Community Policing, Crime Prevention and Comprehensive Training Programs: Key Ingredients to Reducing Risk in Campus Public Safety

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Campus Security and Public Safety has seen an evolution that has brought about significant changes to the industry during the past thirty years. The gradual evolution of departments from entities that hired retired police officers who were looking for a slow paced environment to supplement their income and where their primary duties were to lock and unlock doors has become a thing of the past. Most institutions have changed their focus over the years and made it a priority to transform their departments into professional agencies, by hiring qualified personnel and providing the necessary training for their employees to become well-rounded officers who are prepared to provide security, safety and law enforcement services for their communities. More than forty percent of the college campuses in the U.S. have implemented full-service police departments.

Major crimes and security related issues have been prevalent across the country over the past thirty years and have had a major impact on college campuses as well. Campus public safety and police departments have had to focus on significant issues like violence related to war protests and an anti-establishment philosophy; an increase in the use of drugs like marijuana, cocaine and heroin by students; the continued challenges of alcohol abuse; sexual abuse and domestic violence between students, gang activity on and around the campuses; terrorism concerns; the use of the U.S. mail to transport lethal substances; identity theft affecting students and employees; an increase in internal theft and fraud; and the increasing theft of high priced equipment from campus facilities.

A single act of violence had a profound effect on the campuses in the mid 1980’s. On April 5, 1986, 19-year-old Lehigh University freshman Jeanne Ann Clery was raped and murdered while asleep in her residence hall room. Jeanne's parents, Connie and Howard, discovered that members of the Lehigh community hadn't been informed about 38 violent crimes that occurred on the campus in the three years before her murder. The Clerys filed a law suit and used the money they won in that suit to start a non-profit corporation called
Security on Campus. That organization began a grassroots campaign designed to implement a law requiring campuses to make information about crimes that occur on campuses available to the campus communities. The law passed in Pennsylvania and numerous other states before it was enacted into federal law. In the Clery lawsuit against Lehigh and in several hearings before Congress about safety on college campuses, evidence was presented that made it clear that campuses were not the safe havens they were once perceived to be. In a 1990 statement before the Sub-Committee on Postsecondary Education of the Education And Labor Committee, Representative Richard McClatchey of Pennsylvania said, "One of the best kept secrets in the country, is the extent of serious crime on our university campuses. Students and their parents have every right to know and determine the degree of safety they will have during their academic career".1 The bar had been raised for campuses across the U.S. with respect to a need to provide a higher level of security and safety. For campus public safety professionals, it was a call to action. Part of the call for many campus public safety leaders was to incorporate promising practices that were emerging in traditional law enforcement agencies into the campus environment, while still developing new practices that were appropriate for the college campus environment. Several major initiatives that were born since the early 1990’s include: community policing, crime prevention strategies, the development of comprehensive officer training programs, creating a new philosophy on campus that included opening the lines of communication with the campus community about crimes and security concerns, and the implementation of technology designed to enhance security. All of these initiatives have become key ingredients toward improving the security of our campuses and in combating the liability concerns surrounding the issue of keeping college campuses safe.

Community Policing

Years ago, the delivery of police services was accomplished in a reactive and unscientific manner, with little attention given to how these strategies might affect the community. Today, community policing is a philosophy, an organizational strategy that assesses the needs of the public and translates those needs into police services and programs that can be effectively delivered to the community. On campuses across the country, community policing means that members of the public safety department become involved in student orientation programs, work with housing and student affairs representatives to provide educational opportunities to improve safety for students, and building relationships with members of the campus community. It means analyzing campus crime trends and reported information, and subsequently, designing patrol strategies and activities to target those particular areas of concern. It may include meeting with a student disciplinary team to address particular behaviors before they become actual criminal activities. But most of all, it means that the public safety department and its officers are viewed as an integral part of the campus community. Through consistent visibility and being included as an active participant of campus problem solving team, the department and campus community develops trust and reliance upon one another.

The impact of community policing on college campuses cannot be underestimated. In some larger agencies, the creation of a unit devoted to community policing has been a
successful and important strategy. In smaller departments, the philosophy is carried out by every officer and usually includes the use of both sworn and non-sworn personnel. Departments that adopt an organization-wide strategy of community policing should include that philosophy as part of the mission statement.

Community policing continues to be the most prevalent policing strategy across the U.S. and campuses are no exception. The availability of government-grant money in law enforcement is many times tied to a department and their commitment to a community policing philosophy. By establishing community partnerships, campus public safety departments are more likely to learn about issues and to be able to respond to them quickly and before the issues become larger problems. The classic situations like lighting problems and propped doors can be addressed more quickly, and lessen the potential for a serious incident. By developing partnerships and programs that increase the community’s understanding of the activities and the policing or security role, agencies can increase public confidence while lessening obstacles to implementing new programs and approaches that could fail for want of public understanding or accurate information.  

**Crime Prevention Strategies**

Crime Prevention strategies are the foundation of a solid community policing program. An effective crime prevention program will increase positive officer contacts with the community, leading to more timely reports, increased solvability in cases, and show a commitment by the institution to protecting people and property. There are so many different programs and strategies in place that it may be difficult to tell them apart. But, one common element of crime prevention activities is that they are before-the-fact efforts to reduce the likelihood that someone will become the victim of a crime and may decrease the opportunity for a criminal to commit a crime.

In the National Crime Prevention Institute’s publication, *Understanding Crime Prevention*, crime prevention was further defined, “Crime prevention can also be operationally explained as the practice of crime risk management. Crime risk management involves the development of systematic approaches to crime risk reduction that are cost effective and that promote both the security and the socioeconomic well being of the potential victim. Managing crime risks involves: removing some risks entirely; reducing some risks by decreasing the extent to which injury or loss can occur; spreading some risks through physical, electronic and procedural security measures that deny, deter, delay or detect the criminal attack; transferring some risks through purchase of insurance or involvement of other potential victims; and accepting some risks.”

In 1996, the Board of Directors of the International Association of Campus Law Enforcement Administrators (IACLEA) adopted recommended crime prevention practices for colleges and universities. While they defined those practices as “voluntary,” “intended to guide,” and “minimum standards,” it was one of the first sources to suggest that crime prevention should be incorporated into the mission of each Campus Public Safety Department. It also went on to define minimum levels of crime prevention programming, including:
• A rape awareness and education program should be developed and offered to members of the campus community. Special emphasis should be placed upon student residents, student athletes and fraternity and sorority members as it relates to acquaintance or date rape.
• A crime prevention orientation program should be presented to all new faculty and staff as they become members of the institutional community. Program content should include issues related to personal security topics as well as those that relate directly to the institution such as access control, care and use of institutional equipment, and the security policies and procedures.
• All new students should be exposed to a campus security and personal safety-oriented program.
• All new faculty and staff should be exposed to a campus security and safety-oriented program.
• Specialized crime prevention programs should be developed for presentation to various specialized campus constituencies. Among these groups are the following: commuter students, international students, students with disabilities, physical plant or maintenance staff, student residents, fraternity and sorority members, athletes, etc.
• The institution should employ both printed and electronic media to convey crime prevention and security information to the campus community. If the campus makes extensive use of electronic mail or bulletin boards, such facilities should be made available for this purpose.
• One or more effective methods should be developed for distributing warning notifications to members of the campus community regarding serious crime or security incidents. Such warnings or notifications should be published in a timely manner and in a way that permits access to the information by a significant percentage of the students, faculty and staff.

Campus public safety department crime prevention activities should be developed based on data reflective of the campus community’s input and indicative of the type of problems being experienced. Administrators on college campuses do not have to look any further than the Clery case to underscore the importance of a campus public safety department’s commitment to crime prevention. In his testimony before Congress in 1990, Howard Clery pointed out:

• The murderer entered the coed dorm easily because three automatically locking doors had been taped opened by students.
• The student's security patrol that night neglected to secure the locked doors that might have saved her life, and although the patrol stated that they had locked and secured the doors, testimony in the criminal trial contradicted that.
• Jeanne never knew that one out of six women students is sexually assaulted on her college campus… on all college campuses. The only preventive measure in place at Lehigh University occurred during their pre-freshman orientation and included passing out five cent plastic rape whistles.
• At the time, Lehigh University’s policy for campus police that the campus police, who were duly sworn police officers, were prevented from patrolling dormitories, fraternities and sororities.
• At Lehigh, only three-tenths of one percent of their operating budget was spent on security, probably less than a varsity sport.
• Lehigh had kept for many years’ propped doors statistics. During the six and a half months Jeanne was on campus, there were 2,000 propped doors on this campus, 181 in Jeanne's residence hall, but Lehigh had never done anything to correct the problem.  

A requirement of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires campuses to provide a description of current programs designed to inform the campus community about crime prevention. The clear message is that crime prevention must be a focal point for any campus public safety department.

Training

Training has often been cited as one of the most important responsibilities of any campus public safety agency. Training serves three broad purposes. First, well-trained officers are generally better prepared to act decisively and correctly in a broad spectrum of situations. Second, training results in greater productivity and effectiveness. Third, training fosters cooperation and unity of purpose. Moreover, agencies are now being held legally accountable for the actions of their personnel and for failing to provide initial or remedial training. Training should be consistent with the department mission and values as well as goals and objectives in accordance with the college or university mission.

In order for agencies to deal effectively with campus public safety problems in an increasingly complex and sophisticated campus environment, there should be parallel increases in the level of education and training required for campus public safety officers both sworn and non-sworn. Higher education, by itself, is not an absolute answer in achieving improvement in the level of education and training required for campus public safety departments. However, officers who have received a broad general education have a better opportunity to gain a more thorough understanding of society, to communicate more effectively with citizens, and to engage in the exploration of new ideas and concepts.

In reviewing several recent cases, an inordinate amount of litigation in campus public safety is focused either on a lack of training or perhaps could have been avoided through a comprehensive approach to campus public safety officer training.

In Marcavage v Temple University, 2004 U.S Dist. LEXIS 9471 (E.D. Pa., 2004) a director of Campus Safety Services determined that a student was a danger to himself and others and ordered the student held for an emergency psychiatric evaluation. Later, examining physicians found no basis for the emergency hold and discharged the student,
who later filed a civil action. In pre-trial discovery, the Director admitted there was no observation or evidence that pointed toward a concern that the individual posed a threat to himself or others. This exposed the university to a misuse of civil commitment laws. This was likely brought upon by a lack of training in the area of civil commitment.

*Shin v Massachusetts Institute of Technology*, 2005 Mass Super. LEXIS 333 (2005), a case in which parents brought suit against medical and counseling professionals, the court reaffirmed in part that the student and university relationship requires the exercise of reasonable care for the protection of students’ safety. This statement alone should be enough to drive campus public safety training to the highest of levels. Reasonable care in a practical sense may mean training officers in DUI situations that leaving a passenger or passengers at the scene of an arrest may violate reasonable care standards. Additionally, failing to respond in a timely manner to a motor vehicle jump start or a room unlock may be considered unreasonable based on the specific time and place. It may mean additional training in suicide prevention and recognition of suicide ideation. For some campus public safety agencies, this case may mean an awakening to the importance of a comprehensive campus public safety training program.

The Courts have recognized the need for quality campus public safety training in *Gilles v Davis*, 427 F.3d 197 (3rd Cir. 2006). A street preacher provoked a crowd with a litany of speech and mannerisms that led to the summoning of police. An officer confronted the suspect based on his limited observations of his behavior. The suspect was arrested on probable cause for disorderly conduct. The court recognized that the officer’s judgment in this tense and rapidly-evolving situation could be justified by his observations coupled with sound public safety training. These cases are difficult for campus public safety officers. Consistent communication with administration and higher education attorneys needs to be a regular part of training in cases involving protected and unprotected conduct.

An excellent justification for quality training is evident in many of the search and seizure cases. In cases like *United States v Mendenhall*, 446 U.S. 544 (1980) the court described a seizure as the citizen’s perception that he or she was not free to walk away. The Mendenhall case went on to describe how an officer’s use of language or tone could compel compliance with an officer’s directive. Officers clearly use voice commands to manipulate a person’s behavior. Those types of commands should be used solely in situations whereby probable cause exists or is necessary from the standpoint of officer safety. It is training that makes this distinction for the campus public safety officer to be a better informed decision maker.

Finally, under the Federal Tort Claims Act, federal employees can be sued for negligence while acting within the scope of their office or employment (28 U.S.C. 2679(b)(1). The elements of negligence are 1) duty, 2) breach, 3) causation, and 4) injury/damages. A simple illustration of a failure to properly train can be found in the case of *Sheehan v United States*, 738 F. Supp.13 (D.D.C. 1993). In this case, Sheehan had been arrested by the United States Capitol Police. She was handcuffed behind her back and being led up a ramp when she fell. The officers were found liable because she would not have fallen if
it wasn’t for the officers’ negligence. The officers were in sole control of the individual. Both training and common sense indicates the officers had a duty to ensure that a person does not fall while walking up a ramp with their hands handcuffed behind their back. The officers breached that duty by failing to hold on to her securely to prevent her from stumbling and by failing to break her fall. 9

While the Sheehan case seems simple in terms of the training that needed to be applied, it is clear that a combination of policy, training and practice of “hands-on” control techniques could have changed the outcome.

Open Communication with the Campus Community

The Clery Act was the impetus for more readily opening the lines of communication with members of the campus community regarding issues surrounding the incidents of criminal activity as reported via the mandatory daily crime logs, reporting of annual crime statistics, notification of the community regarding various procedures and the promulgation of timely warning notices when serious incidents occur on campus. There were a myriad of philosophies regarding the distribution of information to the campus community. Some campuses provided very little information, usually because of the possible negative public relations implications, whereas other campuses operated with a philosophy of providing information to members of the community to keep people well informed with the goal of encouraging them to use that information to keep themselves from becoming victims of similar crimes. The Clery Act requirements leveled the playing field and forced those campuses that operated within a realm of secrecy to open up about the crimes that were occurring on their campuses. Many leaders in campus public safety are supportive of being open with information about crimes and believe that the Clery Act was beneficial to that end.

Technology

Technology continues to be an important part of enhancing security on college campuses. Blue light emergency telephones have been installed on the majority of college campuses over the past fifteen years. While there is no official “standard” in place, when a majority of the institutions in the country implement a safety feature on campus, we believe that it has in fact become a de facto standard. Those institutions which have not implemented the technology when it has become a de facto standard face a much higher level of liability.

There are a significant number of technological devices available that should be assessed and considered for use by campuses, such as cameras, panic alarms, door prop alarms, and notification systems. These are just a few of the technological advancements that are available. Campus administrators need to keep abreast of the technology that is available to supplement their campus public safety department’s efforts to maintain a safe campus. Administrators should consider implementing a team to review the available technology and to make the appropriate recommendations and decisions about implementing such technology. We would recommend that at a minimum, departments that deal with public
safety, risk management, legal matters, housing facilities, and facilities management be a part of such a cross-functional team on each campus.

Future Challenges

Risk Reduction through Accreditation
Today, community policing, crime prevention strategies and a comprehensive campus public safety training program continue to be some of the strongest tools to help reduce liability in public safety. These concepts have evolved because of a belief by campus public safety administrators that the highest standards are vital to the success of policing today’s campus. As we search for promising practices in reducing risk in campus public safety, many leaders are turning toward recognized accreditation programs.

In 1995, the International Association of Campus Law Enforcement Administrators (IACLEA) published its first standards manual. In 2006, IACLEA announced its accreditation program to campus public safety agencies, both sworn and non-sworn. In its brochure called “Reach for the Gold Standard”, IACLEA officials describe the impact accreditation has in reducing liability:

Negligent security cases are an emerging area of civil law as crime victims increasingly attempt to hold the premise owners and not the actual perpetrators civilly liable for crimes against them. Whenever a negligent security claim is brought against a university, that university and its campus public safety or security agency must demonstrate that it has established and adheres to reasonable security standards. Achieving and maintaining Accreditation is one manner in which campus security agencies can demonstrate compliance with professionally accepted standards of operation for law enforcement and security agencies. Accreditation, therefore, may make it more difficult to hold an institution liable for the criminal actions of a third party since the institution is able to demonstrate it acted with reasonable care in ensuring the security of its premises. This assertion is supported by four independent studies by risk management groups and cited by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA) on their web site (http://www.calea.org/newweb/RiskManagement/riskmanage.htm). These surveys examined the differences in claims and judgments against accredited and non-accredited police departments. In each case, the researchers found that professional liability was prevented and losses were reduced among departments that were accredited. “Participating in an accreditation process forces departments to ensure that they adhere to appropriate standards regarding their facilities, equipment, training and policies,” said attorney Elliot B. Spector, Principal for the Connecticut Criminal Law Foundation, which provides training to law enforcement agencies. “In the last five years, the most common administrative civil rights actions have been in the areas of failure to train and inadequate or unconstitutional policies. A natural protection against such claim is the upgrading of training and policies, which should occur during the accreditation process,” said Spector, who has presented educational workshops on civil rights and police civil liability for the International Association of Chiefs of Police annually since 1992. 

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IACLEA’s approach to provide standards for all of campus public safety is unprecedented. If a campus public safety agency becomes accredited, it will likely be the most important effort undertaken to potentially reduce liability surrounding security and safety related issues. However, the fact that standards have been adopted by IACLEA for the accreditation program also means that as cases are decided in court, those standards are likely to be used as a benchmark. Even if campus departments do not seek to become accredited, they need to understand that for the first time ever, there are standards that have been adopted by IACLEA as best practices, and failure to meet those standards could cause liability problems in the future.

The issue of the lack of “standards” was addressed in a recent case against Gallaudet University decided by the District of Columbia Court of Appeals. The Court stated that “deposition testimony of parents’ expert in security did not establish a standard of care, in wrongful death and survival action brought against university by parents of student who was murdered in his on-campus dormitory room by another student, after a prior murder had occurred in the dormitory; expert testified that there was no national standard of care for provision of security by universities and that getting at a standard of care was a ‘tinkering game’.” In addition, the court added: “Manual adopted and published by International Association of Campus Law Enforcement Administrators (IACLEA), addressing security at university campuses, merely presented aspirational goals, and thus, manual did not establish standard of care, in wrongful death and survival action brought against university by parents of student who was murdered in his on-campus dormitory room by another student, after a prior murder had occurred in the dormitory.”

It is important to understand that when it comes to the issue of industry “standards”, if the Gallaudet case had occurred six months later, the results may have been very different.

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