

University of Kansas
**Chancellor's Task Force on Community-
Responsive Public Safety**
Final Report
November 10, 2020

Task Force Members

Charles Epp, Task Force Chair, University Distinguished Professor, School of Public Affairs and Administration

Stephonn Alcorn, KU Alumnus

Shawn Alexander, Chair and Professor, Department of African and African American Studies

Darin Beck, Director of the Kansas Law Enforcement Training Center

Dan Beckler, Associate Athletics Director, Kansas Athletics

Caleb Bobo, KU Alumnus

Azja Butler, Undergraduate Student

Deborah Dandridge, Kansas Collection Librarian, KU Libraries

Sarah Deer, University Distinguished Professor, School of Public Affairs and Administration and Department of Women, Gender & Sexuality Studies

Tammara Durham, Vice Provost for Student Affairs

D.A. Graham, University Ombuds

Hollie Hall, Graduate Student Body Vice President

Chris Keary, Chief of KU Public Safety

Neill Kennedy, PhD Student, American Studies and Graduate Teaching Assistants Coalition President

Jason Matejkowski, Associate Professor and Associate Dean for Academic Programs, School of Social Welfare

David McCormack, Undergraduate Student Representative

Apramay Mishra, Undergraduate Student Representative and President, Student Senate

Sanjay Mishra, Professor, School of Business and University Senate President

Jennifer Ng, Interim Vice Provost for Diversity and Equity

Precious Porras, Assistant Vice Provost for Diversity and Equity and Director of the Office for Multicultural Affairs

Emilio Santana, Undergraduate Student Representative

Alex Villagran, Graduate Student, School of Public Affairs

Inoru Wade, Graduate Student, School of Public Affairs

Robert Waller, KU Budget Office, Staff Senate Representative

Kim Warren, Associate Professor, College of Liberal Arts & Sciences, Department of History

Aramis Watson, Associate Director, KU Student Housing

Lua Yuille, Professor, School of Law and Faculty Senate President

Staff to the Task Force

Julie Murray, Chief of Staff, Chancellor's Office

Joe Monaco, Associate Vice Chancellor for Public Affairs

Overview and Introductory Remarks

On September 3, 2020, Chancellor Girod convened the Task Force on Community-Responsive Public Safety to examine public safety services at the University of Kansas and to recommend improvements in these services. Chancellor Girod issued the following charge to the Task Force:

The Task Force on Community-Responsive Public Safety is charged with reviewing KU Public Safety policies, practices and procedures; examining national best practices and proposals for change; and making recommendations to the Office of the Chancellor regarding potential improvements to ensure respectful, transparent and community-responsive public safety services. In addressing these matters, the Task Force shall understand public safety broadly to include people's interests in physical and psychological safety, dignity and respect, and freedom from bias, prejudice, and racism. In carrying out this charge, the Task Force is encouraged to hear the concerns of members of the KU community, including students, staff, faculty, and members of the broader community who visit campus. The Task Force shall be particularly attentive to issues of discrimination against people of color and other underrepresented, nontraditional, and marginalized communities on campus.

The Task Force shall report its findings and recommendations to my office by early November.

In the past two months, the Task Force conducted a series of information-gathering meetings, including sessions to gather comments from members of the KU community, made available a confidential website portal to receive public comments, and organized several work groups of Task Force members to gather information and develop recommendations regarding particular topics. In the course of our inquiry, the Task Force drew on the expertise of a wide range of individuals and units at KU.

The following report represents our considered judgment regarding the challenges facing public safety services at the University of Kansas and ways to improve these services in keeping with KU's core values, specifically "integrity; respect for the dignity and rights of the individual; inclusion, transparency, and communication."

I. Executive Summary

The Task Force on Community-Responsive Public Safety was charged by Chancellor Girod with “reviewing KU Public Safety policies, practices and procedures; examining national best practices and proposals for change; and making recommendations to the Office of the Chancellor regarding potential improvements to ensure respectful, transparent and community-responsive public safety services.” In carrying out this charge, we are directed to be “particularly attentive to issues of discrimination against people of color and other underrepresented, nontraditional, and marginalized communities on campus.” In this report, we answer this charge with a review of recent concerns about the police, a review of the character of campus police in comparison to their municipal counterparts, a summary of the work of the KU Public Safety Office, and our recommendations. These recommendations encompass:

- A) improvements to KU responses to behavioral health emergencies, specifically:
 - 1. expand mental first aid training for University Housing staff
 - 2. more fully integrate KU services with Douglas County’s Zero Suicide Initiative and Engage Douglas County Prevention Coalition,
 - 3. shift responsibility for emergency responses to students experiencing mental health crises from KU PSO officers to mental health professionals
 - 4. add several trained mental health professionals to KU first-response staff
 - 5. establish a working group to better integrate KU services with Douglas County’s expanding system of mental-health care
 - 6. after reassessing needs in light of changes, ensure adequate levels of staffing in KU PSO to reduce stress on officers due to pressures associated with overtime workloads.
- B) improvements to KU PSO’s systems for addressing issues related to officer conduct, specifically:
 - 1. adopt policies, training, and supervisory procedures regarding the procedural justice and de-escalation recommendations of the *President’s Task Force on 21st Century Policing* and the Police Executive Research Forum’s *Guiding Principles on Use of Force*
 - 2. continue the recently initiated program to gather data on the race and ethnicity of persons stopped by KU PSO officers, publish summaries of the data annually, and integrate the information into ongoing supervision of officers, with the goal of eliminating racial and ethnic disparities in stops
 - 3. conduct a thorough review of the use of force policy and revise it to bring it into consistency with recommendations from the U.S. Department of Justice and other authorities by emphasizing the requirement to engage in proactive de-escalation of interactions with the goal of avoiding uses of force, and prohibiting use of deadly force in circumstances not currently fully addressed by the policy
 - 4. Publish on the KU PSO website an officer code of conduct consisting of the KU PSO policies on use of force and officer conduct

- C) enhance advisory and oversight processes, specifically:
1. establish a board of students, staff, and faculty to advise and oversee the KU PSO
 2. develop a distributed complaint process so that people may submit complaints at various offices around campus
 3. appoint and train several officers as liaisons to groups in the KU community

II. The Context and the Need

Protest and the weight of public opinion in recent months pose fundamentally important concerns about the fairness and equity of police practices and services. Widespread concerns about these issues are not new, having swelled periodically in the past half century the form of protests against police practices in the late 1960s and early 1970s during an era of intense policing of urban eras and in many localities since then, particularly in the early 1990s after the beating of Rodney King.¹ Protests flared in 1970 in Lawrence, too, after the shooting of University of Kansas student Rick “Tiger” Dowdell.² Behind these episodic protests, however, lies ongoing frustration about police practices and behavior and, ultimately, the role of police in society.³ This frustration has been particularly salient in communities of color.

Although protest of police practices is not new, the intensity and breadth of the recent upwellings of concern reveal that American policing faces a crisis of legitimacy. Since the shooting of Michael Brown in Ferguson, Missouri in 2014, “incidents involving police use of lethal force have been at the center of a reshaped landscape in which law enforcement now operates in this country.”⁴ Police are currently under more intense pressure to change than at any time in half a century. Campaign Zero, the Movement for Black Lives, and thousands of

¹ National Advisory Commission on Civil Disorders (Kerner Commission), *Report of the National Advisory Commission on Civil Disorders* (Washington, DC: Government Printing Office, 1968); Bruce D. Porter and Marvin Dunn, *The Miami Riot of 1980: Crossing the Bounds* (Lexington, MA: Lexington Books, 1984); U.S. Commission on Civil Rights, *Who Is Guarding the Guardians? A Report on Police Practices* (Washington, DC: U.S. Commission on Civil Rights, 1981); Gerald David Jaynes, et. al, eds., *A Common Destiny: Blacks and American Society* (Washington, D.C.: National Academy Press, 1990); Christopher Commission, *Report of the Independent Commission on the Los Angeles Police Department* (Los Angeles: City of Los Angeles, 1991).

² Douglas Harvey, “A Long Weekend in a Long Hot Summer,” <https://kuhistory.ku.edu/articles/long-weekend-long-hot-summer>.

³ See, e.g., Ronald Weitzer and Steven A. Tuch, *Race and Policing in America: Conflict and Reform* (New York: Cambridge University Press, 2000); Rod K. Brunson, “‘Police Don’t Like Black People’: African American Young Men’s Accumulated Police Experiences.” *Criminology & Public Policy* 6 (2007): 71- 102; Rod K. Brunson and Jody Miller, “Young Black Men and Urban Policing in the United States,” *British Journal of Criminology* 46, no. 4 (2006): 613-40; Gregg Van Ryzin, D. Muzzio, and S. Immerwahr, “Explaining the Race Gap in Satisfaction with Urban Services,” *Urban Affairs Review*. 2004;39(5) (2004):613-632.

⁴ Laurie Robinson, “Five Years after Ferguson: Reflecting on Police Reform and What’s Ahead,” *ANNALS, AAPSS*, 687 (Jan. 2020): 228-39, at 228.

protests have demanded change in policing.⁵ Increasingly, public opinion favors change.⁶ Demands ranging from reform of particular police practices to abolition of the police have gained a prominent place on the public agenda of many communities, including at the University of Kansas and the University's home city, Lawrence.

University of Kansas Chancellor Douglas Girod established the KU Task Force on Community-Responsive Public Safety and charged us with "reviewing KU Public Safety policies, practices and procedures; examining national best practices and proposals for change; and making recommendations to the Office of the Chancellor regarding potential improvements to ensure respectful, transparent and community-responsive public safety services." In carrying out this charge, we are directed to be "particularly attentive to issues of discrimination against people of color and other underrepresented, nontraditional, and marginalized communities on campus."

In this report, we answer this charge with a review of recent concerns about the police, a review of the character of campus police in comparison to their municipal counterparts, a summary of the work of the KU Public Safety Office, and our recommendations.

A premise of this report is that pressures for change are based on reasonable concerns about patterns of practice in municipal policing. Some of the most prominent and widespread activities of city police departments, specifically investigatory police stops and proactive enforcement against minor violations, disproportionately affect African Americans, Latinx, and Indigenous peoples.⁷ African Americans generally evaluate the quality of other police activities, like police responses to calls for service, more negatively than do whites.⁸ In the main, these broad characterizations are well documented by decades of careful research. A crucial question is: to what extent do the activities of the KU Public Safety Office, the KU police, follow and

⁵ <https://www.joincampaignzero.org/solutions>; <https://m4bl.org/policy-platforms/end-the-war-on-black-communities/>; Vanessa Williamson, Kris-Stella Trump and Katherine Levine Einstein, "Black Lives Matter: Evidence that Police-Caused Deaths Predict Protest Activity," *Perspectives on Politics*, 16(2) (2018): 400-415.

⁶ Aimee Ortiz, "Confidence in Police Is at Record Low, Gallup Survey Finds," *New York Times*, Aug. 12, 2020. <https://www.nytimes.com/2020/08/12/us/gallup-poll-police.html>; Nate Cohn and Kevin Quealy, "How Public Opinion Has Moved on Black Lives Matter," *New York Times*, June 10, 2020. <https://www.nytimes.com/interactive/2020/06/10/upshot/Black-lives-matter-attitudes.html>; Giovanni Russonello, "Why Most Americans Support the Protests," *New York Times*, June 5, 2020. <https://www.nytimes.com/2020/06/05/us/politics/polling-george-floyd-protests-racism.html>;

⁷ See, e.g., Bernard E. Harcourt, *Illusion of Order: The False Promise of Broken Windows Policing* (Cambridge, MA: Harvard University Press, 2005); Dorothy E. Roberts, "Race, Vagueness, and the Social Meaning of Order-Maintenance Policing," *Journal of Criminal Law & Criminology* 89(3) (1999): 775-836; Charles R. Epp, Steven Maynard-Moody, and Donald Haider-Markel, *Pulled Over: How Police Stops Define Race and Citizenship* (Chicago: University of Chicago Press, 2014); Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (New York: New Press, 2010).

⁸ Ronald Weitzer and Steven A. Tuch, *Race and Policing in America: Conflict and Reform* (New York: Cambridge University Press, 2000); Gregg Van Ryzin, D. Muzzio, and S. Immerwahr, "Explaining the Race Gap in Satisfaction with Urban Services." *Urban Affairs Review*. 2004;39(5) (2004):613-632 (showing that the racial disparity in public evaluations of police services is substantially wider than evaluations of other urban services).

partake of these broader patterns? How may these activities be changed to bring them into better alignment with democratic standards? This report will address these questions.

A second premise of this report is that the American police are a democratic institution: their authority is established by law; as officers, they are members of the community; and, as organizations, they should be accountable to the people whom they serve.⁹ The police are of the people and, even as they exercise legal authority over some of us in particular situations, they are responsible to the people for the quality and legality of their service. This is true even in the University setting where public safety officers are directly accountable, at present, to unelected officials, as even here their authority is based on state statutes and limited by constitutional standards. Nonetheless, the links necessary for democratic accountability are more attenuated in the University context than elsewhere due to the absence of an obvious mechanism for ensuring accountability via elections. How may the University community best ensure the democratic accountability of the KU police? This report will address this question.

The recent protests and other calls for change in policing reflect the tensions identified above. Foremost, as the police are a part of the society, they reflect and may concentrate the racial and other biases of that society. Abundant research shows beyond a shadow of a doubt that Americans, and American institutions, embody racial biases. Even if intentional racism had faded—and it is clear it remains a powerful force in American society—deep racial inequalities in wealth that are the direct product of intentionally racist policies of the past continue to shape people’s present conditions in ways that expose different groups to divergent patterns of policing.¹⁰ Put simply, the problems in policing are also the problems of American society, and of American governing institutions and the economy. The demands for change reflect the democratic nature of policing in a second way, as these demands rest on the expectation that the police may be held to a democratic standard of equal service and respect for the dignity of all in the community. This equal service and equal respect for the dignity of all is the essence of an appropriate police professionalism. The protests also reflect the expectation that the police are ultimately accountable to democratic processes of decision. Nonetheless, the resort to protest indicates that many believe that these processes have not fulfilled their promise, and that something more than elections is needed to ensure democratic accountability.

University police reflect these broader societal tensions. Universities in the United States have employed police officers since Yale University’s first officer in the 1890s. As the institution of research universities developed in early 20th century, many employed security officers for their growing campuses. In the early decades of the past century, some of these officers appear to have served mainly to protect the security of university buildings. As

⁹ David Alan Sklansky, *Democracy and the Police* (Stanford, CA: Stanford University Press, 2008).

¹⁰ See, e.g., Richard Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America* (New York: Liveright, 2017); Ira Katznelson, *When Affirmative Action was White: An Untold History of Racial Inequality in Twentieth-Century America* (New York: W.W. Norton, 2005); Michael Tonry, *Punishing Race* (New York: Oxford University Press, 2011).

campuses expanded and incorporated public roadways that were open to vehicle traffic, the function of campus security officers expanded to address traffic safety. As universities grew dramatically in the wake of World War II, a scholar writing in 1958 observed that their police departments likewise grew and “the scope of activities have changed from a primary emphasis for providing watch services to providing a wide range of services in traffic regulation, investigation and other areas of normal police service.”¹¹

Universities responded to the unrest of the 1960s by expanding and professionalizing their police forces, in part to ensure university autonomy from external police intervention and in part to maintain order on campuses.¹² President Nixon’s Commission on Campus Unrest called on universities to expand their police forces to better control campus protest.¹³ The American Bar Association, in a major report examining the law enforcement response to campus protests, emphasized that “primary reliance should be placed on university disciplinary procedures, supported by university security personnel” because resort to external law enforcement may be counterproductive, escalating tensions, and because “the university loses control over the proceedings.”¹⁴ These cross-cutting pressures contributed in the late 1960s and early 1970s to adoption by many states of statutory authorization and regulation of campus police forces.

The value of keeping “control over the proceedings,” rather than surrendering it to external police forces, perhaps best characterizes the institutional conditions favoring maintenance of separate campus police forces. Nearly every significant study of campus police observes that university control over their police contributes, as one author observed, to “a more discretionary, nonpunitive approach to law enforcement.”¹⁵ Although campus police tend to perform primarily a service rather than a law enforcement role, that author’s study of 245 U.S. universities identified three different patterns in campus policing.¹⁶ In one, which we might call a student services role, campus police worked closely with university student support staff to assist in addressing the various needs and problems of a young adult population. In a second, called “selective enforcement,” campus police are viewed by administrators as “a necessary adjunct” to the institution, to be called on occasionally to address more serious

¹¹ Robert F. Etheridge, “A Study of Campus Protective and Enforcement Agencies at Selected Universities” (unpublished Ph.D. dissertation, Michigan University, East Lansing, Michigan, 1958), p. 87.

¹² John J. Sloan, “The Modern Campus Police: An Analysis of Their Evolution, Structure, and Function.” *American Journal of Police*, vol. 11(2) (1992): 85-104; Roderick Ferguson, *We Demand* (Berkeley, CA: University of California Press, 2017).

¹³ The President’s Commission on Campus Unrest, *The Report of the President’s Commission on Campus Unrest* (Washington DC: U.S. Department of Health, Education, and Welfare, 1970).

¹⁴ *American Bar Association, Report of the American Bar Association Commission on Campus Government and Student Dissent* (Chicago: American Bar Foundation, 1970), p. 30.

¹⁵ Seymour Gelber, *The Role of Campus Security in the College Setting* (Washington, DC: U.S. Department of Justice, National Institute of Law Enforcement and Criminal Justice, 1972), p. 9. See also D. Bordner and D. Petersen, *Campus Policing: The Nature of University Police Work* (New York: University Press of America, 1983); Aramis Watson, *The Thin Black Line: How Black Housing Staff Make Meaning of their Encounters with Campus Police*, PhD. Dissertation, University of Kansas, 2020.

¹⁶ Gelber, *Role of Campus Security*, pp. 9-10.

criminal offenses and security concerns. In the third pattern, called by the author “equal enforcement of the law,” campus police assume a role much like municipal police in enforcing traffic regulations and criminal codes, albeit with a less punitive posture than is typical of municipal police forces.

Although university police forces commonly differ from their city counterparts in their less punitive posture, as crime and the presence of guns on campus grew in the 1970s and 1980s, and as the threat of mass shootings emerged in the 2000s, university police increasingly assumed the institutional forms and imagery of regular police forces.¹⁷ Although in recent decades crime rates overall have declined, shootings on campuses have increased. A 2016 study of the period 2001-2016 documented 190 shooting incidents on college campuses in which 437 people were shot, 167 were killed and 270 were wounded.¹⁸ Pressures on police to respond to campus shootings and other crimes, and to the widespread presence of guns on campuses, have only intensified in recent years. Partly in response, campus police are organized much like other police forces, in a quasi-military structure, they receive the standard and specialized training of municipal officers, operate 911 emergency call systems and respond to calls for service via these systems, wear uniforms and drive patrol vehicles that appear visually similar to those of municipal police, and carry the weapons, including firearms, typical of municipal police.¹⁹

A small body of peer-reviewed research suggests that college students evaluate the police more negatively than others, and that Black students evaluate campus police more negatively than white students.²⁰ As many college students from historically marginalized groups increasingly have experienced the forms of proactive policing typical of urban police departments, or have heard of these experiences from friends and family members, their perceptions of campus police, too, are likely to be influenced by these experiences.²¹

In sum, institutional conditions in higher education contributed to the development of campus police forces and to a campus policing role that is less punitive and often more service-oriented than is typical of U.S. policing. However, as campus police have become so closely modeled after their municipal counterparts and adopted some of the practices of urban police,

¹⁷ Sloan, “The Modern Campus Police.”

¹⁸ Ashley Cannon, “Aiming at Students: The College Gun Violence Epidemic” (New York: Citizens Crime Commission, 2016); <http://www.nycrimecommission.org/pdfs/CCC-Aiming-At-Students-College-Shootings-Oct2016.pdf>.

¹⁹ *Ibid.*; K. J. Peak, “The professionalization of campus law enforcement: Comparing campus and municipal law enforcement agencies,” In B. S. Fisher & J. J. Sloan (Eds.), *Campus crime: Legal, social and policy perspectives* (Springfield, IL: Charles C. Thomas, 1995); Max L. Bromley, “Comparing Campus and Municipal Police Community Policing Practices,” *Journal of Security Administration* 26(2) (2003): 37-50;

²⁰ Shannon K. Jacobsen, “Policing the Ivory Tower: Students’ Perceptions of the Legitimacy of Campus Police Officers,” *Deviant Behavior*, 36:4 (2015), 310-329; L. Susan Williams & Stacey Nofziger, “Cops and the College Crowd: Young Adults and Perceptions of Police in a College Town,” *Journal of Crime and Justice*, 26(2) (2003): 125-151; J.M. Mbuba, “Attitudes toward the police: The significance of race and other factors among college students.” *Journal of Ethnicity in Criminal Justice*, 8(3) (2010): 201-215.

²¹ Weitzer and Tuch, *Race and Policing*; Epp, Maynard-Moody and Haider-Markel, *Pulled Over*.

trust in campus police, like trust in police generally, appears to have declined, and is lower among historically marginalized student groups. These conditions amply justify the Chancellor's charge to this Task Force to conduct a thorough examination of KU public safety services and to make needed recommendations.

III. The Task Force's Process and Gathering of Public Comments

The Task Force conducted extensive research on the policies and activities of the KU PSO, concerns as well as affirmations expressed by members of the KU community about the conduct of KU PSO officers, concerns about U.S. policing policies and practices generally, and model policies and practices favored by authorities and experts on these issues.

We met weekly during September and the first half of October for information-gathering and deliberation sessions. We heard from the student group seeking abolition of the KU PSO.²² We decided to focus our inquiries and recommendations in three topical areas shared by that petition and by broader discussions of policing: responses to behavioral mental health crises, regulation of officer conduct, particularly conduct in relation to historically marginalized groups, and advisory and oversight processes. Three workgroups of the Task Force, one in each of these topical areas, were formed to consider and propose recommendations. These recommendations became the basis for this report.

The Task Force was committed to hearing the views of members of the KU community regarding the quality of service provided by the KU Public Safety Office and members' recommendations. To this end, we devoted several sessions to gathering the views of members of the KU community. We devoted our first information-gathering session to hearing from Azja Butler, a member of the Task Force and a leader of AbolishKU, the student group who circulated a petition to abolish the KU Public Safety Office. We also dedicated three public sessions to receiving comments, questions, or suggestions. We maintained a confidential portal on the Task Force's website to receive comments, questions, or suggestions anonymously. We publicized these opportunities to comment and reached out to various groups on campus to encourage participation in these opportunities. We also considered the comments gathered by AbolishKU and published by that group as a document accompanying their petition.

These processes yielded thirty-seven public comments (18 submitted as part of the Task Force's process and 19 submitted to the group AbolishKU). Comments clustered into several categories, with roughly equal distribution of comments among these categories:

- Requests to increase enforcement of public-health prohibitions on public gatherings (due to concerns about contagion of Covid-19).

²² <https://www.change.org/p/chancellor-douglas-giord-abolish-the-university-of-kansas-police-department>.

- Complaints about disrespectful behavior of particular officers. For example, an anonymous post to the Task Force’s confidential comment portal on our website state, “KU PSO personnel do not treat KU employees with respect and dignity. I suggest some communication courses that may help enhance their interactions.”
- Complaints about particular police stops on streets, sidewalks, or in parking lots. For example, a comment received by the group AbolishKU stated, “I have been racially profiled while walking with my other friends (who are also not white) on Jayhawk Blvd. pso had asked us where we were going. We were going to class. It was a Tuesday evening.”
- Requests not to abolish the KU Public Safety Office so as to maintain public safety on campus. For example, one participant in a Task Force public-comment session stated, “I’m scared if we remove KUPD or any police that there’d be no one to call.”

The Task Force was not confident that all members of the KU and related communities had felt free to offer comments. Holding meetings via electronic means in keeping with public health restrictions associated with the Covid-19 pandemic may have limited participation as well. However, as noted above, we took steps to reach out and encourage the making of comments. We note that we did not receive any comments complaining of excessive use of force or abuse, of wrongful arrest, or of corruption by officers. We were concerned about several comments by students that they would not feel safe on campus were the KU PSO abolished. We were also concerned about several complaints of disrespectful treatment by particular officers.

The Task Force received a letter from the leadership of the KU Black Alumni Network, a group that has actively supported KU students over many years, detailing a number of concerns. The letter observed that both as students on campus and as visitors to campus after graduation, the organization’s members have experienced “unwarranted stops, police harassment, and unnecessary physical violence.” The letter recommends adoption of “significant oversight and policy reforms to ensure the KU Public Safety Office (PSO) and its officers are treating members of the campus community with the utmost care and respect,” specifically restrictions on the use of force, state-of-the-art officer training in de-escalation and responses to persons in behavioral mental health crises, creation of a police oversight board of students, staff and faculty, and increasing funding for student services programs, including psychological counseling and emergency responses, among other key reforms. We are grateful for the letter’s expression of clear concerns and specific recommendations for reform.

The Task Force published a preliminary draft of this report on October 22, 2020, with a ten-day period for public comment. During that period, we received one letter, from the KU Staff Senate, and 53 comments from individuals.

The various public comments received by the Task Force informed our deliberations and contributed to our recommendations, and we are grateful to those who made comments.

IV. The Work of the KU PSO

The KU PSO, like most university police departments, has a broader array of responsibilities than the typical city police department (see Appendix 1). These include patrol by vehicle and foot, enforcement of traffic laws, management of the campus 911 call system, response to calls for service, investigation of criminal complaints, documentation of accidents and criminal loss or damage to the university and community members, and provision of documentation as needed for legal cases and insurance purposes, all activities typical of police departments. Additionally, the KU PSO manages traffic and crowds at the many sporting and other events on the KU campus, compiles crime data for daily and annual federally-mandated public reports, provides security for the extensive campus buildings, documents maintenance issues on these buildings, manages the university's system of security cameras, aids in the administration of security-card access and key-based locks to university facilities, provides escorts to KU community members upon request, provide security training to KU staff and community members, aids in development and training on the Emergency Management Plan, and conducts annual building evacuation tests in all major buildings, and enforces various KU policies, among other things.

The above list encompasses many necessary activities, including a number that are legally mandated by federal or state law. While some of these activities are visible to the public, many are not. In fact, it is likely that the majority of these activities are not visible to most members of the KU community.

The KU PSO's workload, as measured by the number of documented officer actions, is widely dispersed across these areas of activity (see Appendix 2). For example, in 2019, KU PSO officers conducted 17,177 security checks, plus 4,231 building checks; 3,110 foot patrols; 2,961 traffic stops; and investigated 1,480 breaks in building security, and managed crowds and traffic at over thirty major campus events. Officers responded to 441 fire alarms, 288 security calls from Blue Phones distributed around campus, 209 vehicle accidents, including 4 involving injuries, 201 medical emergencies, 176 calls to assist a person locked out of a building or office, 122 calls to assist motorists, 84 intrusion alarms, and 51 requests for security escort, among many other types of activity.

V. Recommendations

Our recommendations are grouped in the three areas identified above: responses to behavioral mental health crises, officer conduct and systems for managing conduct, particularly regarding officer interactions with members of historically marginalized groups, and advisory

and oversight processes. We recognize that the KU PSO has implemented a number of changes in recent years, including the items on the prominent “8 Can’t Wait” list and adoption of body cameras on officers, and offer these recommendations to advance that progress.²³

A. Responses to behavioral health crises

Behavioral mental health encompasses the range of mental health issues, including anxiety, depression, and suicidal ideation and suicide, as well as issues arising from substance use and abuse, including alcohol abuse. Although all segments of the population suffer behavioral mental health issues, access to mental healthcare is distributed unequally in the United States, contributing to inequities in treatment and outcomes.²⁴ In many areas of the country, mental health services are inadequately funded and the police are the primary first responders to behavioral mental health crises. Nationwide, many members of the public and public health and safety officials increasingly favor replacing or supplementing the police response to people in mental health crises with behavioral mental health professionals.²⁵

These issues face the University of Kansas, too. College students commonly experience stress associated with moving away from home, pressure to balance courses, employment and personal time, and perceived peer pressure to participate in consumption of alcohol and controlled substances. These stresses may contribute to anxiety, depression, and substance use and abuse. Some students, including those in University housing, experience behavioral health crises that require intervention by peers and university staff. A substantial proportion of these crises are managed by university staff other than KU PSO officers, including dormitory resident assistants and resident directors. During regular work hours, some of these crises are addressed by these staff in collaboration with staff from various health-related services on the KU campus, including the Watkins Health Center, Counseling and Psychological Services, and the Cofrin Logan Center for Addiction Treatment and Research. However, in cases involving acute risks to the health or safety of students arising at any hour of the day, and in many significant cases after regular work hours when other KU services are not available, staff are trained to call 911, and these calls are routed to the KU PSO emergency line. In a significant proportion of these calls, KU PSO officers are dispatched as emergency first responders.

²³ <https://8cantwait.org/>.

²⁴ Thomas G. McGuire and Jeanne Miranda, “New evidence regarding racial and ethnic disparities in mental health: policy implications,” *Health affairs (Project Hope)*, 27(2) (2008), 393–403.

²⁵ See, e.g., Mike Maciag, “The Daily Crisis Cops Aren’t Trained to Handle,” *Governing*, May 2016, <https://www.governing.com/topics/public-justice-safety/gov-mental-health-crisis-training-police.html>; Amy C. Watson and Anjali J. Fulambarker, “The Crisis Intervention Team Model of Police Response to Mental Health Crises: A Primer for Mental Health Practitioners,” *Best Pract Ment Health* 8(2) (2012): 71-79; Randolph Dupont and Sam Cochran, “Police response to mental health emergencies—Barriers to change,” *Journal of the American Academy of Psychiatry and the Law*, 28(3) (2000), 338–344.

To inform our understanding of these issues, the Task Force consulted with several experts: Dr. Tammara Durham, Vice Provost for Student Affairs at KU, Dr. Aramis Watson, Associate Director of Residence Life at KU, Dr. Bruce Liese, Professor of Family Medicine and Psychiatry & Director of the Cofrin Logan Center for Addiction Treatment and Research at KU, and Bob Tryanski, Director of Mental Health Projects for Douglas County.

These experts emphasized that responses to emergency calls regarding behavioral health are especially important, complex, and fraught with risk. Individuals experiencing behavioral health crises are often distraught, sometimes under the influence of substances including alcohol, and sometimes acting in ways that represent significant risks to the health and safety of themselves or others. Their interactions with emergency first responders may be volatile and subject to unpredictable escalation of tension. In a significant portion of these calls, the person in crisis must be transported to the emergency room of Lawrence Memorial Hospital. Some of these individuals must be transported involuntarily.

At the request of the Task Force, KU PSO compiled data on the number of these calls. The Task Force also drew on data provided by the Douglas County Health Department and data provided by the Student Support and Case Management program at KU. These sources of information indicate that the number of KU students experiencing behavioral mental health crises is significant and is probably growing over time. The data also indicate that the KU PSO 911 system and officers are among the most common frontline responses to these crises.

The Student Care Referral Team, a project of Student Support and Case Management, addresses concerns about individual students who are experiencing significant personal crises that merit institutional support. For the years 2019 and 2020 through mid-September, the Student Care Referral Team addressed 616 cases of students in crisis, including 387 involving emotional or psychological distress, 112 involving suicidal ideation, 75 requiring psychiatric hospitalization, 25 involving a suicide attempt, 21 involving other forms of self-harm, and 7 involving homicidal ideation.²⁶

KU PSO officers are called to respond to a significant number of these cases, as well as others not known to the Student Care Referral Team before the emergency call. For example, the number of suicide-related calls to KU PSO has grown substantially (see Appendix 3). KU PSO responded to 10 such calls in 2012, 11 in 2013, 15 in 2014, 17 in 2015, 21 in 2016, 29 in 2017, 40 in 2018, and 24 in 2019. Since 2012, 28 of these calls resulted in the involuntary transfer of a person to emergency room care, a process requiring substantial care and time. KU PSO officers also respond to many calls involving students in crisis due to substance abuse, including severe alcohol intoxication. For example, in 2019, KU PSO officers responded to 58 calls regarding alcohol-related medical emergencies; 25 of these individuals were transported to the emergency room.

²⁶ Data provided by Jennifer Wamelink, Associate Vice Provost for Student Affairs, University of Kansas.

Data from the Lawrence-Douglas County Health Department lend support to the observation that behavioral health crises are a significant and growing concern among college-age students in Douglas County. The Health Department reports that the suicide rate in Douglas County has increased 84% since 1993, well above the average for both Kansas and the country as a whole, and that the problem is especially concentrated among younger residents.²⁷ According to the report, half of all attempted suicides in Douglas County resulting in admission to the hospital emergency room involve individuals younger than 21, and half of suicide ideation cases (involving thoughts or plans for suicide) involve individuals younger than 27.

In developing recommendations on behavioral health, the Task Force focused particularly on mental health crises. Medical emergencies regarding substance abuse, including alcohol, may require somewhat different institutional solutions to those identified below regarding mental health. To better address the growing need for responses to mental health crises, the Task Force offers three recommendations.²⁸

Recommendation A.1. Better identify, understand, and respond to a person who may be developing or experiencing a mental health concern or crisis by:

- Considering expansion of mental health first aid training to student employees with a full day of training for Housing staff. Mental health first aid is “a skills-based training course that teaches participants about mental health and substance-use issues,” and prepares them to “identify, understand and respond to signs of mental illnesses and substance use disorders.”²⁹ Trainees develop “the skills... need[ed] to reach out and provide initial help and support to someone who may be developing a mental health or substance use problem or experiencing a crisis.” The mental health first aid training course is a project of the National Council for Behavioral Health and the Missouri Department of Mental Health. A number of peer-reviewed studies confirm the effectiveness of mental health first aid training.³⁰ For more information, see <https://www.mentalhealthfirstaid.org/>

²⁷ Lawrence-Douglas County Health Department, “Douglas County Suicide” (Lawrence, KS: Lawrence-Douglas County Health Department, 2019).

²⁸ The Task Force discussed a fourth possible recommendation, to require reporting of data on the race and ethnicity of persons who receive emergency behavioral mental health responses, and we decided against making such a recommendation for two reasons. First, we believe the benefits of such publicly-reported data are minimal; and second, we believe the potential risks of reporting such data may be substantial, including compounding the stigma associated with behavioral mental health issues and the risk that people experiencing such issues may be less willing to seek assistance. If the advisory board recommended in this report is established, that body could revisit this question and make its own determination on whether reporting the data would be useful and appropriate and, if it were to decide differently than we have, could request the data from KUPSO at that time.

²⁹ <https://www.mentalhealthfirstaid.org/>

³⁰ See, e.g., A.J. Morgan, A. Ross, and N.J. Reavley, “Systematic review and meta-analysis of Mental Health First Aid training: Effects on knowledge, stigma, and helping behaviour.” *PLOS Journal*. 13(5) (2018): e0197102.

- Integrating KU services more fully in Douglas County’s Zero Suicide Initiative. This initiative aims to reduce suicide in Douglas County by preparing key organizations to work proactively to address the conditions affecting suicide ideation and suicide, and by responding more effectively to individuals experiencing severe mental health crises. The initiative is part of a broader effort supported by the Education Development Center, an international nonprofit organization. In Douglas County, the initiative is led by the Kansas Suicide Prevention HG (formerly known as the Headquarters Counseling Center). Since January 2020, a KU PSO officer has been a member of the Douglas County Suicide Prevention Coalition (<https://www.dcsppoalition.org/>), a group working on the Zero Suicide Initiative. We recommend increasing KU’s institutional involvement in these efforts. For more information about the local initiative, see <https://www2.ljworld.com/news/county-government/2019/jun/09/zero-suicide-initiative-would-mean-real-change-leader-tells-douglas-county-commission/>
- Involving KU more fully in Douglas County’s “Engage Douglas County Prevention Coalition,” an effort to bring together the Lawrence-Douglas County Health Department and local social service agencies to develop an integrated system of care that addresses root causes of behavioral mental health problems and suicide. For more information, see <https://douglascountyks.org/depts/administration/county-news/2020/02/26/douglas-county-partner-agencies-launch-behavioral-health>.

Recommendation A.2. Increase response and involvement of health professionals (and reduce the involvement of public safety officers) regarding students experiencing a behavioral mental health concern or crisis, including those involving substance use and abuse, by:

- Amending existing policies and procedures that currently direct housing services to notify PSO of students experiencing a behavioral mental health concern or crisis to, instead, notify appropriate health professionals. (See: https://housing.ku.edu/sites/housing.ku.edu/files/images/general/contract/Handbook_2020-21.pdf, p. 26)
- Recognizing that most KU PSO officers have received Crisis Intervention Training and that KU has a Student Care Referral Team and a 24/7 crisis call number (<http://studentaffairs.ku.edu/student-affairs-assists>) to address student mental health crises, we recommend exploring various models of crisis response that replace the initial response by officers with others who have crisis intervention training (e.g., CAHOOTS [<https://legislativeanalysis.org/crisis-assistance-helping-out-on-the-streets-cahoots/>]) or with Crisis Intervention Teams (consisting of mental health professionals and officers) and identifying which matches KU aims and resources. There is growing

evidence in the form of peer-reviewed research on the effectiveness of some of these models.³¹

- In addition, or in conjunction with the previous recommendation, providing 3-5 social workers to serve in an on-call rotation to assist KUPSO during after-hours calls involving behavioral health crises.
- Hiring a full-time social worker to support KU PSO with victims' resources, advocacy, and referrals to mental health specialists.
- Ensuring that social workers and other mental health professionals who are hired as part of these initiatives are appropriately diverse and are trained to recognize their racial and other biases and to respond respectfully and equitably to the needs of all who they serve.
- Ensuring that, when Public Safety officers must respond to a student experiencing a behavioral mental health concern or crisis, officers recognize how students with marginalized identities may experience a crisis and react to PSO involvement; providing training to PSOs to respond more effectively to these situations.
- Ensuring that all relevant staff who participate in behavioral mental health crisis responses receive trauma-informed training, including training in trauma specifically experienced by historically marginalized groups.

Recommendation A.3. As KU Counseling and Psychological Services is not equipped to serve people who are experiencing a mental health (including substance use) concern or crisis that places an individual at risk for harm to self or others, develop institutional processes that increase awareness of, access to, and integration with behavioral health and crisis services in Douglas County by:

- Establishing a working group to develop policies and procedures that aim to integrate KU within Douglas County's system of care. See: <https://www.douglascountyks.org/bh/promote-integration>
- Continuing KU PSO's participation in Douglas County's Mobile Response Workgroup with the aim of expanding mobile assessment, intervention, and stabilization services to students experiencing a mental health (including substance use) concern or crisis at any time, 24 hours per day, 7 days per week.

³¹ See, e.g., Sheryl Kubiak, Erin Comartin, Edita Milanovic, Deborah Bybee, Elizabeth Tillander, Celeste Rabaut, Heidi Bisson, Lisa M. Dunn, Michael J. Bouchard, Todd Hill, Steven Schneider, "Countywide implementation of crisis intervention teams: Multiple methods, measures and sustained outcomes." *Behavioral Science and Law* 35 (2017): 456-469; Amy C. Watson, Amy, Michael T. Compton, and Jeffrey N. Draine, "The crisis intervention team (CIT) model: An evidence-based policing practice?" *Behavioral Science and Law* 35 (2017): 431-441.

Recommendation A.4. Recommendations A.1-A.3 offer the potential for a reduction in PSO staff. Nonetheless, in recent years, despite on-going recruitment and retention efforts, the KU Office of Public Safety has been frequently understaffed due to vacant police officer, security officer and dispatcher positions. We recommend ongoing assessment of the necessary number of staff, as employing an inadequate number of officers to meet the level of need requires mandatory over-time work schedules and this may result in overworked and overstressed officers with impaired judgment. We recommend steps to reduce officer fatigue and associated public safety concerns by:

- Recruiting and retaining KUPSO staff to a level, given the reduced responsibilities identified above, to avoid required overtime.
- Providing resiliency training to give officers the coping skills to be able to recognize and address their own mental health challenges.

B. Officer conduct issues

The Task Force's second focus is issues related to officer conduct, including use of force. As noted above, much of the controversy around policing nationally has involved officers' uses of force, especially deadly force against unarmed African Americans. The Task Force's charge specifically directs us to examine KU PSO policies and training on use of force to reduce the risk that such a tragedy might occur in the future at the University of Kansas. Campaign Zero, the Movement for Black Lives, and others have called for specific changes in police policies, training, and oversight in these areas.³²

In addressing these issues, the Task Force emphasized the diversity of students, staff and faculty at the University of Kansas. The KU community includes whites, African Americans, Latinx, Asian Americans, Native Americans, international students from many countries, people with LGBTQIA identities, and people with disabilities. International students may be from countries where police either never carry guns or are heavily armed. The wide array of previous experiences or perceptions of police officers contribute to varying expectations of the KU police, emphasizing the need for respectful behavior by KU officers toward all whom they meet.

Although use of force by KU police officers is rare, as long as officers are potentially called upon to intervene in ongoing conflicts, respond to individuals who may be carrying weapons, or respond to individuals who are acting erratically, or some combination of these conditions, there is a potential for officers to use force, including shooting. In fact, the rarity of the event may increase its likelihood. There is a growing body of evidence that uses of deadly force are statistically more likely by officers in departments or areas where these actions are

³² <https://www.joincampaignzero.org/solutions>; <https://m4bl.org/policy-platforms/end-the-war-on-black-communities/>.

less numerous.³³ For example, a study of police shootings in a number of major urban areas revealed that police shooting rates were *higher* in areas with lower rates of violent crime.³⁴ A possible explanation for this pattern is that in areas with lower rates of violent crime, officers are less prepared for the possibility that they may be confronted with a situation in which they must decide whether to use deadly force and, being less prepared, are more likely to make mistakes in this decision. Since 2015, there is some evidence that police shooting rates have declined in major cities but have *increased* in smaller cities. The presence of concealed guns carried by some students and others on the KU campus, as allowed by Kansas statutes and University policies adopted pursuant to these statutes, may contribute to the potential for uses of deadly force by KU PSO officers. In sum, the rarity of use of force of any kind by the KU police should not lead to a relaxation of concern about its possibility, and about ensuring that KU policies and training on the use of force best ensure that officers will not use deadly force unless absolutely necessary to save the life of the officer or a third person.

Although police killings occupy most of the media coverage regarding officer conduct, other issues related to officer conduct also pose significant concerns. African Americans and members of other racial and ethnic groups other than whites have often complained of disrespectful treatment by police officers. A growing body of research documents significant and substantial racial disparities in how respectfully police treat members of the public.³⁵ These studies document a wide range of less respectful ways of speaking, many of which do not rise to the level of actual insults or swear words but that nonetheless are widely understood to signify less respect or even disrespect. For example, one study, using systematic observation of officer body camera recordings in traffic stops in a west coast city, found that “white residents were 57 percent more likely than Black residents to hear a police officer say the most respectful utterances, such as apologies and expressions of gratitude like ‘thank you.’ Meanwhile, Black community members were 61 percent more likely than white residents to hear an officer say the least respectful utterances, such as informal titles like ‘dude’ and ‘bro’ and commands like ‘hands on the wheel.’”³⁶ These racial differences were unaffected by the severity of the traffic offense or enforcement action, and neutral observers were able to correctly categorize the race

³³ Lawrence W. Sherman, “Small is dangerous: community size and police shooting deaths.” Presented at the Meeting of the American Society for Criminology, 71st (2015), Washington, DC.

³⁴ David Klinger, Richard Rosenfeld, Daniel Isom, Michael Deckard, “Race, crime, and the micro-ecology of deadly force.” *Criminol. Public Policy* 15 (2015):193–222

³⁵ Charles R. Epp, Steven Maynard-Moody, and Donald Haider-Markel, *Pulled Over: How Police Stops Define Race and Citizenship*, Chicago: University of Chicago Press, 2014; Rob Voigt, Nicholas P. Camp, Vinodkumar Prabhakaran, William L. Hamilton, Rebecca C. Hetey, Camilla M. Griffiths, David Jurgens, Dan Jurafsky, and Jennifer L. Eberhardt, “Language from police body camera footage shows racial disparities in officer respect,” *Proceedings of the National Academy of Sciences* Jun 2017, 114 (25): 6521-6526.

³⁶ Alex Shashkevich, “Police officers speak less respectfully to Black residents than to white residents, Stanford researchers find,” *Stanford News* (June 5, 2017), <https://news.stanford.edu/2017/06/05/cops-speak-less-respectfully-Black-community-members/>.

of the driver to whom the officer was speaking in over two-thirds of the cases simply be reading the text of the words used by the officer.³⁷

These racial differences in police respectfulness have significant consequences for public trust in the police. A large body of research shows that officers' actions are regarded by the people with whom they interact as more fair and legitimate the more the officers are perceived as acting in procedurally just ways, which is a technical term meaning, essentially, respectfully. As the President's Task Force on 21st Century Policing summarized, procedural justice consists of "treating people with dignity and respect, giving them 'voice' during encounters, being neutral and transparent in decision making, and [c]onveying trustworthy motives."³⁸

Respectful treatment is closely connected to another common concern: that, when interacting with members of the public, police officers more often unnecessarily escalate tensions with African Americans and members of other racial and ethnic minority groups in comparison to interactions with whites, contributing to disparities in the use of force. Again, peer-reviewed research lends support to this concern.³⁹

The data available to the Task Force on officer conduct toward members of the public by KU PSO officers is limited. KU PSO officers rarely use force, according to internal monitoring. Officer demeanor (respect or disrespect) toward members of the public is not monitored at KU PSO, as is true of police departments in general. Some comments gathered as part of our public comment sessions and our confidential comment portal on our website described disrespectful interactions by particular officers. As noted above, the letter received from the KU Black Alumni Network reports that members have experienced "unwarranted stops, police harassment, and unnecessary physical violence." These comments and the letter suggest the value of heightened monitoring and training, as is recommended by a number of authorities.

To address issues of officer conduct, including use of force, leading authorities on policing emphasize the importance of policies and training favoring procedural justice and proactive de-escalation of interpersonal tensions between officers and members of the public. These include the "National Consensus Policy on Use of Force" adopted by a coalition of all police professional associations, the Police Executive Research Forum's *Guiding Principles on Use of Force*, and the President's Task Force on 21st Century Policing.⁴⁰

³⁷ Voigt, *et al.*, "Language from Police Body Camera Footage."

³⁸ President's Task Force on 21st Century Policing, *Final Report of the President's Task Force on 21st Century Policing* (Washington, DC: Office of Community Oriented Policing Services, 2015), p. 10.

³⁹ Rory Kramer and Brianna Remster, "Stop, Frisk, and Assault? Racial Disparities in Police Use of Force During Investigatory Stops," *Law & Society Rev.* 52 (2018): 960-993; Jeffrey Fagan and Alexis Campbell, "Race and Reasonableness in Police Killings," *Boston University Law Review*, Vol. 100(2020): 951.

⁴⁰ *National Consensus Policy and Discussion Paper on Use of Force*, Rev. July 2020, [https://www.theiacp.org/sites/default/files/2020-07/National Consensus Policy On Use Of Force%202020%20v3.pdf](https://www.theiacp.org/sites/default/files/2020-07/National%20Consensus%20Policy%20On%20Use%20Of%20Force%202020%20v3.pdf); Police Executive Research Forum, *Guiding Principles on Use of Force* (Washington, DC: Police Executive Research Forum, 2016), <https://www.policeforum.org/assets/30%20guiding%20principles.pdf>; President's Task Force on 21st Century

The Task Force offers three recommendations based on these models.

Recommendation B.1. To better serve all in the KU community equally, KU PSO should fully adopt the policies, training, and supervisory procedures regarding procedural justice and de-escalation outlined in the *President’s Task force on 21st Century Policing* and the *PERF Guiding Principles on Use of Force*, and should publicize these policies to the KU community so as to establish a shared expectation in that community of respectful communications between officers and members of the public. Specifically:

- Establish, as policy, that procedural justice practices are essential to all interactions by KU PSO staff with members of the public.
- Make clear in policy and training that procedural justice practices emphasize conveying respect in interpersonal communications by: “(1) treating people with dignity and respect, (2) giving individuals “voice” during encounters, (3) being neutral and transparent in decision making, and (4) conveying trustworthy motives.”⁴¹
- Integrate these principles in officer training and ongoing supervisory guidance and oversight of officers, as documented in peer-reviewed research.⁴²
- In KU PSO policy and training, treat de-escalation practices as a *proactive* practice to reduce the likelihood of resorting to use of force rather than merely a step to take after force is used (as the current KU PSO use of force policy appears to require).
- Ensure that KU PSO application of procedural justice and de-escalation practices are appropriately adapted to the local KU environment.

Recommendation B.2. In keeping with practices at other universities, we recommend that KU PSO publicize to the campus community the KU PSO policies on use of force and procedures for investigating and evaluating instances of the use of force.⁴³

Policing, *Final Report of the President’s Task Force on 21st Century Policing* (Washington, DC: Office of Community Oriented Policing Services, 2015), recommendation 1.1, pp. 11-12; *President’s Task Force on 21st Century Policing: Implementation Guide*, <https://cops.usdoj.gov/RIC/Publications/cops-p341-pub.pdf>.

⁴¹ President’s Task Force on 21st Century Policing, *Final Report*, p. 10.

⁴² Emily Owens, David Weisburd, Karen L. Amendola, and Geoffrey P. Alpert, “Can You Build a Better Cop? Experimental Evidence on Supervision, Training, and Policing in the Community,” *Criminology and Public Policy* 17(1) (2018): 41-87. Lorraine Mazerolle and William Terrill, “Making Every Police-Citizen Interaction Count: The Challenges of Building a Better Cop,” *Criminology and Public Policy* 17(1) (2018): 89-96; George Wood, Tom R. Tyler, and Andrew V. Papachristos, “Procedural justice training reduces police use of force and complaints against officers,” *Proceedings of the National Academy of Science* 117(18) (2020): 9815–9821.

⁴³ Examples of transparent use of force policies at other universities include the University of Texas (<https://www.utsystem.edu/sites/default/files/offices/police/policies/601UseofForce.pdf>), the University of California-San Diego (<http://police.ucsd.edu/about/force.html>), and the University at Buffalo (State University of New York) (<http://www.buffalo.edu/police/policing/Use-of-Force.html>). These examples of public transparency are not intended to endorse the substance of these policies.

Recommendation B.3. We recommend that KU PSO continue its new initiative to gather data on the race and ethnicity of persons stopped by KU officers and the outcomes of stops; that KU PSO publicly report statistical summaries of these data when they are available; and that KU PSO work to integrate the data into supervisory oversight of officers with the goal of reducing and eliminating any racial disparities in stops that may be revealed by the data.

In some police departments, African Americans are disproportionately stopped while driving or walking.⁴⁴ This is especially so where police use these stops as a crime-fighting method.⁴⁵ In such a practice, officers are encouraged to make stops, not for the purpose of sanctioning unsafe and illegal behavior, but for the purpose of checking to see whether a person is engaged in illegal activity. For example, in the University of Cincinnati police department, according to a consulting firm hired by that university to recommend reforms after an officer shot a motorist during such a vehicle stop, “traffic stops were being conducted in unprecedented numbers as part of the [crime-fighting] philosophy of the then newly installed Chief.”⁴⁶ The report recommended that it was not enough simply to have training in bias-free policing: the department should also require officers to report the race and ethnicity of the people they stop, and supervisors should monitor these data to ensure that stops are made equitably. The report observed that “[e]ven then... the use of traffic stops as a method to fight crime is questionable, at best” and it recommended that “[t]raffic and pedestrian stops should not be used as a crime fighting tool by UCPD.”⁴⁷

We do not have sufficient information to assess whether police stops are being used by KU officers as a means to check drivers or pedestrians for involvement in illegal activity, or if this is so, whether stops are made equitably. However, we note that the letter the Task Force received from the KU Black Alumni Network and several comments from the public raised concerns about stops of African Americans and others.

To address these concerns, we affirm KU PSO’s participation in an innovative Douglas County-wide study of the race and ethnicity of persons stopped by the police.⁴⁸ Under this study, police agencies in Douglas County are, for the first time, requiring officers to record the race and ethnicity of the persons they stop. The study has already established state-of-the-art procedures for gathering these data from police-stop records in a way that considers such variables as the reason for the stop, the time and location of the stop, the outcome of the stop,

⁴⁴ Frank R. Baumgartner, Derek A. Epp, and Kelsey Shoub, *Suspect Citizens: What 20 Million Traffic Stops Tell Us About Policing and Race* (New York: Cambridge University Press, 2018); Epp, Maynard-Moody and Haider-Markel, *Pulled Over*.

⁴⁵ Epp, Maynard-Moody and Haider-Markel, *Pulled Over*.

⁴⁶ Exiger, *Final Report for the Comprehensive Review of the University of Cincinnati Police Department* (Report to the University of Cincinnati Office of Safety and Reform, June 1, 2016), p. 6; <https://www.exiger.com/sites/default/files/Final%20Report%20for%20the%20Comprehensive%20Review%20of%20the%20UCPD%20.pdf>.

⁴⁷ Exiger, *Final Report*, p. 23, 6.

⁴⁸ <https://www.douglascountyks.org/depts/administration/county-news/2020/05/12/researchers-share-data-traffic-pedestrian-stop-study>.

including whether a search was conducted and whether anything was seized as a result of the search. The data will allow KU PSO supervisors to identify patterns of racial bias in police stops *by officer, location of stop and time*. Although some jurisdictions, like Missouri, have long gathered such data but have not used it to reduce disparities in stops, in jurisdictions where such data are used by supervisors to reduce racial disparities in police stops, the result has been to reduce these disparities.⁴⁹ This is the purpose of the data-gathering effort in Douglas County. The Douglas County study process established police department procedures and computer data-entry systems that will allow participating departments, including KU PSO, to carry on the process in perpetuity. The study's consultants expect to publish a report on patterns in stops by race and ethnicity in June 2021.

We recommend that KU PSO continue in perpetuity to use the system established by the consultants for gathering the data on the race and ethnicity of people stopped by KU officers, to publish periodic reports on racial patterns in stops, and to integrate this information into their supervisory management of officers.

Recommendation B.4. Conduct a thorough review of the KU PSO Use of Force Policy and revise it to bring it into consistency with the principles outlined above and recommendations from the Department of Justice and other authorities.

Campus police, like other police, sometimes use deadly force as well as other forms of force, including against students. Shootings by campus police officers have occurred in recent years at the University of Chicago, Georgia Tech, the University of Cincinnati, Portland State University, and the University of Incarnate Word (San Antonio, TX).⁵⁰ In some of these cases,

⁴⁹ See, e.g., the ongoing use of such data by Iowa City, Iowa: <https://www.icgov.org/city-government/departments-and-divisions/police-department/disproportionate-minority-contact-study>; on the Missouri data, see <https://themissouritimes.com/attorney-generals-office-releases-annual-vehicle-stops-report/>.
⁵⁰ Elyssa Cherney, "Shooting of University of Chicago student raises questions over use of force by campus police," *Chicago Tribune*, April 16, 2018, <https://www.chicagotribune.com/news/breaking/ct-met-college-police-departments-tasers-20180407-story.html>; Liam Stack, "Georgia Tech Student Leader Is Shot Dead by Campus Police," *New York Times*, Sept. 18, 2017, <https://www.nytimes.com/2017/09/18/us/georgia-tech-killing-student.html>; Christian Boone, "Family's lawsuit seeks accountability; Tech makes changes," *Atlanta Journal-Constitution*, Sept. 30, 2019, p. B3; Avi Selk, T. Rees Shapiro, and Wesley Lowrey, "Call about suspicious man was made by Georgia Tech student killed by police, investigators say," *Washington Post*, Sept. 18, 2017, <https://www.washingtonpost.com/news/grade-point/wp/2017/09/17/knife-wielding-campus-pride-leader-killed-by-police-at-georgia-tech/>; <https://apnews.com/article/911404c041d0a3e9a732dc87affc8035>; Christian Boone, "Family's lawsuit seeks accountability; Tech makes changes," *Atlanta Journal-Constitution*, Sept. 30, 2019, p. B3; Richard Pérez-Peña, "University of Cincinnati Officer Indicted in Shooting Death of Samuel Dubose," *New York Times*, July 29, 2015. <https://www.nytimes.com/2015/07/30/us/university-of-cincinnati-officer-indicted-in-shooting-death-of-motorist.html>; Gillian Flaccus, "Portland State University disarms campus police after man's shooting death," *Police1*, Aug. 14, 2020, <https://www.police1.com/school-safety/articles/portland-state-university-disarms-campus-police-after-mans-shooting-death-NqvoPuwdoRL6BpU1/>; "Portland State University to pay family \$1 million in killing of man by campus police," *KATU*, Dec. 31, 2019, <https://katu.com/news/local/portland-state-university-to-pay-family-1-million-in-killing-of-man-by-campus-police>; Alia Malik, "Texas high court clears the way for lawsuit over police shooting of San Antonio university student," *San*

the university agreed to substantial settlements and in two, the University of Cincinnati and Portland State University, they enacted substantial reforms of the university police, including, in the case of Portland State, disarming the university police, and at the University of Cincinnati, a sweeping program of 275 reforms including ceasing to use traffic stops as a crime-fighting method.⁵¹ Although uses of other forms of force by campus police are often not publicized, these incidents show that campus police officers sometimes use force up to and including deadly force, and so universities must act to control use of force by their officers, just as cities must do regarding municipal police officers. The issue is complicated by the observation of a growing body of research showing that a significant proportion of deaths at the hands of the police occur in situations where the justification for using deadly force was something other than a gun, typically a vehicle, a sharp object, like a knife or screwdriver, or a blunt object, like a baseball bat or pipe, scenarios involving substantial discretionary choice by officers in the decision to shoot.⁵²

For responding to these risks, leading authorities, including the U.S. Department of Justice, recommend policies, training, and supervisory oversight that emphasize the value of human life and direct officers to slow down their responses, leave space between themselves and the person to reduce that person's ability to reach them, communicate with the person with whom they are interacting in ways that emphasize listening and reasoning, take the time to assess their options and the requirements of law and policy, and work to de-escalate the situation as means of avoiding the use of force and, should force be necessary, reducing its severity.⁵³

In keeping with the recommendations by these authorities, including the U.S. Department of Justice, we recommend the following specific changes to the KU PSO Use of Force Policy. In many respects the KU PSO policy on use of force is consistent with current national standards. For example, the policy requires officers to intervene against improper uses of force by other officers, and the policy prohibits the use of neck restraints as recommended

Antonio Express News, May 22, 2020, <https://www.expressnews.com/news/education/article/Texas-high-court-clears-the-way-for-lawsuit-over-15290284.php>.

⁵¹ Christian Boone, "Family's lawsuit seeks accountability; Tech makes changes," *Atlanta Journal-Constitution*, Sept. 30, 2019, p. B3; Gillian Flaccus, "Portland State University disarms campus police after man's shooting death," *Police1*, Aug. 14, 2020, <https://www.police1.com/school-safety/articles/portland-state-university-disarms-campus-police-after-mans-shooting-death-NqvoPuwdorL6BpU1/>; "Portland State University to pay family \$1 million in killing of man by campus police," *KATU*, Dec. 31, 2019, <https://katu.com/news/local/portland-state-university-to-pay-family-1-million-in-killing-of-man-by-campus-police>; Erin Couch, "UCPD completes DuBose-related reform efforts one year early," *The News Record*, January 30, 2019, https://www.newsrecord.org/news/ucpd-completes-dubose-related-reform-efforts-one-year-early/article_741adfee-24a2-11e9-a3fb-b3fb9b0f28c4.html. A full description of the University of Cincinnati reforms can be found at: <https://www.uc.edu/about/publicsafety/reform.html>.

⁵² Franklin Zimring, *When Police Kill* (Cambridge, MA: Harvard University Press, 2017).

⁵³ Police Executive Research Forum, *Guiding Principles on the Use of Force* (Washington, DC: Police Executive Research Forum, 2016), <https://www.policeforum.org/assets/30%20guiding%20principles.pdf>; *U.S. v. City of New Orleans*, Amended and Restated Consent Decree Regarding the New Orleans Police Department, <https://nola.gov/getattachment/NOPD/NOPD-Consent-Decree/Consent-Decree.pdf/>.

by Campaign Zero, the Consensus Policy, and the Department of Justice. Nonetheless, several other provisions of the KU PSO's use of force policy merit reconsideration. We recommend the following:

- Declare, in the first sentence of the policy, rather than later, that “It is the policy of this law enforcement agency to value and preserve human life.” This is the recommended introductory declaration in the National Consensus Policy on the Use of Force, the Police Executive Research Forum’s *Guiding Principles on the Use of Force*.⁵⁴
- Add, in the policy’s first paragraph as recommended by the National Consensus Policy on the Use of Force, the statement “Officers shall use force only when no reasonably effective alternative appears to exist and shall use only the level of force which a reasonably prudent officer would use under the same or similar circumstances.”⁵⁵
- Clarify the policy’s prohibition on shooting at or from a moving vehicle to bring it into full alignment with policies recommended by the U.S. Department of Justice, the Police Executive Research Forum, and the National Consensus Policy on Use of Force established by the International Association of Chiefs of Police and other police professional associations.⁵⁶
- Adopt the Police Executive Research Forum’s (PERF) Critical Decision-Making Model as the core of KU PSO guidance regarding officers’ responses to situations in which a member of the public may pose harm to the officer or a third party. This model is based on the British policy that has successfully reduced the use of force by police officers in that country, and it has been successfully implemented in several U.S. police agencies. The policy guides officers in a conflict to slow down, gather information, consider policy and legal requirements, consider their options before acting, and reassess the situation as they act.⁵⁷ As PERF observes, this model is “especially valuable in helping officers manage those critical incidents we are trying to impact the most—i.e., situations involving subjects who either are unarmed or have an edged weapon, rock, or similar weapon, as well as incidents involving persons who are experiencing a mental health crisis or who are behaving erratically

⁵⁴ *National Consensus Policy and Discussion Paper on Use of Force*, Rev. July 2020, https://www.theiacp.org/sites/default/files/2020-07/National_Consensus_Policy_On_Use_Of_Force%2007102020%20v3.pdf; Police Executive Research Forum, *Guiding Principles on Use of Force*.

⁵⁵ *National Consensus Policy and Discussion Paper on Use of Force*.

⁵⁶ *U.S. v. City of New Orleans*, Amended and Restated Consent Decree Regarding the New Orleans Police Department, <https://nola.gov/getattachment/NOPD/NOPD-Consent-Decree/Consent-Decree.pdf/>; Police Executive Research Forum, *Guiding Principles on Use of Force; National Consensus Policy and Discussion Paper on Use of Force*.

⁵⁷ PERF, *Guiding Principles*, pp. 79-87.

because of a developmental disability, a mental condition such as autism, substance abuse, or other conditions.”⁵⁸

- Replace the term “non-deadly force” with “less lethal force,” as recommended by the National Consensus Policy on the Use of Force.⁵⁹
- Adopt the National Consensus Policy’s language requiring proactive de-escalation of tensions in interactions with members of the public, as follows:
 - “An officer shall use de-escalation techniques and other alternatives to higher levels of force consistent with his or her training whenever possible and appropriate before resorting to force and to reduce the need for force.
 - Whenever possible and when such delay will not compromise the safety of the officer or another and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used.”⁶⁰
- Add, as recommended by the National Consensus Policy on the Use of Force, the following restriction on use of force: “Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, only the minimal amount of force necessary to control the situation shall be used.”⁶¹
- Add, as recommended by the National Consensus Policy on the Use of Force, the following duty of officers: “Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care consistent with his or her training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility.”⁶²
- Remove from the KU PSO use of force policy the quotation of Kansas statutes that declare no duty to retreat, as this declaration conflicts with the recommended policy and practice of de-escalation. Although this statutory declaration applies to members of the public, police officers are appropriately held to more restrictive

⁵⁸ Police Executive Research Forum, *Guiding Principles on Use of Force*, p. 80; Zimring, *When Police Kill*, pp. 232-33.

⁵⁹ *National Consensus Policy*.

⁶⁰ *National Consensus Policy*.

⁶¹ *Ibid.*

⁶² *Ibid.*

standards imposed by the U.S. Constitution's 4th Amendment and administrative policies of police agencies.

Recommendation B.5. We recommend that KU PSO develop and publish, as a public code of conduct for all members of KU PSO, the portions of KU PSO administrative policies that govern uses of force and officer conduct toward members of the public.⁶³ These policies hold KU PSO's police and civilian officers to standards on the use of force and respectful treatment and community engagement appropriate for a campus-based agency. Making them publicly visible on the KU PSO website, as modeled by some other police forces, would enhance transparency, facilitate accountability, and, we hope, improve trust.

C. Advisory and Oversight Processes

Police legitimacy ultimately rests on democratic accountability.⁶⁴ Municipal police forces in the United States are directly accountable to elected mayors or city commissions; state police forces are directly accountable to elected governors and state legislatures; federal law enforcement officers are accountable to the President and Congress. A key source of current controversy over the police is concern over the effectiveness of these systems for ensuring police responsiveness to the public or to groups who are not part of the political majority. These concerns are, in theory, even more acute in universities where campus police are accountable to administrative officials who are not elected, and where processes of public oversight of the police are rarely developed or transparent.⁶⁵ These nationwide patterns are evident at the University of Kansas, where the KU Public Safety Office reports to the Chief Financial Officer of the University and there are currently no institutional processes for broader public accountability.

The Task Force has determined that the KU community would benefit from a more open and inclusive process for communication between KU PSO and other parts of the KU community and for advice and oversight of the KU PSO on policies, practices, and officer conduct. We recommend three related elements of a more open and inclusive process: an advisory board, a distributed complaint process, and appointment of officers as liaisons to specific groups on campus. These recommendations are intended to increase public trust of the KU police, enhance communication between KU police and other parts of the university community, and to ensure that KU is meeting its responsibility to hear from members of the KU community who may be affected by KU police activities.

Recommendation C.1. Create a police oversight board. Many universities have boards or committees of students, staff and faculty to provide advice and oversight to the campus

⁶³ Policies "E. Use of Force" and "D.1. Conduct."

⁶⁴ David Alan Sklansky, *Democracy and the Police* (Stanford, CA: Stanford University Press, 2008).

⁶⁵ Clifford D. Shearing & Philip C. Stenning, "Private Security: Implications for Social Control," *Social Problems* 30 (1983): 493; "Criminal Law - Campus Policing," *Harvard Law Review* 129(4) (2016): 1168-1177.

police.⁶⁶ KU currently does not have such a process. The Director of Public Safety at KU reports to the Chief Financial Officer, and oversight of the police is limited to this formal reporting relationship. We recommend supplementing this reporting relationship with a more transparent and democratic process conducted by a police oversight board.

Our recommendation is informed by a recent report of the National Association for Civilian Oversight of Law Enforcement that identified the benefits and limitations of three common models: a civilian board that reviews complaint investigations conducted by the police department's internal investigators, a civilian board that employs a professional investigator to conduct its own investigations of complaints, and an monitoring agency or board that reviews police departmental policies and practices more broadly, identifies concerns and recommends solutions.⁶⁷ Leading police accountability scholars see considerable benefit in the latter model, as boards that focus exclusively on complaints tend to be reactive, miss broader patterns, and fail to develop forward-looking dialogue with the department that can considerably improve community responsiveness.⁶⁸ We follow this guidance and recommend creation of an oversight board that would focus primarily on matters of policy, practice, and patterns, but would have the possibility of reviewing complaint investigations should the broader assessments suggest a need to do so. We emphasize that adoption of an oversight board should supplement, but not replace, the fundamental responsibility of KU PSO to supervise and ensure accountability of its officers and staff. Our recommendation addresses issues of structure, membership, scope of authority, and responsibilities, as follows.

- Structure: We recommend that the KU Public Safety Oversight Board be established by the Chancellor as an independent body. Alternatively, we recommend that it be established by the University Senate as a permanent committee of that body.
- Membership: We recommend nine members to be nominated by the Chancellor and confirmed by the University Senate, with three each from the student body, staff,

⁶⁶ Examples of police advisory boards at other universities include the University of Arizona, <https://businessaffairs.arizona.edu/content/uapd-campus-advisory-board>; University of California-Berkeley, <https://chancellor.berkeley.edu/task-forces/chancellors-independent-advisory-board-police-accountability-and-community-safety#:~:text=In%202019%2C%20the%20Presidential%20Task,issues%20involving%20the%20safety%20and;University%20of%20California-Riverside,> <https://police.ucr.edu/document/chiefs-campus-community-advisory-board>; University of Cincinnati, <https://www.uc.edu/about/publicsafety/reform/cac.html>; University of Michigan, <https://www.dpss.umich.edu/content/about/student-advisory-board/#:~:text=The%20Division%20of%20Public%20Safety,ways%20to%20remedy%20those%20concerns;University%20of%20San%20Francisco,> <https://myusf.usfca.edu/public-safety-transportation/progressive-policing-community-advisory-board>; and Yale University, <https://your.yale.edu/community/public-safety/community-policing-partnerships>.

⁶⁷ Joseph De Angelis, Richard Rosenthal, and Brian Buchner, *Civilian Oversight of Law Enforcement: Assessing the Evidence* (National Association for Civilian Oversight of Law Enforcement, 2016), p. 11.

⁶⁸ See, e.g., Samuel Walker, *Police Accountability: The Role of Citizen Oversight* (Belmont, CA: Wadsworth, 2001); Samuel E. Walker and Carol A. Archbold, *The New World of Police Accountability* (Los Angeles, CA: Sage, 2020).

and faculty, to serve staggered three-year terms, with the possibility of reappointment.

- One of the faculty members should be a lawyer (perhaps a designee of the Law School)
- Staff of university units whose work interacts with that of KU PSO to serve *ex officio* (these may include Office of Multicultural Affairs; University Housing; Student Services; Emily Taylor Center; Office of General Counsel)
- The Director of Public Safety may serve at the invitation of the board to enhance communication between the board and KU PSO.
- The scope of authority of the advisory board should include:
 - Conducting assessments of KU PSO policies or practices.
 - Hearing concerns from members of the KU community regarding policies or practices of the KU PSO (the information-gathering process may include development of a survey of students, staff and faculty).
 - Fostering improvement in communication between the KU PSO and other university units that work with KU PSO officers.
 - Reviewing KU PSO resolution of complaints.
 - Making recommendations as needed to the chief of the KU PSO and the Chancellor of the University.
- The formal authority of the advisory board should include:
 - Authority to conduct hearings to gather information.
 - Authority to receive information from members of the KU community.
 - Authority to request information from the KU Public Safety Office, including the authority to issue a formal request to the Chancellor for information from PSO in the event that PSO has declined that request.
- The responsibilities of the advisory board should include:
 - Responsibility to conduct outreach and publicity regarding the work of the board and the opportunity for members of the KU community to be heard by the board.

- Responsibility to issue a report to the Director of KU PSO and the Chancellor at least once annually, by December 31 of each year.

Recommendation C.2. Develop a distributed complaint receiving process

Complaints are an important source of information for any police department. Complaints provide supervisors with information about the conduct of officers that they could not obtain in other ways. Generally, complaints may be filed by both department employees and members of the public. In most departments a significant number of complaints are filed by employees regarding the actions of other employees. Whether members of the public feel free to file complaints varies with the openness, transparency and receptivity of the official complaint process.⁶⁹ The KU PSO currently receives complaints in several ways, including in person at the PSO headquarters or by written communication directed to PSO headquarters. This may be adequate, but it is more restrictive than processes in some other departments. For example, in some cities, complaints may be made at any city office, public libraries, and community centers.⁷⁰ The more open, transparent and accessible is the complaint process, the more complaints—and useful information—a department is likely to receive.⁷¹

We recommend expanding the complaint-receiving process at KU to include other university facilities in addition to the PSO. Possibilities include the Office of Multicultural Affairs, the Office of Institutional Opportunity and Access, the Office of University Governance, the Office of Student Affairs, the Office of International Support Services, the University Ombud (if consistent with the mission of this office), the main branches of the KU libraries, including Watson and Anschutz, and an office in the Kansas Union, possibly including Student Union Activities.

- Staff at these locations would be trained to receive complaints and collect information in a form that could be used in an investigation by KU PSO, and that would preserve the confidentiality of the complainant, to the extent allowed by law, if they wish their identity to remain confidential.
- Identifying an office as a complaint-receiving site would be done in consultation with the staff at the office or venue

Recommendation C.3. Appoint and train several officers as liaisons to groups in the KU community.

Some police departments appoint and train officers to serve as liaisons to groups who lack trust in the police and tend not to call on them when they suffer criminal harm. For example, some departments appoint liaison officers to the LGBTQIA+ community. KU PSO officers have sometimes served as liaisons to groups on campus on an informal basis and

⁶⁹ Walker and Archbold, *The New World of Police Accountability*, pp. 138-149.

⁷⁰ Walker and Archbold, *New World*, p. 145.

⁷¹ Walker and Archbold, *New World*, pp. 144-45.

depending on the interest of individual officers. We recommend that KU PSO develop a broader institutional commitment to such a practice, with outreach specifically to groups who are historically marginalized from positive relationships with the police, particularly African Americans, Latinx, and Native groups, LGBTQIA+ groups, and international student groups. KU PSO is unlikely to have the resources necessary to have an individual officer for each of these groups. Nonetheless, some system of liaison officers seems to be appropriate and valuable.

Police abolition as an alternative

In offering the preceding recommendations, we acknowledge the movement to abolish police and its important role in calling for change in policing. Is abolition or defunding of the KU police preferable to the changes we recommend? Representative Alexandria Ocasio-Cortez defined this goal as "asking for the same budget priorities that many affluent suburbs already have. And it may sound strange, but many affluent suburbs have essentially already begun pursuing a defunding of the police in that they fund schools, they fund housing and they fund health care more as their number one priorities."⁷² This appears to mean maintaining the police as one element of a well-functioning system of public services. Christy Lopez, a Georgetown University law professor, has written that "Defunding the police means shrinking the scope of police responsibilities and shifting most of what government does to keep us safe to entities that are better equipped to meet that need. It means investing more in mental-health care and housing, and expanding the use of community mediation and violence interruption programs."⁷³ Tracey Meares, a professor of law at Yale and at one time a defender of proactive policing strategies like stop-and-frisk, recently declared that "policing as we know it must be abolished before it can be transformed," by which she meant that "[p]olicing must reorient itself around a new set of goals; we *must* abandon the project of 'proactive policing.' Too many officers and agencies proceed with their work as if the pursuit of crime reduction is self-justifying. Public safety, narrowly defined as crime reduction, simply does not provide a warrant for overly aggressive proactive policing approaches. Attention to co-production of public security with communities should be policing's primary goal."⁷⁴

The leaders of the police abolition movement go further. Mariame Kaba, one of the pioneers of the police abolition movement, declared, in an essay titled "Yes, We Mean Literally Abolish the Police," that "[w]e can't reform the police. The only way to diminish police violence is to reduce contact between the public and the police." Alex Vitale, a professor at the City University of New York and one of the intellectual leaders of the abolition movement, argues that reforms fail to address the "fundamental problems inherent to policing," specifically that the police mission is, essentially, "the management of inequalities of race and class."⁷⁵ Still,

⁷² Interview with George Stephanopolous on *Good Morning America*, June 10, 2020.

⁷³ Christy E. Lopez, "Defund the Police? Here's What that Really Means," *Washington Post*, June 7, 2020.

⁷⁴ Tracey L. Meares, "Policing: A Public Good Gone Bad," *Boston Review*, Aug. 1, 2017.

⁷⁵ Alex S. Vitale, *The End of Policing* (London: Verso, 2018), pp. 4, 27.

Vitale, too, calls for “new training regimes, enhanced accountability, and a greater public role in the direction and oversight of policing”—as long as these reforms are paired with a fundamental change in “the basic mission of police.”⁷⁶ The Movement for Black Lives favors ending proactive law enforcement practices and divestment from policing, and investment in affordable housing, education, public health, and other social services.⁷⁷ Like Vitale, the Movement for Black Lives pairs this broad proposal with support for specific reforms of police use of force policies and police-stop policies.⁷⁸ In sum, advocates of defunding and abolition offer somewhat different meanings for these terms, and most of these advocates also favor specific substantive reforms of police practices.

The Task Force considered proposals to defund and abolish the KU PSO. We devoted a meeting to hearing and discussing the petition from the student group AbolishKU to “[i]mmediately dismantle the police services and patrol division provided by the KU Public Safety Office and cease all policing activities on KU campus.”⁷⁹ In considering the petition’s demand to dismantle the KU PSO, we are mindful that the petition, like the various defunding proposals summarized above, identified specific changes to enhance public safety, including calling for responses other than policing to wellness checks and drug and alcohol use on campus.

The Task Force is sympathetic to the concerns raised by the abolition movement. The Task Force shares the view that some activities now assigned to the police on the KU campus would be better done by other professionals, including mental health professionals, and we are committed to the goal, powerfully expressed by the AbolishKU petition, “to take tangible steps to make KU a safer community for our Black students.” In considering these demands, the Task Force carefully considered the work of the KU PSO, including the number and range of calls for service to the KU PSO, and the concerns expressed by members of the KU community about the conduct of officers in their responses to some of those calls and in police stops. The Task Force also considered the state mandate to its public universities to maintain campus police forces. Finally, we considered the abolition proposal in the context of the recommended changes to KU PSO practices and oversight discussed above.

The majority of the Task Force has concluded that public safety at KU is likely to be better served at this time with continuation of the KU Public Safety Office, as modified by our recommendations, than by its abolition. One consideration justifying this conclusion is the need to respond to calls for police service, and the value of having a police department

⁷⁶ Vitale, *End of Policing*, p. 221.

⁷⁷ <https://m4bl.org/policy-platforms/end-the-war-on-black-communities/>.

⁷⁸ *Ibid.*

⁷⁹ The petition also called for banning Lawrence police from the KU campus and prohibiting any cooperation or information-sharing by KU PSO with the federal Immigration and Customs Enforcement agency (ICE). After consideration and research, we concluded that the first of these proposed bans is not legally possible, as Lawrence police have legal jurisdiction over all areas within the City of Lawrence, and we decided not to recommend the second as it is our understanding that KU PSO has had infrequent contact with ICE through the years related only to customs issues, not immigration enforcement.

controlled by the University in charge of these responses. In calendar year 2019, KU police received 5,498 calls for service from members of the KU public, an average of fifteen per day. These included 51 requests for an escort and 288 calls from the campus Blue Phones. In addition, KU police provided security and traffic regulation at numerous campus events. If KU police were disbanded, these calls and related responsibilities would go to other agencies in the area. The Task Force has concluded that KU is better served by having a campus police force, under KU authority, to respond to calls for service than by relying on the response of other agencies.

Another consideration is that the KU Public Safety Office, like campus police generally, leans toward a service orientation in comparison to the enforcement orientation more typical of city police departments, and we believe this service orientation is more appropriate for the KU setting. Many of our foregoing recommendations are directed toward facilitating and strengthening this service orientation. For example, our recommendation to develop a democratically-accountable advisory and oversight board would enhance communications and community-responsive relations between the KU PSO and the student body and student-support services; our recommendation to establish liaison officers would enhance communication with, and service to, marginalized student groups; our recommendation to establish a code of conduct focused on the values of communication and procedural justice would enhance officer interactions with members of the KU community. These steps would be harder to achieve with external police agencies.

VI. Conclusion

The University of Kansas Public Service Office, like many other campus police departments, performs a wide range of campus services, among them ensuring the security of buildings, regulating traffic, helping to manage traffic and crowds at major campus events, offering escort services and responding to calls from campus “Blue Phone” security phones, responding to many calls for service from university housing facilities, and ensuring public safety in a context where guns are widely available. The list of services is notably broader than is typical of municipal police forces, which are themselves called upon to perform a wider range of first-responder services, and to address a broader array of social problems, than is typical of police forces in other countries.

The breadth of the policing role on university campuses contributes to several challenges. These include the difficulties inherent in responding to behavioral mental health crises; the widely varying nature of interactions with members of the public in such different contexts as responses to medical emergencies, traffic stops, responses to building security alarms, requests for security escorts late at night, and calls for service from university dormitory residents and staff, all within a context where guns are widely available among the population; the need for ensuring democratic legitimacy of the police in a context where their authority is not directly accountable to elected officials; and the fact that in the absence of

campus police these challenges would be met by other police forces not under the control of the university.

Our recommendations are directed at addressing these challenges by suggesting ways to supplement and possibly replace police-officer responses to some kinds of calls with mental-health professionals, enhancing KU PSO's system for regulating officer conduct, and adding a democratically-accountable oversight board to offer advice and oversight to the KU Public Safety Office. Although we acknowledge that challenges will surely remain, we believe that these recommendations, if implemented, would establish institutional processes capable of continuous improvement into the future.

Appendix 1
Responsibilities of the KU Public Safety Office
Compiled by Chief Chris Keary, KU PSO

Police

- Patrol campus in marked police cars and by foot to provide a visible police presence and to look for criminal behavior (24/7/365)
- Use community policing principles to encourage active community participation in safety and security of campus
- Responds to calls for service such as medical emergencies, fire and intrusion alarms and criminal and non-criminal incidents
- Investigate and document criminal incidents, gather evidence and provide district court or city prosecutors with completed cases for charging
- Respond to and investigate traffic accidents and enforce traffic regulations
- Support athletic and other events on campus by providing traffic control, a security presence and police response to incidents during the events
- Provide on-going training to police officers and provide documentation of that training to Kansas Commission on Peace Officers Standards and Training
- Provide educational opportunities about topics such as personal and property safety to members of the university community
- Secure and track all evidence used for criminal cases and provide evidence to the criminal justice system as needed
- Determine the need for timely warnings and emergency messaging to the community
- Provide a daily crime log and work with campus partners to maintain university compliance with the Clery Act
- Conduct background investigations for new department employees as part of the hiring process
- Communicate reported crimes or other issues on campus to other university departments to allow for their response and assistance

Security

- Patrol and secure university buildings at night
- Observe and report any maintenance issues in university buildings
- Patrol and secure housing and athletic buildings after hours and on the weekends
- Use community policing principles to encourage active community participation in safety and security of campus
- Provide vehicular or walking escorts to community members
- Provide security services at Spencer Art Museum and at the Edwards campus
- Provide a daily crime log on the Edwards campus
- Expand, improve and maintain security technology on campus including cameras and card access systems
- Support building managers with their card access administration

Lockshop

- Improve and maintain door-locking systems on campus
- Add doors in new buildings to the university's secure key systems
- Respond to after-hour requests to repair locking systems

Emergency Communications

- Answer emergency (911), on-campus emergency phones, and non-emergency phone calls from the public (24/7/365)
- Gather information from callers and determine needed response to incidents
- Communicate by radio to send police or other first responders to incidents on campus
- Communicate by computer with other law enforcement agencies and databases
- Provide emergency communication to the campus community through the building public address system
- Monitor fire and intrusion alarms on campus

Records/Administration

- Maintain the records management system
- Provide necessary reports to prosecutors and others within the criminal justice system
- Provide reports to victims, insurance companies and other involved parties
- Compile criminal statistics and provide to the state
- Coordinate the hiring, evaluations and disciplinary actions with KU Human Resource Management
- Provide support for department computers/servers
- Maintain and produce department correspondence
- Work with university shared service centers on budgetary issues and the payroll system

Emergency Management

- Maintain the university Emergency Management Plan
- Provide training to university staff and administrators so they understand their role during a campus emergency
- Provide tabletop, functional or full-scale exercises of the Emergency Management Plan
- Assist university staff and administrators during emergency responses on campus
- Conduct after action evaluations to update and improve the Emergency Management Plan
- Work with building managers to produce their building's emergency plan
- Conduct annual building evacuation tests in all major buildings
- Maintain communication and coordination with county, state and federal emergency management

Appendix 2
Calls for Service to KU PSO, 2019

<u>Nature / Situation</u>	<u>Number of Calls</u>
1013 - WEATHER	24
1014 - ESCORT	51
1016 - WARRANT SERVICE	18
1032 - CHASE	1
1044 - INVESTIGATE VEHICLE	360
1045 - TRAFFIC STOP	2,961
1046 - DRUNK DRIVER/SUBJECT	2
1047 - NON INJURY ACCIDENT	205
1048 - INJURY ACCIDENT	4
1067 - ATTEMPT TO LOCATE	34
1081 - COMPLAINT	1,473
1085 - FIRE/FIRE ALARM	441
1090 - CRIME IN PROGRESS	1
1091 - INTRUSION ALARM	84
1091P- PANIC ALARM	1
1095 - FIGHT	11
1096 - PROWLER	1
1097 - DOMESTIC SITUATIONS	9
1101 - SUPERVISORY	1,093
1102 - WELLNESS/FITNESS	18
ADMIN-AVAILABLE	3,382
ADMIN-UNAVAILABLE	331
ALCOHOL CONTACT	44
ANIMALS	7
AREA CHECK	59
BLUE PHONE	288
BRIEFING	1,756
BUILDING CHECK	4,231
CITIZEN ASSIST	33
COURT UNAVAILABLE	4
DAYSHEET LOG	105
DEFECTIVE EQUIPMENT	223
EQUIPMENT	82
FOLLOW UP	374
FOOT PATROL	3,110
FOUND PROPERTY	173
FS CALL FOR SERVICE	600
INVESTIGATE SUBJ	5
KUAC - CALL FOR SERVICE	1
LOCKOUT	176
MEDICAL EMERGENCY	210
MOTORIST ASSIST	122
NICS QUERY	3
PARKING CALL FOR SERVICE	20
PARKING CONTROL	47

<u>Nature / Situation</u>	<u>Number of Calls</u>
PEDESTRIAN CHECK	149
SCALPER CONTACT	6
SECURITY BREAK	1,480
SECURITY CHECK	17,177
SPECIAL EVENT	245
TRAFFIC CONTROL	87
TRAINING-DISPATCH	1
TRAINING-POLICE	26
TRAINING-SECURITY	1
VEHICLE MAINTENANCE	116
Total	41,466

Appendix 3

Suicide-Related Calls to KU Public Safety AY 2012-2018

Compiled by KU PSO

Year	Ideation/Attempt	Call Source	Transports/Vol/InVol/From	Location	
2012	Attempted	Other	Vol/Housing	LMH	
2012	Attempted	Other	Vol/Housing	LMH	
2012	Attempted	Housing	Vol/Housing	LMH	
2012	Attempted	Self	InVol/Housing	LMH	
2012	Ideation	CAPS	Vol/Watkins	BN	
2012	Ideation	CAPS	Vol/Watkins	BN	
2012	Ideation	Soc. Media	Vol/Campus Area	LMH	
2012	Ideation	Soc. Media	Unk out of campus area		
2012	Ideation	Soc. Media	InVol/Housing	LMH	
2012	Ideation	Other	Vol/Watkins	BN	
	4-Att/6 ID		7 Vol/2 In Vol		
2013	Attempted	Other	Vol/Housing	LMH	
2013	Attempted	Other	Vol/Housing	LMH	
2013	Attempted	Other	Vol/Housing	LMH	
2013	Ideation	Other	Vol/Housing	LMH	
2013	Ideation	Other	Vol/Housing	LMH	
2013	Ideation	On-Scene	Vol/Housing	LMH	
2013	Ideation	CAPS	Vol/Watkins	LMH	
2013	Ideation	CAPS	Vol/Watkins	LMH	
2013	Ideation	CAPS	Vol/Watkins	BN	
2013	Ideation	Housing	Vol/Housing	LMH	
2013	Ideation	Housing	Vol/ off campus	LMH	
	3 Att/8 ID		11 Vol		
2014	Attempted	Soc Media	Vol/Housing	LMH	
2014	Attempted	Other	Vol/Housing	LMH	
2014	Attempted	Other	Vol/Campus	LMH	
2014	Attempted	Housing	Vol/Housing		
2014	Attempted	Housing	Vol/Housing	Unk	
2014	Attempted	Housing	InVol/Housing	LMH	
2014	Attempted	Housing	InVol/Housing	LMH	
2014	Attempted	Housing	InVol/Housing	LMH	
2014	Attempted	Self	Vol/Housing	LMH	
2014	Ideation	Housing	Vol/Housing	LMH	
2014	Ideation	Other	Vol/Housing	LMH	
2014	Ideation	Other	Vol/Housing	LMH	
2014	Ideation	CAPS	Vol/Watkins	LMH	
2014	Ideation	CAPS	Vol/Watkins	LMH	
2014	Ideation	CAPS	Vol/Watkins	BN	
	9 ATT/ 6ID		12Vol/3 InVol		

2015	Attempted	Housing	Vol/Housing	LMH	
2015	Attempted	Housing	Vol/Housing	LMH	
2015	Attempted	Housing	Vol/Housing	LMH	
2015	Attempted	Housing	InVol/Housing	LMH	
2015	Ideation	Other	Vol/Campus	LMH	
2015	Ideation	Housing	Vol/Housing	LMH	
2015	Ideation	Housing	Vol/Housing	LMH	
2015	Ideation	Housing	Vol/Housing	LMH	
2015	Ideation	CAPS	Vol/Watkins	BN	
2015	Ideation	CAPS	Vol/Watkins	BN	
2015	Ideation	CAPS	Vol/Watkins	BN	
2015	Ideation	CAPS	Vol/Watkins	LMH	
2015	Ideation	CAPS	Vol/Watkins	LMH	
2015	Ideation	CAPS	Vol/Watkins	LMH	
2015	Ideation	CAPS	Vol/Watkins	LMH	
2015	Ideation	CAPS	Vol/Watkins	LMH	
	4ATT/13ID		16 Vol/1InVol		
2016	Attempted	Housing	Vol/Housing	LMH	
2016	Attempted	Housing	Vol/Housing	LMH	
2016	Attempted	Housing	Vol/Housing	LMH	
2016	Attempted	Housing	InVol/Housing	LMH	
2016	Attempted	Housing	InVol/Housing	LMH	
2016	Attempted	Housing	InVol/Housing	LMH	
2016	Attempted	Other	N/A	N/A	
2016	Ideation	Housing	Vol/Housing	LMH	
2016	Ideation	Housing	Vol/Housing	LMH	
2016	Ideation	Housing	Vol/Housing	LMH	
2016	Ideation	Housing	Vol/Housing	LMH	
2016	Ideation	Other	Vol/offcampus	LMH	
2016	Ideation	Other	Vol/campus	LMH	
2016	Ideation	Other	Vol/campus	LMH	
2016	Ideation	Other	Vol/Housing	LMH	
2016	Ideation	Other	Vol/Housing	LMH	
2016	Ideation	CAPS	Vol/Watkins	LMH	
2016	Ideation	CAPS	Vol/Watkins	LMH	
2016	Ideation	CAPS	Vol/Watkins	LMH	
2016	Ideation	CAPS	Vol/Watkins	BN	
2016	Ideation	CAPS	Vol/Watkins	BN	
	7ATT/14ID		17Vol/3InVol		
Total	27ATT/47ID		63Vol/9In Vol		
2017	Ideation	Housing	Vol/Housing	LMH	

2017	Ideation	Housing	Vol/Housing	LMH	
2017	Ideation	Housing	Vol/Housing	LMH	
2017	Ideation	Housing	Vol/Housing	LMH	
2017	Ideation	Housing	Vol/Housing	LMH	
2017	Ideation	Housing	Vol/Housing	LMH	
2017	Ideation	Watkins	Vol/Watkins	LMH	
2017	Ideation	Watkins	Vol/Watkins	LMH	
2017	Ideation	Watkins	Vol/Watkins	LMH	
2017	Ideation	Watkins	Vol/Watkins	LMH	
2017	Ideation	Watkins	Vol/Watkins	LMH	
2017	Ideation	Watkins	Vol/Watkins	LMH	
2017	Ideation	Other	Vol/campus	LMH	
2017	Ideation	Other	Vol/campus	LMH	
2017	Ideation	Other	Vol/campus	LMH	
2017	Ideation	Other	Vol/campus	LMH	
2017	Ideation	Other	Vol/campus	LMH	
2017	Ideation	Other	Vol/campus	LMH	
2017	Attempted	Other	INV/ campus	LMH	
2017	Attempted	Other	INV/ campus	LMH	
2017	Attempted	Other	INV /campus	LMH	
2017	Attempted	Other	Vol/campus	LMH	
2017	Attempted	Other	Vol/campus	LMH	
2017	Attempted	Watkins	INV/Watkins	LMH	
2017	Attempted	Housing	Vol/Housing	LMH	
2017	Attempted	Housing	Vol/Housing	LMH	
2017	Attempted	Housing	Vol/Housing	LMH	
2017	Attempted	Housing	Vol/Housing	LMH	
	19ID/10ATT		25 Vol/4INV		
TOTAL	37ATT/66ID		88 VOL/13 INV		
2018	Completed	Other	Other campus location		
2018	Ideation	Other	INV/ campus	LMH	
2018	Ideation	Housing	Vol/Housing	LMH	
2018	Ideation	Housing	Vol/Housing	LMH	
2018	Ideation	Housing	Vol/Housing	LMH	
2018	Ideation	Other	Vol/campus	LMH	
2018	Ideation	Other	Vol/campus	LMH	
2018	Ideation	Housing	Vol/housing	LMH	
2018	Ideation	Housing	Vol/housing	LMH	
2018	Ideation	Housing	Vol/housing	LMH	
2018	Ideation	Other	Vol/housing	LMH	
2018	Ideation	Other	Vol/campus	LMH	

2018	Ideation	Housing	Vol/housing	LMH	
2018	Ideation	Housing	Vol/housing	LMH	
2018	Ideation	Housing	Vol/housing	LMH	
2018	Ideation	Housing	Vol/housing	LMH	
2018	Ideation	Other	INV/ campus	LMH	
2018	Ideation	Housing	INV/housing	LMH	
2018	Ideation	Housing	Vol/housing	LMH	
2018	Ideation	Other	Vol/campus	LMH	
2018	Ideation	Other	Vol/campus	LMH	
2018	Ideation	Housing	INV/housing	LMH	
2018	Ideation	Housing	Vol/housing	LMH	
2018	Ideation	Housing	Vol/housing	BN	
2018	Ideation	Housing	Vol/housing	BN	
2018	Ideation	Housing	Vol/housing	LMH	
2018	Ideation	Other	Vol/campus	BN	
2018	Ideation	Housing	Vol/campus	LMH	
2018	Ideation	Housing	Vol/campus	LMH	
2018	Ideation	Watkins He	Vol/WHS	LMH	
2018	Ideation	Watkins He	Vol/WHS	LMH	
2018	Ideation	Watkins He	Vol/WHS	LMH	
2018	Attempted	Housing	INV/housing	LMH	
2018	Attempted	Housing	INV/housing	LMH	
2018	Attempted	Other	INV/ campus	LMH	
2018	Attempted	Housing	INV/housing	LMH	
2018	Attempted	Housing	INV/housing	LMH	
2018	Attempted	Housing	INV/housing	LMH	
2018	Attempted	Housing	INV/housing	LMH	
2018					
2018	32ID/7ATT/1 Comp.		28 Vol/11INV		
TOTALS 2012-2018	44ATT/98ID		116 VOL/25 INV		
Year	Ideation/Attempt	Call Source	Transports/Vol/InVol/From	Location	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	

2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Housing	Vol/housing	LMH	
2019	Ideation	Other	Vol/housing	LMH	
2019	Ideation	Other	Vol/housing	LMH	
2019	Ideation	Other	Vol/housing	LMH	
2019	Ideation	Off-Campus	Vol/housing	LMH	
2019	Attempted	Off-Campus	INV/off campus	LMH	
2019	Attempted	Housing	INV/housing	LMH	
2019	Attempted	Housing	INV/housing	LMH	
2019	Attempted	Housing	INV/housing	LMH	
	20 ID/4ATT		20 Vol/4INV		
Total calls 2012-2019	118 ID/48 ATT		136 Vol/29 INV		

Calls for Mental Health Emergency (non –suicidal related) 2016-2019

Year	Call	Location	Transport Info		
2016	Check Welfare/Depression	Housing	No Transport-Appt at CAPS		
2016	Angry with medication issue	Housing	No Transport		
2016	Depression	Housing	No Transport		
2016	Depression	Housing	No Transport		
2017	Depression	Off Campus	No Transport		
2017	Depression	Housing	No Transport		
2017	Depression	Housing	No Transport		
2017	Depression	Housing	No Transport		
2017	Depression	Housing	No Transport		
2017	Depression	Housing	No Transport		
2018	Depression	Off Campus	No Transport		
2018	Depression	Other	No Transport		
2019	Depression	Housing	No Transport		
2019	Depression	Housing	No Transport		
2019	Depression	Housing	No Transport		
2019	Depression	Housing	No Transport		
2019	Depression	Housing	No Transport		
2019	Depression	Off Campus	No Transport		

2019	Depression	Off Campus	No Transport		
2019	Depression	Off Campus	No Transport		