

Campus Policing, Community Safety, and Student Well-Being at Carnegie Mellon University



The Major in Ethics, History, and Public Policy

Senior Capstone

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Abstract

This report addresses policing at Carnegie Mellon University (CMU) and provides recommendations for the Carnegie Mellon University Police Department (CMUPD). Private university policing is a fascinating case in which a private entity performs a public function without the kind of democratic oversight to which municipal police departments can be subjected. This report uses a combination of historical background on CMUPD, campus policing laws, modern operations, and policies. In addition, we conducted a survey to understand the students' perspectives of CMUPD on campus, to evaluate the ethics, practices, and transparency of CMUPD. We focus on issues of transparency in policymaking and practice and devote particular attention to use of force and the way that police interact with Title IX actions in the context of sexual violence and harassment. We also use a recent report that CMU had conducted by an outside organization, 21CPSolutions, to form our analysis of the current policy and practices. We also lay out various arguments for and against the presence of armed officers on campus and suggest that campus safety would not be significantly affected by reducing the presence of armed officers in certain scenarios. In addition, we studied Title IX regarding how CMUPD and their policies address sexual misconduct. We conclude with recommendations for improvements for CMUPD, including advocating for greater public access to CMUPD's policies, procedures, and jurisdiction.

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Executive Summary

Following the increased focus on racial bias in policing over the past decade, and particularly in 2020, there has been impetus for deeper academic research into policing as a social institution. Campus policing has come under scrutiny as part of this effort, and we decided to focus on the police force that impacts us as students most directly on a daily basis: the Carnegie Mellon University Police Department (CMUPD). Our report synthesizes the results of a survey we conducted with the history of campus policing both at the national level and at CMU, an analysis of relevant ethical principles, an evaluation of CMUPD's policy and operations, and an overview of Title IX policy and procedures to create a comprehensive assessment of CMUPD's position within campus along with recommendations for change and best practices.

The history of policing at CMU resembles that of other universities in the United States. While CMU was still known as the Carnegie Institution of Technology (1900-1967), the school used to host security watchmen that resembled modern-day desk attendants. They would help members of the CMU community with minor concerns— such as opening doors if someone was locked out. If there was ever an emergency on campus, people were instructed to call Pittsburgh Police. In 1961, the university upgraded their security infrastructure. Rather than hosting security watchmen, CMU now had a Campus Security Office (CSO). The university hired police officers from nearby police departments to promote traffic control and general campus safety, provide emergency services, and conduct security investigations. The CSO underwent major changes between 1968 and 1975 as community members grew concerned over increasing crime rates in the broader Pittsburgh region. CSO transformed itself into a law enforcement agency concerned with the prevention of crime. Officers were now allowed to carry weapons during emergencies and night patrols, they received additional training, and they hired more officers. Although policing is not a new concept at CMU, the extent to which our university is policed has drastically increased over time.

We conducted a brief survey to help us understand the student body's perception of policing both outside of and at CMU. This data was used to help shape our policy suggestions along with historical and ethical analysis. Additionally, in the summer of 2022, Professor Aronson and other students worked with the University Archive to gather data on the history of

policing at CMU, which has also been considered and incorporated. With the approval of CMUPD, we sent the survey to 500 randomly selected CMU students, of which 118 responded, as well as SALSA, SPIRIT, Hillel, and CMU Swim & Dive, which generated an additional 55 responses for a total of 173 responses. We reached out to the additional communities in order to ensure that minority communities that have historically received unjust treatment from police were properly represented; CMU Swim & Dive was reached out to in order to understand athlete perceptions of CMUPD. The survey responses were demographically representative of CMU's community. Overall, the responses demonstrated that most students notice CMUPD multiple times a week on campus and that slightly over 80% of respondents are moderately comfortable or more interacting with CMUPD. Furthermore, their interactions with CMUPD have largely had a positive impact on their view of CMUPD. Finally, CMU students are most concerned about burglary, active shooters, and larceny theft, but women and nonbinary students are most concerned about rape/sexual assault.

From an ethical perspective, as active participants in society, we tacitly agree to forego certain liberties, including the right to use violent force except in situations of self-defense in order to enjoy a more peaceful and productive life. Because we recognize that we may occasionally be threatened by the people with whom we co-exist, we have deputized the right to use force to a specific category of people: police officers. Given that they have powers to use violence and even lethal force outside of their own self defense, they must be held to a higher relative standard with increased scrutiny for the safety of the community. This is enabled through the Right to Know laws, and as such, citizens have a right to know where their police department's jurisdiction lies, their own personal rights, and everything else covered by Pennsylvania's Right to Know Law. Additionally, officers have an ethical obligation to ensure that they are policing in a just manner through addressing history and unintentional biases to avoid racial and ethnic profiling. Furthermore, arming officers should be weighed against community comfortability and police officers must consider and work towards repairing relationships with minority communities that have been harmed due to historically unjust targeting. This involves not being armed in unnecessary situations for the safety of all involved.

Activists and human right advocates have been calling for increased transparency from police departments, garnering additional momentum during periods of increased media scrutiny

following controversial recorded interactions between police and minority populations. The increased scrutiny included calls for disclosure of manuals and practices, with particular emphasis on the highly controversial topics of bias-free policing, excited delirium, and use of force. Many states and municipalities have adopted laws that compel departments to disclose their manuals, Pennsylvania being one of them. Municipal police departments in Pennsylvania are required to post their operations manuals in easily accessible websites to maintain compliance with Pennsylvania's Right to Know Law. CMU, and by extension CMUPD, are not bound by the Right to Know Law by nature of their status as a private organization. While CMUPD is a private organization, it functions in a public capacity not dissimilar to that of departments that are bound by the Right to Know Law, such as the University of Pittsburgh Police Department. Because CMUPD operates in such a public capacity we believe that CMUPD should comply with the standards set by the Right to Know Law to protect the public. This would entail plainly disclosing all operational manuals on their website. Additionally, we believe CMUPD should disclose the origins of any policy sourced from outside entities.

While armed officers on campuses can increase protection levels for the campus community, they also create tension and an environment of uncomfortability with minority communities. Overall, police officers in the United States are armed at a much higher rate than other developed countries. Nineteen countries do not routinely arm their police force, and instead police by consent, resulting in little or no deaths by police officers. These countries also generally require far more training to become a police officer. However, these countries have far different gun laws, poverty levels, levels of homelessness, crime, untreated mental illness, and racial tensions than the US. Minority relations with police officers in the US also has a long and complicated history, resulting in minorities still being unfairly targeted by officers today. As such, their officers are operating in an entirely different atmosphere and do not encounter nearly as many armed individuals.

Pittsburgh and Shadyside both have relatively low levels of crime, and CMU currently has 25 sworn officers but only an average of 14 physical arrests per year from 2018-2020. Although police officers on CMU's campus may be acting as a crime deterrent, and police officers risk encountering people with guns, CMUPD rarely uses their guns. The survey demonstrates that the majority of CMU students would like CMUPD to be a partially armed law

enforcement entity, which could help balance the overall community's, especially minority students', relationship with CMUPD. Unarming police officers in certain scenarios, such as desk work, interviews, presentations, and scheduled events, could allow for increased comfort for minority communities. Furthermore, 21CPSolutions recommended and we agree that CMUPD should focus on creating a multi-year, comprehensive Training and Professional Development Plan that is annually updated and readily available to the CMU community through a searchable database and system.

Incidents of sexual assault are relatively common in university settings. These acts of violence disproportionately affect women and, a failure to address such cases in a university setting, is considered sex-based discrimination. CMUPD is listed as a primary outreach contact under the most recent Interim Policy on Sexual Misconduct and they often collaborate with the Title IX Office in such cases. Therefore, we explored how these two departments collaborate to promote safety and well-being on campus and how they differ in their conceptions of safety, security, and well-being. Our report highlights a recent Clery Act noncompliance and recommends that CMU addresses evident issues with transparency.

Finally, we have some recommendations for CMUPD. We recommend that CMUPD's jurisdiction and policies are published on the website in efforts to increase transparency. We also recommend that the department disarm officers that are not actively policing and update their requirements for officer training. We also recommend that the university work with students to strengthen Title IX policies and create a Memorandum of Understanding.

Brief History of Policing and CMU Police

General History

Universities in the United States did not always have police departments. While university administrators have always sought to protect the members of their university, the ways in which this has been accomplished have changed drastically over time. The concept of a university-affiliated police force did not emerge on a large scale until the 1960s as student protests became common and universities became concerned about the possibility of having

violent altercations on campus.¹ Prior to that, some universities, mainly those located in large cities, chose to hire independent security officers to provide safety on their campuses, or they designated community members as safety patrols. The most notable differences between smaller-scale security offices and formal police departments relate to the use of force, jurisdiction, and accountability. Over time, the extent to which universities are policed has increased drastically. This analysis focuses on understanding the forces propelling these changes and how police departments impact the members of our university community.

Carnegie Mellon's history of policing resembles that of many other universities and private institutions across the United States. While the institution was still named Carnegie Institute of Technology (1900-1967), it used to host a group of security watchmen. The watchmen resembled modern-day desk attendants. They were stationed in front of six buildings—Fine Arts building, Engineering Hall, the Gym, Administration Hall, Machinery Hall, and the Margaret Morrison Carnegie college—as would help the students with minor concerns². If there was ever an emergency, however, these watchmen, or anyone else in the university community, were instructed to call Pittsburgh Police. This system changed in 1961 when Carnegie Mellon implemented the Campus Security Office (CSO). The university hired Dwayne Young, a police officer from the Mt. Lebanon police department, to serve as the Supervisor of the CSO. At the time, students were concerned with Young's ability to deal with university-specific issues; however, Young noted in an interview with *The Tartan*, “it is my hope that an excellent spirit of cooperation will always prevail between Tech students and their police department.”³ Young worked to integrate CSO with the campus community and he emphasized that the role of the Campus Security Officers was to provide safety, not to monitor and control community members.

The incorporation of a Campus Security Office in Carnegie Tech was a response to the Supreme Court case *Dixon vs Alabama Board of Education*.⁴ Prior to 1961, universities had adopted a paternalistic perspective regarding the relationship between the administration and the

¹ Eric J Coleman, “Policing the College Campus,” in *Policing America's Educational Systems*, ed. John Harrison Watts (Routledge, 2019), pp. 65-74.

² Ed Slavishak, “To Protect and Serve: The Establishment and Reorganization of the Carnegie Mellon Campus Security Office, 1960-1970,” *The Sloping Halls Review* 3 (1996): pp. 131-150, <https://doi.org/https://doi.org/10.1184/R1/6712319.v1>.

³ Slavishak, 134

⁴ *Dixon v. Alabama State Board of Education*, 294 F.2d 150 (5th Cir. 1961)

students. The court, however, noted that universities should treat their students as citizens living in a complex campus community. As such, universities were now liable for incidents that were caused due to inadequate security services. Campus Security Officers were now responsible for traffic control, general campus safety, emergency services, and security investigations. The administration wanted the CSO office to focus on crime prevention, specifically relating to some petty thefts of library materials or vandalism of school property. Nonetheless, the major goal for CMU's administration was to "sustain the peaceful reputation of Carnegie Tech."⁵ The university expanded the security offices to preserve its image as an uncontroversial campus and signal to parents and investors that CMU is a safe space.

The CSO model changed between 1968 and 1975. An increased perception of crime in the broader Pittsburgh area affected the Carnegie Mellon community.⁶ Students and faculty expressed their anger with the increase in violent and nonviolent crimes during this time. Additionally, there was an incident where two campus security officers began interrogating students without uniforms and they failed to identify themselves as officers.⁷ Both the increased fear of crime and the complaints about the campus security officers led to a major reorganization of the CSO. Rather than acting as a reactive security-oriented agency, the CSO transformed itself into a "proactive agency concerned more with law enforcement and the prevention of crime."⁸ While the timeline is unclear, after the transition from campus security guards to CMUPD, officers were now allowed to carry weapons during emergencies and night patrols, they were required to receive additional training, and the force was expanded by hiring more officers. CMU followed the pattern of other universities in the United States by establishing a formal police department during this transitional period.⁹ By 2011, 75% of all four-year universities in the United States had employed armed officers as part of their police departments.¹⁰

⁵ Slavishak, 135

⁶ Slavishak, 140

⁷ Stever, Horton Guyford. "Campus Security Force." Pittsburgh: Carnegie Mellon University, February 19, 1969. Carnegie Mellon University Archive Faculty Senate Records, Box 4, Faculty Senate--Minutes--1968-1969.

⁸ Slavishak, 140

⁹ Sloan, John J. "The Modern Campus Police: An Analysis of Their Evolution, Structure, and Function," *The American Journal of Police* 11, no. 2 (1992): pp. 85-104.

¹⁰ Gray, Eliza. "Cincinnati Shooting: Why Universities Have Armed Police Forces," *Time*. July 30, 2015. <https://time.com/3979288/cincinnati-shooting-university-police-forces/>.

Policing vs. Safety and Well-Being

Campus security is necessarily related to promoting safety and well-being, yet there are important distinctions between these concepts. Safety is defined as “the condition of being protected from or unlikely to cause danger, risk, or injury” whereas security encompasses the measures implemented to ensure people’s safety. There are many actions that can be implemented to make people in our campus feel safe, beyond establishing police departments. In fact, policing can potentially make some people feel less safe if they feel singled out for surveillance or control, or if they don’t trust the police force that is patrolling their community. Both safety and security are needed to promote general well-being on our campus. CMU has adopted the perspective that wellness is “an active process of becoming aware of, and making choices toward, a healthy and fulfilling life.”¹¹ The university also recognizes that “healthy and fulfilling life” can be defined in countless ways. As such, CMU has developed programs, support services, policies, and other structures that promote well-being within our campus community. Some of these approaches entail law-enforcement, but many are non-law-enforcement-oriented resources. This section explores examples of such infrastructure within Carnegie Mellon University.¹²

CMU has implemented different support resources on campus to promote mental and physical wellness. The university hosts a Health Center (i.e., CMU UHS) where members of the community can go to procure certain medical services— such as gender affirming care, sexual health care, or routine vaccinations, among others. Likewise, we have an Emergency Medical Service (EMS) team. This group is composed of dozens of students who volunteer to receive training to assist others in case of a medical emergency. CMU EMS is available 24/7 to provide medical support, and they offer training courses as well to teach community members basic first aid protocols. Lastly, CMU also offers Counseling and Psychological services (CaPS). Students can procure psychological and psychiatric services at no additional cost.

The university also recognizes the importance of creating an amicable environment that encourages social integration and well-being. In 2017, CMU founded The Center for Diversity

¹¹ “Community Health & Well-Being,” Community Health & Well-Being (Carnegie Mellon University - Student Affairs, 2022), <https://cmu.edu/wellness>.

¹² “Health and Safety,” Health and Safety (Carnegie Mellon University, 2022), <https://cmu.edu/health-safety/>.

and Inclusion (“The Center”) with the goal of increasing representation on campus and creating safe spaces for students of marginalized identities.¹³ Likewise, the university has dozens of LGBTQ+, multicultural, and religious organizations that further encourage students to develop a sense of belonging, community, and allyship on campus. As a response to the Black Lives Matter protests of 2020, CMU hired Dr. Wanda Heading-Grant in 2021 to serve as the Vice Provost for Diversity, Equity, and Inclusion and as Chief Diversity Officer. Although a reactionary measure, bringing Dr. Heading-Grant to our university further solidifies CMU’s commitment to creating a campus environment where everyone can thrive.

Promoting well-being on our campus is not only intrinsically beneficial for our daily lives, but it also increases safety on campus. The support resources available for students and community members form a network of wellness infrastructure. This network not only provides the CMU community with tools and resources to mitigate specific situations, but it also encourages community resiliency and buffers negative outcomes. Integrating well-being and safety is, thus, a necessary step to ensure that we enjoy a secure campus environment.

Despite having different measures to promote safety and well-being on campus, the CMU administration still finds it necessary to have a formal police department. The mission of CMUPD is “to enhance and promote safety at the university through collaboration, proactive problem-solving, open communication and the delivery of professional and dependable police and security services.”¹⁴ However, the justifications for establishing and maintaining a police department are not always related to feelings of personal or communal security and well-being. It is necessary to explore the motivation behind having a police department, especially if these are disconnected from the promotion of safety and well-being on campus and there are alternative measures for accomplishing the same goal.

¹³ Weingart, Laurie and Gina Casalegno, “New Student Center for Diversity and Inclusion,” *Campus Communications* (Carnegie Mellon University, August 24, 2017).
<https://www.cmu.edu/leadership/the-provost/campus-comms/2017/2017-08-24.html>.

¹⁴ “Mission, Vision, and Values,” About Us (Carnegie Mellon University Police Department), accessed December 2022, <https://www.cmu.edu/police/about/mission.html>.

Justification for University Police

UniverCities & The Business of Education

Over the course of the 20th century, universities have become powerful economic institutions and major actors of change within their cities. Scholars who study the intersection of urban development, sociology, and higher education have since created the term “UniverCity” to highlight the role that such institutions play in broader social contexts. Universities have developed reputations beyond being mere educational institutions as they are now perceived as drivers of the public good. However, with this new reputation also came the necessity to maintain such standing in society.¹⁵

Davarian Baldwin, Professor of Urban Development, is perhaps the most prominent scholar in this field. Baldwin’s central argument is that universities have leveraged their non-profit status to avoid paying taxes on property holdings. Due to the public services that universities and their medical centers provide to surrounding communities, such higher-education institutions are considered tax-exempt charitable organizations. However, in some cities, like New Haven, officials have stated that “Yale’s multimillion dollar tax exemption has contributed to the budget deficit of the city.”¹⁶ That is, despite the perception that Yale is a charitable provider of beneficial public services, the institution is actually hurting the nearby communities. If not for the tax-exemptions, New Haven would gain an estimated \$102 million in property taxes and an additional \$31 million from the Yale-New Haven Hospital.¹⁷ Yale has become an economically powerful institution and the biggest landlord of New Haven.

Baldwin consequently argues that universities have established police departments to extend their influence in their respective cities and protect their status as powerful institutions. When considering the motivations behind establishing police departments in university environments, he writes, “while raising the banner of public safety, the primary task of campus police has actually been to clear ground and protect the assets for one of the largest forces in

¹⁵ Day Meagan. “The Rise of the UniverCity: An Interview With Davarian L. Baldwin,” *Jacobin*, February 9, 2021, <https://jacobin.com/2021/09/university-cities-urban-development-gentrification>.

¹⁶ Baldwin, Davarian L.. 2021. *In the Shadow of the Ivory Tower: How Universities Are Plundering Our Cities*. New York, NY: Bold Type Books.
<https://search-ebscohost-com.cmu.idm.oclc.org/login.aspx?direct=true&db=nlebk&AN=2518528&site=ehost-live&scope=site>.

¹⁷ Baldwin, *In the Shadow of the Ivory Tower: How Universities Are Plundering Our Cities*

today's political economy: higher education.”¹⁸ That is, he argues that one of the major reasons as to why universities have implemented private police departments is to protect their reputations.

While the details of the case study on Yale may not generalize to CMU, our university also has a reputation to protect. Students and parents need to perceive that CMU has a safe community where students can thrive academically if they are to commit years of their life and substantial sums of money to attend this university. Similarly CMU benefits financially if investors and other stakeholders perceive our campus to be unproblematic. Consequently, we agree with Baldwin's argument that a major reason as to why CMU has a formal police department is not just to promote safety, but to protect its economic interests. There are economic motivations that compel the university to maintain a positive public image.

Legal Status of CMUPD

CMU can host its own private police department because of specific state laws that allow private institutions to host such departments. The Pennsylvania Title 22 Pa.C.S.A., §501¹⁹ states that non-profit institutions, such as CMU, “may apply to the court of common pleas of the county of the registered office of the corporation for the appointment of such persons as the corporation may designate to act as policemen for the corporation.” This bill also states that such policemen can exercise all the powers that police officers are conceded under the Commonwealth of Pennsylvania.

Furthermore, CMUPD is accredited by the Pennsylvania Law Enforcement Accreditation Program.²⁰ This accreditation process is not mandatory and was, instead, developed by the Pennsylvania Chiefs of Police Association (PCPA) “as a way of helping institutions evaluate and improve their overall performance.”²¹ Since the program's inception in 2001, only 149 law enforcement agencies have obtained and maintained an accreditation status. CMUPD was accredited by the PCPA in 2007 and has maintained that accreditation since.

¹⁸ Baldwin, Davarian L. “Opinion: Why We Should Abolish the Campus Police,” *The Chronicle of Higher Education*, May 20, 2021, <https://www.chronicle.com/article/why-we-should-abolish-campus-police>.

¹⁹ Pennsylvania Title 22 Pa.C.S.A., §501

²⁰ “Enrolled Agencies,” Pennsylvania Active Enrolled Law Enforcement Agencies (Pennsylvania Chiefs of Police Association), accessed December 2022, <https://pcpa.memberclicks.net/active-enrolled-agencies>.

²¹ “PCPA Accreditation Program,” Pennsylvania Law Enforcement Accreditation Program (The Pennsylvania Chiefs of Police Association), accessed December 2022, <https://pcpa.memberclicks.net/accreditation-home>.

Perspectives From CMUPD

In order to understand CMUPD's role on campus, we interviewed Officers Wade and Villasenor. In our discussion, they described their role as to "ensure the safety" of the CMU community. They operate as a small police department with about 25 police officers, as well as armed and unarmed security and dispatchers and support staff. The majority of their work consists of patrol and community engagement. Officers Wade and Villasenor also informed us that because of the smaller department, they can focus on building relationships with the community. In addition to the more personable work that they do, like any other police department, they also handle criminal activity and arrests. Furthermore, communication with other nearby police departments and the Allegheny Police Department allows CMUPD to assist with nearby crimes and help patrol streets frequented by the CMU community that are not designated in their jurisdiction.

They also highlighted that two of the greatest benefits of having a CMU-affiliated police department are the officers' familiarity with the campus and the training they receive to work in a college environment specifically. Emergency responders need to be able to reach the scene of an emergency as quickly as possible. CMU police officers know the locations of all campus buildings and can reach specific classrooms or offices quickly. An outsider, such as a member of the Pittsburgh Police Department, may have a hard time finding room 340 in Baker Hall, for example. Additionally, Officer Wade and Lt. Villasenor mentioned that CMU police officers receive special training to address common problems that affect students or other members of the campus community. While the opinions of two members of CMUPD do not necessarily reflect the views of the entire police department, the police officers justify the existence of a separate campus police department by stating that they are more adequately trained to handle university-specific issues and that the primary motive of this department is community service rather than law enforcement.

Clery Act

Universities are also obligated to adhere to policies enacted by the Department of Education in order to promote safety and well-being in institutions of higher education. There are multiple policies that CMU has adopted on campus, but one that is especially relevant to our

discussions is the Jeanne Clery Disclosure of Campus Security Policy and Campus Security Act. The Clery Act was the first federally mandated establishment of distribution of crime statistics and security measures on college campuses.

After its passing in 1990, the Clery Act required all colleges and universities that accept federal funding to publish annual security reports. They are also required to include university policy in these reports and the policy is required to include crime statistics, policing policies, sexual assault and domestic violence crimes. The Act was signed into 20 US Code Section 1092, as part of the Higher Education Act that became law in 1965. The Clery Act came about after a college freshman was murdered by another student on campus and it was brought to the public's attention that there were no form of reported crimes published at the university. The university had an increased crime rate in previous years and prior to this act, it was not customary for universities to share information about campus crimes. The establishment of this act marked a change in standard and was the first major step towards transparency from colleges and universities. This act in practice is addressed more thoroughly later in this report.

21CP Solutions

Notably, the administration at CMU has recognized that policing is a very contested topic in the United States, despite the fact that most members of our community maintain relatively peaceful relations with CMUPD. As a response to the current political climate and in an effort to analyze “where the CMUPD is, where it should or could be, and what pragmatic steps the university and CMUPD might take to ensure safe, fair and effective policing for everyone,” CMU hired an independent organization in the Fall of 2021 to assess CMUPD.²² This was a rare measure for the university to take, as it is uncommon to see a university act proactively rather than in response to some controversy. The consulting firm, 21CP Solutions, reviewed the CMUPD's operations, policies and practices across the following domains: use of force; stops, searches, and arrests; accountability; crowd and protest management; and training. The completed report was published in February of 2022 and it highlights recommendations for

²² “Enhancing Public Safety Across Campus,” Public Safety & Policing Assessment (Carnegie Mellon University, 2022), <https://www.cmu.edu/police-review/>.

CMUPD. This report as well as the resulting recommendations are further discussed in the subsequent sections of this report.²³

Private Institutions and Public Functions

Though policing at both private and public institutions has the same goal of ensuring public safety and security on and around college campuses, its implementation varies by school and the priorities of their administrations. As officiated police departments, there are certain certifications that all universities have to comply with and most departments have a similar structure to small town police departments. They operate as a form of local police, with a special focus on community policing. As a private institution, CMU has more freedom than public institutions, with a lack of some requirements that public institutions adhere to. Federal laws such as the Freedom of Information Act don't apply to state organizations such as colleges and universities. Therefore, state-wide Right to Know Laws were created in various states that outline a standard of public records that should be published. Pennsylvania's Right to Know Law doesn't apply to private universities, so there is not much legal accountability for private institutions. The law states that public institutions are to publish records except for court orders, personal information, or other legal or medical documents.²⁴ Though these differences are small in comparison to all operations of college policing, they can unfairly disadvantage certain subgroups of university students and staff, as well as the surrounding communities around these universities. The surrounding communities of CMU's campus are low crime and fairly quiet in comparison to bigger metropolitan cities. This also means that CMUPD can put more attention towards the security and well-being of the students.

Furthermore, public interest in policing at universities has resulted in a focus on community policing. Policing is a public function that all institutions provide and although there are no legal requirements of transparency or accountability for private colleges, it shows initiative that they have followed public colleges in publishing information about their policies and training. Many universities, including Carnegie Mellon, have adopted what is known as "community policing". Community policing is a form of police reform that focuses on building

²³ Barge, Matthew, et al., "Recommendations for the Carnegie Mellon University Police Department & Public Safety at Carnegie Mellon University" (Chicago: 21CP Solutions, 2022).

²⁴ Office of Attorney General, Commonwealth of Pennsylvania. *Right-To-Know Administrative Policy*. April 19, 2012. <https://www.attorneygeneral.gov/wp-content/uploads/2017/12/Right-to-Know-Policy-OAG-2012.pdf>.

community partnerships and problem solving. In our interview with Officers Wade and Villaseñor, they informed us that because CMU has a smaller department, they can focus more on engaging with the community. Unfortunately, some surrounding neighborhoods of college campuses have poor relationships with university police, as a result of racial profiling and targeted stops and questionings. Though these differences are small in comparison to all operations of college policing, they can unfairly disadvantage certain subgroups of university communities, particularly predominantly black and brown students and surrounding residents. Most private institutions volunteer some version of a report of police interactions to the public. However, the level of information that is available varies depending on a variety of factors about the institution including socioeconomic and racial demographic, geography, crime rates. This information is also shared at the leisure of the university and usually only changes after controversy or community demands for transparency. There is typically much more information available at large public institutions than private institutions. This information is also shared at the leisure of the university and usually only changes after controversy or community demands for transparency. This puts civilians at a disadvantage, which requires transparency and accountability from the institution to rectify.

We examined 2 other private schools, one with a higher profile and larger police department and one that is in the process of reforming their department and provides a strong example of what kinds of transparency we should expect from institutions. The University of Chicago, John Hopkins and the University of California are all private schools in major cities with varying population sizes, jurisdictions, budgeting, and transparency available. With a much larger jurisdiction and population, the University of Chicago is one of the largest private police forces in the country. The functions of their police department include much of what CMU PD does, with additional emphasis on safety and awareness communication and information recording and reporting. The size of their department is comparable to Pitt in size, but the degree of information that they have available is due to the fact that their department is metropolitan, as opposed to municipal, like CMU. Though more detail and transparency is expected of UChicago, as opposed to CMU, CMU, as well as all private schools should opt to increase their availability of reports and information about the police department and resources available to students, as well as what students have rights to. We will go into more detail later in this report about the results of our case studies of other universities.

Ethical Dimensions of Campus Policing

As a prerequisite for participation in society, citizens opt to forgo certain liberties— such as the right to use violent force. Police, however, are exempt from this limitation on personal liberties. It is, therefore, imperative that they be held to a higher standard with increased oversight relative to the average citizen. There are three different categories in which violent force is permitted to a group— first, to the general population during instances of self defense; second, when entrusted powers over a specific group, such as inmates, are given to another specific group, such as prison guards; and third, through the use of a response police force.²⁵ However, this police force can only exist under the conditions that deadly force is limited in most jurisdictions, police cannot advance their own personal interests or the private interests of others, and police may not use force maliciously or frivolously.²⁶

In relation to the jurisdiction of police departments and their policies, citizens have a right to know both where the officer's jurisdiction begins and ends as well as their rights and the protocol of police officers in a time of emergency. Citizens should have the knowledge to be able to act in ways that best keep themselves and those around them safe, and knowing where their police department can protect them, as well as what to expect and what actions they should take in a time of emergency, is imperative to that goal. As such, it is ethically essential that police departments both clearly establish their jurisdiction and policies as well as that they make the most updated version of them easily accessible to the surrounding community. Additionally, citizens have the right to know what their rights are, and in order to do so, police officers, as the enforcers of such rights, are ethically required to make the rights of citizens within the department's jurisdiction plainly available. Although CMUPD is not technically required to conform to the standards set by Pennsylvania's Right to Know Law, there is no logical nor ethical reason that CMUPD should not conform to those same standards. The community policed by CMUPD has no less right to know information about their police department than a community policed by a public police department. Furthermore, there is no ethical downside for the police department if they were to publish their operating procedures and jurisdiction. Other universities have successfully implemented Right to Know laws, and granting the CMU

²⁵ Bittner, Egon. 1985. "The Capacity to Use Force as the Core of the Police Role." In: *Moral Issues in Police Work*. Edited by Frederick A. Elliston and Michael Feldberg. Roman and Allenheld Publishers, pp. 15-26

²⁶ Bittner, "The Capacity to Use Force as the Core of the Police Role."

community that same knowledge would afford the community with incredibly beneficial information to both themselves and their peers.

Furthermore, officers need to ensure that they are policing in a way that is fair. In our discussion with Officer Wade, he explained that most of the job of CMUPD is what he described as community policing. There is a standard that the officer should hold themselves and their peers accountable in day to day practices. That is to avoid unnecessary police brutality, racial/ethnic profiling, and upholding the laws of Pennsylvania and policies of CMU to protect the safety of all CMU students and affiliated staff and community. In addressing the history of police brutality against black and brown communities, emphasis on addressing bias and use of force is necessary to combat this inequity. This is the responsibility of the police to the CMU community. We also have to ensure that we are appointing police officers that hold these standards and that means evaluating their personal lives to some extent. Students and residents of Pittsburgh want to know that the people that are policing their neighborhood have good morals and that they will not allow bias to cloud their decision making skills while on the job. Community events and policing seminars that are open to the public help promote good ethics of CMUPD.

While officers have a right to protect themselves and the community through use of force and armed officers, community members also have a right to feel safe in their community. Minority communities have historically been unjustly targeted by police officers, leading to strained relationships between the two and a lack of trust in police officers from members of minority communities. As such, police officers and departments bear the ethical responsibility of working to repair the relationships that were fractured and work to rebuild trust and respect in the policing system. Part of this involves not overusing guns, using them in unnecessary circumstances, or making individuals from minority communities feel unsafe in situations where being armed is not necessary. This includes during desk work, interviews, presentations, scheduled events, or other similar environments. If the presence of a gun is the only thing enforcing respect for police officers in those scenarios, then that respect may be undeserved. Furthermore, in all of those scenarios, in the event of an emergency, armed police officers could be called the same way they would in any other situation. Disarming police officers in those specific situations would increase comfort levels for individuals from minority communities

around police officers as well as overall respect for police officers without costing the community safety.

Data and Methods

As Ethics, History, and Public Policy (EHPP) students at CMU, we have learned to do historical research, engage in ethical reasoning, and do policy analysis. Furthermore, some of us are pursuing a bachelor of science and, therefore, also studying statistical analysis. This report is a combination of these skills in relation to policing at CMU.

Over the summer of 2022, Professor Jay Aronson taught a research course where CMU students worked in the CMU Archives to gather data on the history of policing at Carnegie Mellon University and related topics. As part of our research, we reviewed some of this information and utilized it throughout our report. Additionally we interviewed representatives from CMUPD's Community Resource Unit, Officer Adam Wade and Sergeant Mark Villasenor, to gain an understanding of their view on CMU police. CMUPD has previously stated in an interview that their jurisdiction includes "all CMUPD owned or leased spaces,"²⁷ but we were also curious regarding the area around those spaces, such as sidewalks. We also coordinated our survey with them to ensure that it would be useful to them. We also communicated with Chief Aaron Lauth, who wrote on behalf of himself and Lieutenant Robert Opferman and Lieutenant John Wester regarding CMUPD policy sourcing and decisions, and approved our survey.

In addition to historical research and ethical analysis, we conducted a survey to understand the student body's perception of policing both outside of and at Carnegie Mellon University. Our results from this survey led to a variety of policy suggestions, which will be incorporated based on both feasibility and what is predicted to be useful based on the historical connotations and the ethical arguments outlined above regarding policy suggestions.

Although we have gone to great lengths to produce a comprehensive report and issue actionable recommendations, there are a number of limitations that are inherent to both our analysis and policing generally. As this is a semester-long class and project, our research was limited to those constraints. Furthermore, although our survey is representative of CMU

²⁷ "CMU Police Response to Jay Aronson's Questions." 2021. On file with Prof. Jay D. Aronson

demographics, we did not have many respondents from minority groups, which may impact our results. We were also unable to see many current policies and procedures held by CMUPD due to them not being published and visible to the public. Further research could include a more comprehensive survey, further research into CMUPD's current training and policies, and additional comparisons to similar schools.

Overview of the Survey

Despite CMUPD's active involvement on campus, there is a lack of clarity to students about the full extent of their role on campus. This has generated a disconnect between the police and student body, and our survey aimed to establish the areas in which CMU students expressed concern with CMUPD's present role. Further, the goal of the survey was to understand what a representative range of students at Carnegie Mellon University know and believe about CMU's police department. The results are also used to support our recommendations and ensure that we are working towards actions that would benefit the student body.

In order to gain wide and diverse responses from the student body, the University's Registrar's Office provided us with 500 randomly selected emails of Carnegie Mellon students, ranging from First Years to Ph.D. candidates. We emailed those students a brief introduction to our work and the link to the anonymous survey, of which 118 responded with a 23.60% response rate. Individuals of certain minority communities have historically received unjust treatment from police and may, therefore, have different views on police than other individuals. In order to ensure that we received a wide breadth of responses from minority communities, we reached out directly to specific organizations that represent these students. Such organizations include the Spanish and Latin Student Association (SALSA), SPIRIT, whose "mission is to promote a sense of fellowship within the Carnegie Mellon community by acting as a liaison between its members and the university via the presentation of cultural programs and the championing of black awareness", and the Hillel Jewish University Center at CMU. Of those organizations, 6 individuals from SALSA, 6 individuals from SPIRIT, and 2 individuals from CMU Hillel responded. CMU's Swim and Dive team was also contacted in order to expand the reach of the survey and see if athletes had a different perception of policing and received 31 responses. As part of the survey, individuals were asked how they heard about the survey. This creates the opportunity to view and analyze survey responses from just the randomly selected individuals, a

certain organization, or a combination of the two. In total, we received 173 responses. This is approximately an 8.66% response rate excluding those randomly selected and a 15.24% overall response rate.

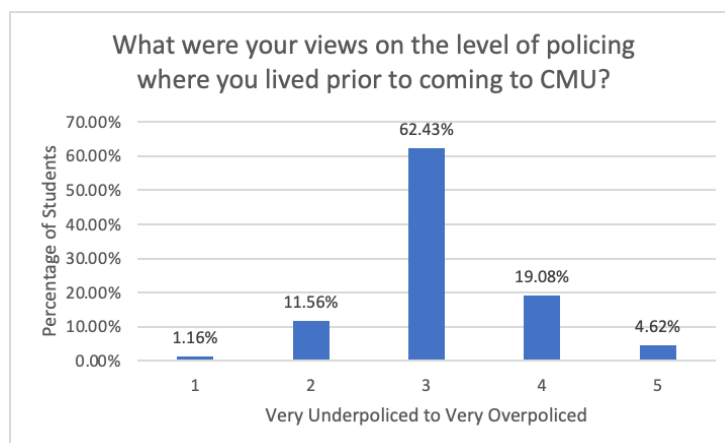
Survey Questions and Brief Analytics

The survey contained three main sections—demographics, experiences with policing outside of Carnegie Mellon University, and experiences and perspectives of CMUPD. This section will present a brief overview of some key questions and analytics, but data from the survey will be continually introduced throughout the paper.

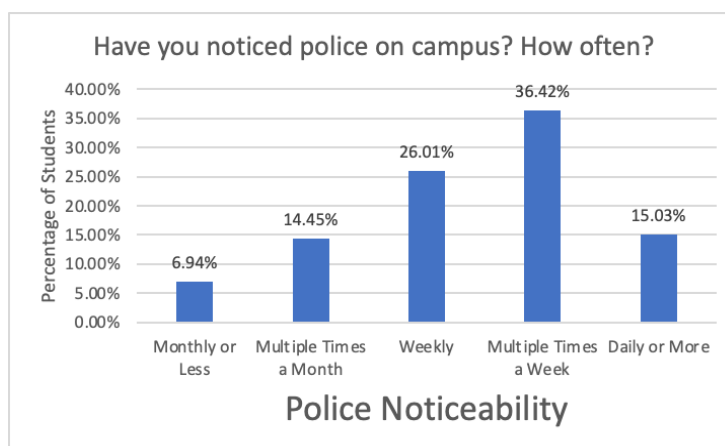
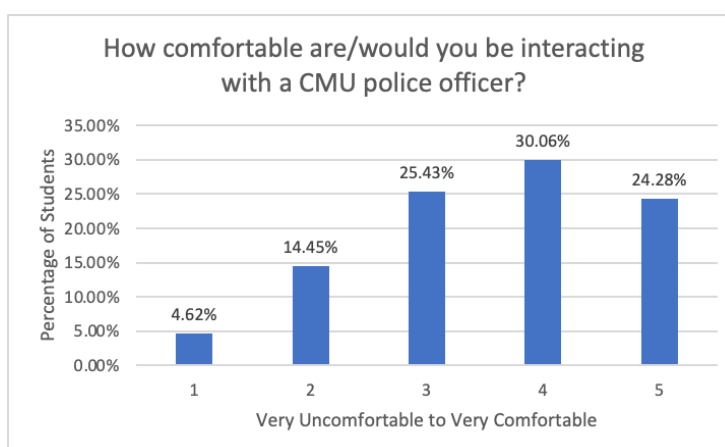
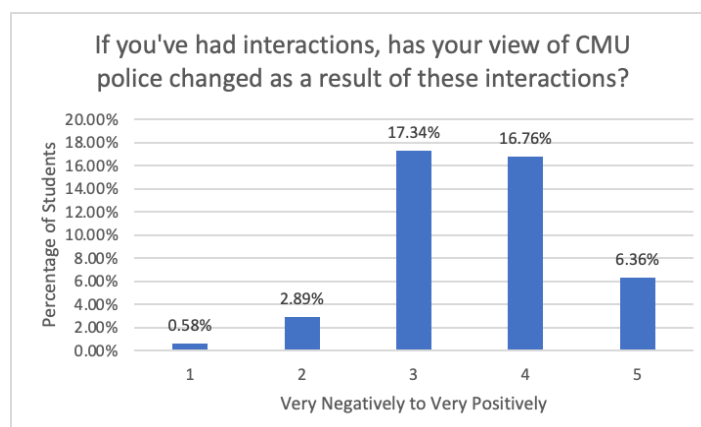
The survey began with an overview of the demographics of the individual, including gender, ethnicity, race, religion, grade, and how they heard about the survey. Of the respondents, 52% identified as female, 44.5% as male, and 3.5% as nonbinary. 11.5% identified with a Hispanic origin, and race was a multi-select option with 41.62% identifying as White, 5.20% Black or African American, 0% American Indian or Alaskan Native, 58.96% Asian, and 0% Native Hawaiian or Other Pacific Islander. For religions, 17.34% identified as Christian, 3.47% as Jewish, 2.31% as Muslim, 4.05% as Buddhist, 15.61% as Hindu, 9.83% as Agnostic, 17.92% as Athiest, 28.90% with no specific belief, and 1 individual identified as a Jain. Of the respondents, 19.08% were First Years, 17.34% were Sophomores, 12.72% were Juniors, 15.61% were Seniors (including 5th-year seniors), 1.73% 5th Year Masters students with a CMU undergraduate degree, 27.75% other Masters students, and 5.78% Ph.D. Candidates.

The following section asked about the respondents' interactions with police before coming to Carnegie Mellon University and while away from campus. This section aimed to understand any biases that the individual may hold so that they can be accounted for when analyzing the respondents' perceptions of CMUPD. This part of the survey asked for a rating of interactions with police officers, what the interactions entailed, and their views on whether policing was over- or under-policed. Figure 1 shows students' beliefs on levels of policing outside of and prior to coming to CMU, with one being very under-policed and five being very overpoliced.

Fig 1– Graph showing students perceptions on levels of policing outside of CMU

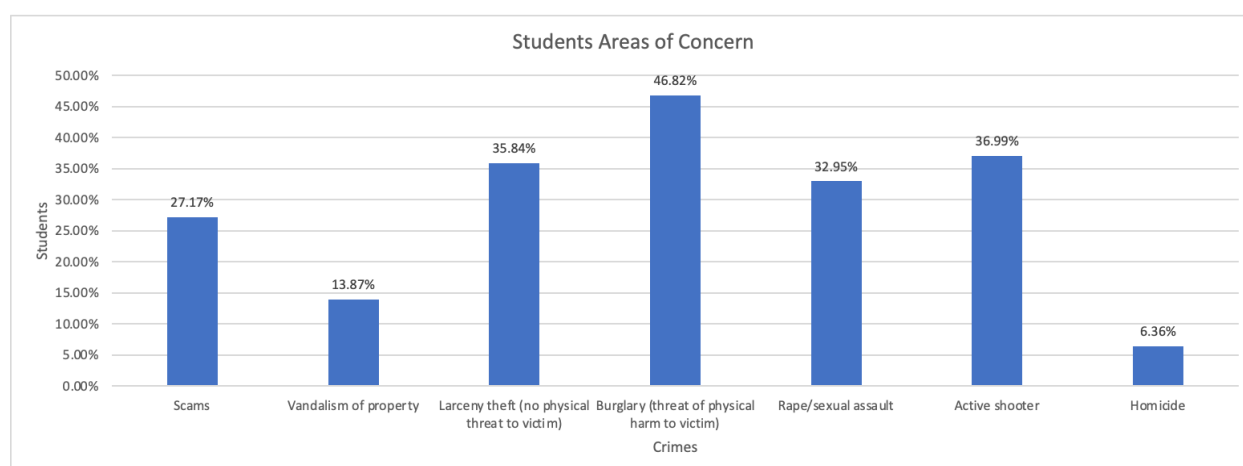


Finally, respondents were asked about their interactions with CMUPD, which provides useful information on how CMU’s police are perceived by the student body as well as how those perceptions compare to overall perceptions of police. Figure 2 demonstrates how often students have noticed police officers on Carnegie Mellon University’s campus. Figure 3 shows how comfortable students would feel interacting with a CMUPD officer. Finally, figure 4 demonstrates how the views of CMUPD held by students who have had interactions with CMUPD have changed as a result of those interactions. This section asked the same questions as the previous one and then continued on to ask about the resource officer at CMU, steps to provide feedback to the police, what crimes most concern the respondent, and finally what entity they believe CMUPD should occupy. At the end of the survey, individuals were given the option to provide their email to be entered into a raffle for CMU Athletics clothing as well as the space to share any final thoughts.

Fig 2– Graph showing how often students notice police on campus**Fig 3–** Graph showing how comfortable students would be interacting with CMUPD**Fig 4–** Graph showing student perception of CMUPD changes following interactions

A heightened fear of crime on many university campuses, especially those that are located in major cities, is common.²⁸ However, this largely “is engendered by overblown and sensational media reporting of serious but untypical crimes”.²⁹ In an interview with members from CMUPD, the officers mentioned concerns over violent crimes—such as mass shootings, robbery, and drug use— to justify an armed police force in a university setting.³⁰ However, when speaking with police officers from the CMU police department and analyzing the student’s responses from the survey, it is evident that there is a disconnect between what each group considers major threats to the safety of the CMU community. Officer Wade and Sargent Villasenor mentioned that one of their biggest security concerns is email scams, thefts, and a possible active shooter situation. To understand the student’s perspectives we asked them, “pick two of the following that you are most concerned about affecting you.” Based on the survey responses, the student’s biggest concerns seem to be burglary, an active shooter situation, and larceny (**Fig 5**). Scams ranked 5th out of the seven available options.

Fig 5– Graph showing the areas of concern of the total survey sample (pick 2)



However, the areas of concern change when we analyze the survey results by gender. As seen in Fig 6, men’s greatest concerns are burglary, larceny, and scams. Women’s greatest concerns are rape/sexual assault, burglary, and an active shooter scenario. These results reveal

²⁸ Burt, Chris. 2021. “As Student Fears Rise, How Strong Are Safety Measures Your College Provides?” *University Business*. November 8, 2021.

<https://universitybusiness.com/as-student-fears-rise-how-strong-are-safety-measures-your-college-provides/>.

²⁹ Jewkes, Yvonne. 2015. *Media and Crime*, 3rd Edition. London: Sage Publications.

³⁰ “Interview with Sergeant Villasenor and Officer Wade,” October 26, 2022.

that the safety concerns of the CMUPD best align with the safety concerns of the male student population, and fail to consider gender-based violence— such as rape/sexual assault. Consequently, this disconnect between the current functions of CMUPD and the actual safety concerns of the students provide a strong justification to evaluate policing, safety, and well-being in the context of the CMU community.

Fig 6– Graph showing the areas of concern for male students

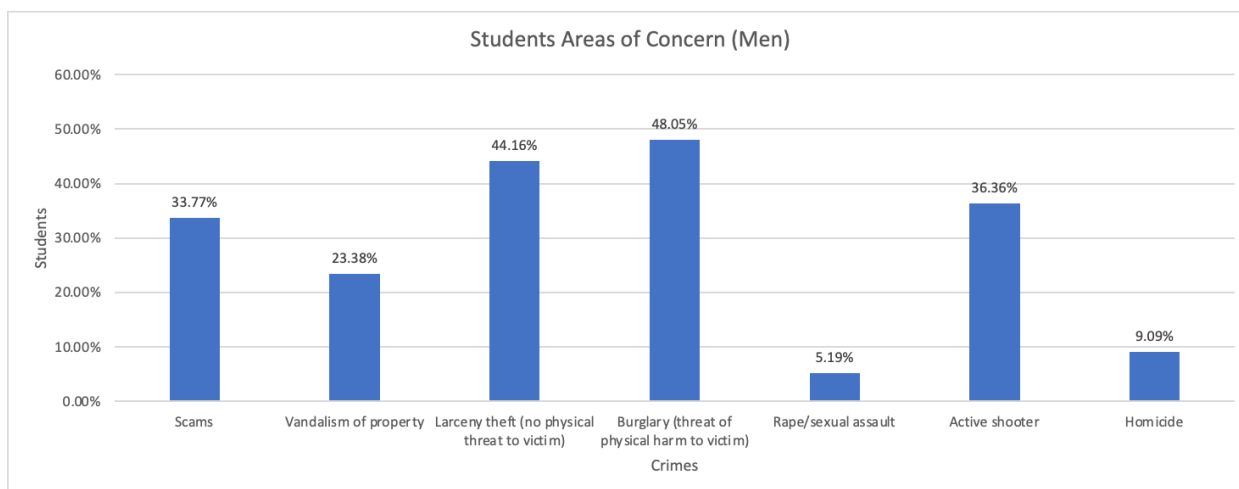
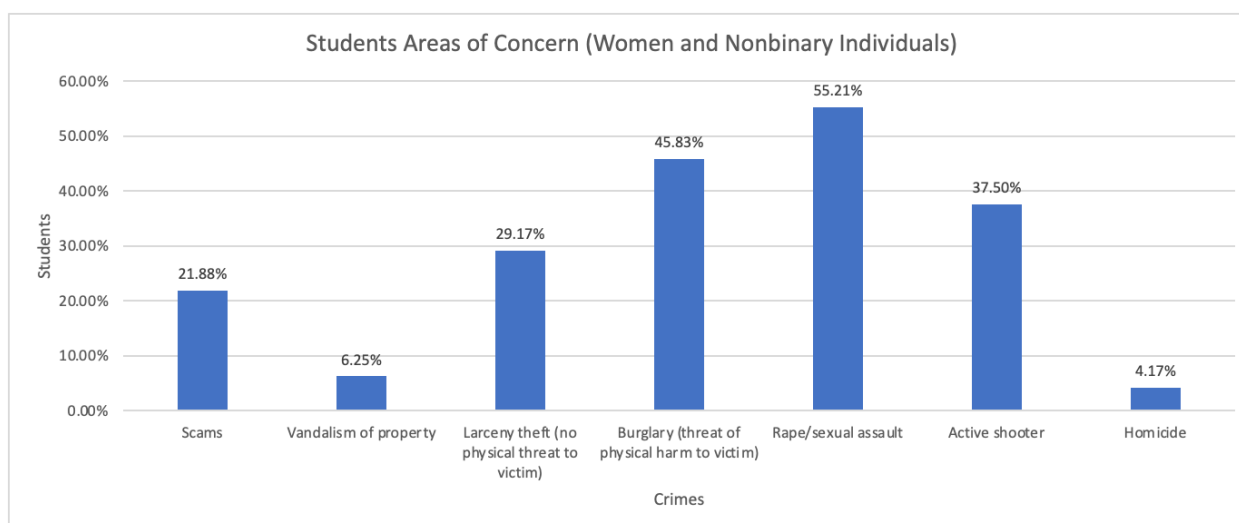


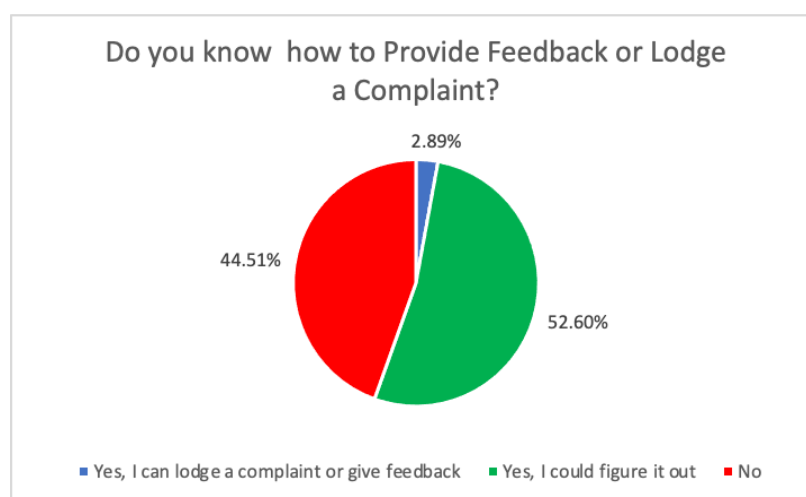
Fig 7– Graph showing the areas of concern for female and nonbinary students



Finally, it is apparent that there is a disconnect between the relationships of CMUPD and students. While the Resource Officer is a relatively new role that was established during the COVID-19

pandemic, and active measures have been taken to alert the community of the resource officers, 92.49% of students do not know who the resource officer on campus is. Furthermore, while it is possible to email positive feedback, sending negative feedback involves a non-anonymous form that needs to be either hand delivered to the office of the chief of police or emailed to him. This discourages students from lodging complaints to CMUPD as this is an intimidating process that would force them to reveal their identity. Even so, 44.51% of students said that they would not know how to provide feedback or lodge a complaint to CMUPD, as shown through figure 8.

Fig 8– Graph showing what percentage of students know how to provide feedback or lodge a complaint



Transparency and Practice

Jurisdiction

The knowledge of where an officer's jurisdiction begins and ends is a fundamental piece of a citizen's ability to fully understand their rights as they interact with the police. Without this, one cannot properly gauge whether officers acted outside the scope of their authority in an interaction. It is, therefore, ethically imperative that police departments state their jurisdictional boundaries in a clear and concise fashion to avoid impeding the rights of citizens. It is standard practice for many police departments to publish this information, often within a searchable directory of their entire operations manual.

The logic behind this decision is twofold. First it satisfies the ethical requirement to make plain the rights of the citizens within the department's jurisdiction; and second, it insulates both

the department and individual officers against accusations of wrongdoing in highly-scrutinized interactions. If, for example, an officer is accused of racialized bias in an otherwise routine stop the manual would serve to benefit both the involved officer and the citizen plaintiff. The officer would be able to defer to the manual as an explanation for their conduct during the stop. Conversely, if the officer did act with impropriety when conducting the search, then the manual would afford the civilian's accusations a greater degree of merit in court. Additionally, transparency allows for proactive community feedback on policy that would enable the department's practices to be more closely tailored to the needs of the community in response to the feedback. In short, a fully transparent manual benefits both the department and the civilians within its jurisdiction.

Of the police departments researched in formulating this report, a clear divide was evident between the police forces of private universities and those of municipal entities and public universities. Put simply, the publicly supervised police departments generally made their standards and practices easily accessible whereas those overseen by private entities did not. Examples would include the police departments of the University of Pittsburgh (Pitt), the University of California, Los Angeles (UCLA), and the University of Chicago and the respective police departments in their associated cities. All of the above police departments have sections of their website dedicated to sharing their entire manual, labeled and organized for ease of access.³¹ The stark divide becomes evident when attempting to access the same information for the police departments of private universities in the same cities, particularly Carnegie Mellon University, the University of Southern California, and DePaul University. Despite maintaining compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, otherwise known as the Clery Act, and publishing their policies for reporting crimes within their "Clery-designated geography"³², the aforementioned university police departments failed to

³¹ "Departmental Policies." Departmental Policies | Police Department | University of Pittsburgh, n.d. Accessed December 12, 2022. <https://www.police.pitt.edu/about/departamental-policies>. ; "Department Policies." Police Department | University of California Los Angeles, February 25, 2022. Accessed December 12, 2022. <https://police.ucla.edu/about-ucla-pd/departement-information/policies>; "Police Data & Information." University of Chicago. Accessed December 12, 2022. <https://safety-security.uchicago.edu/stay-informed/police-data-information>. ; "Manual of Procedural Orders - Flitered." City of Pittsburgh. Accessed December 12, 2022. <https://pittsburghpa.gov/police/manual-procedural-orders>. ; "LAPD Manual-2nd Quarter." LAPD Online, October 28, 2022. Accessed December 12, 2022. <https://www.lapdonline.org/lapd-manual-2nd-quarter/>. ; "Department Directives System" Chicago Police Department. Accessed December 12, 2022. <http://directives.chicagopolice.org/>.

³² "Clery Requirements." USC Department of Public Safety, July 26, 2022. Accessed December 12, 2022. <https://dps.usc.edu/alerts/clery/>.

publish their operating procedures. Considering that the objectives and functions of the associated police departments of the private and public universities are functionally identical, it stands to reason that the only justification for the private universities not publicly disclosing such information is that it isn't legally required.

In the cases of UCLA and Pitt, both of their police departments are covered under their state's respective police transparency laws, California Senate Bill 978³³ and Pennsylvania's Right to Know Law, 65 P.S. §§ 67.101-67.3104³⁴ respectively. Both bills adopt definitions of "local agency" that incorporate public university police departments and require local law enforcement agencies to conspicuously publish their operating practices, along with additional information, online. Both logically and ethically, we argue that CMUPD should conform to the standards set by Pennsylvania's Right to Know Law.

Ethically, publishing the department's operating procedures is the best practice, the benefits afforded to the citizens in the jurisdiction of the department come with little or no downside. Logically and logistically, the arguments against adopting the standards set by the Right to Know Law are heavily undercut by the successful implementation by other universities. The maintenance of such a site is similar to, if not less than, any other informational website run by the university, including CMUPD's own website. Were there any safety concerns for either the affected students, faculty, officers, or CMU-adjacent residents, they would have either been addressed when the bills were written or exploited by a bad faith actor. Considering that the Right to Know Law was established in 2008³⁵, it is reasonable to assume that there are no such safety concerns.

In its current construction, CMUPD's website identifies three policies which require publicly posted information, particularly Excited Delirium, Impartial Policing, and Use of Force.³⁶ These three policies were presumably chosen because of their proximity to recent high-interest news stories, specifically mental health treatment in the case of excited delirium and concerns regarding police bias and use of force that arose during the 2014 Ferguson and

³³ Cal. Penal Code § 13650

³⁴ 65 P.S. §§ 67.101—67.3104

³⁵ 65 P.S. §§ 67.101—67.3104

³⁶ Carnegie Mellon University. n.d. "Policies - Police - Carnegie Mellon University." Accessed December 12, 2022. <https://www.cmu.edu/police/about/policies.html>

2020 George Floyd protests. What is unclear, is why the department would choose to publish short explanatory paragraphs as opposed to excerpts from the official policy or simply the policies themselves. This is further unclear when contrasted with the University of Pittsburgh Police department which, in the case of the use of force, not only outlined their associated definitions and practices but also their training procedures, reporting procedures, and review policy.³⁷ Not only is there no reason that this information should not be similarly accessible, it can reasonably be argued that it is in the department's best interest to publish this information as a show of good faith in the tumultuous political climate.

A particularly notable exception to the policies published by CMUPD is their jurisdictional boundaries. While we have been able to roughly piece together the boundaries of their influence, through both interviews with the resource officer division³⁸ and anecdotal student experiences, there is no clearly established jurisdictional map or guideline available to the public. This is in stark contrast to The University of Pittsburgh police department which not only clearly defines their jurisdiction as within 500 yards of university grounds, but provides the relevant statutes that create this jurisdictional boundary.³⁹ While we were able to establish CMUPD's jurisdictional boundaries in a private interview with the resource officer division, it remains imperative that the boundaries be disclosed to the public.

The failure to comply with laws deemed necessary for the function of a public police department raises ethical concerns. While, by the letter of the law, CMUPD is exempt from many of the laws that govern public police forces, they are not dissimilar enough from said police forces to warrant such a legal distinction. Given that CMUPD has sought and achieved accreditation from the Pennsylvania Chiefs of Police Association⁴⁰ and their patrols intersect with privately owned property unassociated with the university, both their constitution and practices are similar enough to a public police force to necessitate compliance with the laws that govern them.

³⁷ University of Pittsburgh Police Department. 2015. Review of 4-01 Use of Force. Edited by James K. Loftus. https://www.police.pitt.edu/sites/default/files/4-1-use_of_force_2021.pdf

³⁸ "Interview with Sergeant Villasenor and Officer Wade," October 26, 2022.

³⁹ University of Pittsburgh Police Department. 2015. Review of 1-8 Jurisdiction. Edited by James K. Loftus. <https://www.police.pitt.edu/sites/default/files/policies/1-8-Jurisdiction-2018-complete.pdf>

⁴⁰ Carnegie Mellon University. n.d. "About Us - Police - Carnegie Mellon University." Accessed December 12, 2022. <https://www.cmu.edu/police/about/staff.html>

It should be noted that in the set of recommendations provided to CMU by 21CPSolutions, the consulting firm noticed a desire within the CMU community for further transparency in CMUPD's personnel training, stating: "The Department should memorialize and share its Training and Professional Development Plans and accomplishments with the larger CMU community... Currently, the Department does not make such information readily available. Although the Department's 2020 Annual Report references training, it does so primarily in an overall, aggregate way."⁴¹ The assessment by 21CPSolutions is consistent with the findings of our report and should lend further credence to the importance of transparency. It is imperative that CMUPD, a private organization whose scope of operations intersects so frequently with public safety, adopt the standards of disclosure deemed necessary for the municipal police organizations that operate within similar scopes of practice.

Policy Production

It is generally unreasonable, and illogical, to expect a police department to write all of their policies in-house. Not only would this necessitate the full time employ of legal experts at great expense to the department, but it would also ignore the well-researched recommendations of authoritative bodies such as the Department of Justice, which provides departments with policy recommendations. Despite this, where departments source their policy is still a relevant concern. Beyond the cases of large and well-funded police departments that can afford to write policy internally such as the Los Angeles Police Department,⁴² it is common practice for departments to purchase policy from private entities, notably Lexipol. This is concerning not because their policy writers are unable to competently draft policy, but because the objectives of Lexipol and similar entities when writing policy are not aligned with the best interest of the affected civilians. Lexipol's primary objective is to continue to sell policy to departments, and the benefit they provide to said departments is primarily that of risk management and mitigation, not providing the most sensible policies for the benefit of their citizens who reside within the jurisdiction.⁴³ Currently, Lexipol provides their services to over 2 million "public safety

⁴¹ Matthew Barge et al., "Recommendations for the Carnegie Mellon University Police Department & Public Safety at Carnegie Mellon University" (Pittsburgh, PA: 21CP Solutions, 2022), pp. 71.

<https://www.cmu.edu/police-review/assets/documents/cmu-police-review-feb2022.pdf>

⁴² "Policy Director - Los Angeles Police Department." n.d. Accessed December 13, 2022.

https://per.lacity.org/jobs/openings/index.cfm?job_id=4126

⁴³ "What Is Lexipol? | Public Safety Solutions." 2018. Lexipol. April 9, 2018. <https://www.lexipol.com/about>

professionals” by their estimates and more than 3,000 departments by the estimates of Ingrid V. Eagly and Joanna C. Schwartz published in the *Texas Law Review*.⁴⁴ A private entity commanding such a gargantuan amount of influence in policing is an untenable situation, particularly when considering the lack of oversight and transparency common to private entities and detailed above.

In a correspondence with CMUPD Chief Aaron Lauth, we inquired as to where CMUPD sources their policy. Initially, our concerns were that the policy was being sourced from a for-profit entity such as Lexipol. Chief Lauth informed us that CMUPD’s policy is sourced from a collection of outside sources, with the provided example agencies being non-profits, and “pieced together” by CMUPD to be adapted for the CMU community. While this is considerably better than the alternative that is sourcing information from for-profit entities, it still necessitates a full disclosure to the public that includes both the officially adopted text and the entities from which it was sourced. This is critical because it would allow members of the CMU community who are affected by the sourced policies to screen for biased or financially compromised sources in the production of CMUPD’s policy.

Publishing Manuals and Practices

Publishing policies and practices of universities is a strong step towards transparency and shows the community that the institution is comfortable taking accountability and allowing themselves to be held accountable by the community. It also helps create faith in police departments and improve community engagement. This information is also shared at the leisure of the university and usually only changes after controversy or community demands for transparency. This puts civilians at a disadvantage, which requires transparency and accountability from the institution to rectify.

Aside from policing, it is important that the community knows what they are supposed to be receiving and how to access these resources. CMUPD’s policy availability is inadequate and requires further transparency to the public. On their website, they offer some breakdown of their policing policies and training. Two of the biggest sections are: Use of Force Policies and Training and Impartial Policing Policy. In our conversation with Officers Wade, we were

⁴⁴ Eagly, Ingrid V., and Joanna C. Schwartz. “Lexipol: The Privatization of Police Policymaking.” *Texas Law Review*, April 5, 2018. <https://texaslawreview.org/lexipol/>

informed about the frequency of certain types of training. On average, they have about 5 types of training yearly. Use of Force and Non Bias training occur yearly and firearm training biannually. Some other types of training that they have listed online are Communication/negotiation training, De-escalation training, and Cultural Sensitivity training. De-escalation training is a 40 hour training program that is designed to teach officers about different behavioral issues and how to manage them. Implicit bias training is described as a 16 hour program on “identifying and mitigating bias.”⁴⁵ In the wake of national police shootings in recent years, both on college campuses and off, universities have included more information and implemented new policies or strengthened old ones, in an effort to address these police killings and prove that they are combating negative public opinions of police that occurred as a result.

We also offer examples from other private institutions and public universities of transparency available to the public about the powers that police are given and the accountability that officers are held to. Private universities' lack of legal requirements of disclosure to the public about policies, training or statistics leaves the public at the mercy of those institutions and what they decide to release. Many private institutions do take an initiative to be more forthcoming with detailed yearly reports and policy information, however it is usually limited to larger or municipal departments. The University of Chicago provides an ideal model of transparency and accountability in publishing policies and training. UChicago has much more availability online in annual reports, and their website includes an official published jurisdiction, and information about policy and training implementation. However, their department is not perfect and a majority of this is due to public demands for transparency. UChicago's campus has many similarities to CMU, but there are a few key differences in the police departments.

As we mentioned, the University of Chicago offers extensive availability of their security and safety policies on their website. Some areas of focus include Limits of Authority, Use of Force & Firearm Training, Bias, Domestic Incidents and a Code of Ethics & Conduct.⁴⁶ Each of these sections have folders of documents available on the website that detail protocol and operations and the policies that are in place to uphold these standards. The website also includes information on the organization of the department, giving the UChicago community information

⁴⁵ Carnegie Mellon University. n.d. “Policies - Police - Carnegie Mellon University.”

⁴⁶ University of Chicago Police Department, “Use of Force General Order.” May 20, 2022. <https://public.powerdms.com/uocdo/tree/documents/3>

on how incidents should be handled. This helps in a number of ways. These enforce accountability from the officer and allow the UChicago community the ability to be informed of the policies and standards. Furthermore, UChicago has faced some scrutiny for racial profiling, among other schools that have campuses around black and brown middle & low-income communities. Their annual reports include statistics about crime trends in surrounding neighborhoods and a much larger variety of resources to help students stay safe. At 18,000, UChicago's population is only 3,000 higher than CMU's population of 15,000. Both campuses also are similar in location in proximity to the rest of each city, Chicago and Pittsburgh. There are increased crime rates in the Woodlawn and South Shore community around UChicago. UChicago's jurisdiction covers 65,000 citizens within the four neighborhoods that it covers, Kenwood, Bronzeville, Hyde Park, South Shore and Woodlawn.⁴⁷ Their jurisdiction, alone, shows the concern for crime in all surrounding communities and the intention to address this issue for the majority of incoming students. With a 64% white population and large international acceptance rates, they have made a strong effort in securing students as they travel to and around campus. Another key difference is the budget, UChicago's average funding at \$6 million is significantly larger than CMU budget. Larger, "big name" schools typically have larger budgets that remain in both private and public schools. The variation in budgeting in private and public institutions is based on state and federal funding and private funding. Though CMU's budget is not publicly available, we can assume that our budget is much less than theirs, based on the jurisdiction, population, status and location. The degree of policing is higher at UChicago, than at CMU. UChicago's website also includes a section about body cameras and tasers and the complaint section is easily available on the homepage.⁴⁸ This further supports their transparency. Although UChicago's police department is not perfect, it provides a strong model of the transparency that other private universities should follow.

Similar to CMU, UChicago is not bound by federal laws for publishing documents. As a private company, they have little to no legal requirements for transparency, but provide this level of information for a number of reasons. There are some Illinois laws that UChicago is bound by in addition to their state police department certifications. UChicago is required to publish their

⁴⁷ University of Chicago Police Department. n.d. "Our Department." Accessed December 15, 2022.

<https://safety-security.uchicago.edu/about/police>

⁴⁸ University of Chicago Police Department. n.d. "Frequently Asked Questions." Accessed December 15, 2022.

<https://safety-security.uchicago.edu/about/police/frequently-asked-questions>

jurisdiction by the Illinois Private College Campus Act.⁴⁹ This act allows universities access to federal information through Homeland Security to police campus for more serious crimes. This does not exist in Pennsylvania, unfortunately, which further inhibits transparency that is available. UChicago's website also has a section on the Clery Act and discloses how information, such as, calls and incident reports, are recorded and reported. This section also includes links to a detailed complaint process, in which the university breaks down the reviewing process and they have included annual reports specifically on complaints to their department. This shows the importance that UChicago places on keeping their community informed of what is going on and what they are entitled to. The detail in these sections is beneficial to the community and shows them that UChicago is willing to be held accountable and encourages their community to do so. It can also provide comfort to those who are making complaints or have any sort of feedback. Students and faculty feel more comfortable using their resources when they know exactly how their issues will be addressed and can follow along with the process, as a result of the transparency that is given to them.

John Hopkins is another example of a private institution that provides a public service of security. Unlike CMU, they do not have an accredited police department and currently operate as a safety and security department. John Hopkins has the same similarities to CMU as UChicago in size and location comparable to the city. Recently, they have been in the process of getting an official police department approved by the state since 2018, but their proposal was denied by Maryland legislation due to its incompleteness. The announcement of an official police department at John Hopkins was met with student protests and a sit-in organized by students. They requested that the university take 2 years to further develop their proposal and that the university collaborate with surrounding police and city police on police reform after the death of George Floyd. Hopkins then released a statement, with new initiatives they took in response to the feedback they received. The school established a Memorandum of Understanding and proposed amendments to the bill that establish a formal number of processes to ensure transparency and accountability.⁵⁰ The university is currently in the process of revising and

⁴⁹ University of Chicago Police Department. n.d. "Our Department."

⁵⁰ Johns Hopkins University Hub Staff, "Johns Hopkins works to amend public safety bill based on student, community feedback." March 19, 2018.
<https://hub.jhu.edu/2018/03/29/johns-hopkins-police-department-bill-amendments/>

finalizing their new proposal to the Maryland House of Representatives and still operates as the previously existing John Hopkins Public Safety.

Use of Force and Trainings

Use of Force

Police officers in the United States are armed at a much higher rate in comparison to other developed countries. There are 19 countries worldwide that do not routinely arm their police force, including Ireland, New Zealand, Norway, and the United Kingdom.⁵¹ In contrast, police in the US are armed because they assume that anyone they come into contact with might also be armed. While these countries' police officers are typically unarmed, they are permitted to use guns in very exceptional circumstances, in which case there is often a separate, emergency armed force that is called. However, these countries also have far less permissive gun laws than the US, decreasing the potential violence. As such, the countries often have far fewer deaths by police officers annually and also far fewer police deaths. Norway had no deaths by police officers in 2019 while the United States had 1090, including gunshots, physical restraints, and tasers.⁵² These 19 countries all employ a system of policing by consent. As such, they police with the philosophy that “police should not gain their power by instilling fear in the population but rather, should gain legitimacy and authority by maintaining the respect and approval of the public,”⁵³ meaning that successful policing is not measured in the number of arrests made, but rather through an absence of crime. However, these countries also differ greatly from the United States in other measurable factors, including having lower levels of poverty, homelessness, crime, untreated mental illness, racial tensions, and gun ownership by civilians. The United States is home to 40% of the world’s firearms.⁵⁴ Therefore, it cannot be assumed that employing such a system in the United States would result in the same reduction in crime nor increase in respect for the police.

⁵¹ Godin, Melissa. “What the U.S. Can Learn From Countries Where Cops Don’t Carry Guns.” *Time*. June 19, 2020. <https://time.com/5854986/police-reform-defund-unarmed-guns/>.

⁵² Godin 2020.

⁵³ Godin 2020.

⁵⁴ Godin 2020.

Generally, all law enforcement officers in the United States are armed with at least semi-automatic pistols.⁵⁵ Over time, the rate of armed police officers on college campuses rose. While the hiring process for the United States police force is selective, once chosen, the training period is rather short. On average, US officers spend only 21 weeks in a training method modeled on military boot camps. When interviewed, CMU's Officer Wade said that he attended a part-time academy where he trained 3 days a week for 1 year. In comparison, Norwegian police officers must complete three years of training, including a thesis, ethics training, shadowing, and investigations. Furthermore, they must continue to complete fifty hours of operational training per year. Combined, Norway attributes this education to their lower reliance on deadly force in comparison with the US.

Police relations with minority communities is an additional problem that the United States police forces face. Historically, minorities have been mistreated by police officers, ranging from wrongful arrests to brutality. In Pittsburgh specifically, in 1971, Charles W. Williams, Carnegie Mellon's dean of men, an African American man, was arrested for drunk driving while completely sober.⁵⁶ He was then held at the station without anyone listening to his explanations, information as to what would happen to his car, or his right to a phone call. Instances like this have had a lasting impact on our society that is still apparent today. The majority of both Black and white Americans agree that black people are treated less fairly than whites when dealing with both the police and the criminal justice system.⁵⁷ Black adults are five times as likely as whites to say their race has led them to be unfairly stopped by police. Furthermore, Black Americans are 3.23 times more likely than White Americans to be killed by police, according to a Harvard study.⁵⁸ Latinos also face similar issues, and are more likely to be stopped and searched by police officers than white people, even though white people are overall more likely to possess illegal material.⁵⁹ Islamophobia has risen post 9/11, and muslims are notoriously distrusted by the police, with the NYPD settling multiple lawsuits after illegally spying on

⁵⁵ Wikipedia. 2022. "Police Firearm Use By Country." Wikipedia. December 11, 2022.

https://en.wikipedia.org/wiki/Police_firearm_use_by_country#United_States.

⁵⁶ Pierce, Henry W. "Abuses by Police Cross Color Lines," *Pittsburgh Post-Gazette*. September 28, 1971, p. 1.

⁵⁷ "10 Things We Know About Race And Policing In The U.S." 2020. Pew Research Center. June 3, 2020.

<https://www.pewresearch.org/fact-tank/2020/06/03/10-things-we-know-about-race-and-policing-in-the-u-s/>

⁵⁸ Jahn, Jaquelyn, and Gabriel Schwartz. 2020. "Mapping fatal police violence across U.S. metropolitan areas: Overall rates and racial/ethnic inequities, 2013-2017," *Plos One*.

<https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0229686>

⁵⁹ McCormack, Josh. 2021. "Report: The Number Of Latinos Killed By Police Is 'Off The Charts'" *Salud America*. November 17, 2021. <https://salud-america.org/report-the-number-of-latinos-killed-by-police-is-off-the-charts/>.

mosques and student groups located in New Jersey.⁶⁰ These are but a few examples of the distrust, disconnect, and disrespect between minority groups and US police forces, and the police have to make conscious efforts and steps towards repairing these relationships and unlearning their biases.

Armed Officers

The rise in armed police officers in the United States, including on college campuses, necessitates asking the question of the advantages and disadvantages to arming such a high percentage of the police force. What percent of police officers should be armed to be able to fully protect the community and what are the advantages to arming them at that level? At what point, if any, are too many of the police officers armed, and what are the resulting consequences? Should officers even be armed in the first place? What advantages might there be to having unarmed individuals, a step above security guards, tasked with ensuring the safety, security, and well-being of the community?

In 2020, Pennsylvania had 1,752 deaths by firearms. In comparison to the population of Pennsylvania, that is 13.6 deaths out of every 100,000 people.⁶¹ This ranks Pennsylvania 30th out of all fifty states for overall gun deaths per capita. Pennsylvania averages 520 gun-related homicides per year, which is 16th in the US, and gun violence deaths in Pennsylvania exceed car accident deaths.⁶² Additionally, obtaining a gun in Pennsylvania is comparatively easy, and many guns illegally possessed in other states were obtained in Pennsylvania. Pennsylvania women are also killed by intimate partners with guns at a concerning high rate.

In Pittsburgh, there were 20,452 offenses in 2021.⁶³ Of those, 22% were larceny theft, 15% were other assaults, 10% were vandalism. Only 1% involved weapons, either carrying or possessing, <1% were rape, and <1% homicide. For Shadyside, there were 506 offenses in 2021,

⁶⁰ Pilkington, Ed. 2018. "NYPD Settles Lawsuit After Illegally Spying On Muslims." *The Guardian*. April 5, 2018. <https://www.theguardian.com/world/2018/apr/05/nypd-muslim-surveillance-settlement>.

⁶¹ "Stats Of The States - Firearm Mortality." n.d. CDC. Accessed December 10, 2022. https://www.cdc.gov/nchs/pressroom/sosmap/firearm_mortality/firearm.htm.

⁶² "Pennsylvania Under The Gun." 2016. Center For American Progress. May 16, 2016. <https://www.americanprogress.org/article/pennsylvania-under-the-gun/>.

⁶³ "Workbook: Crime In The City Of Pittsburgh." n.d. Allegheny County Tableau. Accessed December 10, 2022. https://tableau.alleghenycounty.us/t/PublicSite/views/CJ_UCR_PGH_8-22-17_v3/Home_1?iframeSizedToWindow=true&%3Aembed=y&%3AshowAppBanner=false&%3Adisplay_count=no&%3AshowVizHome=no&%3Aorigin=viz_share_link.

42% larceny theft; 10% vandalism; 4% burglary. <1% involved weapons, either carrying or possessing, there were 2 instances of reported rape, and no criminal homicides. Shadyside also had 1 aggravated assault with a firearm.⁶⁴ As such, most of the crimes that people are typically afraid of are exceedingly rare. Overall, crime in Pittsburgh is lower than the national average for both violent and property crime.⁶⁵

At Carnegie Mellon University, there were 353 total offenses as defined by the FBI uniform crime report in 2018; 287 in 2019; 122 in 2020.⁶⁶ Of those, 13 resulted in physical arrests in 2018; 20 in 2019; 5 in 2020. There were 3 use of force/subject resistance reports in 2018; 4 in 2019; 1 in 2020. Over the course of those three years, there were no Use of Force incidents. Carnegie Mellon University Police Department (CMUPD) currently has roughly 25 sworn officers, 35 unarmed security officers, and 6 dispatchers.⁶⁷

These statistics demonstrate that Carnegie Mellon currently employs many armed police officers in comparison to the low levels of crime that are reported. The presence of police, especially armed, may be acting as a crime deterrent. However, there are currently roughly 5 armed individuals⁶⁸ regularly patrolling CMU's campus at any given time who are rarely, if ever, using their guns. Historically, university police officers were not always armed. However, in the 1970's, rising crime rates led to demands for universities to employ 'real police,' including sometimes armed.⁶⁹ This questions how necessary the prevalence of how many armed police officers there currently are.

The argument can be made that in order for a police force to be a police force, they need to be armed. However, as argued by Egon Bittner and discussed above, violent force is permitted only to the general population during instances of self defense, when entrusted powers over a

⁶⁴ "Workbook: Crime In The City Of Pittsburgh." n.d. Allegheny County Tableau. Accessed December 10, 2022. https://tableau.alleghenycounty.us/t/PublicSite/views/CJ_UCR_PGH_8-22-17_v3/Home_1?iframeSizedToWindow=true&%3Aembed=y&%3AshowAppBanner=false&%3Adisplay_count=no&%3AshowVizHome=no&%3Aorigin=viz_share_link.

⁶⁵ "Pittsburgh, PA, Crime Rate & Safety | U.S. News Best Places." How safe is Pittsburgh, PA? Accessed December 10, 2022. <https://realestate.usnews.com/places/pennsylvania/pittsburgh/crime>.

⁶⁶ Carnegie Mellon University. 2021. "Annual Security and Fire Safety Report, 2021." <https://www.cmu.edu/police/reports/fire-safety/2021asr.pdf>

⁶⁷ Barge et al., "Recommendations for the Carnegie Mellon University Police Department & Public Safety at Carnegie Mellon University."

⁶⁸ "Interview with Sergeant Villasenor and Officer Wade." October 26, 2022.

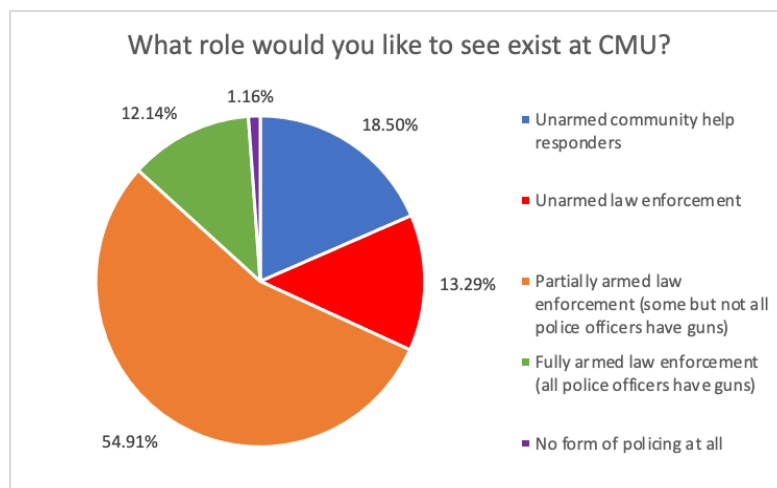
⁶⁹ Bridgeman, Edward R. "Designing University Police Units—Areas of Consideration." *FBI Law Enforcement Bulletin*, December 1978, 12-15.

specific group are given to another specific group, or through the use of a response police force. This is to ensure that the cops have the tools to protect the community and themselves that extend beyond those of a security guard. Furthermore, the presence of a gun for police officers demands a certain level of respect and implies automatic authority. Police officers put themselves into situations where they go against prepared people who know what tools the police officers have, while the officers have no knowledge of what tools the perpetrator has. Furthermore, police officers carry some non-lethal weapons, and while CMUPD does not carry tasers, they do carry pepper spray and batons.⁷⁰

However, the minute chance of a need for lethal violence does not mean that all officers on duty must be armed at all times. Figure 9 shows that 54.91% of the respondents surveyed would like partially armed law enforcement on campus, while only 12.14% of the respondents said they want fully armed law enforcement, which is what is currently in place. Furthermore, on a scale of 1 through 5, with 1 being uncomfortable and 5 being very comfortable, when asked ‘How comfortable are/would you be interacting with a CMU police officer?’ 19.1% of the respondents reported a 1 or a 2. This demonstrates both a level of uncomfortability for the students when reacting with police officers and an overwhelming desire to not have a fully armed law enforcement entity at CMU. As such, in a relatively lower crime level area, such as CMU, the comfort and safety of police officers should not be given a higher level of priority than the comfort and safety of the students. Respect for police officers should be earned through reputation rather than demanded by the presence of a lethal weapon. This is not to suggest that police officers should be unarmed when reporting to active situations, nor even constantly unarmed when patrolling, but rather that there may exist situations in which police officers can be regularly unarmed to increase the comfort of the students without jeopardizing the safety of either the officers nor the community.

Fig 9– Graph showing what role students would like to see exist at CMU

⁷⁰ “Interview with Sergeant Villasenor and Officer Wade.” October 26, 2022.



Protection vs. Intimidation

Given the statistics reported above, it is possible that police officers on CMU's campus do not need to be armed to the level that they currently are. We argue that disarming police officers in certain situations would allow for an increased level of comfort for the surrounding community, especially minorities, which would in turn positively impact police-community relationships and increase both trust and respect in the police. How can a balance be found between protecting the community from threats and decreasing police response times while ensuring that citizens, especially minorities, do not feel intimidated or threatened by armed police officers?

In 2020, there was a petition entitled "CMU: Confront Racist Policing in Our Community."⁷¹ This occurred following a Black Lives Matter protest in Pittsburgh, where "on Monday, June 1st, as confirmed by first-hand reporting and video evidence, police shot unarmed peaceful protestors with rubber bullets and sprayed them with tear gas." The petition goes on to state that "by doing so, the police threatened the lives of members of the Pittsburgh community, as well as Carnegie Mellon University's past, present, and future students." Much of the criticism is aimed at the Pittsburgh Police Department, including allegations that the PPD is perpetuating the same violence that led to George Floyd's murder and that the PPD has a legacy of brutal responses to peaceful protests. Furthermore, the petition claims that CMU's support and use of law enforcement has resulted in both the students and the community being less safe. The

⁷¹ Coalition Against Predictive Policing. 2020. "CMU: Confront Racist Policing in Our Community." <https://actionnetwork.org/petitions/cmu-confront-racist-policing-in-our-community>

petitioners present CMU with a list of demands, including to cut ties with all regional municipal police departments, discontinue collaborating with predictive policing algorithms, and disarm CMUPD.

In 2019, the Tartan published an article titled “CMU Experience Falls Short for Minority Students.”⁷² In this, many minority students spoke of feeling a lack of belonging or disbelief that they deserve to be at CMU. This is attributed to both a lack of accommodation from CMU for underrepresented students as well as racism from authority figures and constant microaggressions. The article further expresses that “Carnegie Mellon University fosters a culture of political apathy which in effect, makes urgency, visibility, and transparency in current efforts less important to the administration.” Furthermore, one student states that they are “more disconcerted with Carnegie Mellon’s pledge for diversity and inclusion efforts as the institution itself treads lightly in politics and taking action. Simply put, diversity and inclusion are inherently political projects.”

In today’s political climate, policing and arming police is a political issue. Minority students are both struggling with a sense of belonging and feeling safe around CMUPD. That being said, this is not a new issue. In 1990, the Tartan published an article, “Housing Tightens Dormitory Security,” in which Black students, especially black males, claimed that they were being stopped and asked to show their ID in dorms and gyms far more often than their white friends. Minority students have consistently been targeted by the police. Coupled with the fact that CMU police officers are fully armed but rarely, if ever using them, partially disarming CMUPD might help balance community protection from crime with community safety for minorities. Given that there is no evidence that decreasing the number of armed police officers at CMU would increase crime, as there are already low levels of crime and even lower levels of guns being used by police officers, disarming the police when they are not actively patrolling is an obvious solution. This would include desk work, interviews, presentations, and scheduled events to increase police-community relations. In the event of an emergency, the police would be able to quickly access their guns and any police actively patrolling would be able to respond to the scene, just like in any other crime. This is supported by the survey conducted on CMU’s community, historical and societal issues, and crime rates in Pittsburgh and at CMU.

⁷² Taïpe, Catherine. “CMU Experience Falls Short for Minority Students.” *The Tartan*. November 3, 2019. <http://thetartan.org/2019/11/4/forum/diversity>

Accountability

Currently, training for police officers at CMU involves pairing new officers with veteran officers according to the strengths and weaknesses of the new hires. To be employed as a police officer in Pennsylvania, the individual must simply complete a certified Act 120 program and pass Pennsylvania's state MPOETC certification exam.⁷³ Furthermore, the training program begins with instruction on use of force, demonstrating both a level of preparedness and caution.⁷⁴ CMUPD's website states that "the CMUPD ensures that its officers and staff receive training as required by applicable law and in accordance with CMUPD policies. Additionally, the CMUPD is committed to proactive training to stay informed on best practices and community engagement."⁷⁵ However, the website does not detail all the training that occurs and instead gives a few examples and lists others. It also does not cover how the officers are trained, nor how often, nor how long the training sessions are. The training topics that are mentioned on the website include Communication/negotiation training; Cultural sensitivity; De-escalation training; Implicit bias training; Appropriate use of force training; CPR; Dealing with excited delirium; First Aid/use of NARCAN; Green dot training; Handling sexual assault complaints; Impartial policing; Outreach and support for the LGBTQIA community; Technology.

We agree with 21CPSolutions when they recommended that training focuses on "the delivery of ongoing, in-service training to officers to strengthen and enhance their skills"⁷⁶ since CMUPD generally hires sworn personnel who have prior experience as police officers. They further state that "police officers need to be provided with training programs that allow them to develop skills, practice techniques, and navigate realistic situations so that they can apply lessons learned to their everyday work in the field."⁷⁷ 21CPSolutions recommends a multi-year, comprehensive Training and Professional Development Plan that will ground future training by

⁷³ "Act 120: Municipal Police Academy." Indiana University of Pennsylvania. Accessed December 9, 2022. <https://www.iup.edu/crimjustice/training-programs/act-120/index.html#:~:text=To%20be%20employed%20as%20a, and%20part%2Dtime%20Act%20120programs>.

⁷⁴ Barge et al., "Recommendations for the Carnegie Mellon University Police Department & Public Safety at Carnegie Mellon University."

⁷⁵ Carnegie Mellon University. "Training - Police - Carnegie Mellon University." Training - Police - Carnegie Mellon University. Accessed December 9, 2022. <https://www.cmu.edu/police/about/training.html>

⁷⁶ Barge et al., "Recommendations for the Carnegie Mellon University Police Department & Public Safety at Carnegie Mellon University."

⁷⁷ Barge et al., "Recommendations for the Carnegie Mellon University Police Department & Public Safety at Carnegie Mellon University."

offering “timely, relevant and evidence-based education and training grounded in adult education practices.”⁷⁸ This includes an increase in scenario based training as well as an annually updated training and professional development plan that “that addresses training requirements, identified training needs, and specific initiatives and programs designed to meet such requirements and needs.”⁷⁹

We further agree with the recommendation from 21CPSolution that CMUPD should “memorialize and share its Training and Professional Development Plans and accomplishments with the larger CMU community.”⁸⁰ They state that CMUPD’s current publishing of training is an overall, aggregate summary and such information is not readily available. CMUPD should expand their coverage in annual reports to include all the Department’s training and the training should also be visible on either a page or subpage on the CMUPD website. Furthermore, according to 21CPSolutions, the Training and Professional Development records should be maintained and provided to all employees through a centralized, comprehensive, and easily searchable database and system. CMU’s archive could play a critical role in both ensuring that the Department’s training is visible to the community and is regularly recorded and maintained in an accessible way. Finally, it was recommended that CMUPD “create and implement a plan for collaborative training with CMU stakeholders and external partners.”⁸¹ This would allow CMUPD to engage with university stakeholders when it comes to designing and developing police training initiatives and allow for members of the CMU to help deliver training and provide instruction to personnel, therefore furthering positive interactions between CMUPD and the community. Finally, they recommended that the CMUPD and CMU should coordinate training with nearby law enforcement, such as PPD, and public safety organizations in case of an emergency.

⁷⁸ Barge et al., “Recommendations for the Carnegie Mellon University Police Department & Public Safety at Carnegie Mellon University.”

⁷⁹ Barge et al., “Recommendations for the Carnegie Mellon University Police Department & Public Safety at Carnegie Mellon University.”

⁸⁰ Barge et al., “Recommendations for the Carnegie Mellon University Police Department & Public Safety at Carnegie Mellon University,” 70.

⁸¹ Barge et al., “Recommendations for the Carnegie Mellon University Police Department & Public Safety at Carnegie Mellon University.”

The research we conducted aligns with the recommendations by 21CPSolutions, especially regarding publishing training reports and ensuring that they all exist in one complete database accessible to the entire CMU community.

Office of Institutional Equity & Title IX (“Title IX Office”)

Incidents of sexual violence on university campuses are unfortunately common in the US. The Rape, Abuse & Incest National Network, cites that 26.4% of female undergraduate students experience “rape or sexual assault through physical force, violence, or incapacitation.”⁸² Similarly, undergraduate women are three times more likely to experience such acts of violence than all women. Despite the prevalence of sexual violence on college campuses, only 20% of victims report to law enforcement.⁸³ These data reflect national statistics; however, considering the pervasive and violent nature of this issue, the fact that women are disproportionately affected, and the role that CMUPD could play in these scenarios, it is imperative that we further explore this topic in our report.

General Workings and History

The following section explores how the Office of Institutional Equity and Title IX interacts with CMUPD. We delineate the differences in how each department constructs notions of safety, security, and well-being. Notably, this is not meant to be interpreted as an exhaustive analysis of the Title IX Office. Understanding the capabilities of the Title IX Office falls beyond the scope of this report since we focus on the role that CMUPD plays in these scenarios.

Title IX is the commonly used name to refer to a federal civil right law passed in 1972 as part of the Education Amendments. It seeks to protect people from gender-based discrimination in any educational setting that receives federal funding. This law was initially applied to the athletic departments in universities across the United States because women did not enjoy the same sport opportunities as men. In 1980, however, the US Supreme Court (USSC) determined that a failure to address incidents of sexual misconduct in universities was a violation of the Title

⁸² Cantor, David, Bonnie Fisher, Susan Chibnall, Carol Bruce, Reanne Townsend, Gail Thomas, and Hyunshik Lee. Rep. *Report on the AAU Campus Climate Survey on Sexual Assault and Sexual Misconduct*. Rockville, MD: Westat, 2015, 164.

⁸³ Sinozich, Sofi, and Lynn Langton. *Rape and sexual assault victimization among college-age females, 1995-2013*. Washington, DC: US Department of Justice, Office of Justice Programs, Bureau of Justice Statistics, 2014.

IX as these incidents could be considered sex-based discrimination.⁸⁴ Because it is most often women who get sexually assaulted and men the ones perpetrating such violence, it was decided that universities violated the Title IX act by not providing adequate support to people who have experience intimate partner violence. Since this ruling, Title IX is most commonly associated with addressing incidents of sexual violence.

Throughout the years, universities have developed infrastructure to deal with such forms of violence. Notably, in 2011, the Obama administration issued the “Dear Colleague Letter.” This document required universities across the US to establish formal resource offices that could handle instances of sexual assault and harassment. Carnegie Mellon hosts a Title IX office which has recently expanded and changed its name to the *Office for Institutional Equity and Title IX*. As is written in the university website, this change reflects an expansion of office responsibilities to include receipt of reports of discrimination beyond those related to sex discrimination.” If students face any circumstance of discrimination or sexual violence, they can choose to report it anonymously or not. The student then receives counseling from a member of the Title IX office regarding what their options are considering the nature of the offense.

The CMU President’s Council approved an Interim Sexual Misconduct Policy in August of 2020⁸⁵. This policy supersedes the previous policy on Sexual Harassment and Sexual Assault of April of 2013, which was the first official policy to include the changes mandated by the “Dear Colleague Letter” of 2011.⁸⁶ Prior to that, the university had enacted the Policy against Sexual Harassment and Policy against Sexual Assault, in 1981 and 1991 respectively. Prior to the reorganization of the Title IX Office at CMU in 2013, the university drafted policy to its own discretion and designated “sexual harassment” advisors to help victims. These advisors were members of the CMU community— professors, undergraduate students, therapists, and other staff members— who received additional training to help victims of sexual assault.⁸⁷ The Guidelines on Sexual Harassment for Supervisors from 1997, recommended that victims reported such incidents to their supervisors who would then investigate the matter themselves or refer it to

⁸⁴ *Alexander v. Yale University*, 631 F.2d 178 (2d Cir. 1980)

⁸⁵ “Sexual Misconduct Policy (Interim).” University Policies. Carnegie Mellon University, 2020. <https://www.cmu.edu/policies/administrative-and-governance/sexual-misconduct/index.html>.

⁸⁶ “Sexual Harassment and Sexual Assault,” University Policies (Carnegie Mellon University, 2013), <https://www.cmu.edu/policies/administrative-and-governance/sexual-harassment-and-sexual-assault.html>.

⁸⁷ “Guidelines and Procedures on Sexual Harassment for Supervisors.” Osher Center Academy for Lifelong Learning, Box 1, Folder 15. Pittsburgh: Carnegie Mellon University Archives, February 1, 1997.

Human Resources. This process is notably informal and discourages the involvement of law enforcement. Therefore, we affirm that CMU has made positive strides in distancing itself from this type of conduct as it modified its policy to adhere to the standards of the Department of Education. Some of these changes are explored below.

The Title IX office as we know it today works independently of the Carnegie Mellon Police Department. If the student making an allegation wishes to do so, they have the option of filing an additional report with the CMUPD. This is an additional step that students can choose to take and is, thus, not necessary when filing a report or complaint against someone with the Title IX office. The most glaring differences between the Title IX office and the police department are related to the processes for seeking justice and the consequences that the perpetrators might face. The Title IX office conducts internal investigations where the standard of proof is lower. At the university level, the standard of proof is credibility (i.e., is the allegation being made credible after being investigated?) whereas, in the judicial system, the plaintiff must convince the courts beyond a reasonable doubt. Likewise, the consequences that perpetrators might face are different in the university context and in the judicial system. Universities are limited to academic sanctions— such as expulsion, suspension, or probation. These are handled at the discretion of university officials. In the judicial system, the penalties are unsurprisingly more severe as they may include prison, being charged with a felony, or being placed in the sex offender registry.

The Title IX office is not a branch of the judicial system of the United States or of the Carnegie Mellon Police department; therefore, while they can suggest that a student pursue further legal action if they want it, the Title IX office cannot act in the legal space. In lieu of this option, the Carnegie Mellon Title IX office allows students to file an official complaint. This process is also optional and gives the university permission to investigate the alleged misconduct. Other options provided to students that do not involve an internal investigation include moving the student to a different apartment on campus if they feel unsafe, changing the student from one class to another, or recommending that the student seek further psychological or legal counseling.

Major Issues

Title IX offices are a major topic of contention in the United States. In particular, many people have raised concerns regarding inadequate reporting processes and lack of accountability and transparency on behalf of universities. A study by James E. Guffey, professor of criminal justice, found that victims who pursue justice via their university must “maneuver through a system shrouded in secrecy where they encounter mysterious disciplinary proceedings, closed-mouthed school administrations, and off-the-record negotiations.”⁸⁸ Furthermore, universities are required by law to report data on crime that has occurred on campus or in the nearby area, as stipulated in the Clery Act. Over the years, many have questioned the accuracy and completeness of the data universities publish to be Clery Act compliant. In particular, people have raised concerns because many universities have a history of disregarding students' complaints, especially those involving sexual assault, for fear of tarnishing their image as safe educational institutions.⁸⁹ Likewise, despite much progress made over the past decade in working with students who have faced such situations, there is a concern that students still feel unsafe reporting intimate partner crimes in their universities.

Guffey conducted a study, published in 2013, to investigate the accuracy of the Clery Act data across 29 randomly selected universities. He compared the Clery statistics for burglary and rape only with those published by nearby crisis centers and clinics. Guffey found significant differences in reporting between crisis-services programs/ clinics and the corresponding university's Clery Act Data. The results suggest that universities significantly underreported their Clery statistics. Guffey offered two possible explanations for the discrepancy in crime reporting: (1) students may feel unsafe reporting in their university, so they seek external help, and (2) universities purposefully lie or exploit unclear reporting requirements to protect their image. Despite which explanation may seem more plausible, the results show that many universities fail to uphold ethical standards to protect their students, some going as far as placing the school's image above student safety.

⁸⁸ Guffey, James E. "Crime on campus: Can Clery Act data from universities and colleges be trusted?." *American Society of Business and Behavioral Sciences E-Journal* 9, no. 1 (2013): 51.
<https://www.proquest.com/scholarly-journals/crime-on-campus-can-clery-act-data-universities/docview/1448005586/se-2>.

⁸⁹ Holland, Kathryn J., and Allison E. Cipriano. "Does a report = support? A qualitative analysis of college sexual assault survivors' Title IX Office knowledge, perceptions, and experiences." *Analyses of Social Issues and Public Policy* 21, no. 1 (2021): 1054-1081 .

Carnegie Mellon University was not one of the 29 universities that Prof. Guffrey studied, yet students have also raised concerns about Clery non-compliance in the past. In 2013, the university, CMUPD, and the Pittsburgh Borough of Police investigated the fraternity Beta Theta Pi after “alleged videos and pictures of a sexual nature” emerged. The Tartan reported that Gina Casalegno, then Dean of Student Affairs, alerted the campus community of the investigation when it began; however, the University Police Crime Log did not contain any information of such an investigation after it had closed some months later. When questioned about this discrepancy in data, the University Police Lieutenant at the time, Gary Scheimer, said “the way [the investigation] came in, it did not come in on the media log.” Additionally, the student reporter also reached out to Abigail Boyer who was the assistant executive director of programs, outreach, and communications for the Clery Center for Security on Campus for comments. Boyer said that if a student feels like their case was mishandled they have “the option of filing a complaint with the Department of Education.”⁹⁰ Following the suspension of Beta Theta Pi from CMU campus, the American Civil Liberties Union (ACLU) filed a complaint against CMU for violating the Clery Act.⁹¹

This case raises several concerns regarding how CMU addresses instances of sexual assault and how the university perceives the Clery Act. First, Gary Scheimer's comments allude to broad discrepancies in how the university handles internal investigations. CMU should have a coherent protocol for handling such investigations, rather than allowing the investigations to “come in” in different ways. Also, while Boyer’s comment is factual (i.e., students can report CMU to the Department of Education if they think there has been a Clery noncompliance), it reveals the low ethical standards that CMU has in place for dealing with Title IX investigations. Students face the burden of being sexually assaulted, they go through the university’s due process, and they still must take one additional step to report their university for how it handled their investigation. A university that wants to be seen as ethical, honest, and truthful must demonstrate high-moral standards through its actions.

⁹⁰ Walsh, Anna. “Questions Remain in Sexual Assault Investigation.” *The Tartan*. September 30, 2013, 108 edition, sec. 6. <http://thetartan.org/2013/9/30/news/beta>

⁹¹ Editorial Board. “Sexual Assault Cases Must Be Public Domain.” *The Tartan*. February 10, 2014. <http://thetartan.org/2014/2/10/forum/title>

Moreover, while CMU could and should ensure that they comply with the Clery Act, this should be treated as a bare minimum standard. The Clery Act is meant to inform a university community of crime in the area to prevent universities from covering-up certain incidents to protect their image. This is not an ethical standard, but rather a measure to protect community members from their administrations. Carnegie Mellon should strive to create a truly safe environment on campus rather than seeking to absolve themselves of any wrongdoing.

Recommendations and Conclusions

Recommendations

Based on our historical research, the survey we conducted and ethical framework, we make the following recommendations:

1. Bring CMUPD's website up to the standards set by Pennsylvania's Right-to-Know Law
2. Publish CMUPD's up-to-date jurisdiction (including leased properties) plainly and openly on the department website and regularly archive old versions to CMU's University Archive.
3. Publicly publish all CMUPD procedures and policy directives on the CMUPD website. Disclose the source of their language and indicate when they were sourced from or inspired by private, for-profit entities. Regularly archive old versions to CMU's University Archive.
4. Disarm police officers when they are not actively patrolling and performing duties such as desk work, interviews, presentations, and other scheduled events.
5. Require all officers to follow regularly updated training as recommended by 21CPSolutions and ensure that such training is archived and accessible to CMU's population.
6. Develop clear, official Title IX policies in collaboration with students that are not vulnerable to political changes at the national or state level.
7. Provide trauma-informed training to CMUPD personnel.

8. Create memorandums of understanding to facilitate collaborations between and among CMUPD, Pittsburgh Police, medical providers, rape crisis centers, neighboring universities, and other relevant stakeholders.⁹²
9. Create a clear feedback mechanism on CMUPD's website with an anonymous option to make it easier for the CMU community to provide feedback to CMUPD.

Conclusions

While we have recommended the above actions for CMUPD, it should be noted that the department has largely done a very good job balancing their function as a community resource with their function as an armed police force. Generally, our recommendations exist to show ways that CMUPD could continue to improve and work to better protect and connect with CMU's community.

⁹² Commonwealth of Pennsylvania, Office of the Attorney General, *Campus Safety Recommendations*. Harrisburg, PA: Office of Public Engagement, 2018.