



**Report of the *Public Safety Proposal Advisory Committee*  
On the Department of Public Safety's  
"Proposed Evolution of the Armed Peace Officer Program"**

**Presented to the Public Safety Review Board, to President Richard Feldman,  
and to All Stakeholders in the University and Neighboring Communities**

**March 25, 2019**

**I. Introduction**

In December, 2018, the University of Rochester formed the Public Safety Proposal Advisory Committee (hereafter "the Committee") and charged it with providing advice to the Public Safety Review Board (PSRB) and to President Feldman regarding the Department of Public Safety's ["Proposed Evolution of the Armed Peace Officer Program"](#) (hereafter "the proposal"). With 27 members, including students, faculty and staff from all parts of the university (River Campus, Eastman, URMC) as well as a resident from the neighboring community, the Committee has worked both as a whole and in sub-committees over the past two months to study issues relevant to the proposal and to perform outreach activities to gather the widest possible variety of perspectives on it from stakeholders across the university and in the broader community, as well as from the Department of Public Safety (DPS) itself.

At the heart of this inquiry are questions about how the notion of safety should ultimately be understood, how it can best be achieved for everyone, and how to achieve an appropriate balance between the pursuit of increased safety and the honoring of other values integral to the University of Rochester and its mission of learning, discovery, healing, and creative work in a campus environment situated within a broader urban community. Measures that may increase safety in some respects or for some people might decrease it in other respects or for other people, and measures perceived by some to increase overall safety might be perceived by others as threatening and alienating. Steps that might increase safety in connection with one imagined dangerous scenario might at the same time carry risks in connection with many other, more likely scenarios, and impose costs with respect to other values associated with campus climate and the way in which life at the university is experienced for many in our community. All of this must therefore be carefully considered in weighing the pros and cons of the proposal, given the major change it represents in practice with regard to campus security.

When reading through the four elements of the proposal, as laid out in section III below, it may not at first appear to be a major change at all, adding only one armed officer in a mobile unit per shift on the River Campus, for example, along with similarly limited changes elsewhere. Many might wonder why it is not just obvious that it is the right thing to be doing, given the expected decrease in response times for calls requiring armed response; indeed, we have heard more than once that adopting the proposal would seem to be a "no brainer". But in fact the adoption of the proposal would bring with it a major

change in policy concerning armed responses outside of URMC, and it is important that this be clearly understood, though it is not stated explicitly in the proposal.

Currently, the policy allows for armed response either: (i) from any armed officer if there is a report of possession of a firearm or threatened use of any other weapon, or (ii) from armed DPS supervisors if there is a call involving imminent threats to health and safety. If the proposal were adopted, the added armed peace officers patrolling the River Campus, the Eastman Campus, and the Riverview/Brooks properties would be responding to *any* calls for which they were the nearest available officers, regardless of the nature of those calls (rather than just being held in reserve for the rare calls involving reports of weapons, which is not seen as practicable). This would introduce significant exposure to routine armed policing in these areas of the university that have not previously had it but have only had the possibility of an armed response in the narrow conditions described in the current policy.

In particular, by DPS estimates, newly armed peace officers on the River Campus (one mobile unit per shift) would be responding to an average of **3,899** calls each year; newly armed peace officers at Riverview (one mobile unit per shift) would be responding to an average of **979** calls each year; and newly armed peace officers at Eastman (one foot patrol per shift) would be responding to an average of **949** calls each year.

This change is a highly significant one for the many stakeholders who have expressed concerns about exposure to armed policing, even if the numbers of armed officers per shift are limited. Those concerns require careful consideration.

After conducting research into these issues and gathering perspectives from a wide variety of stakeholders as well as from DPS itself, the Committee thus set about reconstructing both the strongest arguments in favor of the proposal and the strongest arguments against it, and then worked to assess those arguments carefully to determine which are ultimately the most compelling *all-things-considered*. This is discussed in the Recommendations section below.

In doing this work, the Committee found the need on multiple occasions to request further information from DPS, and we would like to thank DPS for their timely and thorough responses to all of these requests. We would also like to acknowledge the extensive background experience and expertise underlying Chief Fischer's perspectives on the issues raised in the case for the proposal, and our understanding of his need to take them especially seriously in his role and responsibility for leading UR's Public Safety Department. At the same time, we see it as our task to put all of this into a broader context and to assess the proposal not only from the perspective of DPS but also from the perspective of all stakeholders, to arrive at recommendations for what it makes most sense for the University to do *all-things-considered*.

Finally, while our work has been intensive, we must also note that it has been limited by the very narrow time-frame imposed by (i) the fact that it did not begin until the spring semester, as the Committee was formed only in response to public outcry over the proposal in the fall, and by (ii) the time constraints stemming from the administration's desire to make a decision on this proposal one way or the other

prior to the arrival of the new president this summer. This necessitated a March 27<sup>th</sup> deadline for the Committee to complete its report and present it to the PSRB and to President Feldman, which meant that we had only two months in which to do this work (notably, five months less than the Security Commission that considered many of these same issues in 2016).

What follows is a description of the Committee and its activities (section II), a summary of the DPS proposal under consideration (section III), the Committee's recommendations for the proposal itself (section IV.A), the Committee's further recommendations beyond the proposal (section IV.B), and two appendices with reports from sub-committees (section V). Note that the Box folder referred to at various points, containing materials gathered and used by the Committee, has been made available to the PSRB and to President Feldman, but is not publically accessible as it contains confidential information. This report, however will be made public after its submission.

## **II. Membership and Activities of the Committee**

**Committee Membership:** William FitzPatrick (Co-Chair), Jamal Holtz (Co-Chair), Daryl Bagley, Mark Ballister, Steven Bondi, Norm Burnett, Catherine Cerulli, Emily Clasper, Lydia Crews, Yaa Cunningham, Colleen O'Neil Davis, Jonathan Dunsby, Tara Eagan, Karen Ely, Thomas Hilimire, Nathan Kadar, Ela Kodzas, Grayson Lenhard, Kathryn Mariner, Anna Mpinga, Kathryn Phillips, Scott Seidman, Reinhild Steingrover, Elaine Tenny, Marla Wall, Diane Watkins, Jonathan Wetherbee. Amy Happ provided staff support for the Committee. This membership includes representation from students, faculty, staff and others from across the entire university as well as from the neighboring community.

### **Description of Committee Activities**

The *Public Safety Proposal Advisory Committee* was formally announced to the broader University Community with messages sent to all students by email newsletter and to faculty and staff through the @Rochester newsletter both in December to announce the Committee members and again in January to announce the beginning of the Committee's work.

#### **--Outreach**

From the start, the Committee made significant efforts to gather feedback from a variety of stakeholders internal and external to the University. Information that had previously been submitted on the proposal was gathered and shared with Committee members, including videos of a number of earlier presentations and written feedback submitted to the President and others.

Committee members reached out to stakeholders with whom they had existing connections, and specific efforts were made also to reach groups who may not have had a preexisting relationship with a member on the Committee. Throughout February and March, we reached out to dozens of groups for feedback. Many of these were student groups and included the Student Task Force on the Commission for Women and Gender Studies, UR Pride Network, students connected to the Office of Minority Student Affairs (OMSA) 400 member distribution list, Minority Student Advisory Board (MSAB) including

the cultural student organizations advised by Wilson Commons Student Activities (WCSA), College Diversity Roundtable, residence hall groups including resident advisors, special interest housing, Greek groups in housing, graduate housing, and off-campus Community Assistants, Minority Male Leadership Association, and students, faculty and staff at the Eastman School of Music, among others.

Feedback was also gathered from groups representing students, staff and faculty at various locations across the University including Spectrum (LGBTQ+ group at Medical Center), Pride Alliance, Diversity and Inclusion Committee, Simon Business School Community including MBA, MS, and part time students, faculty and staff, along with Simon Business School student leadership and more than 25 student clubs. Additional written feedback came in from the Black Students Union, the Spanish and Latino Students Association, Minority Male Leadership Association, UR Pride Network, American Sign Language Club, students from Eastman, UR Disability Awareness, and Students for Chronic Illness Visibility.

Members of the Committee also attended a workshop hosted by the Committee for Political Engagement and the Campus Times with participation from a broad spectrum of stakeholders. Extensive written feedback was gathered from that event and shared with the entire Committee as well.

In addition to representation on the Committee by a resident of the 19th Ward Neighborhood, efforts were made to reach a variety of residents in surrounding communities who might be impacted by this proposal. Outreach was made to the Sector 4 Southwest Common Council, representing all neighborhoods in the Southwest Quadrant of the City of Rochester, and the Sector 6, representing all neighborhoods in the Southeast Quadrant of the City of Rochester. Department of Public Safety Chief Mark Fischer also attended a January 17th meeting of the Southwest Common Council and several Committee members attended as well in order to gather feedback; this presentation was also recorded and shared with the Committee. Members of the Committee from the Eastman School of Music (ESM) connected with the Grove Place Neighborhood Association to gather feedback from neighbors of ESM.

Other community organizations that shared feedback with the Committee or shared the online comment form link (described below) with their membership included representatives from the Executive Board of the Police Accountability Board Alliance in Rochester, the 19th Ward Community Association and business association groups in Southwest neighborhoods including the Genesee Corridor Business Association, the PLEX Neighborhood Association, and Upper Mt. Hope Neighborhood Association. Additionally, the Committee received extensive input from Ted Forsyth, a concerned member of the community who reviewed publicly available materials with great care and helpfully brought forward many issues for consideration by the Committee, for which we are very appreciative.

To supplement these outreach activities, the Committee created an *online comment form* that went live to the public on February 6, 2019. The form allowed individuals inside and outside the University to share feedback anonymously (though commenters could identify themselves if they chose) on the proposal. A link for the comment form was included on the Public Safety Review Board website and advertised through a number of University newsletters in February and early March, including in @Rochester faculty/staff/employee newsletter, Grads@Rochester graduate student newsletter, The Report undergraduate student newsletter, Parents' Buzz for parents of students, and the Rochester Buzz

alumni newsletter. Many groups distributed the link to their distribution lists, helping to reach thousands of stakeholders. Some examples included the Neighborhood and Business Associations in Southwest and Southeast Rochester, Diversity and Inclusion Committee, Simon Business School community, students connected to the Office of Minority Student Affairs (OMSA) 400 member distribution list, among others. In addition, Committee members individually distributed the link to their networks and used the link for groups to submit additional feedback following their meetings. In total, more than 500 comments came in through the feedback link, and a summary report on that feedback may be found in **Appendix A**.

#### **--Other Sub-Committee Work**

In addition to the various sub-committees formed in connection with the specific outreach activities described above, other sub-committees were formed to focus more deeply on certain tasks:

- A sub-committee on hiring and training met separately with individuals responsible for screening and training DPS officers (including trainers within DPS and Dr. John Cullen from URM), and to review current training of peace officers as this relates to assessment of the proposal. A summary may be found in **Appendix B**.
- A sub-committee was also formed to read and discuss some of the scholarly literature relevant to the arming of campus security, and to compare experiences at some other campuses, all of which then helped to inform overall Committee deliberations.

#### **--Overall Committee Process**

The Committee met as a whole eight times from late January through mid-March (1/24, 2/11, 2/22, 2/28, 3/5, 3/7, 3/19, 3/21) in addition to the various sub-committee meetings and separate meetings arranged by members in their outreach activities. Amy Happ took detailed minutes for each meeting, for which the Committee is grateful. Discussions were wide-ranging, pursuing topics raised in various materials made available to the Committee (such as previous commission reports and minutes from the PSRB since 2016) and in our various outreach and sub-committee activities. We devoted one meeting to a free-ranging discussion of the proposal with Chief Fischer, driven by Committee questions, and some time was given in another meeting to a discussion with three DPS officers to get their perspective on the proposed changes in light of their experience with both unarmed and armed policing. The Committee also sought further information from DPS on a number of occasions, and this fed into our discussions as well. Since the number of groups and individuals from whom the Committee sought general input was far too large to meet with in our already very limited number of full Committee meetings, we elected to conduct those meetings separately using individual members or sub-committees who then reported back to the full Committee, both orally and through written summaries for review. Committee meetings were used primarily for discussion and deliberation.

### **III. [The DPS Proposal Under Consideration:](#)**

The DPS proposal under consideration has *four* elements, involving:

- Deploying one armed officer per shift (in a mobile unit) to the River Campus;
- Deploying one armed officer per shift (in a mobile unit) to the Riverview/Brooks Campus;
- Deploying one armed officer per shift (on foot patrol) to the Downtown/Eastman Campus.
- Granting armed supervisors unrestricted access to all campuses;

#### IV. Recommendations:

##### A. Recommendations Specifically Concerning the Proposal:

On an issue as contentious as the present one it is not to be expected that a committee of 27 people will reach unanimity in its conclusions and recommendations. While we have not achieved unanimity, however, we have reached a **substantial consensus**, with **over 80% of the Committee** in agreement on recommendations concerning the various parts of the proposal.

We will therefore break down this section into majority and minority reports, so that all views are properly and accurately represented and expressed. Moreover, we have separated out (i) the part of the proposal concerning the deployment of armed officers in areas that do not currently have armed patrols, and (ii) the part of the proposal concerning the provision of unrestricted access to campus for armed supervisors for certain limited purposes. The majority reports and the rationales supporting them will be given first, with sub-sections 1a and 1b addressing the proposal to deploy armed officers in areas that do not currently have armed patrols, and 1c addressing the proposal to allow campus-wide access for armed supervisors for limited purposes. Section 1d then gives the minority report on the latter issue (this minority being a subset of the majority on the issue addressed in 1a and 1b). Following that is the minority report concerning the proposal to deploy armed officers in areas that do not currently have armed patrols, in 2a, and the rationale supporting it, in 2b (note that all here joined the majority in 1c with respect to the issue concerning access for armed supervisors). To summarize the recommendations that follow:

##### Out of 27 total Committee Members:

- 22 Committee Members recommend **rejecting** *all three elements of the proposal involving the arming of patrols in areas that do not currently have armed patrols* (River Campus, Riverview/Brooks Campus, Downtown/Eastman Campus). See sections 1a and 1b.
- 22 Committee Members recommend **adopting** the remaining element of the proposal granting armed supervisors unrestricted access to campus for certain very limited purposes (which do not include regular patrols). See section 1c.
- 5 Committee Members recommend instead **rejecting** even the element of the proposal granting armed supervisors unrestricted access to campus for limited purposes. See section 1d.
- 5 Committee Members recommend **adopting** the proposal in its entirety. See sections 2a and 2b.

**1a. MAJORITY REPORT ON THE PROPOSAL TO ARM PATROLS IN AREAS THAT DO NOT CURRENTLY HAVE ARMED PATROLS:** [*Endorsed by 22 Committee Members*]

While the Committee acknowledges that there are some genuine advantages to the proposed enhanced arming of DPS in terms of decreased response times for cases requiring armed response, for example, there are a variety of costs that also have to be weighed, and the majority of the Committee has concluded that all-things-considered *the case in favor of adopting the elements of the proposal involving adding armed patrols to the River Campus, Eastman, and the Riverview/Brooks properties is outweighed by the case against adopting them.* We thus recommend **rejecting** those elements of the proposal.

As described at length in sub-section 1b below, some of the considerations against adopting the proposal are independent of the timing of its potential adoption and implementation, while others focus on issues of timing. Many on the Committee view the former considerations as enough by themselves to undermine the case for adopting the proposal. But when the latter considerations having to do with timing are added, particularly in connection with the various social harms discussed below, things become even more clear, resulting in a strong majority agreement that *there is a decisive case against a decision at present to adopt the elements of the proposal involving increased arming of DPS.*

It is the majority's view that, even setting aside larger worries about adding such armed patrols at *any* point in time, *the university and community are in any case clearly not presently ready for this move;* even if such a path made sense to pursue in principle, many other things would need to happen before the University would be in a viable position to move forward responsibly with such a decision. In particular, measures would need to be taken both (i) to employ other methods of addressing existing safety concerns without adding armed patrols to the campus beyond URM, and (ii) to build the necessary relationships and trust between DPS and both the University and wider communities, and have the many necessary conversations about these issues that have only had a chance to get started in recent months. We outline some recommendations along these lines, not specifically with a view toward facilitating increased arming down the road (which again many of us firmly oppose) but instead just as important steps in their own right, in section IV.B below.

Given that the administration has resolved to make a decision on the proposal by the end of this semester, this entails rejection of the elements of the proposal involving increased arming of DPS. (\*Henceforth in this section and in 1b we will simply refer to this as *rejection of the proposal*, understanding this to mean rejection of the elements involving increased arming. Recommendations concerning the remaining element of the proposal, involving increased access for armed supervisors for limited purposes, will be taken up in sub-sections 1c and 1d.)

Introducing armed security patrols on campus is not a move that should be rushed into simply because of the contingencies of timing noted earlier, leaving the Committee only two months to do its necessary work and the community insufficient time properly to work through these issues. In connection with the latter, we note that we have heard from *many* stakeholders that they do not feel they have had the necessary time to have these conversations, many of which are only beginning in earnest. For example,

there was great interest expressed at Eastman for holding a Town Hall meeting about these issues, and a meeting has been scheduled, but it will not be able to take place until after the Committee has had to complete its work and submit its report (though minutes from the meeting can be provided subsequently).

There is obviously nothing preventing Chief Fischer from putting forward another proposal some years down the road if it seems warranted at that point all-things-considered, and then having the university take the appropriate time to conduct the necessary research and have the necessary conversations over the course of a year, and see where things stand. At that point, people would have as a *starting* point all the work that this Committee has now done, and the benefits gained over time from the measures we are recommending in any case (section IV.B below), rather than trying to start from ground zero and make these decisions in only a matter of months and in a way that is likely to alienate the many people—especially people of color and members of various vulnerable groups—who have raised deep and personal concerns about the proposal.

That said, it is again *not* the position of the majority of the Committee that a later reintroduction of the proposal should be encouraged: most of us think that the case against it is sufficient even apart from the special worries about the rushed timing. Indeed, we remain puzzled by the very fact that this proposal was introduced only two years after the Security Commission, which examined this issue for seven months in 2016, explicitly recommended against any additional arming of officers outside of URM and SMH, as discussed in sub-section 1b below. The emergence of this proposal just two years after the Security Commission's considered rejection of extending armed patrols across the campuses lends credibility to critics of the proposal who worry about slippery slopes toward increasing arming of campus security as part of a national trend toward the militarization of campus security.

The central point is just that even if there is more merit to the proposal than the majority of the Committee finds there to be (which can always be revisited in the future), *this would still be overwhelmingly outweighed at present* by the problems of timing and the far greater social harm that would likely result from rushing forward with its adoption than would likely attend a decision to remain with the *status quo* regarding arming and employ other recommended measures instead to address various concerns.

We try to summarize that social harm, among other considerations, in the next section, but to get a better sense of the depth and force of the current opposition to the proposal, especially among underrepresented or vulnerable groups, we encourage the PSRB and President Feldman to look carefully not only at the comments received through the online portal, but also at the many group letters received by the Committee and collected in the Box folder labeled "Outreach Feedback"—*letters from the 19<sup>th</sup> Ward Community Association, the Black Student Union, SALSA, the Minority Male Leadership Association, the Pride Network, UR Disability Awareness, Students for Chronic Illness Visibility, the American Sign Language Club, and a large group of Eastman students*—as well as the material in the sub-folder there labeled "UR Safe Notes", which contains extensive feedback from the very well-attended open workshop organized by the Committee for Political Engagement and the Campus Times.



For the many people opposed to the proposal—whether students, faculty, staff, or community members—the concerns indicate *deeply and personally felt alarm at the prospect of being subject to regular armed policing by DPS*, which makes rushing forward with newly armed patrols in the face of such widespread concern likely to cause immediate social harm. By contrast, rejecting the proposal now does not do anything comparable to proponents and does not tie anyone’s hands in the future if things should change in ways that warrant a reconsideration of the matter at that time.

While the majority of the Committee recommends rejecting the proposal, however, it does recognize that there are legitimate safety concerns that do need to be addressed, as well as other positive steps that should be taken in any case, which would at least put the University in a more viable position down the road if things were to change sufficiently to warrant reconsideration of increasing arming. These are discussed in section IV.B below, and are endorsed by the Committee as a whole.

**1b. RATIONALE BEHIND THE MAJORITY RECOMMENDATION TO REJECT THE PROPOSAL TO ARM PATROLS IN AREAS THAT DO NOT CURRENTLY HAVE ARMED PATROLS:**

It is admittedly a striking fact, as highlighted in the case for the proposal, that UR is currently a “solitary outlier” with respect to the issues addressed in the proposal: “DPS is the only sworn agency out of the 56 Association of American Universities (AAU) peer institutions that does not provide armed coverage for all campuses” (DPS “Proposed Evolution”). This benchmarking might by itself be thought to provide a strong reason for adopting the proposal. In fact, however, it does not.

The fact that UR is currently an outlier on policy governing armed campus security *is not by itself a reason* to change our policy and increase the arming of our officers. That is not to say that it is an irrelevant fact. But what it does is merely to provide some evidence for thinking that there may well be good reasons in the offing for greater arming, since so many other institutions have been persuaded to take that path. But there are many factors that shape such decisions, and the relevant question for us is simply this: *are there sufficiently good reasons, all things considered, for UR to follow this path?* The fact that others have done it is relevant only insofar as it might help to point us to various considerations that we may then go on to assess, asking whether they constitute compelling reasons, all things considered, for UR to increase the arming of DPS. So our focus is properly on the merit of the various considerations themselves.

We do not dispute the fact that *all else being equal*, decreased response times for armed deployment in cases requiring it would be desirable. The complication, however, is that not all else *is* equal: adding arms to routine campus patrols raises a host of concerns about risks and costs, which need to be weighed in light of the relative probabilities of scenarios for which the lower response times would plausibly provide benefits and the probabilities of scenarios for which the risks and costs would be manifested. While the prospect of an active shooter scenario is a frightening one and not merely an abstraction to be casually dismissed (indeed, one member of the Committee supporting this majority recommendation was on campus during the deadliest mass shooting at a university in U.S. history, at Virginia Tech in 2007), we need to consider (i) the likelihood of such an event here, (ii) the extent to

which the steps in the proposal would plausibly help in such a case, and (iii) the other risks and costs introduced by adding firearms to other, much more frequent interactions.

Before getting into this balancing of considerations, it is worth highlighting a puzzling fact about the emergence of this proposal at the present time, as mentioned above. Just three years ago, a Security Commission was convened under then President Seligman to perform a comprehensive 5-year review of the 2011 Security Commission Report, assessing any changes in campus security both locally and nationally since that time, and *specifically looking at whether or not to arm the University's sworn officers*. The Commission, which consisted of a variety of administrators from across the University, supported by advisors from DPS, Senior Counsel, and others, had seven months for their review. At the end of this process, the Commission concluded that the arming of a limited number of sworn peace officers at URM and SMH was warranted to address safety concerns specific to that setting (particularly in the Emergency Department); it also recommended arming four senior members of the command staff, who, together with the armed officers at URM and SMH would be available if necessary to respond to incidents on campus requiring armed response. Yet *at the same time*, after seven months of careful review, the commission also *rejected* any arming for "sectors and posts within the River Campus and Eastman Campus areas," recommending that they "continue to be staffed with uniformed DPS officers who do not carry firearms." That is, as of September, 2016, the commission found that "the arming of Peace Officers in the Medical Center will allow for an armed response on non-medical center campuses, with supervisory approval, should an emergency situation occur."

The obvious question this raises is: *what has changed* since this recommendation by the Security Commission just two years prior to the introduction of the current proposal to expand the arming of campus security in precisely the ways the Security Commission had rejected? Did the Security Commission make a grave mistake in its work, overlooking compelling reasons all-things-considered for introducing arms to patrols across all UR campuses? Has DPS identified, in the time since the Security Commission recommendations, a sudden increase in violent crimes and in the threat of mass shootings on campus that would warrant disregarding the Security Commission's recommendations and moving forward now with increasing the arming of campus security, especially on a rushed timeline?

We find no evidence of either in the case for the proposal, which cites neither major deficiencies in the Security Commission's report from 2016 nor major upticks in violent crime or increasing likelihood of mass shooting events at UR as grounds for revisiting this issue already (nor have we found such evidence elsewhere). Instead, the case for the proposal is based largely on three things:

- (1) The benchmarking data,
- (2) The fact that DPS cannot currently provide *equal protection services* to all areas under its jurisdiction—e.g., it cannot provide the same level of protection to the River Campus that it provides to URM, and
- (3) The claim that DPS could provide *more adequate* protection services to all areas under its jurisdiction if the proposal were adopted.

The limited significance of the benchmarking data *per se* has already been addressed. As for the second point, about equal provision of security services, it is true that as things stand DPS cannot provide *an equal level of response capability* to all university properties, since it now provides a *higher* level of armed response capability at URMC (where there are now always armed officers) than on the River Campus, Eastman, etc. But *why is it necessary that the armed response capability be equal* across all areas of UR? It seems that what is necessary is just that the armed response capability be *adequate* across all areas of UR, where adequacy is understood in terms of providing the highest level of genuine safety for all consistent with other values integral to the University. But that condition might well be satisfied even where the capabilities in different areas are unequal: if the requirements for an adequate level of protection vary across different areas, the protective capability could be adequate across all areas even though it varies in strength.

There is a good argument that greater protection is warranted at URMC and SMH, given the frequency with which dangerous situations involving weapons are likely to arise there, especially in the ED. But it doesn't follow that every other area of UR must therefore receive *equal* protective capability. What matters is just that the protective capability be *adequate* at every location on campus. We must therefore avoid the fallacy of reasoning from the mere fact that the provision of security services since the 2016 change (in arming officers at URMC and SMH) has resulted in *inequality* of services across the university, to the conclusion that the provision of security services elsewhere is therefore *inadequate* in those areas. If it wasn't deemed inadequate at the time of the Security Commission review in 2016, then it hasn't become *inadequate* now just because it has become *unequal*.

This brings us to the third rationale above: the case in favor of the proposal suggests that despite the findings of the 2016 Security Commission, the security services provided to the rest of the university (outside of URMC and SMH) could be *more adequate*, and that the potential gain here is important enough to warrant adding armed patrols after all. A number of considerations are raised to support the claim that the increased arming would bring significant advantages, focusing especially on response times and the importance of having DPS peace officers, with the best training currently available and the most extensive knowledge of the campus, be able to be first-responders to incidents involving weapons and able to take the lead in cases where RPD is also involved, which would likely result in better outcomes for all.

Here there are indeed important points that require serious consideration, and we also find here *the only two things that appear to be genuinely new* since the 2016 Security Commission report that looked at and rejected further arming of campus security: First, since that report, DPS conducted the response time studies and found response times averaging six minutes, which are slower than they would ideally be, raising a concern primarily in active shooter scenarios. So we have new information about response times that wasn't available to the Security Commission in 2016. Second, in 2017 there was an expansion of DPS jurisdiction to roadways and sidewalks adjacent to the University, which points to an advantage in arming DPS officers in those areas insofar as that would facilitate their ability to work effectively with RPD in cases involving weapons in those areas.

Regarding the new information concerning the slower response times from URM to the River Campus than what would be expected from within River Campus: while the details are valuable to have, the findings are not themselves surprising, and are presumably something of which the Security Commission was generally aware when it proposed the current model of relying on armed supervisors and URM peace officers for rare cases where armed responses are needed on the River Campus. The members of the Commission were presumably never under the impression that response times to the River Campus from URM would be just as fast as response times from within the River Campus; yet they declined to expand the arming of peace officers to the River Campus. It is therefore not clear that the more detailed new information about response times constitutes a significant change from 2016.

That said, we do not deny that the facts about response times are inherently significant, regardless of what was decided in 2016. It is certainly true that *if all else were equal* then it would obviously make sense to reduce response times for cases where armed deployment is necessary. Similarly, given the 2017 expansion of DPS jurisdiction, there may indeed be some advantage to arming DPS officers insofar as that would facilitate their ability to work with RPD in cases involving weapons in those areas. Add to this the plausible points Chief Fischer has made about the advantages of allowing DPS to be primary responders in cases involving weapons and to take the lead when working with RPD: armed DPS officers, with the best training available, would be best positioned to steer encounters toward de-escalation and conflict resolution if possible, rather than focusing primarily on asserting control and making an arrest; and they can use their greater knowledge of and access to the campus to guide such responses more effectively. The University also has much greater oversight of DPS officers than it would have over RPD officers, providing further advantages to increasing the primary involvement of DPS in university related cases. These points are all well-taken, and we do not deny that they constitute points in favor of the proposal. We also understand why they loom large from Chief Fischer's perspective, given his role and responsibilities as Chief of the Department of Public Safety.

The point we have emphasized, however, is that these factors cannot be considered in isolation, but have to be weighed against all the other considerations that raise concerns about such increased arming, especially at the present time, from the broader perspective of the overall mission of the university considered in the wider social context in which it exists. We must ask: *how does the added value gained through the steps in the proposal weigh against the various risks and costs they bring?*

Here are the central worries we have identified, which, when taken together, the majority of the Committee believes *outweigh* the potential advantages of increased arming:

- Even if adding an armed officer on the River Campus, for example, would reduce response times for armed responses and reduce reliance on RPD in such cases, it would also *significantly increase the number of everyday interactions people on campus are likely to have with an armed officer through routine calls*, since (as Chief Fischer confirmed for the Committee) that armed officer would be responding to *any* call where they happened to be closest (and not merely, as now, to calls involving a gun or threatened use of a weapon). (See the introduction for the projected numbers here.) The pressing question is then: what is the *added risk* posed by those

increased encounters with armed policing, especially for people of color and other vulnerable groups who already experience higher risks of biased policing and excessive uses of force, or who are at greater risk of the negative impacts of factors such as implicit bias?

Here the concern is with *objective risks* posed by having a deadly weapon on hand in the event of all-too-familiar misinterpretations of people's actions, or of what someone is holding (is it a bolt cutter or a gun?), or of whether someone is deliberately not complying or just not hearing or understanding (is this student making threatening moves or just signing?), etc. The example, recently in the national news, of Stephon Clark, who was fatally shot (with eight bullets) by officers in Sacramento who mistook a cell phone for a gun, is obviously salient here—as are countless other tragic cases from recent years across the country.

- In addition to this cost in the form of objective added risk posed by increased encounters with armed policing, there is also the associated and very real *psychological cost* to the many people who feel generally under greater risk of such negative and potentially dangerous encounters. While the many cases that illustrate the objective risks of armed policing are well-known to all, they loom especially large for those among us who recognize that they are especially vulnerable to such wrongful shootings due to the operation of various forms of bias, including implicit bias, which cannot be eliminated in the heat of the moment simply through training, however good it may be.

This legitimate fear can change people's daily experiences of life in our community quite apart from actual occurrences of excessive force or wrongful shootings here, and this amounts to a major *subjective cost* that also needs to be weighed against the cited benefits of increased arming. One student of color described to a Committee member, for example, the elaborate thought processes that she engages in whenever in the vicinity of police or campus security, to make sure that she looks non-threatening, keeping her backpack visible to make clear that she is a student, making sure not to startle an officer if she is close by and hasn't yet been seen, and so on—thoughts that would never have occurred to the Committee member or to most others who look like him. And she described how knowing that an officer she might encounter on campus may now also be armed (if the proposal were to go through) would only exacerbate all the anxiety that attends these interactions, significantly changing her own sense of safety and comfort on campus. When asked about the faster response times in the event of an active shooter she made clear that for her it was not even close to being a worthwhile tradeoff: she would vastly prefer to rely on armed responses from supervisors or URM peace officers on the rare occasions when that may be necessary than to cloud her entire experience of safety and comfort on campus by adding armed patrols here.

It must be remembered in particular that for students on this campus the University of Rochester *is home*, and it is hard to overestimate the psychological cost of undermining people's sense of security and comfort *in their own home*, as by adding armed policing in a context where they experience this as presenting a clear new danger, forcing them to revert to the techniques

they have had to adopt to protect themselves when encountering police elsewhere. This points to a significant difference between having armed officers in the ED of URM, which is no one's home, and having armed officers on campus. And while it is true (as Chief Fischer has emphasized) that URM is also 'home' to the officers, in the sense that it is their dedicated workplace (in a way that it is not for RPD officers, for example), that is still not the same as the way in which URM functions as home for students who live here.

This concern over psychological or subjective cost, in addition to potential objective costs, is largely what has motivated much of the intense animosity toward the proposal that we have experienced in our outreach to stakeholders, and this concern is not eliminated simply by citing the benefits to everyone of having faster response times in the event of dangerous crime.

Given the substantial *added objective and subjective costs* described above, there is a burden on supporters of the proposal to explain why the *most adequate provision of safety for everyone* is achieved by adding the armed patrols. While the points about response times and decreasing reliance on RPD do suggest some real benefits, in the absence of data suggesting spikes in violent crime that necessitate greater armed patrols it is far from clear that the benefits cited are *worth* the added costs. From the perspective of people of color and members of vulnerable groups who are more likely to experience bias or excessive use of force, and so may view enhanced arming of security officers as threatening, the proposal looks like it is in effect trading *their* sense of safety for an increase in others' sense of safety.

It is worth noting here that there seems to be a bit of a disconnect between this set of concerns and the usual response on the part of supporters of the proposal. This came out pointedly, for example, in the Committee's discussion with Chief Fischer. When this issue was raised, he said he could honestly not understand why anyone would think that his officers, who he personally knows are ready to put their lives on the line for us, would be a threat to them, and especially *more* of a threat than criminals who intend to do harm to our community. From his perspective, these worries seemed mystifying: why would anyone be more afraid of the well-trained people charged with protecting them than of the criminals they're being protected against? But while we can understand the point Chief Fischer was making from his perspective, and do not doubt that he has the best of intentions toward everyone he is serving, his response did not really connect with the actual concern that had been expressed.

That concern was *not* that DPS officers would maliciously attempt to harm people of color, for example, posing a greater deliberate threat than people engaged in criminal activity. The concern was that despite the best intentions things often go wrong in encounters with law enforcement or security, especially for people of color and others who are vulnerable to biased assumptions and interpretations, even in small ways; and when the possibility of deadly force is added to the equation, this is legitimately frightening and concerning. It's not that people do not desire protection from crime, but just that there needs to be a high bar for *increasing armed protective services* given these risks that some in our community bear disproportionately—such

as the risk of being shot because a cell phone is mistaken for a weapon, or a gesture is misperceived as threatening; and it's far from clear that the added benefits cited in the proposal warrant those risks and costs.

- One very serious aspect of the *subjective costs* identified above, which has been emphasized by members of the Pride Network among others, is that in addition to decreasing many people's sense of safety and comfort in their home environment, the introduction of armed patrols on campus would actually make many people *less likely to call on DPS* for the kinds of important services that DPS currently provides—out of fear of the possibility of a potentially deadly encounter if somehow something went wrong. These losses of important services, due to reticence to call on DPS in the knowledge that the response might be an armed one, is a major cost that must be considered as well. This is especially true given that this cost would be a very concrete one, realized on an ongoing and routine basis, as contrasted with the very low-probability costs associated with the kinds of scenarios the proposal is meant to address.

Indeed, this cost in terms of reticence to call on DPS might be severe. The chances of a death from an overdose, or significant injury from a fight, are much higher than the chances of an active shooter situation. Suppose, then, that in an attempt to protect against the unlikely event of the latter we introduce armed patrols that at the same time make students less likely to call on DPS for help with the former, much more likely threats to health and safety. That would obviously be a poor tradeoff, and yet from what the Committee has heard this would be a likely side-effect of increasing arming of campus security: less willingness to reach out to DPS in common cases where it is in fact presently positioned to do the most actual good.

- Another concern that has developed as a result of the proposal is our relationship with the larger Rochester community and including our neighbors on the West Side of the River and downtown. The proposal raises concerns about our understanding of community, respect and engagement with our neighbors, and issues of justice that arise with respect to employing a privately managed university force that includes armed officers. To the first point, we have heard from DPS on multiple occasions that when they refer to “the community” they are referring to the University of Rochester community. On the one hand this makes sense—their jurisdiction is restricted largely to properties controlled by the University. But it also extends to adjacent streets and sidewalks, which has significant impacts on a variety of neighborhoods such as the 19<sup>th</sup> Ward, PLEX, and neighborhoods in the area of the Eastman campus. Given that there is no strong or certain border between the University and our neighbors, it is a mistake to think only about how this proposal impacts University members.

This is directly related to the second concern about respect for our broader community. While we applaud the decision to include Diane Watkins of the 19<sup>th</sup> Ward Community Association, we do not think this is sufficient to build community trust and relationships with DPS. The 19<sup>th</sup> Ward Community Association sent a letter in November opposing the proposal in no uncertain terms, and in its final delegates' council meeting prior to the filing of this report the Delegates' Council

reaffirmed its opposition to the proposal. More recently, at the Committee for Political Engagement's public workshop, community members expressed concerns that the University is not doing an adequate job educating our students about the Rochester community, specifically the neighborhoods adjacent to River campus, and that they are represented as second-class citizens.

A third concern about justice speaks directly to this matter. The 19<sup>th</sup> Ward Community Association expressed concern that there is no community oversight, and while they are working towards police accountability measures in the larger community, the expansion of armed DPS officers in their neighborhoods would raise the same concerns about citizens' access to oversight of those with authority to police them.

- DPS has now posted on its website details about the training of DPS peace officers, which provides significant training in de-escalation and awareness of bias-related issues over and above the standard training received by municipal police officers: [http://www.publicsafety.rochester.edu/Training\\_Unit\\_PO.pdf](http://www.publicsafety.rochester.edu/Training_Unit_PO.pdf). Despite the positive aspects of the training, many in the majority have significant concerns in connection with expanding armed patrols. These are also discussed in **Appendix B**, but here are a few points to highlight:

Although DPS peace officers receive extensive training, there are concerns about the fact that the 96 hours of firearms-specific training that DPS peace officers receive *are compressed into a 2-week period*. Even if the number of hours is the same as with the firearms training other officers receive, can it really be as effective when compressed into such a short period? (Compare the difference between 96 hours of music lessons spread out over a year and 96 hours of intensive lessons given in just two weeks: it's not clear that one would gain the same level of proficiency following such a compressed training.) These concerns again cast some doubt on the added value of adding armed DPS officers across the university for the sake of cutting down on reliance on RPD officers in the event of the need to deploy an armed response.

A second concern: Based on the conversation the sub-committee on training had with Dr. John Cullen, who has organized the cultural sensitivity training for peace officers at URMC, there appears to be a need for greater training on racial and cultural bias (even Dr. Cullen himself told us he thought the training was inadequate—limited to 60 minutes for the training he does). At the same time, there is very limited data available for assessing the efficacy of various forms of training in these areas (i.e., impacts on real outcomes for recipients), which makes it harder at present either to know how much training is ideal or the extent to which additional training would in fact mitigate the various worries raised in connection with bias.

It is also important to understand that however good the training may in fact be, this does not automatically translate into eliminating or even mitigating the subjective costs outlined above. It is indeed possible that with a sufficient background of genuine relationships in place between a broad range of DPS officers and members of both the UR and surrounding communities, at least some of the concerns described above in connection with subjective costs would be mitigated.



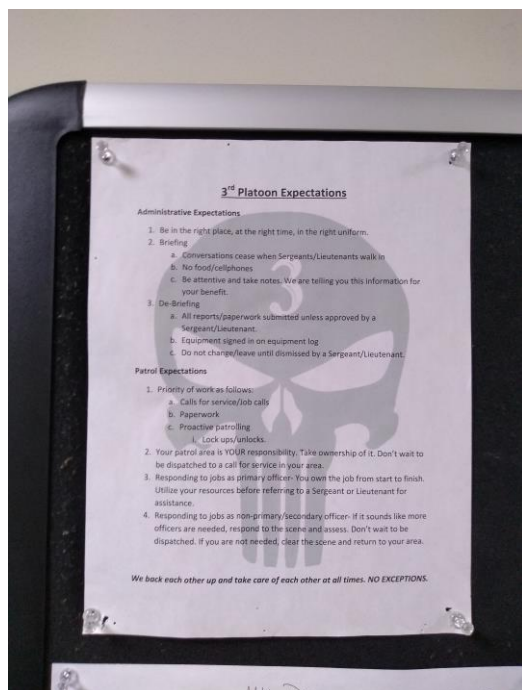
But what has become clear to the majority of the Committee through our outreach activities is that *this situation does not presently exist*: we are not yet in a place where stakeholders, especially members of vulnerable groups such as people of color or people with disabilities, can be said to have real and mutual relationships of trust and understanding with DPS (and particularly with a broad spectrum of officers and not just one or two especially visible representatives). This is true both within UR and in surrounding communities, where we have been told that while they have well-developed working relationships with RPD in their neighborhoods, with regular contacts and discussions, they have no relationship at all with DPS, and so find the prospect of armed DPS officers on adjacent streets and sidewalks alarming.

This is a message we have heard many times, along with an expressed interest in developing such relationships in order to move increasingly toward a model of community policing, where DPS officers are seen as a genuine *part of* the UR and greater community, protecting all of it from within, as opposed to being seen as a security force standing *over* the community. It is not that students currently have special reason to distrust DPS officers, but rather that there is currently an *absence of sufficient trust* for increased arming to be perceived as anything but threatening to many people, given the *absence* of sufficient relationships with DPS and the mutual understanding and trust that such positive relationships would foster. It was striking to see, in the public workshop on the proposal that was sponsored by the Committee for Political Engagement, how much interest there was in students around the DPS table in both conveying their sense that they did not presently have any meaningful connection to DPS and their interest in developing that relationship, to help transform the way campus security is experienced especially by members of underrepresented groups on campus.

Such efforts to build relationships and trust will of course take time, and obviously it remains to be seen both how successful those efforts might be and to what extent they would mitigate the subjective costs outlined above. It remains possible that for many these problems would remain even with improved relationships with DPS, and of course some of the objective costs would remain as major worries (e.g., worries about potentially deadly errors in scenarios that are more likely than active shooting scenarios). What is clear is that in any case *we are not yet in a position where there is already in place the kind of relationships and trust that would be a precondition for responsibly considering the proposed introduction of armed patrols across the university. And introducing such moves in haste, before these issues have had time to be addressed, would only alienate the many stakeholders, especially the more vulnerable among us, who have serious worries about them.*

- An example will help to illustrate this concern. Central to the public trust that is vital to a healthy relationship between DPS and the university and wider community is a confidence that the culture of DPS is oriented simply around maintaining a safe and welcoming learning, teaching, research and healing environment at UR, reflecting a different mindset from the more dichotomous “Good vs. Evil” or “Us vs. Them” thinking that might be more characteristic of municipal police forces or military groups—a point

often emphasized by Chief Fischer in emphasizing that DPS officers understand the culture and climate of the University better than RPD officers do. For one student who recently visited DPS for a meeting, however, this was cast into doubt by a poster he saw there, with a list of expectations superimposed over the well-known “Punisher” death skull, which he photographed and shared with the Committee:



Although DPS has confirmed that the poster was taken down in December (see the document with the email correspondence with DPS in Box), the student’s concerns resonated with many on the committee. As explained in the *Time* article also in Box, this symbol has very well-known connotations in the military and law enforcement contexts where it has become popular: the Punisher skull is associated with *vanquishing evil by any means necessary*, "killing bad guys", and so on. While the Committee acknowledges that we cannot know the motivations behind its posting or the extent to which this actually reflects aspects of the mindset of some DPS officers, it is concerning to the majority of the committee that this symbol, with its known connotations, was posted in DPS at all. The mentality typically associated with that symbol is precisely the attitude toward policing that so many both within the University and in the surrounding communities have strenuously objected to and worry about. So one step toward building public trust would be to reflect on the attitudes appropriate to campus public safety work and how to foster and communicate those attitudes effectively. We offer some thoughts about that in section IV.B below.

- It is noteworthy that in neither of the recent cases of student deaths on campus would the presence of armed officers on patrol have helped to prevent the deaths. Similarly, in the recent

sexual assault case at Eastman, the problem was not the lack of arms for campus security, but just a lack of sufficient proximity of security: it does not appear that increased arming would have made any difference. Similarly, some concerns that have been expressed about safety, such as complaints and worries about homeless people sleeping in the theater and classrooms at Eastman, do not obviously provide any support for increasing the arming of DPS, since such problems are not ones for which armed response is the solution. The new entry restrictions at Eastman already address such issues, and if further measures are required then that can be explored; but it is far from clear why increasing the arming of officers is a helpful or appropriate response to such issues.

So again, more deadly response capability would not have helped either with the most salient threats to health and safety we have faced or with more common security concerns that have been cited: on the contrary, as noted above, introducing more deadly response capability out of a desire to protect against a frightening but unlikely scenario of an active shooter is likely to be counterproductive insofar as it may decrease much of the community's readiness to call upon DPS for the important services they provide on a regular basis, including for threats to health and safety we are much more likely to face.

What this suggests is that what is really needed in terms of the kinds of threats or concerns we have actually tended to face, is *more robust or accessible patrolling (and people's being comfortable with making full productive use of it) rather than more deadly response capability.*

- Granting that a mass-shooting incident, though highly unlikely, would be devastating and needs to be taken seriously as a possibility, it is not clear how much difference it would make to have a single armed officer with a handgun in greater proximity to the event, able to respond slightly faster to it. In the case of such an event there would be heavy reliance in any case on RPD and presumably a S.W.A.T. team, so it is not clear how strong a case the active shooter scenario provides specifically for the proposal. In some cases, an active shooting situation will cease as soon as the shooter is confronted by an armed officer, often through suicide; in other cases, however, an officer with very limited firepower, acting alone, will become another victim. So this casts some doubt on the strength of the appeal to active shooter situations to justify adding handguns to the selected patrols.
- To the extent that DPS has identified genuine *inadequacies* in existing protective services in some areas of UR, it would seem to make sense (especially in light of the costs that have been highlighted) to look into other ways of addressing those problems *before* increasing the arming of public safety. Since there has been no identified immediate need for beefed up armed patrols as compared to a few years ago, there would seem to be time to explore alternatives to address current inadequacies. These are described in section IV.B below.

Finally, it is worth noting that at least some in the majority are not against arming of campus security *in principle*, if the wider social context were different from what it is. As one member wrote: "if we were designing a campus from scratch with no previous culture, I would be a strong advocate for armed campus safety officers. It is clear from our group's discussions as well as the input from the university

community and our neighbors, however, that the weight of opinion is strongly against the proposal. These voices have been very compelling. In light of this community consensus and absent a strong reason to change the *status quo*, I believe that the community as a whole is better off not arming the officers. The arguments put forth in favor of arming the officers are not compelling enough to warrant overriding the broader community position.” This underscores the fact that despite disagreement over some larger issues, the majority view reflects a powerful consensus that given the overall social circumstances we are in, the all-things-considered case against moving forward with increased arming is decisive; people do not have to share the same general views about policing and guns to come to agreement on that point.

**1c. MAJORITY REPORT ON THE PROPOSAL TO ALLOW UNRESTRICTED ACCESS FOR ARMED SUPERVISORS:** [*Endorsed by 22 Committee Members*]

The majority of the Committee (most of those in the majority from 1a and 1b above, and all of those joining the minority opinion in 2a and 2b below) supports **adopting** the remaining element of the proposal, allowing *armed supervisors* (i.e., armed captains, lieutenants, or sergeants) *unrestricted access to all campuses* for certain *limited purposes*. As we understand this, the access is ‘unrestricted’ in terms of the areas of campus that may be visited (i.e., the access is campus-wide), but it is *not unqualified*, since the purposes for which that unrestricted access is granted are distinctly limited. In particular, this expansion of access is to be understood simply as a way to enable supervisors (1) to carry out their supervisory functions more effectively, (ii) to attend meetings or events they are barred by current policy from attending, (iii) to cover university events that require metal detectors or other armed security at the invitation of organizers, and (iv) to facilitate some of our further recommendations in section IV.B. We reject any interpretation of this recommendation for increased access that would see it as potentially adding any general armed patrolling, for all the reasons given in section 1b.

There are three primary rationales for openness to this aspect of the proposal by the majority of the Committee. First, we take Chief Fischer at his word in arguing that this aspect of the proposal “is needed to allow [currently armed supervisors] to effectively manage and provide oversight of their staff, regardless of the area the officers are assigned, and to participate in community interactions and events.” The supervisors in question are limited to between 3 and 6 per shift, where this includes at least two sergeants on each shift who are working the URM posts. So typically what is in question here is only one or two supervisors per shift who might be available for meetings or trainings or other supervisory work or events on campus. This does not raise the same concerns for the majority of the Committee as the introduction of armed patrols.

Secondly, allowing broad access for supervisors, several of whom are armed, is an important part of moving forward with some of the further recommendations in section IV.B, involving community and trust building. It would be problematic to make these recommendations while not allowing DPS supervisors the kind of access they would need to participate fully in such measures.

Third, this aspect of the proposal is necessary in order to allow supervisors to cover campus events that might require metal detectors (as required by some performers who are sought by student groups, for example) or other armed coverage. Whether such coverage is ultimately desired or not to make certain events possible, or to enhance coverage of others, is a matter for the university community to consider and decide. But in order for it to be an available option at all armed supervisors will need broader access to campus for such limited purposes.

**1d. MINORITY REPORT ON THE PROPOSAL TO ALLOW UNRESTRICTED ACCESS FOR ARMED SUPERVISORS:** *[Endorsed by 5 Committee Members]*

A minority within the above majority represented in 1a and 1b holds a different view on allowing unrestricted access for armed supervisors: we instead recommend **rejecting** this part of the proposal as well. The rationale for this recommendation is as follows:

Three reasons have been cited for giving armed supervisors unrestricted access to campus: 1) Chief Fisher's claim that this recommendation represents best practices, will allow supervisors desired interaction with the community and that supervisory presence is relatively small, 2) the relationship between parts of the community and DPS has suffered because they no longer interact and allowing full access will ameliorate this, and 3) this will allow supervisors to cover campus events where metal detectors are required.

To briefly touch on the third, we do not know how many events require metal detectors, or how often, and thus find it challenging to substantively evaluate this point. That said, it appears officers may be able to be given special dispensations for such events if it proves they are unavoidable. We will discuss this further below.

With respect to the first and second claims that armed supervisors cannot attend meetings on campus, build relationships, or fully carry out their duties, we believe first and foremost that the kinds of relationships that ought to be developed are best developed without firearms present. While it could be argued that it is merely lack of interaction that has caused relationship breakdown, based on copious feedback from those affected (gathered through the online comment system as well as various letters from campus and community groups), it is just as likely that the presence of firearms has caused a lack of desire to interact. This is a small reframing, but an important one—and in either case, the 2016 arming is the origin point of this lack of interaction. The notion that the presence of arms itself may lead to relationship breakdown is supported by a statement made by Chief Fisher during the MSAB public forum in response to a question about why officers cannot simply disarm to attend meetings and keep up familiarity with campus facilities. Chief Fisher argued that arming officers changes their mindset and protocol for response and once armed, an officer should never be disarmed. If the very mindset of officers is changed through the addition of force and authority, this does not seem like a positive change for facilitating relationships and trust building. This also demonstrates how the arming of officers is a ratchet that only moves in one direction—all the more reason to exercise caution in any decision regarding arming. These changes, once made, are quite difficult, if not impossible, to undo, and we

strenuously object to the egregiously tight timeframe (two months) this committee has been given to make such a decision.

Additionally, during our large committee and subcommittee meetings, all on River Campus, we met with both supervisors and armed officers on multiple occasions. This suggests that officers and supervisors are already able to attend campus meetings whether through special dispensations from the administration or through disarming. While we think the latter is ideal, the argument that officers and supervisors have no access to campus is misleading. In order to start building the trust and community described as necessary in our recommendations section, we believe that the PSRB should publicly review the current policies and disambiguate access and ability to disarm. If there are instances where special dispensations are given, we believe they should be reviewed by an expanded and more inclusive PSRB (with non-university-affiliated community representation). The lack of clarity on this issue is one way that trust has eroded between community members and DPS. Due to the promises made in 2016 that arming officers at URMCM would not initiate a “slippery slope” toward further arming on River Campus and elsewhere, we see great risk for a further erosion of trust if armed supervisors are given unrestricted access to River Campus, Eastman, and the neighborhoods to the west of the Genesee River, particularly in light of the numerous concerns outlined elsewhere in this report and a result of a rushed decision-making process. This erosion of trust will make future community-building efforts—which are essential to creating a safer and more equitable environment for everyone—even more difficult.

With respect to our values, especially equity and inclusion, we point out the deep inconsistency of an institution seeking a Carnegie classification for community engagement at the same time that it extends a private force of sworn peace officers with full police powers into said community. The presence of weapons, which creates a power imbalance at odds with restoration and community building, undermines the University’s commitment to taking a restorative approach to developing a culture of respect.

Looking ahead we recommend that further investigations into safety and the role of DPS not be restricted to the narrow question of further arming, but ought also to revisit and evaluate the implementation of arming in the first place (something that has not publicly occurred). We should focus on a broader charge: *what does safety, broadly construed, mean for all members of our community—including the university’s neighbors—and how can we meaningfully move toward it in a way that is consistent with our values: equity, leadership, integrity, openness, respect, and accountability?* Being able to fully answer such a question requires being able to consider all possibilities, such as limiting or rolling back armed status. For example, if supervisors cannot adequately supervise while being armed, perhaps what we need are more unarmed supervisors. The scope of the committee’s charge did not allow us to engage with bigger questions about what the nature of policing should be.

There are many structural approaches to creating a safer, more just, and genuinely community-based environment (e.g. halting expansion and associated gentrification in adjacent neighborhoods, sharing resources, creating pipeline programs, applying more of our wealth of research and knowledge-production to solving—rather than exacerbating—local challenges such as poverty and crime). We are

concerned that focusing only on the proliferation of armed peace officers, employed privately by the University but with full police authority, works counter to these goals. This is true even if the expansion is restricted to extended supervisory authority. We respectfully challenge the University to distinguish itself from its peers by investing in the more difficult and long-term work of structural change, community-building, and advancing equity as an alternative to further consideration and authorization of lethal force.

**2a. MINORITY REPORT ON RECOMMENDATIONS CONCERNING THE PROPOSAL TO ARM PATROLS IN AREAS THAT DO NOT CURRENTLY HAVE ARMED PATROLS, AS WELL AS TO GRANT UNRESTRICTED ACCESS TO ARMED SUPERVISORS: [Endorsed by 5 Committee Members]**

In the “Overview” of the DPS proposal, DPS writes, “We believe the University has a responsibility to provide the same level of protection to all of the areas patrolled by DPS. Failing to provide armed officer coverage on River Campus and at the Eastman School of Music at best delays and at worst leaves unprotected large segments of our community.”

Based upon the Committee’s review of the DPS proposal, subsequent review of DPS training, a clearer understanding of response times and challenges, knowledge of the number of officers per shift/per zone and sworn vs. public safety officers, and an understanding of accountability and review processes performed by the Public Safety Review Board (including review of the number of unholsterings of armed officers) and the outcomes of those reviews, those of us who endorse this minority report (5 members) recommend that the DPS proposal be **implemented fully and without hesitation**:

- Granting armed supervisors unrestricted access to all campuses
- Deploying one armed officer per shift (in a mobile unit) to the River Campus
- Deploying one armed officer per shift (in a mobile unit) to the Riverview/Brook Crossing Campus
- Deploying one armed officer per shift (on foot patrol) to the Downtown/Eastman Campus

**2b. RATIONALE BEHIND THE MINORITY RECOMMENDATIONS CONCERNING THE PROPOSAL TO ARM PATROLS IN AREAS THAT DO NOT CURRENTLY HAVE ARMED PATROLS, AS WELL AS TO GRANT UNRESTRICTED ACCESS TO ARMED SUPERVISORS:**

Beginning in 2011, DPS was tasked to measure and assess the efficacy of the department, which at the time was composed of security officers. An official of the State of New York brought forth legislation in December 2012 that amended criminal procedure law to grant peace officer status to URDPS. That bill was passed by both houses of New York State legislation and signed into law by the Governor of New York State on December 17, 2012. In 2016, then-President Seligman asked for a review of the 2011 commission report. One of the recommendations after the review was to arm some sworn officers, with the decision being made to geographically limit armed sworn officers to URM and SMH only, with a caveat for calls that involve a weapon or for life safety. In February 2017, armed DPS sworn officers were assigned to URM and SMH which includes surrounding UR property (parking lots and structures, College Town, buildings on both sides of Crittenden Road.) Since that time and of this writing, UR has 53

Sworn New York State-certified peace officers who are unarmed, 40 Sworn New York State-certified peace officers who are armed, and 39 Non-sworn Public Safety officers.

NYS Criminal Procedure Law as defined for sworn officers and local agreements such as the Memorandum of Understanding are essential tenets of how DPS provides services in both emergency and non-emergency situations. The training requirements to change from security officers to sworn officers has been outlined in the “DPS Overview: Answers to the Committee”. Data provided by DPS about the number of officers per shift and limitations of response time when an armed officer is needed but cannot be granted access to the situation in areas other than URMC and/or SMH further support the DPS proposal.

DPS has agreements with local law enforcement for jurisdiction on public streets and sidewalks adjacent to UR grounds, buildings, and property. The Memorandum of Understanding between URDPS and Rochester Police department, updated in June 2018, is an example of one of these agreements.

As noted previously in the Committee’s report, the Committee agrees that decreased response times for armed deployment in cases requiring it would be desirable, all else being equal. The Committee’s report also affirms that on-going training is essential. These agreements provide support for the position to fully adopt the DPS proposal.

The case for arming additional officers is adequately outlined in the DPS proposal and based on the concerns and statistics cited by DPS which includes, but is not limited to the following reasons:

- The response time analysis shows that in the event of an active shooter on campus, DPS would need to wait three times as long for RPD armed officers to respond to an incident if they are unarmed.
- If there is an event on any UR campus that requires an armed officer (for any threatening act not necessarily limited to an ‘active shooter’ scenario), UR would need to rely on RPD which is not familiar with the University culture.
- RPD does not know our students, our culture, or our campuses, nor do they have the extensive “local” knowledge of the community in the way that DPS does and they will not respond with the kind of personal care that our DPS will.
- Of the 56 U.S. sworn agencies of the Association of American (AAU) Universities, the University of Rochester is the only undergraduate campus with sworn public safety officers who are unarmed.
- Time is of the essence during events of active violence.

**Other Observations in support of arming additional officers:**

- In the two years since DPS has had armed officers in the medical center, there has been a positive reaction from officers and employees and no incidences to warrant fear of our officers being armed.
- DPS has to make split-second decisions on how to quickly facilitate a response to a call. They should not have to think about whether to send an armed or unarmed response. A call to RPD



would always result in an armed response and also result in an officer who may not be as patient or willing to work with individuals to understand a situation.

- Many students come to universities expecting that the officers are already armed. With this in mind, it is only the current student population who is impacted by the “newly” armed officer. If DPS is armed, that will not be “new” to anyone coming to campus in the future. Much like the URMCM officers who have been armed for two years, it will be routine and expected.
- UR is primarily a residential campus meaning that many undergraduates live in campus housing both on River Campus, in the Brooks/Riverview area, Eastman School of Music, and graduate housing properties of Whipple Park, University Park, and Goler House. DPS has knowledge of those buildings, has ID access to get into those buildings, has a relationship with Residential Life staff when responding to situations, and can best determine how to respond to student instances of physical or mental health, assaults, threats, and other violent acts based on their training and supervisory/reporting structures. Waiting for an armed supervisor or RPD slows down response time and limits the level of protection for students and DPS officers.
- Accepting and implanting DPS’s proposal can and should be done concurrently with the reasonable recommendations and considerations provided in section IV.B.

#### **Professions that impact life and death:**

In considering the likelihood that arming officers would increase the incidences of more shootings, consider professions where an authority person has the ability to impact life and death. People are more likely to die during a medical procedure than by walking around a campus with armed law enforcement officers. A 2018 Johns Hopkins study claims more than 250,000 people in the U.S. die every year from medical errors. Some sources indicate the number could be as high as 400,000. Medical errors are the third-leading cause of death after heart disease and cancer.

(<https://www.cnn.com/2018/02/22/medical-errors-third-leading-cause-of-death-in-america.html> & <https://hub.jhu.edu/2016/05/03/medical-errors-third-leading-cause-of-death/>)

In both medical and law enforcement professions, a review board is tasked with reviewing each case and determining the cause, errors, etc. As explained by University of Rochester DPS Chief, Mark Fischer the University of Rochester has a review board that reviews all cases, but also anytime an officer unholsters their firearm which is a higher standard than most other law enforcement agencies.

In the case of armed campus police - the subject of this proposal - there is insufficient evidence to suggest that arming officers would increase the use of deadly force inappropriately. On the contrary, in the cases of University Officers involved shootings, the information does support that there have been incidences of armed officers being able to engage armed individuals in ways that may ultimately have saved lives. (See University /Camus Officer Involved Shooting compilation by DPS from <https://www.campusafetymagazine.com>, in Box.)

#### **Violent Crime Increasing:**

It would be a naïve position to think that a violent act will not happen anywhere at UR or to think that there are not people walking down our streets – directly through campus – who are illegally armed, possibly intent on committing violent acts. Violent crime is increasing and is higher in the City of

Rochester. In areas particularly at Eastman, where it is 100% reliant on Rochester City Police, it is prudent to ensure that our DPS officers are adequately armed to respond, engage and protect in a timely manner if and when necessary.

Rochester's crime statistics show an increase in violent crime in the last year. "Rochester crime statistics report an overall downward trend in crime based on data from 18 years with violent crime increasing and property crime decreasing... The city violent crime rate for Rochester in 2016 was higher than the national violent crime rate average by 121.64% ....In 2016 the city violent crime rate in Rochester was higher than the violent crime rate in New York by 133.93% and the city property crime rate in Rochester was higher than the property crime rate in New York by 141.09%." This site also shows an estimated increase in violent crime for 2019. ( <https://www.cityrating.com/crime-statistics/new-york/rochester.html>)

Also see the visual maps that show violent crime in the city of Rochester within the last 15 months (<https://www.cityofrochester.gov/crimemapping/>)

### **The Notion of Safety:**

With deep and sincere regards to the notion of safety and how it should ultimately be understood, two types of costs are identified by the majority (section 1b): objective and psychological. In response to the objective costs, UR has had two years of armed officers at UPMC and SMH as a trial run of sorts. The officers there have been interacting with people daily and to the best of the Committee's knowledge, they have done well. This is what has changed between the 2016 Security Commission and the current proposal. Thus, the risk UR would incur by arming sworn officers in the limited scope of one per shift in three geographic areas is less than the risk that would have been incurred in 2016 because we have a better understanding of what we can expect and the sort of oversight necessary.

The concern with objective risks is a valid concern. Undoubtedly, having more interactions between armed officers and civilians will increase the chance that an accident may occur. This concern is not to be dismissed lightly. However, we have armed officers in the medical center that interact with people daily, and to the best of our knowledge those interactions have not led to an accident. As noted previously, the PSRB has found all weapon unholsterings to be justified up to this point. This isn't to say that an accident can't or won't occur, but it does suggest that sworn officers are well-trained and thus minimize the risk. This sort of "trial run" is information that the Security Commission in 2016 did not have access to but helps inform our response to the current proposal.

In response to the psychological costs, we disagree with the weight that the majority opinion seems to place on those values (fear, trust, relationships). Many, if not most, of the examples cited in relation to psychological costs refers to "students" meaning current undergraduate students. There is reason to believe that many people would benefit from the decreased response times without suffering psychological costs, including future undergraduate students as well as graduate students, faculty, staff and guests. It is hard, if not impossible, to measure psychological costs, which makes it even harder to

compare them to objective costs. Furthermore, there are options and recommendations provided in this report that are available to help reduce the psychological costs. However, there is only one option to decrease response times and improve quality of the response over RPD for dangerous situations, and that is to accept the DPS proposal in its entirety.

Based on committee discussions, feedback letters from groups, and the online survey, it is clear that people perceive law enforcement from a combination of life experience, feelings, rumors, and media reports. While some Committee members stated they would feel unsafe if an armed officer was dispatched, others on the same Committee had the opposite response indicating they would feel more safe if the officer was armed. Implicit bias and concerns noted in the majority report are real and valid and should be taken into consideration when heightened training measures are implemented by DPS. Subjective costs and risks are hard to measure but safety is hard to measure.

Responding to the point that there may be decreased willingness by undergraduate students to call on DPS if the patrol sent might be armed: this is a good point, but still immeasurable. There is no evidence to suggest that a decrease in calls to DPS would be more than a temporary issue. There is no way to anticipate whether new students would have the same response to DPS being armed that current students may have.

The Committee heard that if an on-campus undergraduate student calls 911 the call will sometimes be dispatched for DPS response. Clarifying and understanding how that works is something to double check. In that case, assuming *any* help was called regarding an overdose or a fight, the endangered party would still benefit from the decreased response times of DPS over RPD.

Responding to the points on lack of trust and relationships between students from underrepresented groups, along with many in the surrounding communities, and DPS: some Committee members disagree that a relationship between the undergraduate student body and the individual members of DPS is a prerequisite to having armed officers. Even without trust, a student in need of an armed response may have to call someone who will respond while armed, whether that be DPS or RPD; this proposal doesn't change that. It seems like DPS is preferable in that case, for reasons mentioned previously.

### **More Detailed look at Eastman**

Eastman is unique in that it is in the city and is subject to regular community traffic. To help minimize people traffic and access for individuals who do not have a business/educational purpose for being at Eastman, new safety measures have recently been put in place, which include, but are not limited to: more card readers to limit access to certain areas, a single-point of entry for visitors and guests and a full-time unarmed officer manning Lowry Hall. Even though these measures help control access, they do not adequately address an active shooter scenario or someone with a different weapon in which our officers are left as vulnerable as the rest of the community and given the rise of violent crimes in the city, armed officers would be able to respond quicker and provide navigational guidance to other

agencies assisting in the response. Currently DPS officers who are not armed would not be able to respond to an armed situation.

In conclusion, in order for DPS to fully execute the work they are charged to do by UR, we who endorse this minority report recommend that the DPS proposal be accepted fully and enacted as soon as reasonably determined by the administration. Ideally, the recommendations of the Committee in section B below can be considered concurrently with implementing the DPS proposal. Our officers are also mothers, fathers, daughters, and sons; they too have families that depend on them, so it is important to recognize safety at all levels. The Committee has identified and supported the values of on-going training and idealized values of the campus community through relationship building. We have confidence in the rigorous training that the officers receive, the willingness of DPS to be transparent with their policies and responses, the oversight required by University and local and state law enforcement agencies, and we have faith in the department. Investing in DPS and supporting the department demonstrates the mutuality of trust and goals of safety.

## **B. Further Recommendations by the Committee as a Whole**

Based on feedback received, the Committee as a whole has developed a number of recommendations to be considered regardless of whether or not the proposal itself is adopted. While all of these recommendations speak in some way to improving safety, broadly construed, we have divided them into (i) suggestions for measures targeting fairly specific safety concerns, and (ii) suggestions for steps to address some of the broader issues raised in sections 1a and 1b, helping to foster a community policing model and improving understanding and trust among DPS and the university and wider community.

We would like to emphasize that these recommendations, particularly in the second section below, are directed to the entire university and neighboring communities, with the understanding that the onus lies *equally* with all parties to contribute toward the realization of these goals, and not just with DPS.

### **(1) Alternative Measures to Address Particular Safety Concerns:**

The Committee recognizes that many of these suggestions have been considered before, but in light of continued safety concerns and the fact that they keep being raised by stakeholders, we introduce them again for consideration. We also acknowledge that some of these measures would require substantial resources, but given the safety concerns that have motivated this entire discussion we believe it is reasonable to ask the administration to make the necessary funds available:

- add improved lighting in spots that students have identified as feeling unsafe, especially across the bridge;
- add more cameras, especially in spots that people currently feel are not adequately covered, *and make their presence known so that they can function effectively as deterrents* to crime in the first place;

- increase regular patrols in under-patrolled areas, as between campus and off-campus properties, to help deter crime; focus on increased efficacy of unarmed patrols rather than on providing lethal response capability for existing patrols;
- perhaps look into adding some form of public activity and presence to make certain areas less isolated (this would require some creative thinking);
- add more safe-ride options and shuttle services to parking lots, as well as walk-escort programs, or organize coordinated walking-buddy groups for crossing the bridge at certain times at night;
- increase ‘neighborhood watch’ type activities, perhaps expanding or making more use of the student safety aid program;
- make training for active-shooter scenarios standard practice (as with other standard training everyone participates in).

## **(2) Recommended Steps for the University as a Whole to Improve Relationships and Trust**

- Revive the Adopt a Hall program and enhance similar programs (coffee with an officer, ride along, walk for light safety, ‘walk with an officer’ programs, Greek/Special Interest Housing focused collaborations, etc.) to begin to build genuine relationships and understanding between DPS and the university and surrounding community, especially with vulnerable groups on and off campus (e.g., MSAB, LGBTQ+ groups, groups advocating for people with disabilities). More generally, focus on enhancing community-based policing, so that officers are seen more as *part of the community* than as security forces operating *over the community*. This might include the establishment of DPS liaisons to various student groups so that, through positive, face-to-face interactions, both students and officers can come to better understand each other and see each other as members of the same community with the same interests at stake.

We wish to acknowledge, with appreciation, that DPS has made significant efforts along these lines (already working productively with students in connection with various student events, for example), and that the burden lies equally with students and others in the university to reciprocate such efforts to build positive relationships and understanding, and to initiate their own. It would be helpful to have someone in the university actively coordinating those efforts to help ensure that they are fruitful, rather than relying on piecemeal initiatives that may or may not be followed through on and sustained.

Importantly, if such measure require additional resources for DPS, e.g., to replace Tiffany Street, then we recommend that DPS be given the necessary resources to help accomplish these goals. Indeed, Chief Fischer has expressed interest in many of these ideas, but notes that they will require resources. Again, we think it important that he get them.

- Following on the previous point, we recommend integrating the Restorative Practices that have been developed at the University over the past year into this process, to assist in further building mutual understanding and trust. Although Restorative Practices are often associated with the reparation of harm and healing of trauma, they have broader purposes as well, in fostering greater empathy and understanding on all sides of any issue, reducing social

inequality, marginalization and alienation, and promoting constructive dialogue. It is these latter goals that we primarily have in mind here. We are not suggesting that DPS has itself been an agency of harm or abuse, but it is important to understand that DPS is the representative and agent of law enforcement on all University Properties. Therefore, even if DPS has not itself directly harmed the constituents of our community, it is still the case that many on the campus have had reason for wariness toward law enforcement more generally, which can then transfer to the representative of law enforcement on campus, especially in the absence of genuine positive relationships with those officers.

Introducing Restorative Practices and putting students, faculty, staff and community members in dialogue with DPS officers may both promote deeper mutual understanding and empathy and even help those who fear, or have experienced harm, by outside law enforcement agencies, to find some healing. It could also facilitate the movement toward a positive paradigm of law enforcement for these individuals, and the UR Community as a whole. The third tenet of Restorative Justice involves *“working to rebuild trust by showing understanding of harm, addressing personal issues, and building positive social connections,”* and this is the focus of this recommendation. DPS officers can show understanding of harms experienced by law enforcement agencies while also building positive social connections with students, faculty and staff, who in turn can also come better to understand the perspectives of DPS officers and the challenges they face in carrying out their work.

Committee members who attended the workshop organized by CPE were impressed by the level of interest and openness at the DPS table, which was surrounded by a crowd of students as all shared their perspectives on issues surrounding the proposal. This is a good sign for the prospects for introducing Restorative Practices in this area. We note, however, that the spirit of Restorative Practice circles, with their focus on healing and building community trust, clearly points to the importance of DPS officers participating in such activities *unarmed*.

- There should be more explicit education about DPS at student orientation, so that it is a standard part of orientation to educate students about what DPS is, the role DPS officers play on campus, how they are selected and trained, how they differ from police but are also genuine sworn officers (not merely security guards), etc. Students need to understand this better than many currently do. It would also help everyone in the community if there were a more detailed explanation on DPS’s website of exactly what DPS is, i.e., the meanings and breakdowns of different categories of officer: sworn vs. non-sworn, public safety officers vs. peace officers, categories of supervisors, demographics for the department personnel, etc. There is a lot of confusion among the public about these various categories and the roles and duties for each, and it would help if this were made more transparent.
- Create an ‘ombudsperson-type’ position (or responsibility for an existing person) within the Dean of the College’s office specifically to receive concerns and provide support to students who have issues in connection with interactions with DPS. Perhaps this could be handled within CARE

service, though it would be important to establish a clear category for this issue and the make it widely known to students that this resource is available for this purpose. This would be distinct from the opportunity to file complaints through the DPS website, instead providing a non-DPS resource on campus—a student resource liaison or advocate—for students who need it.

Related to this: Some members of the Student Aid Safety Program have reported to Committee members that they have sometimes heard disturbing, racist language used between DPS dispatchers and officers, yet they do not feel comfortable reporting that directly to Chief Fischer. This, however, is important information for him to have in managing and improving DPS. We therefore recommend that someone outside of DPS be designated to receive such feedback, and that this be made known to all participants in the Student Aid Safety Program. The resource described above could play that role.

- Create a regular line of communication between DPS and surrounding communities (i.e., via a community resource officer), of the sort the communities already have with RPD, to begin to develop a relationship between DPS and the community whose members might be encountering DPS officers on adjacent streets and sidewalks. Again, if DPS needs additional resources in order to do this then we recommend they be given those resources.
- Add tours for first-year students across the bridge and into surrounding communities to help dispel the fear of those communities; then follow through with more programming for community engagement to build a sense of connection beyond the limits of the university. The Rochester Center for Community Leadership, run by Glenn Cerosaletti, as well as the Off Campus Living Program, run by Rebecca Orton, might be very helpful here in coordinating the effort to change campus perceptions of surrounding communities and foster better relationships. Perhaps programs such as the Bridge Dinners program or the Neighborhood Ambassador program could be revived or enhanced toward these ends.
- Develop a university/community relations board that includes a heavy community presence to help imagine, develop, and implement solutions to the disconnect between the University and its neighbors (again, perhaps in collaboration with the Rochester Center for Community Leadership).
- In order for the community to have a better sense of the kinds of activities DPS takes part in and responds to, it would be helpful for DPS to make available on a regular basis their transactions and with whom these transactions take place (students, university members, race, what the call was about, armed or unarmed response, etc.)
- Add one or more community members to the PSRB. We have leaders from all over the University on the board, so we should have community members from areas affected by DPS who wish to participate. If there are worries about HIIPA in cases involving URMIC, these could be worked around with closed portions of meetings involving only university personnel to deal with such cases.

- The PSRB needs to clarify the policy regarding the conditions under which an armed response is appropriate, as the current language is very misleading as it stands. According to the policy, an armed response can occur when there is a “report of possession of a firearm or threatened use of any other weapon” (any armed officer can respond) or, in the case of supervisors only, if there is a call involving “imminent threats to health and safety.” A natural interpretation of a “report of ... threatened use of any other weapon” would be: *a report of someone threatening to use any weapon*. But on that natural interpretation, numerous examples drawn from PSRB minutes fail to comply with that policy: a false alarm at Chase Bank, possible burglary where there is an open door or footprints in the snow outside an open window, robbery in College Town parking garage, someone involved in larceny and holding an unidentifiable object (which turned out to be bolt cutters). These (and several other cases) would not comply with the policy under the above natural interpretation, since there were *no reports of a gun or of anyone threatening to use a weapon* in these cases.

Since the PSRB did find all of these cases to conform to policy, however, it clearly is interpreting the policy differently. Apparent it is instead interpreting "a report of ... threatened use of a gun or other weapon" to mean instead: *a report of an incident where there is a plausible threat of a gun or other weapon being involved*, i.e., where "threat" is just used to mean "likelihood", as in "there's threat of a blizzard". Under that interpretation, the above cases do plausibly comply with policy. But (i) that is hardly the most natural interpretation of the language of the policy as stated, and (ii) it is *far more permissive with respect to armed responses* than the policy would be under the first, more natural interpretation (thus exacerbating the concerns raised in section 1b). Even if the more permissive policy is in fact justified, the actual policy needs to be more clearly stated so that it is accurately understood by all.

- Following up on the PSRB: the Committee is impressed by the PSRB’s practice of reviewing all unholsterings, and we recommend (if this is not already done) also periodically reviewing the general data on armed dispatches more broadly.
- Regarding DPS training: An essential part of this training should focus on improving officers’ understanding of the basic social history and realities of the United States, providing the larger framework for thinking about public safety work at UR. So understood, training as a DPS officer should include learning the history (of racism, sexism, colonialism etc.) as well as relationship building with all members of the community (understood inclusively, not as UR vs. Rochester). This could help to move us beyond thinking in terms of militarization and ‘securing the perimeter’.
- There might also be some additional training specifically for dealing with people with disabilities such as deafness or mental health issues, which might also address some of the worries about potential objective costs described earlier. And prior to increasing the arming of DPS, if that should occur at some point, the issue of body cams at least for armed officers should be revisited: this would presumably help to protect both members of the community and the



officers themselves by increasing the transparency of DPS activities and interactions. It would also help for there to be greater clarity about oversight and monitoring of bias-related issues, which will also increase public confidence.

- If the issue of increased arming is revisited in the future, it is important that the process be very different from what it was this time. Many of the strong concerns with the proposal were exacerbated by the process, where many people felt there was insufficient opportunity for truly democratic deliberation over a reasonable enough amount of time to make a decision on such important potential changes to the university. If there is a similar proposal in the future, it should be made public from the beginning and much more time should be made available for open forums to address campus concerns about personal and/or group safety, and for campus initiatives to develop dialogues around identity, disability, racism, sexism, ageism, etc., as part of the conversation. We hope that the work of this Committee would serve as a starting point for those conversations, and that all the materials collected in the Box for the Committee will be preserved and made appropriately available for any such future deliberations.

## V. Appendices

### **Appendix A: Report from the Subcommittee Analyzing Feedback Received through the Online Portal**

The Committee created an online comment form that went live to the public on February 6, 2019. People both inside and outside the University campus were able to share feedback anonymously (commenters could identify themselves if they chose) on the Public Safety Proposal. A link for the comment form was included on the Public Safety Review Board website.

We advertised the link through a number of University newsletters in February and early March including in @Rochester faculty/staff/employee newsletter, Grads@Rochester graduate student newsletter, The Report undergraduate student newsletter, Parents' Buzz for parents of students, and the Rochester Buzz alumni newsletter. Many groups circulated the link to their distribution lists, helping to reach thousands of stakeholders. Some examples included the Neighborhood and Business Associations in Southwest and Southeast Rochester, Diversity and Inclusion Committee, Simon Business School community, students connected to the Office of Minority Student Affairs (OMSA) 400 member distribution list, among others. In addition, Committee members individually distributed the link to their networks and used the link for groups to submit additional feedback following their meetings. In total, more than 500 comments came in through the feedback link.

A sub-committee comprised of a faculty member, a staff leader, a Post-doctoral Fellow and a first-year Ph.D. student reviewed the portal responses. Each comment was coded to reflect the participant's identity if provided. As each participant may identify as more than one identity (i.e. community member, alumni, student, parent, staff, faculty, etc.) the Committee kept each person's indicated

relationship with the university. The Committee members also reviewed each comment and coded them for whether the participant was in favor of or opposed the proposal, or sought more information. A secondary coder reviewed each comment and a meeting was held to discuss those comments coded as “missing” or in need of discussion. The Committee then either affirmed a comment as missing a position, or recoded the comment with consensus by three members.

Of the 480 participants that provided an opinion, 50.8% were in favor the proposal, 47.7% were not, and 1.5% of participants requested more information. Because this is not a survey – but rather a comment portal, we cannot draw conclusions other than that among the Rochester community members that chose to provide comments via the portal, they are divided. Participants were comprised with sole identities were 13.6% faculty, 28.2% staff, 33.3% students, 9.8% community members, 4.3% alumni, 1.4% parents, and the remaining percent had multi-identities listed.

Among faculty with a stated position (n=57), 29.1% of the faculty were in favor of the proposal and 69.1% were not. 1.8% believed more information was needed. Among those faculty that supported the proposal, one stated “Fully support. We live in very different times and need to be prepared for the worst.” Another, “I FULLY support the armed peace officer program at the U of R. I’m continually impressed at the professionalism and commitment to patient, public, and staff safety that UR DPS exhibits. Keep up the amazing work!” One Eastman faculty responded, “I am absolutely comfortable with the idea of the Eastman security team being armed. As a school, we are in the vast minority as an institution that does not arm their officers. We are an urban campus and occasionally have unwanted people in our school.” The quote continued:

*Some colleagues have said this new scenario makes them feel uncomfortable and maybe even makes them feel that it chips away at our sense of community. I beg to differ. I have complete trust in our officers and know that all those who will be armed will be well-trained and informed.*

*As I have shared with my colleagues, I would not want to be an administrator who meets with parents of a student who has lost their life in some horrific incident. I would dread even more being the person who has to admit that we don't believe in the concept of arming our security officers "because of what it says about our school".*

*I am not a gun person; never owned one, never shot one, have no interest in them. In fact, I feel that as a culture, we are not responsible enough to be allowed to have our own guns. However, if someone is going to have possession of a firearm, I would rather it be a security officer who is capable of protecting our students, staff, visitors and faculty.*

Among those faculty opposed to the proposal – some indicated a lack of data, “There is not enough evidence that arming safety officers is a deterrent to crime and, when needed, the armed officers may likely be out of the area where they would be of most assistance. There are too many stories of racially motivated injury and death from an armed guard/officer who misread actions and fired needlessly. Our university community needs to know that safety can remain a priority without firearms.” Others feel the data supports opposition to the proposal, “No information that has been supplied by Public Safety

warrants arming more officers. The 19th Ward is among the safest areas of the City (as the Chief indicated in a Town Hall meeting), crime rates have not increased on U of R campuses, and no data have been provided that show that increasing the number of armed officers on University campuses make them safer. Comparing ourselves to other universities doesn't give us actionable information for our setting. I am adamantly opposed to this proposal." One faculty in particular noted this proposal had been vetted before and summed up numerous other comments regarding the lack of other measures having been implemented first:

*While I have no doubt that campus security officers and have safety concerns (because the report includes them), so do students, faculty, and staff whose voices are not represented in the proposal. For many – myself included – the prospect of more guns on campus makes them feel less safe, not more. I have been bothered since the last Campus Security Commission report about the process through which arming campus security has occurred. President Seligman assured faculty during a faculty senate meeting on September 13, 2016 that the last proposal was NOT "poking the camel's nose in the tent," ie. not a slippery slope towards more and more arming of security personnel. And yet, that is exactly what has occurred. I am also troubled that the proposal does not include other ideas for what could be done to address security concerns on campus. Were other approaches considered? Are there other solutions -- or are we merely following the logic of "if other campuses do this, so should we"? Given what other institutions do, along with the escalatory logic of the security industry and gun lobby, the answer to the question of whether or not to arm DPS officers is a foregone conclusion. Instead, we should more comprehensively and creatively review safety concerns of students, staff, and faculty across the University's three campuses.*

Among staff with a stated position (n=114) 80.7% were in favor of the proposal with 18.4% opposed, and .9% requested more information. One in favor stated, "I am 100% in favor of an armed officer presence at the Eastman campus. We are in a downtown, very urban location, and while to date there has not been a threat warranting the use of firearms, it is not at all difficult to imagine that we are on borrowed time in this respect. Having at least one armed officer makes all the sense in the world. Without one, should the unthinkable happen, we will look back with regret at our lack of action." Another stated:

*In a time when so many people of color (black young men in particular) are being shot and killed by police for reasons that, in retrospect, are unfounded as dangerous, I am hesitant to endorse more guns. That said, there are more guns in the hands of people who use them like a common tool instead of a dangerous weapon. I want our campus community to be protected from armed robberies and assaults. So, I come down on having a selected number of additional UR officers trained and armed. By trained I mean not only in the safe use of fire arms. I want them to be trained to use nonlethal responses first, if able. Too many of the shooting tragedies I've read about could potentially have been averted by talking to the person instead of assuming the person was a killer.*

Those staff opposed had varied reasons – including arming public safety not being the answer to the proposed aim to stopping a shooter, “I seriously doubt that a short-range Handgun with a single policeman will stop any mass shooter. This is a job for a well-trained SWAT team. Yet, handguns can escalate to unintended outcomes at times of anxiety.” Another staff member reflects the sentiment that this proposal has been argued before, consistent with the faculty quote above:

*The proposal to expand the arming of the Peace Officers on the River Campus sounds perfectly reasonable, and is full of nice statistics about mass shootings to make it so. However, I think it is capitalizing on the terror and helplessness felt about those incidents to advance an initiative for which adequate groundwork has not yet been achieved. Despite the proposal's extended laurel branch of diversity training the officers are supposedly undergoing, over the past year we have in fact seen a rise in antagonism between Public Safety and students of colour on this campus, most notably of all the confrontation between an officer and a student found sleeping outside during the summer months. We cannot separate ourselves out from that milieu and pretend that the University or its students exist in a vacuum....When the proposals to first arm a group of the Public Safety officers were first put forth, the ensuing outcry from the student body and the University community was largely ignored. Despite the Town Halls, the many letters, and the efforts of hundreds of individuals, the proposal went through exactly as planned. What Public Safety seems to have completely ignored is this: we didn't like that you ignored us, and we feel like we weren't listened to. We feel less safe because you didn't listen to us.*

Among students (n=131), 61.8% opposed the proposal with 37.4% supporting the proposal, and .8% requesting more information. Students' comments in favor clustered as risk reduction, having the same level of protection as those working and learning at URMC, and feeling safer, “I believe the University does have a responsibility to provide the same level of protection to all areas patrolled by the University Department of Public Safety...” Another commented, “I think it would be a great idea to have a trained team of public safety officers that are armed and ready to protect the people on campus against armed assailants. In the case of a violent attack time would be of the essence. I would feel so so much more comfortable knowing that we had peace officers on our side, on site, ready to engage to protect.” Those in favor included Eastman students as well, “As an Eastman student, I fully support this proposal. I believe having officers nearby who can better protect and QUICKLY defend an emergency situation is the most effective solution. Having trained officers readily available to intervene in an emergency situation would make me feel much safer.”

Those students who opposed also noted for them the reality of the environment in which the proposal was put forward, “Unfortunately, we don't live in a post-racial America. If the proposal to arm peace officers if passed, there's no way to reduce the massive liability of having guns on a college campus. The majority-white public safety force lacks the empathy that comes from being a personal of color, and their numerous implicit biases will affect their life-endangering decision-making skills.” Another notes, “I do not support the proposal, as I think it will endanger black/brown bodies on this campus more heavily than protect students from an active shooting event (are there even studies showing intervention by armed officers have decreased casualties in mass shootings?). If campuses with armed officers have

been unable to stop mass shootings, then what makes UR different? If public safety has shown students time and time again that they are incapable of de-escalating situations (i.e. physically restraining a traumatized student who had been assaulted, handcuffing a student who was having suicidal thoughts), then why should we trust them with guns? ...”

Among community members (n=39), 56.4% were in favor of the proposal with 43.6% opposed. Among alumni (n=18), 38.9% were in favor with 61.1% opposed. Of the six parents participated, 83.3% were in favor and 16.7% were opposed. Given the small numbers of participants, and given this portal was not a survey, the Committee did not run any statistical analysis other than summary percentages. The sub-committee acknowledges that these portal comments are to be considered in partnership with the other letters provided, including the student letter with over 400 signatures, and other collaborative letters submitted.

The remaining portal comments tended to cluster into major thematic categories. Those in support of the proposal tended to note comments including that the proposal would be a risk-reduction approach to keeping the community safer, including the safety of the officers. Other comments indicated that members of the university had great faith in the public safety office and believed they trusted the public safety administrators request was legitimate and well informed.

Those comments on the portal opposed to the proposal included concerns about bias related to race, disabilities. Comments indicated that the presence of guns could place us at increased risk. Other comments noted there were many steps that must occur before we implement such a policy – such as additional training for the public safety officers – not just regarding firearm safety but bias as well. Others suggested the need for alternative measures to be tried before guns, including but not limited to enhanced lighting in all areas of concern, additional officers being hired, and greater partnerships with Rochester Police Department.

Others noted the concern for more information as the statistics presented were not accurate given the differences in state laws and firearm carry regulations. Some felt they wanted more and different statistics, including other harm reduction approaches and the use of procedures used in countries that do not support guns as efforts as an approach to violence reduction.

The Committee provided the noted quotes for demonstrative purposes only. Of all the data collected, of concern to the sub-committee is the overwhelming support of the proposal from staff. This needs greater inquiry to understand the safety concerns of our university staff and how those needs might be met if there is a decision to not arm public safety.

## **Appendix B: Report from the Subcommittee on Training and Hiring**

Members: Steve Bondi, Norman Burnett, Kathryn Mariner, Scott Seidman, Reinhild Steingröver

The subcommittee met three times for approximately two hours each time:

--February 15 with Mark Fischer and Dana Perrin

--March 1 with Mike Brock

--March 8 with John Cullen

We met for two hours each time, including sub-committee deliberations and followed-up with email discussions, sharing of meeting summaries, and follow-up question and answer.

The subcommittee wishes to thank DPS for their willingness to meet with us, provide prompt feedback to our questions, and for extending invitations to visit their training facilities, meeting with new recruits, and observing firearm training (though time did not permit us to engage in these modes of data gathering). The subcommittee also thanks Dr. John Cullen (Susan B. Anthony Center & URM) for his time and sharing of expertise.

As per request from the subcommittee, DPS has made details regarding hours and type of training available on the DPS homepage. Much of the relevant, specific information has been shared with the overall Committee and is contained in the Advisory Committee's final report.

The sub-committee believes the level of screening and training of officers generally compares favorably to industry standards, but sees areas where training might be increased, improved, or transformed to better address needs specific to the context of the university and surrounding community. The two main training concerns that emerged in our deliberations pertained to the compressed firearm training over a two-week stretch and the depth and effectiveness of cultural diversity and bias training. Training officer Mike Brock stated that firearm assessment tests of officers are conducted by mostly non-DPS personnel with little incentive to pass marginal assessment results. The subcommittee requested written descriptions of firearms training scenarios, but did not receive them before the conclusion of our work.

DPS leadership shared the training materials in large binders at a subcommittee meeting. The content cannot be assessed in the brief time we had together and while we were discussing a wide range of training questions.

Chief Fischer also provided information about ethnic/ gender background in the force overall. The subcommittee perceived intentionality towards increased recruitment for new officers as born out in the current class of recruits. It is important, however, to distinguish diversity within the force from equitable policing.

Chief Fischer also responded promptly to suggestions for making information on training and reporting complaints against officer misconduct more visible on the DPS website. Complaints of bias by officers are handled the same way as complaints against other UR employees (investigators in the Office of Counsel).

The subcommittee work was impacted by the difficulty of assessing questions of professional standards in a discipline outside of our respective expertise (only one subcommittee member has a background in law enforcement) and lack of time to conduct proper research on the type of training that is currently provided. Two scholarly discussions of implicit bias training—including one systematic review of 958

published and unpublished reports of diversity interventions—suggest that “the causal effects of many widespread prejudice-reduction interventions, such as workplace diversity training and media campaigns, remain unknown” (Spencer, Charbonneau, Glaser 2016; Paluck and Green 2009: 339).

A similar point can be made regarding the introduction of the Culture Vision database, used by URM employees. While subcommittee members glimpsed at the database in their meeting with Dr. Cullen, all but one Committee member did not have access to it. We know that DPS officers were given access to it via the intranet but have no data on how frequently it is accessed by DPS or how effective it is as a bias reduction tool. Since it can only be accessed through a computer terminal, it cannot be used by officers during routine patrols and interactions, but only after the fact.

Dr. Cullen explained in his meeting with us that in-person cultural bias training with all DPS officers in groups of 15, for 60 minute sessions took place for the first time in fall 2018. He confirmed for the Committee that this is a positive step and, in his view, more effective than online training. He did not have research data on the effectiveness in bias reduction, esp. in high stress situations. He is experienced with other training protocols, e.g. “theater of the oppressed” type training that might be useful but requires more time and resources. He did share that DPS officers arrive with varying degrees of receptiveness for bias training.

Since much of the Advisory Committee’s overall findings reflect the disconnect between stakeholders who have trust in the Department of Public Safety as a whole and the individual officers in particular, and those who have raised serious concerns regarding trust, it appears that the most productive step forward is to consider how trust can be established between DPS and concerned stakeholders.

The subcommittee has heard several times from DPS officers that more intentional outreach should be undertaken (esp. regarding adjacent neighborhoods) but also that past efforts have not always been embraced by the campus community.

It thus appears that while the University should investigate the effectiveness of online and other types of bias training in general and for law enforcement in high stress situations in particular, more intentional efforts should be directed towards trust building initiatives. The subcommittee’s findings thus echo the discussions in the large Committee regarding the need for effective “community engagement” (defined inclusively within and outside of the UR). Dr. Cullen’s work with the practices of the “theater of the oppressed,” in addition to ongoing historical and structural discussions of power, inequality, and policing (getting to the root of how biases originate and reverberate), might be a productive way to build in the already begun work. Additional research should be conducted to determine what kinds of training, if any, are most effective in mitigating bias and building trust.

Sources:

Spencer, Katherine B., Amanda K., Charbonneau, and Jack Glaser. 2016. “Implicit Bias and Policing.” *Social and Personality Psychology Compass* 10(1): 50-63.

Paluck, Elizabeth Levy and Donald P. Green. 2009. "Prejudice Reduction: What Works? A Review and Assessment of Research and Practice." *Annual Review of Psychology* 60: 339-67.