

University of Rochester
Public Safety Review Board
Minutes of Meeting
April 3, 2019

Present: Francis Price
Robert Bones
Matthew Burns
Eldred Chimowitz
Rick Crummins
Holly Crawford
Chris Fragassi
Tony Kinslow
Elizabeth Palermo

Absent: Kathy Parrinello
Beatriz Gil Gonzales

Guests: Richard Feldman
William FitzPatrick
Jamal Holtz
Alexander Pavlicin (Student Assoc.)
Mark Fischer

1. Administrative Items

The Board will defer adding an Eastman School of Music student to its membership until after it considers the report of the Public Safety Proposal Advisory Committee (PSPAC).

The Board approved the minutes of the March 6, 2019 meeting.

2. Discussion with Chairs of PSPAC

Guests Professor FitzPatrick and Mr. Holtz joined the meeting.

Professor FitzPatrick and Mr. Holtz, co-chairs of the PSPAC, answered questions from the PSRB about the PSPAC report dated March 25, 2019. President Feldman was present for the discussion in order to aid his decision whether to accept the PSRB's ultimate recommendation, but excused himself before there was any discussion of that recommendation.

Below are summaries of the significant areas of questioning of the co-chairs of PSPAC and their answers:

Information Collection Process

Information was primarily collected through outreach activities to specific groups and online comments invited from all students, faculty, staff, alumni, parents, and community members. One PRSB member has heard from some students who support the proposal that they were afraid to publicly share their views, which the co-chairs responded was the reason that comments could be made online anonymously.

Generally, statistical crime/firearm use data was not independently collected. Information supporting the rationales in the DPS proposal was obtained chiefly from DPS through a series of meetings with officers (including those involved in training) and information requests; no outside experts were consulted nor was any information sought from peer institutions with armed officers. The PSPAC was limited by a short time frame. One member of PSPAC was formerly in the FBI and provided that perspective.

Source of, and Weight to be Given to, Concerns and Fears About Negative Consequences of Arming

The co-chairs reported that mostly, fears and concerns raised were not based on specific encounters with DPS, but more on national news stories about accidental shootings and shootings of people of color and vulnerable groups such as the disabled and the LGBTQ community, as well as commenters' own personal experience with law enforcement agencies besides DPS. Commenters also had concerns about the lack of current relationships between members of the University and local community and DPS.

Asked whether "social justice" points of view were deemed to outweigh "common sense," one co-chair answered that both are important and deserve consideration, emphasizing that they are not mutually exclusive and obviously should go together.

At least one PSRB member asked, if concerns were based on societal issues, when would those be resolved to the point where the proposal could be accepted. It was acknowledged that there is no clear answer, but the PSPAC majority felt that more time devoted to continuing to build trust and relationships would improve the prospects for acceptance in the future.

Timing

Many in the PSPAC majority felt a large part of the rationale for rejecting the proposal was timing – i.e., that there needs to be more time to improve relationships with/trust of DPS before additional arming could reasonably be considered. One co-chair also stressed that it would be preferable to have a proposal like this begin at a more "grass roots" level of discussion versus having been issued from the top level of administration.

Medical Center Experience

One attendee observed that, in the Emergency Department environment there would be every reason to believe an accidental shooting is more likely than on campus, given the stressful nature of the ED environment and routine presence of weapons such as guns and knives, and yet there have been no uses of firearms there since the URMIC posts became armed. The attendee asked if that were taken into account by the PSPAC majority. The co-chairs pointed out that the minority in PSPAC cited the medical center's positive experience with armed DPS staff. The PSPAC majority, however, did not think the past experience offset concerns about what may happen in the future.

Benchmarking

The PSPAC acknowledged that the fact that most other AAU institutions have armed officers is a relevant fact but said it does not by itself justify arming at UR. PSPAC did not have time to obtain any information directly from any peer schools about their rationale for, or experience with, arming. It was suggested at PSPAC that RIT be contacted, but that was not done. Some information was gathered from public sources about the current controversy over arming at Johns Hopkins.

One of the PSPAC co-chairs observed that the experience of other institutions is not particularly relevant because UR's (and each institution's) overall circumstances, needs and environment are unique.

Staff and Community Views

Although the PSPAC report focuses more heavily on student feedback, there was no intent to exclude staff reaction – there were fewer comments received from staff. PSPAC did not track source of staff comments – i.e., medical center, campus, Eastman, etc. PSPAC believes it is necessary to continue building trust between DPS and all members of the University and surrounding community.

Some in the Rochester community were confused about the jurisdiction of DPS, believing DPS would be patrolling away from University property. The co-chairs acknowledged that DPS only can patrol owned/leased property and adjacent streets and sidewalks.

PSPAC Majority Recommendation regarding Armed Supervisors

Currently, when supervisors are armed, they are restricted from areas on campus, such as meetings, because armed response is only permitted when there is a threat to health or safety. DPS said that it would not be appropriate for supervisors to disarm before attending a meeting because best practices indicate that once an officer is armed he/she should remain so and the majority was willing to defer to DPS on that point. The

majority believes that unrestricted access, which is very different than armed patrol, will help support the relationship building that is needed.

ESM Issues

The Board should have notes from an ESM Town Hall where many of the same points were made, along with a letter signed by 100+ students. The PSPAC's view is that there is no reason to look at RC and ESM separately. Its recommendations apply equally to both.

Additional Information to be Provided to PSRB

Links to the Box file containing materials supporting the PSPAC report will be circulated to all PSRB members (initially were just sent to two). So will the affiliations of each PSPAC member, which are not indicated in the report. Notes of the March 28 town hall meeting at Eastman will also be circulated to the full PSRB.

PSPAC Co-chairs left the meeting.

President Feldman noted that he will be prepared to make his decision on the matter quickly upon hearing from the PSRB after their deliberations. It was noted that the report would not be made public prior to the PSRB coming to his recommendation for the President so as let the PSRB peacefully and thoughtfully deliberate the issue without distraction.

The PSRB agreed that deliberations on its recommendation to President Feldman would be held until the next meeting (4/9) in the interest of time remaining and to ensure Ms. Gonzalez' presence.

3. DPS Report

Mr. Fischer delivered a report on recent incidents involving use of pepper gel and two armed responses.

On February 8, a DPS officer used pepper gel on a patient in Strong Memorial Hospital. The patient had grabbed a pen and pencil and threatened to stab staff. When asked to drop the items, he dropped one, but continued to threaten. After conferring with the nurse manager on duty, a DPS officer deployed pepper gel, which quickly disabled the patient and no person was injured. Nursing staff praised the officer's handling of the situation, as did a PSRB member who had been present at the incident.

On March 22 at 12:48am, a call came in of a male threatening suicide with an edged weapon in a residence hall. An armed officer and two armed supervisors responded.

Upon arrival the officers learned that the suicidal student had surrendered his weapon to a friend and fled the scene. Two unarmed officers were dispatched and located the student shortly afterward.

On March 31 at 4:13 am there was a full building fire alarm in Whipple Park. No unarmed officers were available due to other calls for service. A full fire alarm requires an immediate response because of the potential threat to occupants, and the responding officer will either coordinate a response or turn off the alarm if, e.g., it was set off accidentally. There was no interaction between the officer and anyone else in this case and he simply worked with the fire department to determine it was a false alarm.

Mr. Fischer left the meeting.

It was agreed that, prior to the 4/9 meeting, the Board would obtain statistical information from Mr. Fischer regarding the number of violent calls DPS receives, or even at another institution, to shed light on what kinds of issues public safety deals with.