

Oakwatch September 21st, 2022

Topic: Student Conduct

People: Wanda Wilson; Lizabeth Gray; Sam Gallagher; Matt Landy, Pitt conduct; Steve Anderson, Pitt conduct; Bradley John Kiefer, Elena Zaitsoff, Kathy Gallagher, Janice Markowitz, John Tokarski, Department of Safety; Jeff Colello, Pitt police; Bradley John Kiefer, Pitt police; Katie Emmert; Mary Shea.

The meeting began with Wanda Wilson introducing herself and Oakwatch. Oakwatch works to improve the quality of life in Oakland by bringing people and institutions together to identify code violations, advocate for remediation, and monitor the outcomes.

Oakwatch holds quarterly meetings on the third Wednesday of the month at 7:00 p.m. In between meetings, we provide monthly resources from our partners in the community.

Wanda remarked that we're hearing from neighbors about disruptive off-campus parties, lots of noise, unsafe conditions due to so many people in small buildings, underage and binge drinking, and general disruptive behavior. Tonight we want to focus on giving partners at Zone 4 and the Pitt police an opportunity to address that.

Wanda recognized the presence of John Tokarski on behalf of the City of Pittsburgh Department of Public Safety. Officer Tokarski noted that he reached out to the other three officers who were to be present that night.

Wanda laid down the groundwork and focus for the night's meeting on the work of Oakwatch specifically related to public disruptions, underage drinking, and large parties. These are all a hazard to student safety and resident safety overall. Without adequate enforcement of the Pitt Code of Conduct and the City of Pittsburgh Code, lots of illegal activity goes without consequences and becomes a risk of leading to other illegal activities, which endangers everyone in Oakland. Wanda noted that Oakwatch has lots of history with addressing these challenges.

Wanda then made it clear that Oakwatch was looking for citations to be issued to students without warning, parties to be broken up, and tracking mechanisms to be put in place to understand the impact of student conduct and the consequences that the neighborhood is seeing. She wanted to discuss the stream of data needed to report specific incidents, including where you can see it on blotter, citations, how Pitt police are working on it, and how it might lead to a disruptive properties ordinance.

Wanda then noted Oakwatch's historical success with public safety and working cooperatively with public safety officials. She introduced John Tokarski, Lieutenant Kiefer of the Pitt Police, and Director Landy of Student Conduct at Pitt.

Wanda noted that the night's meeting was for residents of Oakland to articulate concerns, then the opportunity to understand how and when citations are being written, where to see that on the blotter, how that goes to the magistrate court and the student conduct process.

Wanda was going to start with Zone 4, but in their absence began with Lieutenant Kiefer, asking him for an overview of the past few weeks of Pitt police work.

Lieutenant Kiefer noted that once the department receives reports of repeated offenses, they then generate a Knock-and-Talk list, which he deems successful. Pitt police also have an agreement with

Community Engagement to do check-ins with any houses with repeat offenses and will have a fact-sharing session to try and identify problem houses and nip it in the bud.

Q: What do you mean specifically by nip it in the bud? Do you write citations when those events are happening?

A: For Pitt police to write citation, we need probable cause and for it to be within our jurisdiction. Residents call outside of jurisdiction sometimes and we will respond if Pitt students are believed to be the cause, but otherwise we might not respond. The other situation where we don't respond is in an emergency situation where medical amnesty applies.

Wanda asked to dig into issues within the Pitt police jurisdiction, since that's the majority of issues in Oakland, specifically about the probable cause item.

Q: If you're at a property where someone has called in a concern about a legal issue, such as too many people or too much noise or underage drinking, that would be probable cause. So what do you do when there is probable cause?

A: In a lot of cases, there's no complainant on the call and no victim. So when officers arrive and they can't establish their own probable cause due to observing no illegal activity, the call effectively ends unless the officers can establish probable cause to start their own investigation. If a complainant calls in, if they can be seen by Pitt police, then we have a victim and we can investigate the crime more thoroughly because they're observing it happen. A lot of time complainants don't want to be seen by police, but if they could be then the issue could be more thoroughly investigated if the police arrive and no violations are seen.

Q: Sometimes they (students) know you're coming and call it quits. What happens when someone calls about a property and you appear there and there are probably over 50 students and clearly underage drinking is going on, which is also probable cause for you. It's hard to understand why no citations would be written in that case because that's a public safety concern for the students themselves.

A: If they're Pitt students—we get calls about a lot of other college students from Point Park and other universities.

Q: I feel you're deflecting; can you answer what you do when within your jurisdiction and underage drinking appears to be happening? Why wouldn't you write a citation?

A: It's not unusual for officers to do conduct referral, which is a university sanction, rather than a citation.

Q: It would be helpful for us to see some reporting and analysis about citations and conduct referrals at off-campus properties within Pitt police jurisdiction on weekends and on other days where underage drinking is an issue. Director Landy: how can we get these reports (anonymous) to the community? If citations or conduct referrals aren't being written, that's an issue for the community.

Jeff Colello of the Pitt police interjected to note that Lieutenant Kiefer didn't say there are never citations or conduct referrals issued, and that he did want to mention that when they go to block parties, they always suggest that residents call in real-time rather than later, so they can respond directly. Calling a day or later results in a Knock-and-Talk.

Wanda noted that her understanding is that they are calling in real-time, and that residents want to know what is being done when this happens. They'd like to know the number of citations written for off-campus disruptive behavior and where conduct referrals were located and at what time. Oakwatch doesn't need people's names and is not asking for that.

A: Our daily log is posted on our website. It has the crimes from the previous day and also includes every liquor law violation, where the conduct referral was issued, and also arrests, which includes underages. That is available to the public every single day. People can also request to see the crime log in person for the last 60 days and that can be done Monday through Friday, 8:30-4:30 at our station at 3412 Forbes Avenue.

Q: Back to the jurisdiction question. I live in Oakcliffe and we do have a Pitt property; I want to know the jurisdiction. How is this assessed?

A: Pitt police jurisdiction is anything within 500 yards of anything Pitt owns, leases, or rents, and I believe that's .827 miles.

Wanda further noted that jurisdiction extends pretty far given how much property Pitt owns in the neighborhood.

A resident commented that their long-time advocacy has always been for prevention rather than punishment. They noted that residents want to prevent this behavior for the safety of the students as well as for the neighborhood's peace. They shared that this past weekend they called the police at 12:15 p.m. after witnessing more than 200 young girls walk up the street and go to a party at 10:00 p.m. and that from experience they knew that it was "girls are free" night. They also noted that students have darkened houses and a spotter outside who tells them when the police are coming so they can run or go to the next house. They argued that without citations we have no recourse, nor without complainants wanting to be seen due to the risk of retaliation. They argued that someone with authority should be able to notice and prevent these gatherings if residents can.

Wanda noted that this was very important firsthand knowledge, as these are serious public health concerns. She noted that Oakwatch wants to work collaboratively with enforcement officers to identify places and actors that continue to have these events, where often there's profit motive. Consequently, these parties have become attractive nuisances. She noted that where Oakwatch has success is when they work collectively to identify these places and combine using enforcement against people on the lease and eventually getting landlords involved. To identify addresses where these gatherings happen, there is a need for citations to be written. She suggests that we get at prevention by targeting hosts where these dangerous activities are taking place, gathering those addresses, addressing issues with the property owners, and learning from case studies.

Jeff Colello noted that that is one of the reasons Pitt police document their Knock-and-Talks, so if they go back to a house a second time they can start looking at issuing citations.

Wanda noted that Oakwatch has heard a lot of concern on the part of residents, especially this time of year every year, of waiting sometimes weeks upon weeks for citations to be issued, only for the police to kind of give them a pass. And so the activity continues and is very disruptive and very unsafe. She'd like a more targeted strategy of issuing citations without waiting what can become months.

Officer Colello emphasized the importance of calling in real-time to address these concerns.

A community member sought to further address the citations in real-time. Numerous times in real-time they've made calls and spoken to campus police and city police. They have seen many students within Pitt's jurisdiction at unsafe gatherings, and that many other students as well as neighbors and long-term residents were bothered by the gatherings going on. They argued that there is absolutely probable cause in these cases and there are people including themselves who for years have given their names and met with officers only for no citations to be issued. They further emphasized that there are people throughout the community that are afraid to call because of retaliation. Not only this, but some Pitt police are antagonistic towards community members as if they are the problem.

Furthermore, there have been incidents where they have heard students say they know they're not going to be cited. Community members have been told throughout the years that the Pitt police don't have the number of officers needed to enforce the law or that it wouldn't be realistic to do so in these cases. This community member argued that to send the message that enforcement is discretionary not only erodes the quality of life of everyone in the community, but is risking a catastrophe for the neighborhood.

This community member further noted that they and other residents do care about the students, and that Knock-and-Talks after the fact are appreciated, but in real-time when policing is discretionary that becomes problematic because when you break up a party all you can do is go from gathering to gathering. Students monitor activity to make sure they don't face consequences. Community members are aware of this, and the police should be, as well—if they were to start citing early on, they could protect the students better and secure better quality of life for those in the area. Even students are complaining these past two years.

This community member raised concerns regarding the safety of those who make real-time calls, as they have experienced being pointed out by a police officer to students.

Wanda noted that owners and leaseholders should be held accountable and citations written for those in attendance and that this method has been successful. Oakwatch wants to see their public safety partners doing that again.

A student at Pitt shared that they don't think that issuing citations is an effective or productive method to address student misconduct. They suggested that a lot of it comes down to respect for local residents and that is something that needs to be worked on. They argued that more citations would put a strain on the relationship between students and residents and asked that Oakwatch consider alternatives or other ways to build this relationship.

Wanda noted that these public safety strategies are multi-faceted and complex, and enforcement has a part to play in it, but it is not the only strategy to deploy. Oakwatch wants to help students build relationships with community members, but the problem is that not everyone is game for that. Thus, Oakwatch wants to target the actors who see an opportunity at these gatherings to make money through illegal alcohol sales, and generally target disruptive large-scale events with lots of illegal alcohol consumption. She suggested a focus on the prevention of dangerous situations that cause the most significant public safety challenges, including issues like attractive nuisances, sexual assault, and illegal drug sales. These issues come in without enforcement, and this becomes a dangerous situation for

everyone. She suggested that we need balance and want everyone to build relationships, but when things are very dangerous and problematic we need the enforcement aspect.

Wanda noted that she wanted to come back to what Lieutenant Kiefer said about crime reports to try and see how these conduct referrals match up.

A community member wanted to say briefly that many Oakland houses are designed to be single-family houses and have been converted to have many more units. Thus, they are not designed to hold 200 people on a floor. Additionally, many have decks with a lot of drunk residents can't bear that load.

Q: Can we address this? Could there be limits on houses that don't have concrete floors, etc. related to over-occupancy? There is the possibility of floors collapsing, fires, and numerous other public health issues could happen.

A: Definitely probably cause! We heard from zone 4 that they can't join. Can other enforcement partners speak to these concerns?

A (cont.): I suggest you bring in partners at Permits Licenses and Inspections and the Fire Bureau to discuss these issues.

A (cont.): Often we do work with property owners when there are particular concerns, when we can identify a particular address and work with partners to address this with property owners themselves.

Director Landy noted that there is further liability that comes with inviting many people into your home, which means this is on people who host as well, not just property owners. He noted that how Pitt can do this kind of education to off-campus students to ensure they aren't drinking, doing drugs, and trashing things is part of the conversation.

Q: Where can we see information about conduct referrals and where that can be reported from a data tracking perspective, specifically for off-campus issues?

A: The difficulty in giving numbers at the moment is that newer reports add important information and that other information could allude to a dwelling where we know where tenants are.

Wanda again noted that Oakwatch doesn't want addresses to be published. She asked if they could have reports where information is provided at the block level, or by date, or information on if they're doing a pilot case that is not published anywhere. There is a need for accountability and data tracking, and she wants to collect that information in a way that responds to the community's concerns.

A (cont.): I can't get down to a certain address, but I will see what information I can disclose on a regular basis; I compare my docket to the Pitt police blotter and resolve discrepancies often and get reports from city police as well.

Wanda noted that Oakwatch efforts continue daily despite quarterly meetings and asked residents to call and email information so they can do the tracking they're talking about and see results.

A resident noted that there are issues with illegal fire pits, and that some real-time calls to firefighters result in no citations the first time. They asked if there is a way to keep track of how many times a particular incident results in 911 being called on a property. They also noted that it is concerning that a lot of landlords don't abide by fire codes and that years ago there was a program where firefighters

would go offer smoke detectors door-to-door. With winter upcoming this is especially concerning. They suggested it would be nice if we could do that again.

Lizabeth noted that Oakwatch has invited a fire marshal to attend the next meeting and that in the meantime anyone can contact the fire department and they'll do a walk-through and point out issues in a household. Smoke detectors are also free from the fire department for the time being to all, tenants and residents, so you don't need to be a homeowner. She also suggested that it is very important to emphasize carbon dioxide detectors in dealing with older properties, and there needs to be better awareness for everyone of this. She also noted that there is no law that landlords require fire extinguishers but everyone should have at least one, especially in the kitchen.

A community member noted that landlords can specify in a lease the number of people allowed in a unit. They also noted that they found that when Zone 4 did citations for the first time at a property things greatly improved and asked that they consider citing the first time going forward.

Wanda asked that John take that message back to Zone 4 and other city partners, and that Oakwatch really doesn't want that grace period at the start of the school year for citations, as it doesn't lead to success and makes everyone's work harder.

John Colello noted that the Pitt police have gotten reports that residents have confronted students and used profanity, threatening and videotaping them. He asked that residents not do that and instead call the police. Students have claimed they have been harassed by residents and have even been trying to place cameras to catch residents harassing them.

A community member commented that the use of cameras throughout Oakland is to be expected, especially for residents who feel threatened by students who violate their property. They noted that these students are emboldened when they are not cited, and that residents have gotten increasingly desperate and have continued to be made to feel that they are the problem. This community member argued that many residents are traumatized by confrontations with and violations by drunken students while emphasizing that they and many other community members care very much for many students in the neighborhood. They argued that the university needs to recognize that there are negative impacts of students in the neighborhood and recognize that residents get traumatized by these negative experiences with students.

Wanda noted that it was important for everyone on the call to take accountability for this situation, that they should work together to address it, and to understand that these concerns are very real and affect the daily lives of those living in Oakland.

To conclude, a community member noted that some residents record students and altercations with them due to experiences with police in which they were not believed. They argued that as long as they are recording legally, the police should not ask that residents not record.