

# University Policy 2407: Independence of Investigations by the Utah State University Police Department

**Category:** Community Expectations

**Subcategory:** Safety & Risk Management

**Covered Individuals:** Faculty, Staff, Students, and Campus Visitors

**Responsible Executive:** Executive Vice President and Chief Operating Officer

**Policy Custodian:** Public Safety, Executive Director of Public Safety

**Last Revised:** 2025/10/31

**Previous USU Policy Number:** 547<sup>1</sup>

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## 2407.1 PURPOSE AND SCOPE

The Utah State University Police Department (USU PD) provides police and public safety services to the Campus Community. This policy allows the USU Police Department to conduct independent investigations without extraneous influence that may hinder or affect the outcome of the investigation.

## 2407.2 POLICY

Utah State University's Police Department (USU PD) obtains their legal authority as peace officers from the Utah State Code. See Utah Code Ann. § 53-13-101 *et seq.*, and § 53H-7-602 *et seq.* When engaged in law enforcement, USU PD act according to their professional and legal obligations as peace officers within the State of Utah. USU PD owe these obligations to and perform law enforcement duties for the protection and safety of the Campus Community, including faculty, staff, students, and campus visitors. The University is committed to protecting the independence of USU PD, so that USU PD can carry out their law enforcement functions unfettered by interference from the administration or others at the University.

### 2.1 Criminal Investigations

When USU PD are investigating possible criminal conduct by University employees, students, or campus visitors, they will notify and coordinate with University officials as they deem appropriate. When to notify University officials and what information to provide is a matter for USU PD to decide based on their judgment as to the needs of their investigation, the protection of public safety, and the rights of individuals.

The University will not interfere with criminal investigations by USU PD. If any USU PD Officer believes that there is any such interference, they are to report this immediately to the USU Police Chief. The University is committed to a policy protecting all members of the Campus Community, including USU PD, from retaliation for raising any concerns about wrongdoing, including interference with their duties.

### 2.2 Conflicts of Interests

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<sup>1</sup> NOTE: This policy was originally adopted as *Policy 547: Independence of Investigations by the Utah State University Police Department* at the Monthly Leadership Meeting in December 2023. The policy number 547 was also assigned to the *Privacy and Security of Protected Health Information under HIPAA* policy. In April 2025, the policy system transitioned to a 4-digit numbering system. At that time the *Independence of Investigations by the Utah State University Police Department* policy was reassigned the policy number 2407.

USU PD will draw on the resources of other Local Law Enforcement agencies if a potential conflict of interest exists. The University will not interfere with criminal investigations involving the University by these authorities.

### 2.3 Direction from University in Investigation

There may be occasions when the USU PD need support and direction from the University to properly perform their duties. Additionally, there may be situations where USU PD needs legal interpretation and/or direction from the University's Office of General Counsel regarding laws, legal issues, and/or legal questions. In these instances, after USU PD has made the request, it is not interference for the University administration to provide support and direction to USU PD.

## 2407.3 RESPONSIBILITIES

### 3.1 USU Police Department Officers

USU PD Officers are responsible for independently investigating criminal conduct that occurs within USU PD's jurisdiction. USU PD Officers are responsible for determining, based upon their professional experience and judgment, when to notify the University and what information to provide during an investigation.

If any USU PD Officer believes that there is any interference in an investigation, they are to report this immediately to the USU Police Chief. The University is committed to a policy protecting all members of the Campus Community, including USU PD, from retaliation for raising any concerns about wrongdoing, including interference with their duties. If a USU PD Officer is experiencing retaliation due to an investigation, the USU PD Officer is to immediately report that to the Civil Rights and Title IX Office pursuant to University Policy 2101.

### 3.2 USU Police Chief

In the event that a USU PD officer reports interference by the University, the USU Police Chief is expected to evaluate the report and determine if interference has occurred. In the event interference is found, USU Police Chief is responsible for reporting the interference to the appropriate University administration for disciplinary action to be taken.

### 3.3 University Administrators and Office of General Counsel

Once USU PD has made a request for support or direction in its independent investigation, University Administrators and Office of General Counsel can provide the requested help and it is not considered interference in the investigation.

For example, the University may itself be the victim of a crime, and it would be appropriate for University administration to communicate with USU PD as any other victim would be entitled and expected to do. Likewise, in the event that USU PD may need legal interpretation or direction from the Office of General Counsel, it would be appropriate for the Office of General Counsel to communicate with USU PD and provide legal advice where USU PD is one of its clients.

Furthermore, University administrators are expected to ensure that retaliation for USU PD's investigation does not occur. In the event that retaliation does occur, University administrators are expected to report that to the Civil Rights and Title IX Office pursuant to USU Policy 2101.

## 2407.4 REFERENCES

- [Utah Code Section 53-13-101 et seq.](#)

- [Utah Code Section 53H-7-602 et seq.](#)

## 2407.5 RELATED USU POLICIES

- Policy 2101: [Discrimination based on Protected Characteristics](#)
- Policy 2402: [Public Safety, Response, and Reporting](#)
- Policy 5200: [Information Security](#)

## 2407.6 DEFINITIONS

- **Campus Community.** Means USU Faculty, Staff, and Students, as well as campus visitors from the community.
  - **Local Law Enforcement.** Means a state or local law enforcement agency that may have jurisdiction contiguous to or overlapping with USU PD.
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**Information below is not included as part of the contents of the official policy.** It is provided only as a convenience for readers/users and may be changed at any time by persons authorized by the president.

## RESOURCES

### Guidance

- [Report to the Utah Legislature – A Performance Audit of Higher Education Police Departments, April 2022](#)

### Contacts

- [Executive Director of Public Safety](#)
- [USU Police Chief](#)

## POLICY HISTORY

Original issue date: 2023/12/13

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Next scheduled review date: 2026/12/01

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