISORY BOARD**

## **§ 100. Definitions.**

- (1) **Advisory Board** means the Marquette University Police Department Advisory Board.
- (2) **Board of Trustees** means the Board of Trustees of the Marquette University.
- (3) **Chief** or **Police Chief** means the Chief of the Marquette University Police Department.
- (4) **Marquette** means Marquette University.
- (5) **MUPD** means the Marquette University Police Department.
- (6) **President** means the President of Marquette University.
- (7) **University** means Marquette University.

## **§ 101. Establishment of the Marquette University Police Department Advisory Board.**

- (1) The Marquette University Police Department Advisory Board is established pursuant to the Resolution adopted by the Board of Trustees of Marquette University on February 25, 2015 creating a University police department. The Advisory Board operates under authority of a Charter approved by the University.
- (2) In the administrative structure of Marquette University, the Advisory Board reports to such University official as the President shall designate from time to time. The Advisory Board is not part of the Marquette University Police Department and does not exercise operational authority over the MUPD.

## **§ 102. Responsibilities of the Advisory Board**

The responsibilities of the Advisory Board include the following:

- (1) Providing advice and recommendations to the Board of Trustees, the President, the University official to whom the Advisory Board reports, or to the Chief with respect to MUPD policies, procedures and activities.
- (2) Reviewing complaints against MUPD personnel as provided for in the MUPD Citizen Complaints Policy and Procedure and making recommendations to the Chief and to the University Officer to whom the Advisory Board reports with respect thereto.
- (3) Undertaking such other duties as may be assigned from time to time by the Board of Trustees, the President, or the University Officer to whom the Advisory Board Reports.

## **§ 103. Appointment of Advisory Board Members.**

- (1) Members of the Advisory Board are appointed by the President and serve at the pleasure of the President.
- (2) The Advisory Board is comprised of the following members:
  - (a) A Marquette employee who is appointed by the President to serve as the Chair of the Advisory Board.
  - (b) A Marquette University faculty member who is nominated by the Academic Senate.
  - (c) A Marquette University staff member other than an employee of the MUPD who is nominated by the Staff Senate.
  - (d) A Marquette student who is nominated by the Marquette University Student Government.
  - (e) A community member.
- (3) There are no alternate members of the Advisory Board.

## **§ 104. Terms of Office.**

- (1) The term of appointment to the Advisory Board shall be for three years, except as follows:
  - (a) The term of appointment of the student member shall be for one year.

- (b) The initial term of appointment for the Marquette faculty member shall be for two years.
- (c) The initial term of appointment for the Marquette staff member shall be for one year.
- (2) The President may re-appoint Advisory Board members at the expiration of their respective terms of appointment.

**§ 105. Vacancies on the Advisory Board.**

- (1) Should an Advisory Board member's seat become vacant during the member's term of appointment, the President shall appoint a replacement to complete the vacating member's term of appointment.
- (2) If an Advisory Board member is a Marquette employee, the member's appointment shall terminate upon the termination of the member's employment by Marquette.

**§ 106. Officers of the Advisory Board.**

(1) **Chair.**

(a) **Selection.** The Chair of the Advisory Board is appointed to that position by the President.

(b) **Duties.** The Chair of the Advisory Board shall have the responsibility to:

1. Set the agenda for Advisory Board meetings, which shall include any item requested by any Advisory Board member;
2. Preside over Advisory Board meetings;
3. Serve as public spokesperson for the Advisory Board in cooperation with the University's Office of Marketing and Communication;
4. Appoint Advisory Board members to any committees that are created by the Advisory Board from time to time; and
5. Take such other action as is necessary to assure that the duties of the Advisory Board are properly discharged.

**(3) Vice Chair.**

(a) **Election.** The Advisory Board shall elect a Vice Chair at the first meeting of the Board following the commencement of each new academic year.

(b) **Duties.** The Vice Chair of the Advisory Board shall have the responsibility to:

1. Preside at Advisory Board meetings when the Chair is absent;
2. Assume the responsibilities of the Chair when requested to do so by the Chair; and
3. Perform such other Advisory Board duties as requested by the Chair.

**§ 107. Legal Counsel for the Advisory Board.**

The Vice President and General Counsel shall designate an attorney to serve as legal counsel to the Advisory Board.

**§ 108. Address of the Advisory Board.**

All correspondence with the Advisory Board, its officers, and its members shall be sent to the following address:

Marquette University Police Department Advisory Board  
c/o Marquette University General Counsel  
P. O. Box 1881  
Milwaukee, Wisconsin 53201-1881

**§ 109 Public Notice of Advisory Board Activities.**

- (1) The Advisory Board maintains a page on the University's website at <http://www.marquette.edu/mupd-advisory-board>.
- (2) The Advisory Board uses this page to post its Charter, these Rules of the Advisory Board, Advisory Board meeting notices and agendas, approved minutes of the public portions of past Advisory Board meetings, periodic reports of Advisory Board business, and other Advisory Board items deemed to be of interest to the communities served by the MUPD.

**§ 110. Service of Process on the Advisory Board.**

The Advisory Board designates the Marquette University General Counsel, whose offices are located at 1250 West Wisconsin Avenue, Suite # 205, Milwaukee, Wisconsin 53233, as its agent to receive legal process addressed to the Advisory Board or to any of its members in their Advisory Board capacities, unless personal service of process is otherwise required by law.

**§ 111. Rules of the Advisory Board.**

- (1) These Rules of the Advisory Board shall govern the conduct of all business relating to the duties and responsibilities of the Advisory Board.
- (2) These Rules of the Advisory Board and any amendments thereto shall take effect upon adoption by the Advisory Board at a regular meeting thereof and shall remain in effect until such time as they are repealed or amended in whole or in part.
- (3) These Rules of the Advisory Board are subject to any applicable provisions of state and federal law. It is the express intention of the Advisory Board to comply with all applicable state and federal laws as they relate to any Advisory Board functions.

**§ 112. Duty of Confidentiality.**

Members of the Advisory Board have a duty to maintain confidentiality with respect to any matter considered by the Board that is confidential as a matter of law, these Advisory Board Rules, or Advisory Board determination. This duty pertains during each member's term of service on the Board and continues after completion of each member's period of service on the Board.

**§ 113. Records Retention Policy.**

Official records of the activities of the Advisory Board are maintained by the Marquette University General Counsel. Retention shall be for a period of seven years.

**§ 114. Annual Report of Advisory Board Activities.**

On at least an annual basis the Advisory Board shall file a report of its activities with the Board of Trustees and with the President, which report shall be publicly available.

## **ARTICLE II: ADVISORY BOARD MEETINGS**

### **§ 200. Schedule of Meetings.**

- (1) The Advisory Board shall meet at least twice during the fall semester of each academic year and at least twice during the spring semester of each academic year.
- (2) Advisory Board meetings are held at times set by the Advisory Board during an official business meeting, at the call of the Chair, or upon the written request of at least two members of the Advisory Board.
- (3) Meetings of the Advisory Board are held during the summer session only if there is a business necessity for such meetings.

### **§ 201. Location of Meetings.**

The Advisory Board meets at locations on the Marquette University campus at such locations as announced in the Advisory Board's meeting notices.

### **§ 202. Notice of Meetings.**

- (1) Public notice of each meeting of the Advisory Board shall be posted on the Board's page of the Marquette University website.
- (2) The notice of meeting shall set forth the time, date, place and agenda of the meeting.

### **§ 204. Meeting Agenda.**

- (1) The Chair shall set the agenda for each meeting and cause it to be included in the notice of meeting.
- (2) In setting the agenda the Chair shall include any item of business requested by any Advisory Board member.

#### **§ 204. Order of Business.**

The ordinary order of business for meetings of the Advisory Board is as follows:

1. Call to Order
2. Roll Call
3. Consideration of Minutes of Previous Meeting(s)
4. Police Chief's Report on MUPD Activities
5. Unfinished Business from Prior Meetings
6. New Business
7. Public Comments
8. Determination of Next Meeting Date
9. Adjournment

#### **§ 205. Public and Closed Portions of Advisory Board Meetings.**

Meetings of the Advisory Board are open to the public and the business of the Advisory Board shall be conducted in open session, provided that the Advisory Board may upon motion duly made, seconded and approved, convene in closed session to consider MUPD personnel matters, strategies for crime detection or prevention, any matters which by law are subject to confidentiality requirements, and any other matter the Advisory Board deems appropriate for consideration in closed session. The Advisory Board may invite non-members to attend closed sessions when their presence is essential to the agenda of the closed sessions.

#### **§ 206. Quorum.**

A majority of the members of the Advisory Board shall constitute a quorum for the transaction of any business at a meeting of the Advisory Board.

#### **§ 207. Vote Required to Take Action.**

- (1) The act of a majority of Advisory Board members shall be the act of the Advisory Board.
- (2) Only duly appointed members of the Advisory Board may vote on matters at an Advisory Board meeting.
- (3) Proxy voting is not permitted at Advisory Board meetings.



**§ 209. Rules of Order.**

The then current edition of *Robert's Rules of Order* shall be the rules of order for the conduct of business at Advisory Board meetings, unless otherwise provided by these Rules of the Advisory Board or unless the Advisory Board waives those rules of order or specified provisions thereof for a particular meeting.

## **ARTICLE III: CITIZEN COMPLAINTS**

### **§ 300. Definitions.**

- (1) **Complainant** means a person who files a complaint alleging misconduct by an MUPD employee. Under ordinary circumstances the complainant must be person directly affected by the alleged misconduct or must have been an eyewitness to the alleged misconduct.
- (2) **Complaint** means an allegation of misconduct by an MUPD employee that is made pursuant to the procedures prescribed in this policy.
- (3) **Misconduct** means conduct by an employee of the MUPD which violates (1) law, (2) MUPD rules, regulations, policies or procedures, or (3) other standards of conduct that must be observed by University employees.

### **§ 301. Role of Advisory Board in the Citizen Complaint Process.**

- (1) A citizen complaint alleging misconduct on the part of an MUPD employee must first be processed pursuant to the MUPD Citizen Complaints Policy and Procedure.
- (2) Once the formal complaint process prescribed by the MUPD Citizen Complaints Policy and Procedure has been concluded with the rendering of a decision by the Chief of Police, the complainant or the MUPD employee complained against may request that the Advisory Board review the matter. Review by the Advisory Board is not an appeal of the Chief's decision; rather, it is a mechanism through which the Chief of Police and the University Officer to whom the Advisory Board reports can receive the Board's advisory opinion with respect to the merits and the disposition of the complaint.

### **§ 302. Advisory Board Procedures for Review of Citizen Complaints.**

- (1) The process of Advisory Board review is initiated with the filing of a written request for review by the complainant or by the MUPD employee complained against. The request must be submitted to the Advisory Board at the address specified in § 108 of these Rules.
- (2) Upon receipt of a written request for review, the Advisory Board will undertake a process that it deems appropriate for the matter. This may include a review of the complainant's original written complaint and the written records generated during the course of the investigation of the complaint by the MUPD, interviews of the parties and witnesses, a request for additional investigation by the MUPD, and such other measures as the Advisory Board deems necessary to complete its review.

(3) Upon completion of its review, the Advisory Board will submit a written statement of its recommendations with respect to the merits and disposition of the complaint to the Chief of Police and to the University official to whom the Advisory Board reports.

**§ 303. Confidentiality of Advisory Board Review Process.**

Advisory Board review of citizen complaints pursuant to this Article are conducted with confidentiality, except insofar as disclosure of information related to the review is required by law.

**§ 304. Periodic Reports Regarding Citizen Complaints.**

On at least a semiannual basis the Chief of Police will provide the Advisory Board with a summary of all citizen complaints filed during the preceding six months and the disposition with respect to those complaints.