Toward a New Vision of Public Safety, Community Well-Being, and Policing at Drexel University

21CP Solutions

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SCOPE & APPROACH

Scope of the Assessment

Drexel University ("Drexel" or "the University") engaged 21CP Solutions ("21CP") (1) to conduct an assessment of the Drexel University Police Department's[1] ("DUPD" or "the Department") current practices, procedures, and operations, and (2) to provide specific recommendations for promoting public safety services that are safe, just, equitable, effective, lawful, and consistent with best and promising practices.

Approach

21CP's assessment and recommendations are based on an analysis of three primary sources of information or raw "data": paper, performance, and people.

First, 21CP requested and received an array of written materials and information about and relating to DUPD's operations and to community safety at Drexel. This included policies, procedures, protocols, training materials, annual reports, prior assessments, and many others. These were evaluated in light of an array of best practices, emerging approaches, and national standards. Throughout the report, we detail or reference the specific materials, and the particular best, emerging, or national practices through which we considered those materials.

Second, 21CP endeavored to understand more about DUPD's overall performance – not just on paper but in the real world. This included, for instance, an analysis of calls for service to DUPD and information from DUPD's internal systems logging officer activity and response. It also included an analysis of DUPD information about who it stops, searches, cites, and arrests. We discuss these and other similar analyses throughout the report.

Third, between November 2020 and February 2021, we engaged with and obtained feedback from approximately 550 individuals in total. 21CP conducted 35 conversations, focus groups, and interviews with Drexel University stakeholders about public safety at Drexel and DUPD, which involved over 180 University students, faculty, staff, and administrators. It also included conversations with external public safety stakeholders, and community members from the neighborhoods adjacent to the University footprint. 21CP also convened conversations, focus groups, and interviews with 40 DUPS (Drexel University Department of Public Safety) personnel of varying roles, ranks, and assignments.

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[1] DUPD falls organizationally under the University's Department of Public Safety. This report focuses primarily on the DUPD, but it necessarily addresses other elements of Drexel's current public safety structure that are situated elsewhere in the Department of Public Safety. For instance, the report includes recommendations for Drexel's Public Safety Operations Unit, given their critical role in emergency communications and public safety call response.

21CP identified an initial set of groups, organizations, and individuals with whom to speak. The objective was to have conversations with people from diverse backgrounds, across an array of roles within and outside the University, and with varying life experiences and experiences with the police. This included BIPOC students, faculty, and staff; members of the LGBTQ+ community; individuals with varying lengths of time spent as part of the University community; individuals from the United States and from international locations; and members with a variety of other experiences. During many of our conversations, we asked participating community members to think about and share with us other individuals or organizations with whom we should speak to strengthen the diversity of our engagement.

Individuals elected to speak with us, which means that participation was voluntary and self-selecting. Because participants were not randomly selected, the views of participants in our community conversations may or may not, therefore, be reflective of the University community as a whole. Likewise, the "sample" of the University with whom we spoke was not statistically significant.

As a result, it is possible that, during our focus group and interview process, some important views were not, or were not sufficiently, represented simply because of the particular nature of the population with whom we interacted. Despite these limitations, however, small-group discussions, semi-structured interviews, and focus groups are appropriate and useful methods of qualitative research:[2]

> [Q]ualitative research . . . allows you to identify issues from the perspective of your study participants, and understand the meanings and interpretations that they give to behaviour, events, or objects . . . . Qualitative research is useful for exploring new topics or understanding complex issues; for explaining people's beliefs and behaviour; and for identifying the social or cultural norms of a culture or society.[3]

Although another set of conversations with different community stakeholders might yield different or additional insights, we are confident in saying that – especially as we heard a number of common themes, similar issues, and overlapping comments within and across conversations – the community stakeholders with whom we spoke reflected at least some material part of the University community. The limits of this approach are what, in part, animates this report's recommendation for a more-comprehensive process of re-imagining

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[2] *See, e.g.*, Steven J. Taylor, et al, *Introduction to Qualitative Research Methods* (4th ed. 2015) (describing various modes and standards of qualitative inquiry); Pranee Liamputtong, *Focus Group Methodology: Principles and Practice* (2011) (outlining parameters for focus group research); Gisela Bichler and Larry Gaines, "An Examination of Police Officers' Insights into Problem Identification and Problem Solving," 51 *Crime & Delinquency* 53 (2005) (applying focus group or group interview techniques to police officers).

[3] Monique Hennink, et al, *Qualitative Research Methods* 9–10 (2011).

public safety at Drexel going forward that is maximally inclusive of the University's many and diverse communities.

This direct engagement effort was supplemented by a University survey distributed to Drexel students. 21CP team members worked with staff from Drexel's Enrollment Management & Student Services, as well as University Communications, to administer an online survey. The University Communications office sent the Qualtrics survey to all students in the second week of December 2020. The survey remained open for four weeks, through the beginning of the January 2021 quarter. To ensure they were indeed University students, respondents entered their student identification number as part of the response process. The survey received 378 responses. Respondents were asked three open-ended questions, with individuals providing free narrative responses to facilitate the respondents providing their own views, comments, and insights. Students were also given the option to sign up for additional student focus groups, which were conducted in early February 2021.

This report cites, characterizes, and sometimes quotes stakeholder participants from our focus group and interview process. It also discusses and quotes from survey responses. To ensure candid discussions and to preserve the confidentiality of participants who sometimes shared sensitive or traumatic experiences, 21CP did not log the identities of who said what during our stakeholder engagement. Their affiliations were recorded, for context, along with the specific contents of what they said. Although the survey results contained limited identifying information, 21CP does not report any identifying information here. Accordingly, this report refers to particular stakeholders in generic ways – as "a student," "a faculty member," or the like.

This assessment and this report aims to address many important aspects of public safety, the police-community relationship, and DUPD's core practices. Although it attempts to address what 21CP concluded were the most significant issues facing the Drexel community, it is not exhaustive, for a few reasons.

First, any large organization like a police or public safety department performs a broad and complex array of functions and services – making a single evaluation of every conceivable aspect of a department's performance, operations, and administration unrealistic. Large, substantial, and standalone evaluations could focus, for instance, on DUPD's technology, staffing, or business and administrative practices and provide an array of technical, micro-granular recommendations. At the same time, DUPD's performance in any of a number of core enforcement activities could be analyzed in terms of disparate outcome and treatment – and an array of complex statistical methods might be used to uncover further explanations and details that would shed useful light on the scope and nature of those issues. Where appropriate in this report, we note areas where it may be useful for Drexel to devote additional resources in the future or to partner with its rich academic and intellectual resources to go further and do more.

This report aims to provide specific guidance, and practical recommendations, for Drexel based on the unique needs, values, and experiences of its community. However, Drexel is not alone in confronting significant issues and concerns surrounding the role and actions of police. Where communities are encountering similar challenges on similar issues, similar recommendations grounded in contemporary best practices may be applicable. For example, we have recently recommended to other communities facing similar challenges that they involve a broad cross-section of their communities in re-thinking public safety and the role of police, and we discuss the rationale and background in some similar ways here. However, even where this report in some places discusses the logic for various recommendations using the same or similar language, citations, examples, or references to additional materials as we did in reports provided to those other communities, the particular circumstances and needs of the Drexel community are the locus of our recommendations throughout this report.

We approach this report, as we attempted to approach our interactions with Drexel stakeholders, with humility. Although we believe that our review of DUPD's policies and protocols, examination of aggregate and specific types of DUPD performance, and engagement with community and Department stakeholders provides a sufficient and accurate foundation for recommendations grounded in best practices, we are not a part of the Drexel community. Because of the ongoing public health situation, we were also unable to spend on-the-ground time with stakeholders. Despite our best efforts, the necessary limits of our approach make it almost certain that this report overlooks some details, misses some issues, ignores some nuance, or bypasses additional areas of importance.

Ultimately, this report does not have all of the answers. We do not have all of the answers. For that matter, it is unlikely that any one of Drexel's many stakeholders alone has all of the answers. However, based on our conversations with the University community and analysis of current practices, this report seeks to highlight specific areas that Drexel can address to enhance community well-being and promote public safety in an ever-more inclusive, equitable, effective, and just way

PART 1: TRANSFORMING PUBLIC SAFETY AT DREXEL

This report makes two major, overriding recommendations. Its primary recommendation is that Drexel engage in a community-driven process of re-imagining public safety. As this section discusses, the process of systematically defining what public safety is, and how it might best be provided, to the Drexel community will require the direct and substantive inclusion of diverse community voices. This effort will take time and institutional commitment.

Second, even as the process of re-imagining public safety is underway, the University and DUPD can nonetheless make a number of changes to how the Department is operating today. These recommended changes should be made to ensure better performance and more equitable outcomes in the short-term. Especially if public health realities permit students, faculty, and staff to return to campus in increasing numbers over the summer and fall of 2021 and beyond, DUPD and the University can change policies, practices, and processes to address some community concerns and needs – regardless of what the ultimate public safety approaches will be at Drexel in the long-term.

We want to be clear at the outset: The Drexel community as a whole – rather than DUPD, Drexel administrators, or outside consultants – must be the ones to determine what public safety looks like, and how it is provided, at Drexel in the intermediate- and long-term. The remainder of this section describes why.

I. RE-IMAGINING PUBLIC SAFETY

Drexel's stakeholders have differences in perceptions, beliefs, and understandings about what public safety means on the University's campus. This section attempts (1) to describe the types of views, experiences, histories, values, and beliefs that Drexel stakeholders shared regarding policing and public safety, and (2) to identify a process through which the University might transform its public safety model in a manner that promotes a broader, shared sense of safety and community well-being.

Recommendation 1.   Drexel should engage in a community-driven, stakeholder-informed process of defining what "public safety" means at Drexel and re-imagining how community safety and well-being can be best provided to the Drexel community.

- **Stakeholder views and impressions of DUPD and public safety at Drexel are influenced by the breadth of their own experiences on- and off-campus, what they have heard about other people's experiences at Drexel, and views about policing and law enforcement more broadly.**

As with any diverse community, members of the Drexel community articulated an array of experiences, values, and opinions about DUPD and public safety at Drexel. The origins of these views were in some ways as multi-faceted as the nature of the perspectives themselves.

In focus groups and interviews, some Drexel community members shared their own, direct experiences with DUPD. Most frequently, these were instances where individuals felt unfairly targeted by DUPD – by being stopped, detained, questioned, or made to show identification – because of their race. In some instances, the negative experiences were related to DUPD responding or reacting in ways that community members believe were unnecessary or disproportional to the nature of the situation. For instance, one stakeholder recounted that they "had friends who have had guns pulled out on them by DUPD officers" without sufficiently good reason – which has led the individual to believe that DUPD "only ever makes situations worse."

Others recounted incidents that had happened to peers, colleagues, and other acquaintances within the Drexel community. One student generally noted that DUPD has "harassed my friends for being LGBT or [people of color] on several occasions." Another observed that, based on their interactions, "[m]any students in minority populations do not . . . feel they are treated fairly and ethically by the police." Many students, as well as members of Drexel's Anti-Racism Task Force, recounted hearing or knowing about the experiences of Black men and women on campus being stopped and asked to prove that they belong at Drexel – by showing identification or explaining their reason for being in particular places – far more frequently than other students.

This report elsewhere examines overall data, across individual experiences, on racial disparities with respect to whom DUPD's activities affect. For purposes of this discussion, we note simply that many stakeholders articulated the view that DUPD does not police equitably or fairly based on their direct, personal experiences or because of the experiences of people who they know on campus.

Other individuals, as the next section describes in greater detail, related personal experiences involving specific instances where the Department made them feel safer or assisted them with a particular problem. Many students and faculty raised DUPD's presence around campus at night as personally impactful to their sense of safety and well-being. In addition, some shared stories of the positive experiences of working with DUPD personnel or engaging with them in helpful ways.

Stakeholder discussions related to this review of DUPD were convened primarily in the fall of 2020, with some additional focus groups and interviews occurring in early 2021. This means that these conversations occurred in the aftermath of the killing of George Floyd and the national conversations, protests, and activism surrounding issues of policing and race that have occurred throughout the country since late May of 2020.

Consequently, in addition to being shaped by their own experiences and the relayed experiences of friends, peers, and colleagues at Drexel, views about DUPD are inextricably linked to ongoing, external conversations about law enforcement, race, and systemic inequity. A student observed that, within DUPD as within policing in general, "[t]here is a clear bias and disadvantages for people of color, specifically the African American community. They are more frequently targeted and harmed[,] whether it's mentally or physically." Many people shared that, although they had neither experienced nor known individuals who had experienced negative interactions with DUPD during their time at Drexel, they nonetheless harbor substantial concerns about the police perpetuating disparate outcomes, systemic racism, inequity, and injustice. As one faculty member observed, the "biggest challenge facing" DUPD is the "societal issue of how police are seen now" in light of "underlying racial tensions." Another student synthesized the view of many, noting, "The police as an institution have an extensive history of bias against Black people and racial minorities, and Drexel police are no exception." Consequently, many community members expressed "worry about DUPD falling into" or reflecting "the same systemic racial injustice issues other police departments do."

A number of faculty and administrators highlighted the complexities associated with a sizable portion of the Drexel community – the University's students – turning over year after year as some graduate and depart while incoming undergraduate and graduate students become new members of the community. A relevant portion of the Drexel community will *always* have their views about policing shaped entirely by their diverse experiences and histories elsewhere. Indeed, members of DUPD acknowledged that this reality is one that presents them with an ongoing challenge when it comes to cultivating community relationships. Because of the dynamic nature of the University community, DUPD will never operate in a context in which the community's views of law enforcement and policing more generally are not significant contributors to its views of DUPD more specifically.

Some stakeholders pointed out that individual views about DUPD and public safety are also shaped by the kinds of messages that they receive directly from the University and DUPD. Several individuals told us that one consistent message from the University appears to be that all community members must be continuously vigilant about their safety – and that the Department is a kind of "first line of defense" between the campus community and external threats. For example, at freshman orientation, the message is that DUPD would like new students "to save our number in their phone" because "[w]e know [Drexel] is not the suburbs . . . It's an urban area and [students] have to treat it like that."[4] The message, many suggested, is the Department is the primary mechanism for ensuring the Drexel community's safety – and that it does so by keeping threats from outsiders, and an unsafe urban environment, at bay.

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[4] Jason Sobieski, "Drexel Police to Freshmen: 'It's Not the Suburbs,'" *The Triangle* (Sep. 14, 2019), https://www.thetriangle.org/news/drexel-police-to-freshmen-its-not-the-suburbs/.

Regardless of the particular sources of, or reasons for, current views about DUPD, some observed that views about DUPD have shifted over time. For example, a 2013 editorial in Drexel's student newspaper, *The Triangle*, observed that "[t]here is a reason why Drexel Public Safety is ranked third nationwide," citing active-shooter training provided to the community as "just another justification as to why they deserve that spot."[5] An August 2020 editorial in the same publication took a more critical stance and observed that it "is incumbent on the entire Drexel community" to address "question[s] of what the role of Drexel's on-campus police should play from this point on."[6] Faculty and staff pointed out that, whereas DUPD was the source of lesser or at least different concerns in the recent past, the Department and its activities may be viewed more recently through different perspectives by a greater number of community members.

- **Many stakeholders, from across the Drexel community, believe that DUPD's presence makes them and the community less safe.**

A number of stakeholders – across students, faculty, staff, and residents of neighborhoods adjacent to Drexel – say that DUPD makes them feel less safe. One student's comments mirrored those of many others:

> I feel actively worse being on campus with DUPD. I am worried that DUPD officers will harm, interrogate, and/or threaten my friends and the community members who walk through our campus . . . . DUPD offers zero resources to keep myself or my friends on campus safe.

Another student, when asked about how DUPD may contribute to safety, also spoke for a number of others when they replied, "They don't. The campus being filled with police officers in any direction you look and driving down every street makes me nervous and feel less safe." A peer agreed that, "[i]f anything, the presence of DUPD on campus makes me feel *less* safe. My main experiences with them involve observing them sitting in their massive vans, idling their engines and chatting with one another, all while making the student body feel unnecessarily monitored."

A number of stakeholders observed that the presence of DUPD "makes me feel intimidated," and that they are "uncomfortable when I see them or their cars." As one community member summarized, "DUPD only makes me feel unsafe" and "[a]nytime I see a DUPD officer[,] I become nervous."

Many stakeholders say that the presence of police, because of the history of police oppression and violence especially with respect to BIPOC populations, is triggering and the source of

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[5] "Active Shooter Training Puts DUPD Ahead of the Pack," *The Triangle* (Jan. 24, 2013), https://www.thetriangle.org/opinion/editorial/active-shooter-training-puts-dupd-ahead-of-the-pack/.
[6] "These are the Questions We Need to Ask About Drexel Police," *The Triangle* (Aug. 7, 2020), https://www.thetriangle.org/opinion/these-are-the-questions-we-need-to-ask-about-drexel-police/.

ongoing anger, anxiety, trauma, and fear. They point in particular to the disproportionate burden and harm that policing imposes on BIPOC communities – from use of force to stops, searches, and arrests. As a local media story summarized with respect to Drexel and the neighborhoods surrounding Drexel:

> For Black residents, faculty and students, the heavy police presence can be intimidating. Even if law enforcement officers are on their best behavior, residents navigate their neighborhoods knowing that Black people are far more likely to be killed by police.[7]

Because the burdens of law enforcement remain unequally imposed, police are, to a number of Drexel community members, a source of danger, not safety. [8]

Some students said that the presence of police triggers anxiety, distrust, fear, and other negative feelings. This is consistent with studies showing that individuals who "report[] more police contact . . . report more trauma and anxiety symptoms"[9] – with "a higher prevalence of PTSD for Black males" than others, "suggesting that police violence may be a significant traumatic event" among members of BIPOC communities.[10] Indeed, the negative impact of police violence is not solely experienced by those personally involved. Studies again indicate that the very experience of being a member of a community whose members are disproportionately impacted by law enforcement is a source of distrust of police presence. High school students living close to officer-involved deaths "suffer substantial and psychological damage."[11]

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[7] Michaela Winberg, "University City Has 5 Overlapping Police Patrols, So Black Students and Neighbors Walk Cautiously," BillyPenn.com (Jun. 19, 2020), https://billypenn.com/2020/06/19/police-patrols-university-city-philly-overlapping-mantua/.

[8] *See, e.g.*, Emma Pierson, et al, "A Large-Scale Analysis of Racial Disparities in Police Stops Across the United States," 4 *Nature Human Behaviour* 736 (2020), https://www.nature.com/articles/s41562-020-0858-1; Magnus Lofstrom, Alexandria Gumbs, and Brandon Martin, Public Policy Institute of California, "Racial Disparities in California Law Enforcement" (Dec. 3, 2020), https://www.ppic.org/blog/racial-disparities-in-california-law-enforcement-stops/; American Civil Liberties Union of Pennsylvania, "Analysis of Philadelphia Police Stop-and-Frisk Data Shows Illegal Stops Continue With Limited Progress" (Jan. 8, 2018), https://www.aclupa.org/en/press-releases/analysis-philadelphia-police-stop-and-frisk-data-shows-illegal-stops-continue-limited;
United States Department of Justice, Civil Rights Division, *Investigation of the Baltimore City Police Department* (Aug. 10, 2016), https://www.justice.gov/opa/file/883366/download.

[9] Amanda Geller, Jeffrey Fagan, Tom Tyler, and Bruce G. Link, "Aggressive Policing and the Mental Health of Young Men," 104 *American Journal of Public Health* 2321 (2014).

[10] Jocelyn R. Smith Lee and Michael A. Robinson, "'That's My Number One Fear in Life. It's the Police': Examining Young Black Men's Exposures to Trauma and Loss Resulting From Police Violence and Police Killings," 45 *Journal of Black Psychology* 143 (2019) (summarizing Geller, et al, "Aggressive Policing and the Mental Health of Young Men," 104 *American Journal of Public Health* 2321 (2014)).

[11] Robert O'Neill, Harvard Kennedy School, "The Hidden Trauma of Police Killings," (June 11, 2020), https://www.hks.harvard.edu/faculty-research/policy-topics/gender-race-identity/hidden-trauma-police-killings.

Thus, members of the Drexel's BIPOC communities may have negative views about police that make them fearful and distrustful of DUPD not because of any particular incident on campus or with DUPD but because of the enduring effects, across centuries, of inequity. As a result, as one stakeholder noted, "the people of color on campus are going to be more wary towards Drexel Police."

Separately, faculty and students observed that Drexel's international student community comes to the University with a great diversity of prior experiences with law enforcement – including highly negative experiences that lead to anxiety and fear surrounding the presence of uniformed law enforcement on campus.

The presence of DUPD officers, then, decreases some community members' sense of safety, security, and well-being. Some stakeholders emphasized that, given Drexel's location, community members are regularly exposed to officers patrolling on behalf of at least four distinct law enforcement agencies – compounding concerns about police presence and leading to a sense that people in the University City area, and especially BIPOC individuals, are being over-policed.

The decreased sense of safety felt by some was related to more than the mere presence of DUPD. In many discussions with, and feedback received from, Drexel stakeholders, community members emphasized that their concerns are not simply about seeing or encountering DUPD officers but are also about the fact that those personnel are armed. A number of community members specifically cited DUPD carrying firearms as the reason for their sense of insecurity with respect to police. One student summarized:

> I genuinely cannot think of a time in my three and a half years here that DUPD has made me feel safer on campus. In fact, DUPD has actively intimidated me and peers of mine on campus by openly patrolling with guns on their hips.

Another student agreed that "there's absolutely no reason for police officers on a school campus to be armed," as "having [firearms] on their person instantly escalates any situation into one of life or death." Still another community member said simply that, in light of DUPD being armed, they "would hesitate to call [DUPD] in some situations because I would be concerned at the potential for violence."

Many other community stakeholders emphasized the extent to which the fact that the Department carries firearms exacerbates tensions and feelings of distrust between DUPD and the Drexel community:

> There's no reason that the DUPD should be given firearms. The extra presence of guns on campus in a city where gun violence and police tensions are already high does nothing to promote safety and does everything to incite distrust between the police and students.

The view of such stakeholders is that the presence of police – especially armed police – decreases community safety and well-being, especially for BIPOC communities. From this perspective, reducing or eliminating the presence of police necessarily reduces the likelihood that encounters with the police will result in violence, entail unfair targeting, or reflect systemic inequities. As one stakeholder observed, "[a] lot of [the] Drexel administration seem[s] to have the opinion that, without Drexel police, the campus wouldn't be safe, but it's not safe with them either."

With respect to residents of neighborhoods surrounding Drexel, DUPD personnel agreed that they perceive "kind of a mixed feeling that some groups like us and some don't." Some residents echo student concerns about the presence of the police overall. Others agreed that the Department's presence was unhelpful – but for distinct reasons. One community member spoke for many, saying that neighborhood residents "do not see [DUPD] as very helpful . . . . They don't really care about us when something happens." A number of community members suggested that the nearby community exists in a kind of "black hole," with both DUPD and the Philadelphia Police Department ("PPD") inadequately addressing issues relating to Drexel students who live there. At least some neighbors of Drexel say that they do not see DUPD sufficiently addressing issues involving the Drexel student population – leading them to question the Department's utility. Thus, even as some other neighborhood residents echoed student concerns about the presence of police, the sense among other residents appears to be that DUPD does not contribute to their sense of safety because they fail to adequately address neighborhood concerns, particularly issues involving Drexel students and community members living off-campus in the areas surrounding campus.

- **Other stakeholders say that DUPD makes them feel safe and, consequently, that they see the value in Drexel having its own police agency.**

Several stakeholders cited a connection between DUPD's presence and their specific experiences, and feeling of personal safety, while on campus. For example, one student said that DUPD has "positively impacted my experience at Drexel":

> Moving to the city was scary. . . . [H]owever[,] seeing a heavy presence of officers makes me feel safe. Especially as a female, walking around at night alone is terrifying[.] [K]nowing someone is there if I ever feel unsafe makes me feel so much better.

Another student agreed:

> Having police presence on campus greatly increases my feeling of safety at Drexel. Being a female living in the big city, where we hear of so many instances of violence and attack, I feel so much more comfortable having a safety net at my disposal . . . The Drexel Police are so vital in that they focus

on the wellbeing of the students. Being able to have this specialized, centralized form of safety on campus contributes to my comfort and ability to attend a school in Philadelphia.

Other students appeared to make a connection between DUPD and their general sense of safety while studying in a big-city environment. One indicated that "[t]he ONLY reason that I feel safe enough to be in the City is because of the presence of the DUPD" – observing that because "Drexel's campus is in a high-crime neighborhood of the City, [t]he presence of the DUPD makes me feel safe enough to be in a neighborhood that the PPD is incapable of keeping safe on their own." Another expressed similar sentiments, saying that DUPD "is the only reason I feel safe at Drexel . . . . I love Drexel, but I cannot pretend that University City is inherently a safe place, because it is not. It is [safe] because of the strong police and security presence." Another stakeholder summarized that, "[b]ecause we are an open campus in an urban environment, having safety person[nel] on campus is crucial for my well-being."

A number of other stakeholders expressed the view that "the presence alone of the safety [personnel]" late at night "makes me feel more comfortable" that it is "safe to walk around campus at night." Indeed, a significant theme across the student survey and focus groups was that the presence of DUPD on campus at night is desired and considered helpful by more than a few students – with some suggesting that the Department's presence at night should be expanded. One student observed, simply, that their "physical safety is well[-]protected by Drexel public safety and Drexel Police."

For some who view the presence of police as helpful for promoting safety, "the police are necessary and if anything we need more police on campus." A few stakeholders compared DUPD's presence unfavorably to that of nearly University of Pennsylvania Police because that campus' police appear to them to be more consistently visible.

The feeling of at least some stakeholders that DUPD's presence contributes to their safety is more specifically related to the particular ways that they believe that DUPD helps to positively address particular challenges or risks of campus life. Most generally, stakeholders observed that some individuals may still be victimized by crime, abuse, or physical aggression and that an immediately available law enforcement response is necessary to prevent or stop such victimization. Some pointed to the prevalence of school shootings in America, citing DUPD's provision of training for the community on addressing potential active shooter situations and gun violence as contributing to a greater sense of safety on campus.[12] Others

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[12] "Active Shooter Training Puts DUPD Ahead of the Pack," *The Triangle* (Jan. 24, 2013), https://www.thetriangle.org/opinion/editorial/active-shooter-training-puts-dupd-ahead-of-the-pack/. Between the 2001–02 and 2015–16 school years, 437 people were shot, 167 killed, and 270 wounded across 190 incidents at American college and universities involving gun violence – leaving some 2.5 million students "directly or indirectly exposed to gun violence." Nicole Owings-Fonner, "Research Roundup: College Campus Shootings," American Psychological Association Services, Inc. (Aug. 23, 2018), https://www.apaservices.org/practice/update/2018/08-23/college-campus-shootings.

suggested that, as with other types of responses, DUPD can help Drexel take more focused action on investigating, and provide more trauma-informed resources to victims of, of sexual assault or violence.[13] Some respondents pointed to the need to ensure intensive focus on the prevention of potential hate crimes on campus as a reason that Drexel benefits from its own police department.[14]

A similar sentiment that many community members voiced was the idea that, in the absence of DUPD, the Drexel community would be policed by, and reliant upon, the Philadelphia Police Department ("PPD"). For some, as one student summarized, "the fact there is a dedicated police force for the campus is a good idea, as PPD cannot be constantly on campus to respond to or monitor situations." Another offered, "Knowing that they are so close at all times means a lot, given how overworked PPD is." This is especially the case because "PPD is incapable of keeping [the neighborhood around Drexel] safe on their own," "is slow to respond," and "is lacking in intelligent, competent officers." Some others who are critical of DUPD are also critical of PPD. As this report discusses elsewhere, many students and faculty members are particularly concerned with instances in which DUPD supports or assist PPD, believing that DUPD simply "should not work with PPD." Especially in light of ongoing challenges,[15] many of these, and other, community members worried that Drexel could receive worse or more inequitable police services if PPD were entirely responsible for law enforcement around Drexel.

Separately, some other stakeholders appear to appreciate DUPD's presence because of what they see as the Department's ongoing efforts to enhance the Drexel community. A Drexel staff member observed that DUPD doesn't "just show up when there is a problem. They show up in support and are really building strong relationships." As this report details elsewhere, even as many community members do not believe the Department has done enough to form and foster relationships with the Drexel community, others say that DUPD is in fact taking appropriate strides to build community relationships and to become enmeshed with the campus fabric.

Relatedly, some members from the neighborhood surrounding the University say that they want more engagement with DUPD on issues relating to public safety and relationships with students who live in those neighborhoods. Community members expressed great concern about their negative perceptions and experiences with off-campus student residents and are looking for more proactive engagement with DUPD.

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[13] *See, e.g.*, Jason Sobieski, "Drexel's Response to a Wake-Up Call for Student Safety," *The Triangle* (Oct. 18, 2019), https://www.thetriangle.org/news/drexels-response-to-a-wake-up-call-for-student-safety/.

[14] *See, e.g.*, Ethan Hermann, "Students React to Racial Slur Found on Campus," *The Triangle* (Mar. 1, 2019), https://www.thetriangle.org/news/students-react-to-racial-slur-found-on-campus/.

[15] *See, e.g.*, Heather Khalifa, "Calls to 'Defund the Police' Intensify After Philadelphia Police Killing of Water Wallace Jr.," *Philadelphia Inquirer* (Nov. 2, 2020), https://www.inquirer.com/news/philadelphia/defund-the-police-philadelphia-walter-wallace-killing-20201102.html.

- **DUPD's approach appears grounded in traditional law enforcement and policing practices, with "community policing" not seen as effective by a number of Drexel stakeholders.**

21CP's review of DUPD materials, and its website, suggests an entity heavily focused on policing and security in the manner of a traditional, municipal law enforcement agency. The language and emphasis within these communications is indicative of DUPD's internal culture and identity.

Even as some DUPD personnel say that they see themselves as a customer service agency, a consistent theme in our conversations with DUPD personnel was that the adaptation from traditional law enforcement professional to campus police professional has not fully materialized, or been embodied. Because many of the DUPD staff are former law enforcement officers, DUPD remains substantially influenced by a traditional, municipal law enforcement model. Many members of the community have a perception of DUPD as a traditional police agency. As one community stakeholder noted, "they have a law and order mentality. They are trained cops."

We identified potential illustrations of DUPD's more traditional law enforcement orientation in a number of places. For example, DUPD 2016 SWOT Analysis indicates that:

> Drexel Public Safety accomplishes its mission by integrating the best practices of modern public and private security, law enforcement, and fire safety, complemented with technology . . .

> The Drexel University Police Department was dedicated in 2008, when the Attorney General of Pennsylvania officially recognized the Department of Public Safety as a criminal justice agency. By 2010, Drexel Police became a fully operational police department with 24/7 patrols and an emergency communications center, known as the Drexel University Public Safety Communications Center.[16]

In describing the Department, the emphasis is on security, enforcement, safety, criminal justice, patrol, and emergency communications – rather than on community service, engagement, and well-being. As this report details elsewhere, DUPD's training priorities, outlined in a Training Report Summary for 2017 through 2020, reveal instructional opportunities for officers that align with the tasks, objectives, and duties of a full-blown municipal police agency – and less so for the particular nuances of supporting and promoting the well-being of a campus community.[17]

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[16] *Drexel University Department of Public Safety S.W.O.T. Analysis* (June 2016).
[17] *Drexel University Police Department Training Report Summary, CALEA Assessment Period 2017-2020.*

DUPD cites its ranking by *Security* as evidence of the Department's overall quality and value. In November 2020, the magazine ranked DUPD as the country's fifth-leading security or police department among "education/university/college/technical institutions."[18] However, the publication's vague metrics appear centered around spending on public safety and policing and the size of the police force rather than on real-world outcome metrics and community-based impact.[19]

Separately, the DUPD is accredited by the Commission on Accreditation for Law Enforcement Agencies ("CALEA"), the national credentialing entity for municipal law enforcement and public safety organizations. 21CP understands that DUPD is a member of the International Association of Campus Law Enforcement Administrators ("IACLEA"), yet there is little, if any, recognition in public communications as to DUPD's membership. Accreditation through CALEA appears to reflect the way that DUPD views itself and its operations – as more aligned with the roles, responsibilities, and mission of a city police department rather than as a campus public safety agency. The DUPD noted to 21CP that there is substantial overlap between IACLEA standards on the one hand and CALEA standards on the other – which underscores the extent to which accreditation alone, as discussed elsewhere in this report, cannot ensure fidelity to best practices generally, or to the particular needs and values of Drexel's communities more specifically. A focus on CALEA, and the lack of focus on IACLEA, may not substantively change accreditation, but it is symbolic of an alignment with traditional law enforcement versus campus public safety identify and culture.

Drexel has appeared to make a number of efforts over the years at advancing "community policing." Despite these efforts, and the work of some committed "community policing" personnel, these efforts appear to have largely been unsuccessful.

Specifically, it does not appear that "community policing" is an overriding philosophy or commitment that is embedded across the way that officers perform their duties on a minute-to-minute, shift-to-shift basis. Instead, community policing seems to surface within the Department as a synonym for community engagement – that is, attending community events or campus meetings – and as a kind of "extra" activity related to but not central to core enforcement activity. As we examined DUPD's prevention, problem-solving and partnership efforts, we are not seeing a comprehensive approach that is institutionalized within DUPD and across Drexel.

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[18] "The 2020 Security 500 Rankings," *Security* (Nov. 3, 2020), https://www.securitymagazine.com/articles/93806-the-2020-security-500-rankings.
[19] Diane Ritchey, "The 2020 Security 500 Methodology," *Security* (Nov. 3, 2020), https://www.securitymagazine.com/articles/93804-the-2020-security-500-methodology (listing "[s]ecurity spending/person," "[s]ecurity spending/revenue," and "[n]umber of security employees and officers" as primary metrics).

For instance, one of DUPD's policies, addressing community relations, states that "it is DUPD's policy to work with the community to identify concerns and implement solutions relating to issues within the community."[20] However, the directive goes on to say the Community Relations Unit is the primary liaison assigned to various community, educational, and crime prevention programs. There are only two community relations officers in DUPD. The Department's organizational chart shows another position called the Campus Community Resource Officer. All three positions are situated under the Captain in charge of Administration, not Patrol. 21CP could not locate another directive or order addressing the roles and responsibilities of members in advancing community policing principles and practices.

In interviews with DUPD personnel, it appeared that community policing is seen within the Department as the work of this small number of "community relations"-focused personnel. For instance, when asked about the Department's relationship with the community, one DUPD representative responded:

> The two great community relations officers do all kinds of reaching out. We have a great relationship with the community.

Remaining DUPD members are "law enforcers" whose primary focus is not on "community relations" but on patrol, call response, law enforcement, and investigations. While some DUPD personnel, and some Drexel community members, say that they experience a positive working relationship between police and community, this appears sporadic and motivated by individuals – rather than institutionalized and sustainable. This dynamic, say DUPD members, is compounded by frequent turnover across various Drexel Units.

DUPD provided a number of reports that detail and summarize a variety of it and its personnel's community engagement efforts. Efforts geared toward the University community include participating in community meetings (e.g. neighborhood, Promise Zone, and PPD 16th District), attending fairs and student-group events, and making presentations to University groups. DUPD coordinates a bike, laptop, and skateboard registration program; a "party safety checklist" initiative in partnership with Drexel Student Life; and maintains an ongoing relationship with the Undergraduate Student Government Association.[21] In the neighborhoods adjacent to the University footprint, DUPD notes that it works with veterans' groups, visits local elementary schools, collects money for community-focused grants, and participating in Halloween trick-or-treating activities with community members. DUPD works on initiatives with the Powelton Village Civic Association, the Philadelphia Police Department's 16th District Advisory Council, and a number of other community

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[20] DUPD Departmental Directive 92, Community Relations.
[21] Drexel University Police Department, Captain Robert Lis, Memorandum re: Review of Community/Crime Prevention Programs 2019–2021 (Mar. 18, 2021).

organizations.[22] Additionally, each year, DUPS takes the lead for the University's "Project Yellow Ribbon" which involves collecting food and personal items from the campus community to send to our military stationed around the world.   Based on conversations with DUPD personnel, it is clear that the Department takes pride in its efforts to make itself accessible to the University and neighboring communities.

Certainly, this type of community outreach may be positive on their own. However, based on DUPD's policies and protocols and with 21CP's discussions with DUPD personnel of varying ranks about the Department's practices, it does not appear these outreach activities have ever been a part of a sufficiently comprehensive or overriding strategy, philosophy, and approach to public safety that is embedded in the Drexel community and culture.

Drexel University has made a commitment to its internal and external stakeholders, and while DUPD engages in a number of ways to support that commitment, many community members indicated to 21CP that they see and engage with a limited number of DUPD representatives – and know very little about what the Department and its officers do. As one student noted, this results in "a major lack of communication between public safety and students." Another, building on this sentiment, offered, "I think that DUPD could improve the feeling of campus safety by increasing their community outreach . . . [N]o one knows [w]hat they're doing."

Within this vacuum, a general perception, especially among the student population, appears to be that DUPD is primarily a reactive agency, with relatively little participation in or collaboration with community stakeholders in support of larger University goals or initiatives. To this end, one student, echoing several others, said plainly about DUPD, "They are not a crime prevention team, they are reactionary." Our conversations and review revealed conflicting ideas about what some members of Drexel community wanted from the DUPD (e.g. consistent and meaningful collaboration and problem-solving) and what the DUPD have been engaged in (external school visits, frequent engagement with Philadelphia Police Department relative to crime deployment).

Some staff, faculty, and DUPD personnel noted that the Department's efforts to interface with student populations have been increasingly seen as insincere, counter-productive, or incomplete. One member of DUPD personnel observed what they called a "difference between . . . cultures" of students on the one hand and DUPD on the other: "They bristle when we are maybe [being] more touchy-feely," making engagement minimally impactful. A faculty member suggested that DUPD personnel "really take to the students who come across as embodying the law enforcement mission: white dudes with short hair and [who] present a certain way," which "sends a message to the other students in a way that ignores the diverse students." Other stakeholders similarly expressed the sense that the Department's efforts

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[22] Drexel University Police Department, Captain Robert Lis, Memorandum re: Review of Community/Crime Prevention Programs 2019–2021 (Mar. 18, 2021).

at community outreach are superficial and tend toward the groups and individuals who may be most comfortable with, or welcoming of, law enforcement.

At the same time, some DUPD personnel told 21CP that the Department does not have as strong of a relationship as they would like with the community because the Department does not have the type of meaningful, sustained access to the community and to community groups that would be helpful in facilitating relationships. These stakeholders suggest that the University has not been supportive of establishing opportunities for members of the University community and DUPD to interact in the manner that some DUPD personnel believe would be valuable. For some, this perceived unwillingness to engage marginalizes the Department. As one stakeholder said, DUPD is "the insurance policy you keep in the drawer until it all starts going wrong,"

To its credit, DUPD has appeared to show interest in identifying community views about the Department. In 2017 and 2019, the Department conducted a bi-annual survey of the community focusing on community experiences and interactions with DUPD. However, the results are unclear. The summary of data provided for our review was not contained in a formal report. It was also difficult to understand the potential representativeness of the respondents relative to campus community. Certainly, a survey of the community that a police department is serving can be very valuable and can help an organization calibrate it services to match community needs and values. However, these types of efforts would benefit from a more formalized process, perhaps in conjunction with Drexel University Criminal Justice Faculty or others within the University who have an expertise in survey methodologies. Results of such a survey should be formally analyzed, reported, and shared with the community. Otherwise, the enterprise risks being an afterthought rather than a means of critical self-analysis and improvement.

Regardless of DUPD's various efforts to outreach to and engage with the community, or to gauge community sentiment and views about its performance, a number of community members seem to view the DUPD as a law enforcement entity placed into a college campus environment rather than as a campus resource that helps to serve the needs of the University community. This has resulted in an environment in which many community members are questioning whether the presence of police on campus is necessary or useful in addressing a number of specific types of community problems and issues – or whether police are necessary or useful overall. Within this context, a number of Drexel stakeholders – across varying stakeholder groups and with varying views of DUPD and public safety currently and Drexel – do not seem to believe that a standard "community policing" approach, or simple expansion of community relationship-building, is sufficient to address the community's current concerns about DUPD.

- **Many Drexel University stakeholders appear supportive of a process of collectively defining the meaning of public safety at Drexel and of re-imagining how community safety and well-being is provided on campus.**

Just as Drexel stakeholders are re-evaluating the role of police in its community, many other communities across the community are re-examining the role that police currently play in providing for public safety. Indeed, surveys conducted in the summer of 2020 found that nearly six out of ten American believe that "major changes" are needed in policing.[23]

More specifically, many – including police officers themselves[24] – are increasingly pointing out that communities rely on police to address an array of social, medical, and interpersonal issues that bear little relation to enforcing laws. Although data is not systematically collected or available across police departments, a June 2020 analysis of available data in three major jurisdictions indicated that officers spend "roughly 4 percent of their time" addressing "serious violent crimes"[25] – with "[s]erious violent crimes" accounting for "around 1 percent of all calls for service in these police departments."[26] Recent analyses suggest that PPD officers likewise spend a disproportionate amount of their time addressing issues unrelated to violent crime.[27]

With police officers spending comparatively little time responding to violent crime, they spend the vast majority of their time "responding to calls involv[ing] disorderly crowds, domestic disputes, traffic accidents, minor disturbances, and a whole array of . . . calls where the officer arrived on the scene only to discover nothing was happening."[28] They encounter and address "social problems – substance abuse, mental illness, homelessness, domestic, disputes, even civil unrest."[29] Officers provide medical assistance, take vehicle accident reports, enforce traffic laws, respond to building alarms, perform checks on individuals' welfare, mediate noise complaints, and respond to individuals experiencing mental or behavioral health crises. In those instances where officers enforce laws, they are most often non-violent misdemeanors or stem from non-violent drug possession.[30] At the same time, and

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[23] Steve Crabtree, Gallup, "Most Americans Say Policing Needs 'Major Changes,'" (July 22, 2020), https://news.gallup.com/poll/315962/americans-say-policing-needs-major-changes.aspx.

[24] Samantha Raphelson, "'Called to Rise': Dallas Police Chief on Overcoming Racial Division," *NPR.org* (June 6, 2017), https://www.npr.org/2017/06/06/531787065/called-to-rise-dallas-police-chief-on-overcoming-racial-division (noting former Dallas Police Chief's remarks at a press conference following the killing of five police officers that "we're asking cops to do too much – to address problems he says policing was never meant to solve").

[25] Jeff Asher and Ben Horwitz, "How Do the Police Actually Spend Their Time," *New York Times* (June 19, 2020), https://www.nytimes.com/2020/06/19/upshot/unrest-police-time-violent-crime.html.

[26] *Id.*

[27] *See* Jerry H. Ratcliffe, "Policing and Public Health Calls for service in Philadelphia," 10 *Crime Science* 1 (2021), https://crimesciencejournal.biomedcentral.com/articles/10.1186/s40163-021-00141-0.

[28] Roge Karma, "We train police to be warriors — and then send them out to be social workers," *Vox* (Jul. 31, 2020), https://www.vox.com/2020/7/31/21334190/what-police-do-defund-abolish-police-reform-training.

[29] Barry Friedman, "Amid Calls to 'Defund,' How to Rethink Policing," *Wall Street Journal* (June 13, 2020), https://www.wsj.com/articles/amid-calls-to-defund-how-to-rethink-policing-11592020861?mod=searchresults&page=1&pos=1.

[30] Barry Friedman, "Disaggregating the Policing Function," *NYU School of Law, Public Law Research Paper No. 20-3* 26 (Apr. 6, 2020).

even given this potential array of issues and problems that police address that are unrelated to violent crime, police officers often "spend the overwhelming majority of their time" on any given shift "writing reports, driving around neighborhoods" and not responding to any specific community issue or problem.[31]

DUPD's data on what Drexel officers do and the calls for service that DUPD receives confirm that DUPD's primary focus is not violent crime. DUPD provided data from its Computer-Aided Dispatch, or CAD, system for the years 2018, 2019, and 2020. CAD systems "are utilized by dispatchers, call-takers, and 911 operations to prioritize and record incident calls, identify the status and location of responders in the field, and effectively dispatch responder personnel."[32] Although it does not necessarily log everything that an officer does, or all contacts with individuals, generally, the "CAD is the real-time record-keeping system for officers' response to calls for service, thereby documenting" a Department's "actions related to each of those requests in an organized and reportable method."[33]

The information captured in a CAD system is typically a blend of police responses to calls for service, activity initiated by officers and called or logged into the CAD, and information about other officer statuses and activities. [34] Therefore, although many things documented in a CAD system record police response to a particular call to the police for help, many other things in the system relate to activities that officers affirmatively initiate – because they see something, someone approaches them for help, or the like – or to administrative requirements.

Analyzing CAD entries will reveal more than what problems or issues or the community are facing. At the same time, it will not necessarily give a full picture of how officers spend or allocate their time. Still, CAD entries do, in the aggregate, give a rough picture of the scope of things that officers do that are sufficiently significant or on which they spend a sufficiently material amount of time. In rudimentary terms, CAD entries might imprecisely serve as proxies for "things of note that officers do during their shifts."

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[31] Roge Karma, "We train police to be warriors — and then send them out to be social workers," *Vox* (Jul. 31, 2020), https://www.vox.com/2020/7/31/21334190/what-police-do-defund-abolish-police-reform-training (citing studies).

[32] United States Department of Homeland Security, *System Assessment and Validation for Emergency Responders (SAVER) Tech Note: Computer Aided Dispatch Systems* (Sep. 2011), https://www.dhs.gov/sites/default/files/publications/CAD_TN_0911-508.pdf.

[33] Seattle Police Department, *2019 Surveillance Impact Report: Computer-Aided Dispatch* 1 (Apr. 24, 2019), http://www.seattle.gov/Documents/Departments/Tech/Privacy/SPD%20Computer%20Aided%20Dispatch%20Final%20SIR.pdf.

[34] *See* United States Department of Homeland Security, *System Assessment and Validation for Emergency Responders (SAVER) Tech Note: Computer Aided Dispatch Systems* (Sep. 2011), https://www.dhs.gov/sites/default/files/publications/CAD_TN_0911-508.pdf; United States Department of Justice Bureau of Justice Assistance/National Institute of Justice, *Standard Functional Specifications: Law Enforcement Computer Aided Dispatch (CAD) Systems*, https://it.ojp.gov/documents/leitsc_law_enforcement_cad_systems.pdf (last accessed Feb. 19, 2021).

There were over 350,000 DUPD Calls for Service between 2018 and 2020 though nearly 60% of incidents were to note the beginning/end of shifts, lunch breaks, or other personal activities. These four incident types were removed for this analysis, which then looked at the remaining 144,000 Calls for Service over the period of 2018 through 2020.

DUPD averaged 4,000 Calls for Service per month between January 2018 and December 2020. Primarily due to the effects of the Covid-19 pandemic, there was a substantial dip in monthly calls for service between March and October 2020.

Figure 1. DUPD Calls for Service Per Month, 2018 – 2020
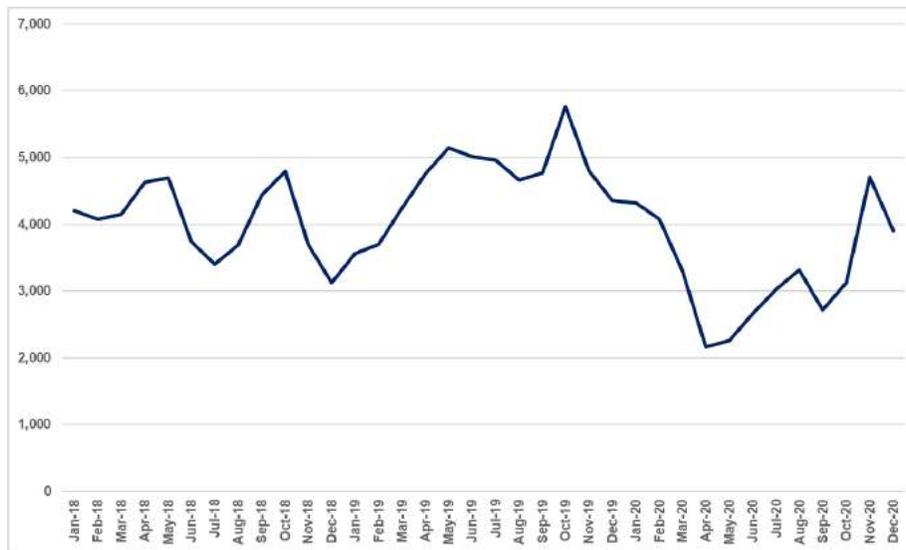
Source: 21CP Analysis of DUPD Data

For this analysis, Calls for Service were organized into 7 main categories and 39 subcategories of incident types. The categories for this analysis were:

- **Medical** – Calls for Service for medical needs such as an injury or welfare check. The term "Hospital Case" is a general catchall used for health-related incidents.

- **Miscellaneous Policing** – Calls for Service related to policing activities such as administrative activities – getting gas for a vehicle or doing paperwork – or investigative activities – typically incidents classified by DUPD as investigating a person, premise, or object.

- **Property Crime** – Property crimes as defined by the National Incident Based Response System ("NIBRS"). This includes theft, auto theft, and burglary.

Figure 2. Time Spent (Hours) on Calls for Service by Type, 2018 – 2020
Source: 21CP Analysis of DUPD Data
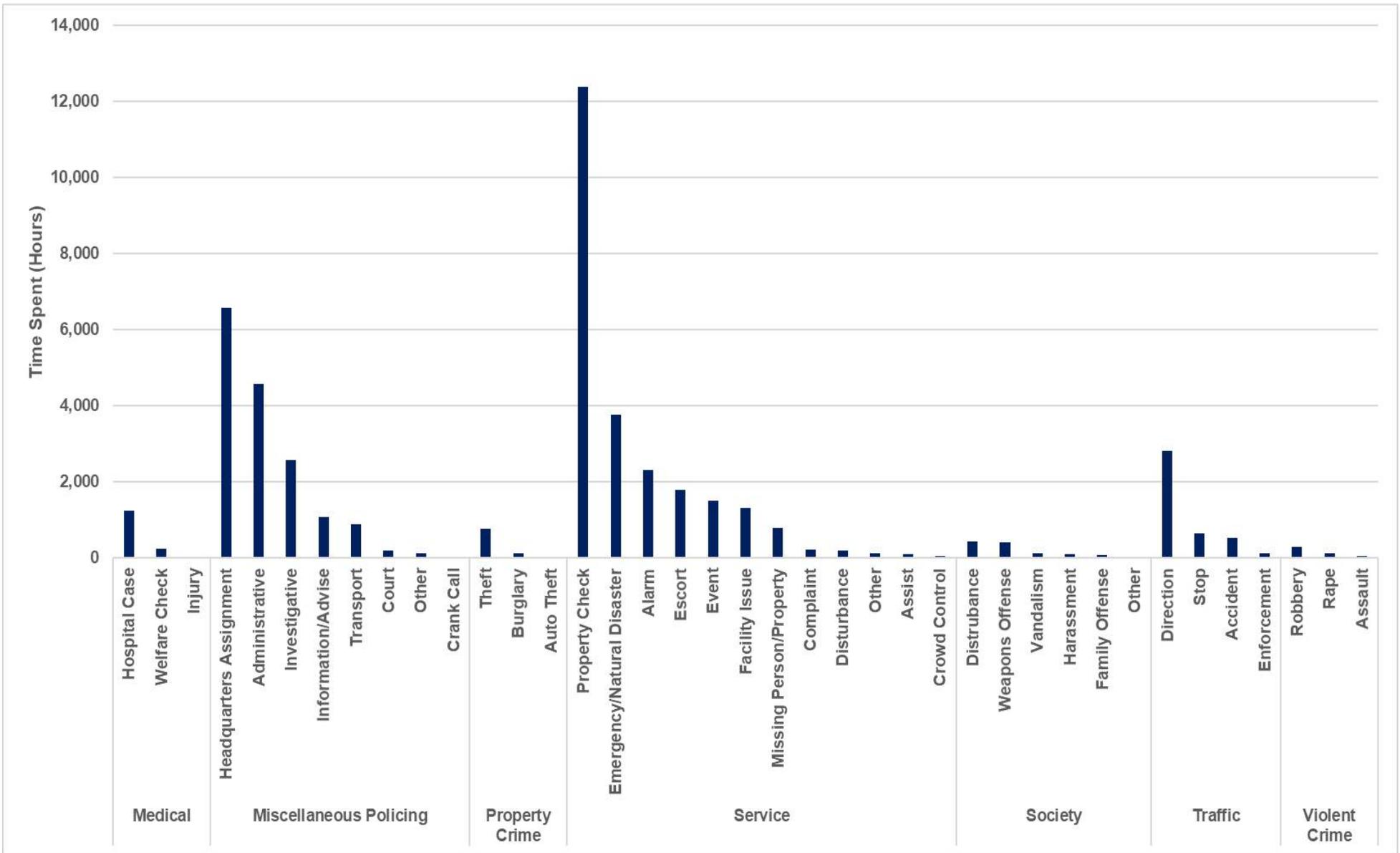
- **Service** – Calls for Service in response to community needs such as property checks and responding to alarms, or handling facility issues such as damaged or missing equipment.

- **Society** – Crimes against society as defined by NIBRS which do not injure a person and obtaining property is not the object. These include disturbances, vandalism, and weapons offenses.

- **Traffic** – Calls for Service involving traffic accidents, direction, and enforcement.

- **Violent Crime** – Violent crimes as defined by NIBRS as rape, robbery, and assault (both aggravated and simple).

Crucially, through the available data, we were able to consider not simply the number or volume of calls received but the amount of time that DUPD officers spend addressing different types of calls. That is, DUPD CAD data allows us to consider how officers spend their time.

Ultimately, only 1 percent of DUPD's calls-for-service time is spent responding to violent crime. Less than two percent of time is spent responding to property crime. Thus, very little of a DUPD's officer time is spent addressing crime.

Instead, a majority of officer time is spent performing service-oriented policing tasks – from conducting following up on campus building alarms or facility issues, conducting welfare checks, and many others. A full 25 percent of officer time is spent conducting property checks alone.

Table 1. Calls for Service, Time Spent, and Percent of All Time Spent by Category (2018 –2020)

Category	Incidents	Time Spent (Hours)	% of Total
Medical	4,690	1,490.8	3.1%
Miscellaneous Policing	42,074	16,009.9	32.9%
Property Crime	2,786	933.6	1.9%
Service	77,338	24,545.7	50.4%
Society	4,319	1,148.4	2.4%
Traffic	7,690	4,100.1	8.4%
Violent Crime	974	469.3	1.0%

Source: 21CP Analysis of DUPD Data

Table 2. Calls for Service, Time Spent, and Percent of All Time Spent by Category and Subcategory (2018 – 2020)

Category	Subcategory	Count	Hours Spent	% of Total	Average/ Incident
Medical	Hospital Case	4,010	1,233.4	2.5%	0:18:27
	Welfare Check	633	245.5	0.5%	0:23:16
	Injury	47	12.0	0.0%	0:15:16
Miscellaneous Policing	Headquarters Assignment	4,777	6,581.2	13.5%	1:22:40
	Administrative	7,822	4,562.8	9.4%	0:35:00
	Investigative	9,388	2,585.7	5.3%	0:16:32
	Transport	1,508	889.1	1.8%	0:35:23
	Information/Advise	17,975	1081.5	2.2%	0:03:37
	Court	100	192.1	0.4%	1:55:14
	Other	320	117.5	0.2%	0:22:02
	Crank Call	184	0.1	0.0%	0:00:01
Property Crime	Theft	2,285	766.2	1.6%	0:20:07
	Burglary	437	134.2	0.3%	0:18:25
	Auto Theft	64	33.2	0.1%	0:31:10
Service	Property Check	42,799	12,385.6	25.4%	0:17:22
	Emergency/Natural Disaster	4,856	3,764.5	7.7%	0:46:31
	Alarm	8,284	2,300.9	4.7%	0:16:40
	Escort	5,618	1,788.8	3.7%	0:19:06
	Event	361	1,504.1	3.1%	4:10:00
	Facility Issue	7,420	1,321.1	2.7%	0:10:41
	Missing Person/Property	4,463	786.6	1.6%	0:10:34
	Complaint	1,416	212.9	0.4%	0:09:01
	Disturbance	939	198.8	0.4%	0:12:42
	Assist	313	100.9	0.2%	0:19:21
	Crowd Control	213	48.7	0.1%	0:13:43
	Other	153	33.8	0.1%	0:13:15
Society	Disturbance	1,918	423.9	0.9%	0:13:16
	Weapons Offense	1,467	404.3	0.8%	0:16:32
	Vandalism	343	116.5	0.2%	0:20:23
	Harassment	270	98.5	0.2%	0:21:53
	Family Offense	230	72.9	0.1%	0:19:02
	Other	91	32.2	0.1%	0:21:15
Traffic	Direction	2,617	2,811.6	5.8%	1:04:28
	Stop	3,285	638.6	1.3%	0:11:40
	Accident	1,327	534.0	1.1%	0:24:09
	Enforcement	461	115.8	0.2%	0:15:04
Violent Crime	Robbery	733	283.6	0.6%	0:23:13
	Rape	127	129.5	0.3%	1:01:10
	Assault	114	56.2	0.1%	0:29:35

Source: 21CP Analysis of DUPD Data

All of this data is consistent with DUPD officers doing far more than – and spending most of their time on things not related to – responding to violent crime. DUPD responds to building and door alarms. They respond to noise complaints. They respond to auto accidents, address instances where people are trapped in elevators, respond to the scene of power outages and water leaks, perform welfare checks, and deal with a variety of facility issues.

These types of activities can help to support community well-being. However, a number of Drexel stakeholders – including DUPD officers themselves – appear to question whether armed law enforcement officers are the best or most appropriate response to issues or problems that have little to do with crime or enforcing laws. One DUPD representative observed:

> They want us to be involved in things we shouldn't be involved in, and they scream about it when we do. Having Police do things we should not be involved in. Calling us to go have a food truck move – get government relations folks deal with it. Calling us to say a student is not wearing a mask . . . Police being involved in things that others should . . . address[] – [like] student conduct.

A staff member agreed, noting that DUPD officers "don't have the resources needed for all they are asked to do." Another stakeholder noted, "the Drexel community [is] often asking a lot of from DUPD, and it's sometimes different than what they are used to providing and expect to provide."

The sense that communities over-rely on the police has led some to advocate for the "defunding" or "abolition" of police. Some use these terms to literally advocate for the elimination of funding to, and the existence, of police departments. In August of 2020, a demonstration by individuals affiliated with both Drexel and the University of Pennsylvania demanded that each institution "abolish their private police departments by 2025" and "slash their police budgets by half" in the intervening period.[35] Drexel Community for Justice, in calling for the abolition of DUPD, indicates "that Drexel University cannot claim its commitment to dismantling racist policies and structures while continuing to fund a private police force."[36]

Others use the terms "defunding" and "abolition" to refer to aspirational goals that involve, in the short- and intermediate-term, the process of spending less on policing or police departments – and instead reinvesting those resources in the types of social services,

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[35] Ximena Conde, "Marchers Push Drexel, Penn to Dissolve Private Police Forces by 2025," *WHYY.org* (Aug. 9, 2020), https://whyy.org/articles/marchers-push-drexel-penn-to-dissolve-private-police-forces-by-2025/.

[36] Drexel Community for Justice, "Open Letter: Drexel University Police Can't Be Reformed," *Medium* (Nov. 30, 2020), https://drexelcommunityforjustice.medium.com/open-letter-drexel-university-police-cant-be-reformed-49d8fd4c6b5b.

community programs, and neighborhood mechanisms that might help better address community problems, issues, and needs.[37]

Central to proposals to defund or abolish the police is a demand to re-examine and replace longstanding, often ossified, assumptions about policing – and to meaningfully consider alternative ways to provide for public safety and well-being. This process, which some have referred to as "re-imagining public safety," is potentially fertile ground for the Drexel community. It involves systematically considering what Drexel needs to do to provide for the well-being and safety of its community, who the right people or resources are to meet those needs, and how the University can establish systems or ensure structures that allow for all of its diverse communities to thrive. Even as the term "re-imagining public safety" increasingly means different things to different people, this report refers to it as an objective and process by which the Drexel community fundamentally re-examines how it provides for community well-being.

Re-imagining public safety encompasses a rejection of "path dependence" when it comes to providing for public safety – or the sense that something is automatically constrained by prior views, approaches, or systems.[38] A "re-imagining" process considers how public safety may be provided to the community without past approaches unduly guiding or constraining potential solutions. More concretely, re-imagining rejects justifications for policing or public safety approaches based on having always done things in a particular way in the past.

Drexel's Anti-Racism Task Force has recommended that the University "divest from and reform the current Drexel policing model and invest in a comprehensive campus safety model" – by taking concrete steps to "expand and support existing Drexel programs and departments to ensure safety, security, and health equity on campus and in surrounding neighborhoods."[39] To the extent that this means that Drexel should comprehensively examine what public safety means to its community, what campus programs or resources could be best situated going forward to take the lead on major components of public safety service and response, and what types of services that DUPD has historically provided that might be best provided by other services and programs, this report's discussion of the need to re-imagine public safety is aligned.

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[37] *See, e.g.*, Christy E. Lopez, "Defund the Police? Here's What That Really Means," *Washington Post* (June 7, 2020), https://www.washingtonpost.com/opinions/2020/06/07/defund-police-heres-what-that-really-means/; The Marshall Project, The System, *The Future of Policing* (Oct. 23, 2020), https://www.themarshallproject.org/2020/10/23/the-future-of-policing.

[38] *See, e.g.*, James Mahoney, "Path Dependence in Historical Sociology," 29 *Theory and Society* 507 (2000); Paul A. David, "Path Dependence, Its Critics and the Quest for 'Historical Economics," *Evolution and Path Dependence in Economic Ideas: Past and Present* 15 (2001); Raghu Garud and Peter Karnøe, "Path Creation as a Process of Mindful Deviation," *in* R. Garud and P. Karnøe (eds.), *Path Dependence and Creation* 1 (2012).

[39] Anti-Racism Task Force Community Engagement Subcommittee Document provided to 21CP Solutions, Feb. 12, 2021.

The conversation above has outlined the extent to which DUPD has nearly sole responsibility for providing public safety response at Drexel. Aggregate data, and individual stakeholder experiences, confirm that DUPD often addresses community challenges and problems that have nothing to do with crime or the enforcement of laws.

Many stakeholders said that DUPD is at least in part the "default" response to a vast array of community issues because they are available, 24 hours a day and 7 days a week, and answer the phone when community members call. As one staff member put it, "our society in general is trained that, when there is an incident, you call 9-1-1." Members of the Drexel community using DUPD as the primary way to address perceived problems is, in the view of some DUPD officers, a driver of what they must address during their shifts. For instance, according to one officer, "people on this campus seem to think it is a crime to be homeless. We get a call whenever they see a homeless person a campus."

A meaningful process of re-imagining public safety does not reflexively assume that police are the best or most appropriate response simply because they have historically been the only ones who are available and accessible. Instead, a practical process of re-imagining public safety at Drexel will systematically consider (1) what the police currently do, (2) whether the police are best situated to do it, and, if not, (3) what other services either exist or need to be built to do it instead. It will inventory the Drexel community's problems, issues, and needs and will consider whether a police response is the best, most appropriate response in each instance – and whether some alternative resource may be better equipped to address the situation and to provide for community well-being. As one Drexel staff member summarized:

> We do need to consider how we respond on a variety of topics. That's not necessarily because DUPD did something wrong but maybe, too, because it's just time we rethink public safety in general.

Other stakeholders noted that the push in recent years for discussing the details of DUPD's budget relates to people wanting "to understand how [funding] is being used and see if there are other ways of supporting safety needs."

In focus groups, interviews, and survey responses, Drexel stakeholders identified a number of specific types of community issues that may not require an armed police response and are, therefore, immediately ripe for establishing response systems that do not depend on DUPD:

- **Responding to individuals experiencing mental health or behavioral health challenges.** Several stakeholders talked about "how there could be different people who respond to the issue" of mental health, "not just police." Whether because "it's really intimidating [to community members] for DUPD to respond" to mental health situations or because campus health resources might be a "better model" for addressing situations implicating behavioral and mental health concerns, there appeared to be a substantial agreement among many

students, faculty, and staff of varying viewpoints that the University needs to "look at investing more" in a "better model for campus health."

Other jurisdictions are adopting programs that provide alternatives to police response for individuals experiencing behavioral health issues. For example, the City of Eugene, Oregon has for three decades dispatched "two-person teams consisting of a medic and a crisis worker who has substantial training and experience in the mental health field" to "deal with a wide range of mental health-related crisis, including conflict resolution, welfare checks, suicide threats, and more . . . . " instead of immediately sending police, which has been associated with positive outcomes and significant cost savings to the City.[40]

Several Drexel stakeholders suggested that some model in which mental health or social service providers are readily available to respond to individuals needing assistance "would help," especially as "a lot of students are struggling with mental illness and their mental health due to this time." As one student proposed, Drexel's counseling services might be expanded and staffed to be available on a 24/7 basis "to handle emergency health issues so that DUPD does not need to be involved in them." A staff member shared that Drexel may be exploring a mobile crisis response unit to be more accessible and responsive to student needs, with particular sensitivities to responding to the needs of BIPOC.

It should be noted that, separate from the issue of other campus resources becoming equipped to handle mental health and behavioral crisis response, many stakeholders cited a need across the University for expanded mental health resources. One stakeholder called mental health struggles an "epidemic," with another – similar to several others – criticizing Drexel's general "failures to aid students struggling with mental illness." Even in non-emergency contexts, then, the area of mental health and mental health services is a source of current concern and future opportunity as Drexel tries to better provide for community well-being. (This report discusses the issue of mental and behavioral health response further in Part 2, below).

- **Alarms & Building Concerns.** As noted above, DUPD often responds to building alarms or issues related to physical plant security. Although it is possible, police officers do not regularly find individuals engaging in criminal activity when they respond to alarms or issues with building security.[41] Likewise, it appears unlikely that various issues surrounding buildings – like water leaks or power outages – implicate core police competencies. Drexel might consider different or more specific protocols that de-emphasize DUPD response to such

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[40] White Bird Clinic, *What is Cahoots?* (Sept. 29, 2020), https://whitebirdclinic.org/what-is-cahoots/.

[41] U.S. Department of Justice, Community Oriented Policing Services Office, *False Burglar Alarms* (2d ed. 2011), https://cops.usdoj.gov/RIC/Publications/cops-p014-pub.pdf.

situations and instead harness resources like Allied Universal Security, residence hall staff, facilities staff, and others.

- **Incidents Involving Personal Welfare.** It is not obvious that DUPD is best equipped, specialized, or trained to respond to incidents involving helping those trapped in elevators or to conduct welfare checks on people when there is no reason to believe that those individuals are armed or dangerous.

- **Property Considerations.** Although some types of theft or lost property issues might require the filing of a police report, an immediate response by an armed police officer may not be necessary. Drexel might consider creating an online reporting system, or designating individuals who community members can contact, and who are dispatched, when issues arise regarding personal property on campus.

- **Residential Quality of Life Issues.** DUPD currently responds to calls complaining about noise, loud music, or other types of residential disturbances. Where the nature of the complaint does not appear to implicate violent crime or threats to individuals, it is possible that other campus resources might assist in resolving the situation. To this end, several stakeholders raised, in different contexts, the possibility of Drexel establishing community-based conflict resolution resources that might assist in resolving issues but that would not need to involve the presence of armed law enforcement.

Indeed, 21CP understands that there are already some types of calls for service that are handled principally by Allied Security rather than DUPD. For instance, although DUPD receives requests from Drexel community members for escorts, monitors the escorts, and records data about escort requests, Allied Security officers actually provide the service. Likewise, Allied Security officers respond to found property complaints, with property documented and turned over to a Civilian Investigator. In these and other ways, Drexel already has the early seeds in place for a public safety model in which individuals and entities other than DUPD help to respond to a variety of community needs.

By focusing on the nature of community needs and considering the best resources that might exist or be created to address them, Drexel can systematically consider ways, as one stakeholder put it, of "[r]e-direct[ing] response away from police handling . . . situations where appropriate." It may also be, that for certain types of community concerns, Drexel determines that the police are the best response and that DUPD in particular – rather than PPD – would be the best response. Across the process of making these determinations, one thing must be ensured: The Drexel community, and all of the diverse communities that contribute to the larger University and neighborhood fabric, must drive the process of considering the best ways to provide for public safety and community well-being at Drexel.

We note here that the process of re-imagining public safety will likely still need to engage with issues around the role of police at Drexel. As this report previously indicates, different members of the Drexel community appear to have different views about whether DUPD ought to play a role in providing public safety going forward. However, the process of systematically identifying community needs and considering the best response, or responses, to those needs at least carries the potential to create a system that can reduce the presence of armed police on campus and enhance how well the University meets the community's needs.

The following sub-recommendations attempt to outline some more details and additional considerations regarding what a process of re-imagining public safety might entail in practice. Although they resemble, and incorporate various elements of approaches that we have recommended to other academic communities, these process recommendations endeavor to be tailored to what we heard from Drexel stakeholders and learned about existing University resources that may be incorporated into the re-imagining process.

> **Recommendation 1.1. The University should designate a diverse community body, representing groups and experiences from across Drexel University and surrounding neighborhoods, to organize and facilitate the comprehensive process of re-imagining public safety (the "Community Facilitation Group").**

The process of re-imagining public safety at Drexel will require diverse participation across the University's communities in a structured, and inclusive process. To make this happen, a diverse group of representative of various university stakeholders – including students, faculty, staff, and representatives of the neighborhoods near Drexel – will need to guide and lead the effort. We leave it to the University to determine the specific mechanisms for identifying and selecting such a leadership group. The crucial precondition is that individuals of diverse affiliations, backgrounds, experiences, and views – and who can in turn help give voice to the views and experiences of others within the University community – help to lead and guide the overall process. In this way, the process of re-imagining public safety can be authentically community-driven.

Any consideration of public safety is likely to implicate discussion about policing at Drexel and DUPD. The deliberative process will likely involve questions about, and discussions of, how Drexel currently handles various types of community issues and needs – and, as this report has detailed, the manner that Drexel currently handles a lot of community issues and needs is through DUPD response. Consequently, such a process will likely be most useful and effective if it involves DUPD. However, as we have periodically noted to other departments and organizations, providing the Department with "a seat at the table" is a far different matter than seating the Department at the head of it. It may be useful to have a Department representative included in a kind of "ex-officio" or consultative capacity so that it can be present to provide necessary information to this body – which we call the Community

Facilitation Group about the public safety services that it has previously, and currently, performs. Along with DUPD, representatives of additional University stakeholders who engage in the current provision of public safety and community well-being – such as Allied Universal Security, Drexel's security personnel contractor; counseling and mental health services; and residential life personnel – may also be similarly included as "ex-officio" or consultative members.

> **Recommendation 1.2. The re-imagining process should begin with the Community Facilitation Group, supported by University leadership and resources, implementing broad-based, inclusive stakeholder engagement focusing on what public safety means at Drexel and the potential mechanisms for providing for public safety and community well-being at Drexel.**

The University should task this leadership group – which we call the Community Facilitation Group – with leading the process of re-imagining group. The Community Facilitation Group should be well-supported, with staff, affiliated researchers, specialists, and/or consultants. It may also be useful to ensure that the Group has access, as necessary or desired, to outside experts on public safety, race, and community well-being in the context of a University, alongside Drexel's own experts.

Although the re-imagining process needs leadership to ensure tangible progress, the Community Facilitation Group's initial efforts should be aimed at structuring and guiding a community-wide discussion of what public safety means to Drexel's communities and how the University can best promote and provide for that safety going forward. This means, of course, that discussions will address policing. However, because community well-being and empowerment implicate issues beyond policing alone, the discussions are likely also to implicate issues such as mental and physical health, local neighborhood empowerment, and others.

The Community Facilitation Group will need to work on a comprehensive community-wide engagement process that involves opportunities for individuals and organizations from across Drexel's communities to participate and give voice to their histories, experiences, values, ideas, concerns, and suggestions. To effectuate productive conversations and environments conducive to affirmation and respect, the Facilitation Group should consider partnering with members of the University community, or community resources, that are skilled in group facilitation and community engagement. Such facilitators will need to nimbly build bridges, mediate, negotiate, and facilitate so as to respect the wide range of views and experiences that, based on the more limited engagement conducted for this report, is clearly present among the Drexel community.[42]

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[42] *See, e.g.*, John Forrester, *The Deliberative Practitioner: Encouraging Participatory Planning Processes* (1999).

To this end, the form and formats of engagement matter. Ideally, the Facilitation Group's comprehensive engagement process will allow for equal voice and accommodate differing stakeholder levels of comfort and/or trauma regarding law enforcement and policing issues. In a number of communities, "community input," especially on matters relating to policing and public safety, is synonymous with holding "open mic" forums. Although these large gatherings may have their place, "open-mic" sessions run a substantial risk of minimizing the voices of those who are less comfortable speaking or providing opinions in front of large groups. Especially when the topics involve the police, race, and inequity, large forums can exclude individuals who are uncomfortable sharing sensitive or painful stories of personal trauma. Accordingly, the Community Facilitation Group may find that convening a larger volume of small-group discussions, or larger meetings that "break out" into smaller groups for discussion and sharing, is more conducive to broader, inclusive participation. The engagement will need to ensure the form and facilitation of community engagement and discussions create an environment that authentically recognizes and respects diverse experiences and views.

> **Recommendation 1.3. Following initial community engagement, the Community Facilitation Group, in dynamic partnership with the Drexel community, should transparently explore current campus safety and well-being needs, how the University responds to those needs, and the nature of DUPD's response. In doing so, the University should consider alternatives to DUPD response in those situations that do not require sworn police officer response.**

The Community Facilitation Group's most sizable task will be to systematically and thoughtfully consider how public safety is currently provided and what changes may be necessary to align with the values and needs of the community. This may involve an in-depth series of structured inquiries that ask:

- What is public safety for the Drexel community?
    - How do individuals across Drexel's communities describe the environment that will allow them to feel most supported, empowered, and safe?
    - What is the nature of calls for service that DUPD currently receives? How does that inform the Drexel community's definition of public safety?
- How does Drexel currently provide for public safety?
    - What does DUPD do? When and how do they respond? What types of community issues, problems, and concerns do they address?
- What are the potential activities and types of responses that DUPD currently conducts that <u>could</u> be suitable for a non-DUPD, non-law-enforcement-based response?
- What is a potential, alternative response for identified safety and well-being issues that may be suitable for a response that does not involve DUPD?

- o What are the current Drexel resources that exist to address or help address the activity and types of responses that have been identified as potentially suitable for a non-DUPD and/or non-law-enforcement-based response?
  - How do those current resources operate?
  - Could those existing resources be alternatives to DUPD, support DUPD, or not serve as a substitute to DUPD involvement with respect to the issue, area, or type of activity?
- o Are there existing resources that could be modified to address those areas identified as suitable for a non-DUPD response?
- o Are there resources that could be established to address those areas identified as suitable for a non-DUPD response?
- How does Drexel ensure that alternative responses effectively and equitably meet the needs of the community in terms of availability, expertise, and equality of service?

Fundamentally, the process above – grounded in and informed by community input and participation outlined in Recommendation 1.2 – more specifically explores how the Drexel community might be able to provide for better and greater safety and well-being by depending less on DUPD and more on other University resources. (By "resources," we refer to structures, organizations, programs, initiatives, associations, or individuals – any skills, services, and opportunities that any individual or group of individuals can provide to others.)

To this end, Drexel stakeholders repeatedly cited some existing resources as particularly ripe for expanded response capability and responsibility. As noted above, many stakeholders suggested that the University could formally stand up a response model for individuals experiencing mental or behavioral health challenges that involves clinicians, social service workers, or other trained mental health professionals rather than sworn DUPD officers. Several community members suggested that current programs and experts within the University's College of Medicine and Office of Counseling and Health Services might form a strong foundation for such a response model.

Likewise, a number of community members observed that there may be an opportunity in the future to empower more formally Housing and Residential Life personnel, such as Directors and Residential Advisors, to serve as key elements of response to quality of life concerns and community well-being issues that do not involve crime.

One necessary lynchpin of a model of ensuring an array of potential response options to community problems that do not involve DUPD as the first or primary responder or do not involve DUPD whatsoever is DUPD and the University's current emergency dispatch function. One stakeholder observed about the dispatch function:

> Morale is down. Everything is in disarray. We are left in the dark and left to our own devices to figure out what is going and how to react. People are tired.

As noted previously, dispatchers recount receiving calls for a dizzying array of problems, concerns, issues, and challenges from members of the Drexel community. They noted a sense of frustration that there are not more 24/7 resources on campus to help students – which makes, as noted previously, DUPD a kind of default response simply because they are available. These anxieties have only increased as a result of the Covid pandemic and the frenetic shifts in policy, staffing challenges and institutional and societal uncertainty.

To successfully implement a new model of public safety at Drexel, the University will need to ensure detailed protocols allowing for new alignments between calls for service and the appropriate responses. This means that dispatchers need to be empowered with specific protocols for matching calls with various University responses. This also means that the exploration of alternative public safety resources will need to consider how various campus departments, programs, agencies, or resources might be available on an expanded, 24/7 basis to respond to community issues. Ultimately, then, the University and various constituent stakeholders will need to establish a concrete and detailed system that can provide the best response, and match the best University resources, to particular types or classes of calls for service and community problems.

> **Recommendation 1.4. The Community Facilitation Group should craft clear strategies, approaches, and recommendations that focus on how public safety will be realized at Drexel University going forward. The recommendations should expressly consider what campus resources should be responsible for what community problems, issues, or needs. In doing so, they should specifically address the purpose and role of DUPD, how that purpose and role supports campus safety and well-being.**

Pursuant to community engagement and a structured, deliberative process examining public safety at Drexel, the Community Facilitation Group should craft specific, clear recommendations about how public safety should be provided at the University going forward. Those recommendations should specifically identify what campus resources should respond to or address what community needs. As the Group expressly recommends particular responses for specific community issues, the scope, role, or presence of campus policing might change.

The Group's deliberation of recommendations for a re-imagined system of public safety at Drexel might, based on stakeholder input gathered for this report, be advised to address some additional concerns. First, it should consider and outline for the University, with specificity, the best way for new purposes, roles, and responsibilities for various campus resources – including DUPD, Allied Universal Security personnel, campus mental and physical health resources, residential life, and student affairs – to be implemented in partnership with community and communicated to the wider community. One barrier to the community feeling safe and supported by a re-engineered public safety system is the possibility that some

members may not believe, overall or with respect to particular situations, that a non-DUPD response is sufficient or "real." The Facilitation Group should consider how to ensure community knowledge and buy-in to re-imagined approaches.

Second, and relatedly, the re-imagining process should specifically address how the University might enhance transparency about public safety and community well-being. For instance, the Facilitation Group might consider whether it would be useful for the University to establish enhanced, web-based public safety dashboards that can serve as a repository of real-time information, data, and resources related to public safety and community well-being. In 21CP's review of many disparate documents summarizing interactions between DUPD and the community, there appeared to be no consistent, systematic mechanism for collecting, analyzing and acting upon various information and data relating to public safety. These observations apply equally to interactions involving Allied Universal Security personnel. The Facilitation Group may have specific recommendations toward ensuring that information about matters of community safety is as readily accessible as possible.

> **Recommendation 1.5.   The University should create a Community Safety Plan outlining how the University and its various components – including the DUPD – will align with the output of the re-imagining public safety process and the Facilitation Group's strategies and recommendations.**

It does not appear that public safety at Drexel has benefitted from a regular structured strategic planning process – and certainly not one informed by broad-based community participation and collaboration. DUPD conducted a SWOT Analysis in 2016, which was a thorough organizational review and analysis of the Department at the time. Although that analysis suggested that it would be used to inform a strategic plan for the Department, we could not identify any such plan.

The Community Safety Plan should be supported and endorsed by Drexel University leadership – setting forth clear timeframes, milestones, responsible actors, and deliverables for making the tangible recommendations of the Facilitation Group happen and for implementing new approaches for public safety at Drexel. That is, consistent with principles of project management, the Plan should do more than vaguely re-state the Facilitation Group's objectives. Instead, it should identify specific deliverables that "translate" the major objectives and components of the Plan "into actionable realities"[43] and should "clearly define what needs to be done in a project, by whom, when, and how."[44]

The Plan should also provide, wherever appropriate, for ongoing dialogue, collaboration, and consultation with Drexel's communities as various elements of the University's new public safety vision are implemented. By publicly releasing this Community Safety Plan,

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[43] Jack Ferraro, *Project Management for Non-Project Managers* 172 (2012).
[44] Kathy Schwalbe, *Information Technology Project Management* 16–17 (2015).

community members can chart progress and hold the University accountable for meeting identified goals.

| II. | CONFRONTING RACIAL DISPARITY & INJUSTICE |

Recommendation 2. **Drexel University, and DUPD, need to meaningfully confront and address documented, systemic racial disparities with respect to core enforcement activity.**

In focus groups, conversations, and interviews, the single-most-cited public safety issue among the Drexel University community is related to discriminatory or biased policing. Student survey responses reflect these sentiments as well. Numerous faculty, staff, students, and residents of neighborhoods adjacent to Drexel say that DUPD targets Black and other non-white populations – unfairly, inequitably, and subjecting them to unwarranted stops, detentions, questioning, and other interactions with police.

Specifically, many community members believe that being a BIPOC individual on Drexel's campus increases the likelihood of unfair, meritless, and potentially dangerous interactions with DUPD. A member of Drexel's Anti-Racism Task Force observed simply that "there's a lot of stereotyping that happens" by DUPD. One student asserted that, in their experience, DUPD officers "terrorize Black people on campus and in the surrounding neighborhoods." Another agreed, offering that DUPD "play[s] an active role in making Black students feel threatened and unwanted."

Several community members relayed stories of themselves feeling racially targeted, or of their peers or colleagues who had experiences with DUPD that made them feel singled out because of their race. For example, one faculty member relayed the experience of a Drexel community member who "came to campus to pick up a computer" when "someone saw" them "and called the police." DUPD "responded with guns drawn." The faculty member wondered if this response was because the community member was Black, because DUPD did not believe that a community member could look like as they did, or both. Regardless, that faculty member has since been concerned that when DUPD "sees a Black person on campus" they may for no reason other than race "assume that they are *not* a member of campus."

Another faculty member, who indicated that they "connect[] with students of color as a safe space," said simply that an array of individual experiences have led "students of color [to be] fearful of police" at Drexel. Another stakeholder agreed, noting that DUPD needed urgently to "[t]ry not to racially profile because, being a Black woman, that is what scares me the most." The sense that DUPD does not adequately internalize that "Black individuals can be students too" makes a number of Black students feel like they do not belong at Drexel and that they are unfairly bearing the disproportionate burden of policing on campus.

Among students, faculty, and staff who believe that DUPD may enhance community well-being and safety in some regards, many nonetheless say that the burdens of campus law enforcement are unequally shared. One stakeholder, who noted they personally feel safer at night on campus because of safety personnel, went on to observe:

> We have a diverse population at Drexel and live within a city that consists of a largely Black population. These are marginalized groups and should not be treated as lesser than or feel harmed by police. Police are safety and peace officers, they work for the people, and within the city of Philadelphia, they work for the Black community as well as all communities to keep all safe. Anyone can commit crime, anyone can have crime committed against them . . . . All officers should be trained to think this way.

Another student noted:

> As a [w]hite male[,] I have never felt uncomfortable around police officers[,] but having talked to my fellow students about how they feel about the DUPD, they have expressed concerns about how DUPD reacts to students of different ethnicities.

Another student agreed that, even as DUPD may contribute to safety in some ways and circumstances, they are detrimental in other ways:

> Their [presence] creates both a feeling of safety as well as anxiety. It seems like the students are always being stalked by [DUPD,] and they have specific prejudice towards students of color.

As this report has previously noted, this sense that the Department is an instrument of bias, systemic racism, and injustice is a significant driver of the negative views that a number of community members have about DUPD. The discussion about how to improve the experience of BIPOC community members and ensure greater equity and fairness is a conversation that is larger, and broader, than simply DUPD or policing. Although the scope of this report is DUPD and public safety at Drexel, several stakeholders indicated that DUPD is one of many areas at Drexel that needs to address inequitable, racist treatment and outcomes. As one member of Drexel's Anti-Racism Task Force noted, many people passionately believe that "campus should be more welcoming to people of color" in all capacities. The broad scope of the Anti-Racism Task Force's work, including its various sub-committees,[45] appear appropriately reflective of or consistent with the many ways that 21CP heard about racism, bias, and inequity compromising the ability of community members to succeed and thrive at Drexel.

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[45] Drexel University, Equality and Diversity, Diversity at Drexel, *Anti-Racism Task Force*, https://drexel.edu/oed/diversity/anti-racism-task-force/ (last visited Feb. 20, 2021).

Nevertheless, the unique position of DUPD with respect to law enforcement, coercion, and the legal authority to compel action or use force make addressing racial inequity particularly important in the area of public safety and policing. This, combined with the primacy of community concerns about inequities – and specifically racial inequities – in policing, make a detailed understanding of dynamics across time, people, and police interactions important.

This report evaluates, along varying levels of analysis, data on some types of DUPD interactions to understand more about the nature, scope, and extent of issues relating to disparate treatment and impact. Specifically, this report primarily explores available DUPD data on stops and detentions. Because these are among the most constitutionally significant and intrusive police interactions of the sort that officers currently perform regularly, and because these interactions can set the occasion for subsequent enforcement activities like citations or arrests, the process of identifying disparities with respect to whom officers involuntarily detain is of fundamental importance. We also briefly highlight some potential issues with respect to whom officers identify as experiencing behavioral health crisis and racial disparities with respect to use of force.

As noted previously, police and public safety departments perform many functions. Any of those functions may be ripe for analysis to determine if the activities are unduly affecting some individuals or groups more than others. Given the primacy of the issue among Drexel's stakeholders and the availability of DUPD information, we focus in this report primarily on the issue of who DUPD is involuntarily stopping and detaining. We also focus on stops and detentions because DUPD's current policy on "Bias Profiling" focuses significantly on bias in the context of "initiating enforcement, investigations and citizen contact."[46]

Finally, we noted here that, in the analysis below, we report in many instances not simply on differences among racial groups but on differences among people of specific races and genders. We focus on the intersection of race and gender because of the ways that "[t]he association of African American men with danger and criminality," and "the stereotyping of [B]lack men as violent and dangerous,"[47] lead Black men to be especially over-represented in stop encounters – which is verified across numerous studies and in the reported experiences of individuals.[48] Indeed, nationally, nearly three out of five (59 percent of) Black men say

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[46] DUPD Directive No. 82, Bias Profiling, Section V(A).

[47] Mary Beth Oliver, "African American Men as 'Criminal and Dangerous': Implications of Media Portrayals of Crime on the 'Criminalization' of African American Men," 7 *Journal of African American Studies* 3 (2003).

[48] *See, e.g.*, Frank R. Baumgartner, et al, *Suspect Citizens: What 20 Million Traffic Stops Tells Us About Policing and Race* (2018); Floyd D. Weatherspoon, "Racial Profiling of African-American Males: Stopped, Searches, and Stripped of Constitutional Protection," 38 *John Marshall Law Review* 439 (2004); Stephanie Sierra, et al, "Black Men are 8 Times More Likely to Be Stopped by Oakland Police than White Men, Data Shows," *ABC7.com* (Sept. 9, 2020), https://abc7news.com/oakland-police-opd-racial-profiling-traffic-stops/6414305/; Nate Orabito, "CMPD Continues to Stop and Arrest Black Men Disproportionately," *WCNC.com* (June 8, 2020), https://www.wcnc.com/article/news/investigations/cmpd-continues-to-stop-search-and-arrest-black-men-disproportionately/275-80ca07f1-f00a-480b-8de1-e017f256d358;

that they have "been unfairly stopped," compared to 31 percent of Black women[49] – making race-based disparities significant for all members of the Black community but of particularly heightened concern and significance for Black men. As DUPD only captured the genders "male," "female," and "unknown" in the data provided, our analysis is constrained somewhat by this traditional, gender binary framing; nevertheless, the subjective perceptions of police officers regarding an individual's race or gender, and their accounts of such, are likely most important in understanding the contours of how police performance may create disparities.[50]

Stops & Detentions

a. *Background*

DUPD conducts an annual review of stop data. This is something that many large municipal police departments do not regularly conduct, and DUPD should be given due credit for conducting this analysis. We note here that, to the extent that the Department continues to conduct such an analysis, it may engender greater confidence in the accuracy of the analysis if it were conducted by someone or some entity from outside the Department – including, potentially, University personnel or stakeholders with the relevant expertise. Likewise, this type of analysis could be made more accessible and useful through the use of dynamic, web-based dashboards that present data on stop activity.

According to the most-recent DUPD analysis that 21CP reviewed, stop data for 2018 through 2019 showed significant disparity in the stops, searches, citations and arrests of Black people compared to people of other race and ethnic groups.

b. *DUPD Stop Data & Analytical Challenges*

In order to understand more about the nature of disparities with respect to stops, searches, citations, and arrests, we requested original data about the whole of DUPD's non-voluntary encounters with civilians. 21CP then endeavored to conduct an independent analysis of this data.

Our analysis was able to reach some preliminary conclusions. We are compelled to characterize our findings as preliminary for several specific reasons:

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[49] Drew Desilver, et al, "10 Things We Know About Race and Policing in the U.S.," *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/.

[50] *See, e.g.*, Emma Pierson, et al, "A Large-Scale Analysis of Racial Disparities in Police Stops Across the United States," 4 *Nature Human Behaviour* 736 (2020), https://www.nature.com/articles/s41562-020-0858-1 (finding that "[B]lack drivers were less likely to be stopped after sunset, when a 'veil of darkness' masks one's race, suggesting bias in stop decisions" and the importance of individual officers' subjective perceptions of an individual's identity).

- ***Inability to verify DUPD's bespoke data set.*** For DUPD to provide 21CP with basic information on who is stopped, searched, detained, and arrested, the Department needed to pay personnel overtime to manually sift through records and essentially create a "made-to-order" data set. 21CP understands that this involved DUPD personnel proceeding through reports and officer narratives and extracting information from those reports to fashion a data set based on our request. We understand that DUPD's personnel capacity for conducting consistent and systematic data collection, cleaning and analyses are limited, thus we see a need for attention to increased analytical capacity and capabilities going forward.

  Although this months-long process produced information sufficient for conducting a preliminary analysis on disparate impact and treatment, 21CP could not independently verify the accuracy of the data set or determine if DUPD personnel appropriately operationalized the distillation of assorted records and reports into the set of aggregate data that we received. 21CP did not pull and code the data, though we maintained frequent communication with DUPD as they were engaged in this process. In the absence of such an ability to verify or test the accuracy of data, our analysis needed to take the data set at face value. Although we have no reason to believe that the data is inaccurate, the inability to probe further, or to have confidence in the uniformity of the process through which data was generated, is a significant limitation.

  We note that DUPD made diligent and highly collaborative efforts to provide 21CP with the data that we requested about its enforcement activity. We appreciated what appeared to be a genuine responsiveness and willingness on the part of DUPD personnel to take the time necessary to analyze existing information to extract data that it does not regularly maintain as a matter of course.

  Nevertheless, we observe here that the fact that DUPD does not maintain aggregate data on its enforcement activity, and about whom such enforcement activity affects, in a more easily-accessible form is a substantial shortcoming that the Department will need to address.

- ***Challenges in constructing a statistical point of comparison capturing the population that interacts with Drexel and surrounding neighborhoods.*** Our analysis compared DUPD's stop activity to the Philadelphia population generally and to Drexel's student population. Although these points of comparison are useful to some extent, they are likely imprecise metrics – with the racial breakdown of the Philadelphia population likely not precisely reflecting the population that typically lives, works, and spends time around the Drexel campus and the Drexel population likewise not necessarily reflecting the population of people who typically occupy Drexel and the surrounding neighborhoods.

Even as it would be desirable to also compare the stop activity to the demographics of the neighborhoods surrounding Drexel, rather than simply Philadelphia overall, there is no immediately reliable way to do so, for a few reasons. First, the type of data that would provide more granular population statistics for the neighborhoods and blocks near to Drexel's campus is called "census tract" data. That data is, at this point, 11 years old pending the results of the 2020 U.S. Census and cannot reflect a number of important changes to many nearby neighborhoods. Second, even if there were more-recent census tract data, the census tract boundaries themselves line up poorly with Drexel's campus, complicating the potential accuracy of neighborhood-level demographic information. Although we do not endeavor to analyze stop data in light of block-level or neighborhood-specific population characteristics, additional research to this end is necessary.

Likewise, it would be most desirable to compare stop activity not just with the student population but with statistics for the overall campus population of students, faculty, staff, and any other affiliates or employees. For a variety of reasons relating to the availability and precision of data, this larger statistic could not be easily computed, leading 21CP to focus on the student population, for which demographic information is more readily available.

As the University proceeds forward, and DUPD conducts ongoing analysis of data on non-voluntary interactions, it will be useful for the University to develop a working, overall population statistics for the "on-campus University population."

- *Imprecision in data on type of stop/stop classification.* DUPD's various stop classifications (discussed further below) suffer from conceptual imprecision. For instance, it is unclear what is captured by the category of "investigative" stops. It may be that all stops that are commonly called *Terry* stops – that is, those in which an officer has a reasonable articulable suspicion that a subject has been, is, or is about to engage in criminal activity – are "investigative" stops. However, there are other categories – such as "weapons violation" and "violent crime" – that appear likely to contain at least some encounters that are initiated pursuant to *Terry*. Although analysis that considers all stops is unaffected by these categorization issues, analyzing stop encounters in light of (1) the underlying grounds for the interaction, and (2) the context of the interaction (vehicular vs. pedestrian, etc.) is typically a useful analytical lens. Going forward, DUPD's classification of non-voluntary encounters needs to be more precise and detailed.

- *Lack of collection about stopped subject age.* DUPD appears to only collect information about the age of a stopped individual in instances where an arrest is made. Accordingly, it is not currently possible to analyze the information in terms of the portion of stopped individuals who are traditionally college-aged.

- ***Inability to identify stopped individuals' relationship to Drexel.*** In discussions with community stakeholders, some individuals wanted to understand whether DUPD's enforcement activities affect individuals affiliated with the University differently than individuals from the neighborhoods surrounding Drexel. However, it was not reliably possible based on available data to determine whether stopped individuals are students, faculty, staff, other Drexel community members, or individuals not formally affiliated with the University. Although it is possible to use stops conducted on-campus versus off-campus as a rough proxy, assuming that people stopped on campus would more likely be affiliated with the University than those stopped off-campus, this is incredibly imprecise – especially at an urban campus like Drexel that is, practically, a part of the surrounding city.

- ***Potential lack of uniformity regarding interaction outcomes.*** Many stops for which data was provided included information about the outcome of the interaction – that is, whether the subject of stops were searched, cited, or arrested. 21CP would ideally want more specific confirmation from the data that, where no enforcement activity was indicated, the involved subjects were in fact simply sent on their way without any action being taken. Although the absence of definitive information in this respect does not detract from the analysis of what subjects were engaged in stop encounters overall, understanding patterns as to how stop encounters conclude is typically a critical component of analysis. As we discuss further in Part 2 of this report, DUPD needs to collect this data for all interactions so that it and the Drexel community can consider the Department's overall, and an individual officer's, "hit rate" – "the proportion of stops in which a [stopped] suspect was arrested, a summons issued or some other outcome occurred" that indicates that the officer's suspicion of criminal activity was founded or correct.[51]

c. *Preliminary Findings on DUPD Stop Data Analysis, 2017 – 2020*

21CP reviewed the data that DUPD produced, which addressed stops conducted between 2017 and 2020. In that period, DUPD stopped 4,288 people – ranging from an average of 100 people stopped per month between January 2017 and March 2020 to 21 people stopped per month from April through December 2020, likely due to the effects of the Covid-19 pandemic.

As the following section illustrates, the initial analysis that 21CP was able to conduct of available DUPD data was consistent with what a number of individual stakeholders articulated about their experiences and what DUPD's own data analysis in 2018 and 2019 indicated: that the burdens of enforcement activity are not equally distributed among racial groups. Because these three factors – the lived experience of Drexel community members, DUPD's analysis of its activities, and our preliminary statistical analysis presented here –

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[51] Sharad Goel, et al, "Precinct or Prejudice? Understanding Racial Disparities in New York City's Stop-and-Frisk Policy," 10 *Annals of Applied Statistics* 365, 370 (2016); *see* L. Song Richardson, "Police Efficiency and the Fourth Amendment," 87 *Indiana Law Journal* 1143 (2012).

tend to point in the same direction, 21CP has increased confidence, even in the face of the analytical and statistical challenges outlined above, in this overriding conclusion. However, and as this report notes elsewhere, Drexel and DUPD will need to conduct additional analysis to more fully understand the ways that DUPD's activities are impacting individuals of some groups more than others.

Nevertheless, key findings of the preliminary analysis that 21CP was able to conduct include:

- **Most (nearly three-quarters) of stops are classified by DUPD as "vehicular" or "investigative" stops.** Most DUPD stops (57 percent) are classified by DUPD as vehicular stops. However, DUPD's data does not delineate as clearly as it should when a stop is initiated against a vehicle as opposed to a pedestrian. Consequently, stops that fall within other categories (drugs/alcohol, weapons violation, etc.) may or may not also be vehicular stops. DUPD's other stop classifications (investigative stops (14 percent of total stops), drugs/alcohol (8 percent of stops), other (6 percent), property crime (5 percent), violent crime (3 percent), traffic enforcement (2 percent), auto accident (2 percent), disturbance (2 percent), weapons violation (1 percent), and disorderly conduct (less than 1 percent) suffer from similar conceptual imprecision. For instance, it is unclear what is captured by the category of "investigative." It may be that all stops that are commonly called *Terry* stops – that is, those in which an officer has a reasonable articulable suspicion that a subject has been, is, or is about to engage in criminal activity – are "investigative" stops. However, there are other categories – such as "weapons violation" and "violent crime" – that appear likely to contain at least some encounters that are initiated pursuant to *Terry*. Going forward, DUPD's classification of non-voluntary encounters needs to be more precise and detailed.

- **DUPD stops occur on or relatively close to Drexel's physical campus.** The average stop occurred about one quarter mile away from the intersection of 33rd Street and Market Street, which we used as a proxy for the center of Drexel's campus. (Distances were calculated in a straight line rather than the length one would have to physically travel to reach this point.). Over 95% of all people stopped were within 0.5 miles of 33rd and Market.

- **Most stops appear to occur on-campus.** 21CP was able to use information about Drexel's campus boundaries and the logged address location of stops to approximate whether a stop occurred on Drexel's campus ("on campus") or whether it occurred beyond the boundaries of Drexel's campus ("off campus").[52] Nearly 90 percent of all stops are on campus, while just 6% are confirmed to be off

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[52] Specifically, the address of each incident was geocoded and compared to the current campus boundary map. *See* Drexel University, Drexel University Master Plan, *Transportation Issues and Opportunities*, http://sites.kittelson.com/drexel/Maps/View/91 (May 24, 2011).

campus. Data on the location or address of interactions were missing for 5 percent of stops.

- **Most off-campus stops appear to be vehicular stops.** Most off-campus stops (51 percent) were vehicular stops. Another 15 percent were classified as "investigative stops." These patterns are consistent with the distribution of stop types logged for on-campus stops.

- **Black individuals are stopped more than individuals of other racial groups and at a rate above their representation in the Philadelphia or Drexel student populations.** It appears that DUPD stop and detain Black individuals at a rate that is disproportionate to their representation in Philadelphia generally, and at a rate that is disproportionate relative to the representation of Black community members in the Drexel campus population.

  Across all stops between 2017 and 2020, Black individuals, who are 54 percent of the Philadelphia population and 8 percent of the Drexel student population, accounted for 54 percent of stops. White individuals, who are 39 percent of the Philadelphia population and 51 percent of the student population, accounted for 33 percent of stops. Individuals classified in DUPD data as Asian, who are 7 percent of the Philadelphia population and 17 percent of the student population, accounted for about 5 percent of stops.

  More specifically, Black men make up 19 percent of Philadelphia's population. Black men represent 2.7 percent of Drexel University's student population. Black men accounted for 40 percent of people stopped by DUPD. Black women (27 percent of Philadelphia population and 6 percent of Drexel student population) were the subject of nearly 15 percent of stops. White men (23 percent of Philadelphia and 23 percent of student populations) were the subject of 24 percent of stops.

- **There are group-based disparities with what happens during stop encounters and the outcome of stop encounters.** There also appear to be differences across racial groups with respect to the nature of the encounters once initiated and the outcome of the encounters. During stop encounters classified by DUPD as "vehicle stops," Black men made up 64 percent of all people searched and 57 percent of all people arrested. Similarly, in stop encounters classified as "investigative stops," Black men accounted for 65 percent of people searched and 66 percent of people arrested. Meanwhile, Black men were less likely to receive warnings, with Black men accounting for 39 percent of warnings in "vehicle stops" and 45 percent of warnings in "investigative stops."

Off-campus stops labelled by DUPD as "investigative" stops were more likely to involve a Black male than on-campus investigative stops (70 percent vs. 53 percent). Black men were just as likely to be the subject of off-campus "vehicle" stops off-campus (38 percent of stops) as on-campus (40 percent). Again, however, challenges and imprecision with various stop categories may make such specific comparisons less reliable than they should be going forward.

- **Group-based disparities are present in stops that DUPD classifies as "vehicular" and "investigative" stops.** When it comes to stops classified by DUPD as "vehicular stops" or "investigative stops," which are (1) DUPD's most-common stop types, and (2) the types of encounters that tend to be most subject to officer discretion with respect to initiating the encounter, white individuals are the subject of investigative and vehicular stops less than their representation in the Philadelphia and Drexel student populations would predict, and Black individuals – and particularly Black men – are stopped far more often. Black men (19 percent of the Philadelphia population and about 3 percent of the student population) accounted for about 55 percent of "investigative" stops and 41 percent of "vehicular" stops. White men (23 percent of the Philadelphia population and 23 percent of student population) accounted for 24 percent of "investigative" stops and 22 percent of "vehicular" stops). Black women (27 percent of Philadelphia population and 6 percent of student population) accounted for 8 percent of "investigative" stops and 18 percent of "vehicular" stops. White women (24 percent of Philadelphia population and 28 percent of student population) accounted for 6 percent of "investigative" stops and 9 percent of "vehicular" stops.

For many within the Drexel community, the analysis above will raise many questions and a desire for additional information or more analysis. Indeed, we have many outstanding questions and agree that Drexel will benefit from additional information and deep analysis going forward. As part of re-imagining public safety at Drexel, further scrutiny of existing data, as well as enhancements to data collected about individuals who interact with University services, will aid in more specifically understanding all of the contours surrounding racial and other disparities.

Interactions with Individuals Experiencing Behavioral Health Crisis

Separately, DUPD provided, for this review, a spreadsheet logging information and narratives about incidents related to 82 stops or interactions in which an individual experiencing a behavioral crisis was involved. About one-third of the narratives refer to a person of incident as a "Black Male" or "Black Female." Almost all others simply do not refer to the race of the person of interest. This disproportionate reporting or accounting of race when the subject is Black raises a host of questions about the potential for explicit or implicit bias to be influencing behavioral health crisis encounters.

Use of Force

As Part 2 of this report notes, DUPD uses force relatively infrequently. Specifically, in the three years from 2018 through 2020, DUPD officers used force in 24 incidents that involved 25 subjects.

Black men are over-represented among use of force subjects relative to the Philadelphia and Drexel campus populations. Some 13 of the 25 subjects in use of force encounters were Black. Eleven were white. Nearly all force subjects were male.

How Re-Imagining Public Safety Can Address Racial Disparities

Community stakeholders from across Drexel indicated that they do not believe that Drexel or DUPD have taken sufficient steps to consider what may be driving the disparities with respect to enforcement activities – let alone exploring and implementing alternative approaches that might eliminate the disparity. The sense that DUPD and the University have let disparities in treatment, effects, and outcomes go unaddressed drives concerns about and resistance to the Department's presence. Indeed, many students expressed significant skepticism about this report and review process – and the University's willingness to do anything as a result of the review. Students, as one summarized, "want tangible outcomes."

Transitioning some types of responsibilities and responses currently conducted by DUPD to alternative University resources may well not automatically reduce or eliminate inequity and bias as far as overall outcomes. Studies have established that "[e]veryone has biases"[53] – including subconscious associations – including between BIPOIC individuals and crime, danger, or threat[54] – that "often do not reflect or align with our conscious, declared beliefs" and that "influence our decisions and actions and can predict our behavior."[55] This includes individuals across professions, from physicians and teachers to death-penalty lawyers and judges to – have implicit biases.[56] Individuals across races, identities, and backgrounds,

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[53] Karen Steinhauser, American Bar Association, "Everyone Is a Little Biased," *Business Law Today* (Mar. 16, 2020), https://www.americanbar.org/groups/business_law/publications/blt/2020/04/everyone-is-biased/.

[54] *See* Kirwan Institute for the Study of Race and Ethnicity, Ohio State University, *State of the Science: Implicit Bias Review 2014*, http://kirwaninstitute.osu.edu/wp-content/uploads/2014/03/2014-implicit-bias.pdf.

[55] American Bar Association Commission on Disability Rights, *Implicit Biases & People with Disabilities* (Jan. 7, 2019), https://www.americanbar.org/groups/diversity/disabilityrights/resources/implicit_bias/#:~:text=However%2C%20all%20of%20us%2C%20even,biases%20or%20implicit%20social%20cognition.&text=These%20implicit%20biases%20often%20do,and%20can%20predict%20our%20behavior.

[56] Christine Jolls & Cass R. Sunstein, "The Law of Implicit Bias," 94 *Cal. L. Rev.* 969, 975 n.31 ("The legal literature on implicit bias is by now enormous"); Theodore Eisenberg & Sheri Lynn Johnson, "Implicit Racial Attitudes of Death Penalty Lawyers," 53 *DePaul L. Rev.* 1539, 1553 (2004) (noting implicit bias among defense attorneys); Alexander R. Green, et al, "Implicit Bias Among Physicians and its Prediction of Thrombolysis for Black and White Patients," 22 J. *Gen. Internal Med.* 1231, 1237

including members of BIPOC communities, may maintain such associations to varying degrees and in various contexts.[57] Consequently, simply transitioning certain classes of duties or responses from police to other people may not, by itself, create equitable outcomes. Someone who is not a police officer may well be just as biased in delivering services as an officer.

For instance, a number of studies have observed that mental health providers "and systems are particularly vulnerable to the negative effects of implicit bias because the diagnosis and treatment of mental health conditions rely heavily on provider discretion."[58] Bias in mental health may "preclude certain groups from accessing mental health services" in the first instance, can lead to under- or mis-diagnosis, and might lead practitioners to "interpret someone in crisis as dangerous or violent rather than as experiencing frustration or fear."[59] If Drexel adopted a response model that prioritized non-law-enforcement response to situations involving individuals experiencing mental or behavioral health challenges, the involved response may not be more equitable simply because different people are present. It is possible that responding practitioners might match non-BIPOC individuals to different health resources than BIPOC individuals, for instance.

Nevertheless, the fact that transitioning response from police to non-police response will likely not, by itself, guarantee better and more equitable outcomes is not a reason for Drexel to remain unthinkingly committed to DUPD response being a default across all manner of community problems. It may still be that the Drexel community finds non-police response useful in some situations, even if the alternative approaches are not immediately or automatically more equitable in terms of effects or outcomes, simply because the absence of an armed officer in particular situations may decrease the likelihood of violence, force,

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(2007) ("[P]hysicians, like others, may harbor unconscious preferences and stereotypes that influence clinical decisions.").

[57] *See, e.g.*, Luca Guido Valla and Davide Rivolta, Society for Personality and Social Psychology, *Character and Context* "Stereotypical Biases in Black People Toward Black People" (May 28, 2019), https://www.spsp.org/news-center/blog/valla-rivolta-biases ("[W]e found that people, regardless of their own race, identified a dangerous object more quickly after seeing a Black face," which "suggests that both Black and White people may be subject to at least some implicit racial biases."); Theodore R. Johnson, "Black-on-Black Racism: The Hazards of Implicit Bias," *The Atlantic* (Dec. 26, 2014), https://www.theatlantic.com/politics/archive/2014/12/black-on-black-racism-the-hazards-of-implicit-bias/384028/ (discussing data from Harvard Project Implicit "reveal[ing] that black respondents' implicit biases are split just about evenly between pro-white and pro-black").

[58] Yesenia Merino, et al, "Implicit Bias and Mental Health Professionals: Priorities and Directions for Research," 69 *Psychiatric Services* 723, 723 (2018), https://ps.psychiatryonline.org/doi/pdf/10.1176/appi.ps.201700294; *see also* Lonnie R. Snowden, "Bias in Mental Health Assessment and Intervention: Theory and Evidence," 93 *American Journal of Public Health* 239 (2003), https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1447723/; *see generally* William J. Hall, et al, "Implicit Racial/Ethnic Bias Among Health Care Professionals and Its Influence on Health Care Outcomes: A Systematic Review," 105 *American Journal of Public Health* e60 (Dec. 2015), https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4638275/pdf/AJPH.2015.302903.pdf.

[59] Yesenia Merino, et al, "Implicit Bias and Mental Health Professionals: Priorities and Directions for Research," 69 *Psychiatric Services* 723, 723–24 (2018), https://ps.psychiatryonline.org/doi/pdf/10.1176/appi.ps.201700294.

significant injury, or death, as well as the activation of trauma associated with those possibilities. That is, even if alternative responses do not reduce inequity, they may logically reduce the possibility of violence and the psychological effects associated with such possibility. Similarly, a reduced volume of stops, searches, and detentions by officers may reduce the overall social costs, sense of unfairness and inequality, and individual psychological harms associated with experiencing these types of law enforcement interactions. As one student put it:

> Safety of students of color is extremely important, and not only do they need to be safe, they need to FEEL safe.

Even as non-police response mechanisms may be subject to bias and may be subject to their own bias and inequities, those community-based, alternative responses may simply make BIPOC students, and the University community as a whole, feel safer and better supported.

In short, then, the re-imagining public safety process that this report proposes above can likely help to address some disparities – but it will not solve all disparities with respect to public safety and community well-being. Accordingly, the re-imagining process will have to consider how new or different response resources might be established in a manner that promotes fairness, access, and equitable outcomes.

Recommendation 3.   Drexel University's process of re-imagining public safety needs to acknowledge the experiences and traumas of students, faculty, staff, and neighboring community of being and feeling unfairly targeted or treated by DUPD, and other parts of the University, because of their race or ethnicity.

In discussions with campus stakeholders, many individuals bravely shared experiences of bias, discrimination, and racism. As noted above, this often centered on law enforcement and police encounters, but it also extended to areas beyond DUPD or police.

The fact that some members of the Drexel community have been singled out because of their race or have not received opportunities or fair treatment because of their race is a problem that the Drexel community must together confront. This will likely require sustained attention, collective engagement, and tangible opportunities for sharing, listening, growth, and learning.

The efforts of the Community Facilitation Group with respect to community engagement in the re-imagining public safety context could provide one important environment and context for this type of community growth. Ultimately, a meaningful re-imagining public safety process will address issues relating to systemic racism and provide a structure for community stakeholders to address how community needs can be met more justly, fairly, and equitably.

Recommendation 4. **The University needs to ensure that Allied Universal Security[60] utilize the same required process of collecting and analyzing data for potential disparate impact.**

Allied Universal Security ("AUS") is the private security company contracted by Drexel University to provide complementary public safety capacity on and around the Drexel campus. AUS specializes in providing security services to institutions of higher education. According to the DUPD website, AUS security personnel are deployed to and serve University City, Center City and Queen Lane campuses. Their Drexel strategies include walking, bicycle and vehicle patrol, as well as emergency response, safety awareness and services, traffic and event coverage, move-in events, and walking escorts to Drexel community members. AUS security personnel receive a standard orientation and annual training that is specific to security service provision at Drexel.

Allied Universal Security employed 162 personnel in 2019 dedicated to the Drexel community,[61] though the number of personnel decreased during the Covid-19 pandemic to 144 in 2020 and 143 as of 2021. 21CP received data from Allied Universal, via DUPD, outlining the demographic breakdown of employees assigned to Drexel in 2020 and 2021, the latter of which is summarized in Table 3.

Table 3. Allied Universal Security Employees at Drexel, by Race and Gender – 2021

	Total	Female	Male
Black/African-American	124	54	70
Hispanic or Latino	11	5	6
White Non-Hispanic	4	2	2
Two or More Races	4	3	1
Asian	0	0	0
American Indian/Alaskan Native	0	0	0
Native Hawaiian/Other Pacific	0	0	0
TOTAL	*143*	*64*	*79*

Source: Allied Security via DUPD.

Our review revealed a number of gaps in policy and practice by AUS that should be addressed by Drexel University. As part of their contract, AUS should collect and submit to DUPD reports related to interactions with Drexel community members. While AUS personnel are not authorized to make arrests, they do interact with community members in a number of ways. Having a better understanding of those interactions, within the broader context of

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[60] *See* Allied Universal, https://www.aus.com/ (last visited Mar. 17, 2021).
[61] Allied Universal Security "Drexel University 2019 1st & 2nd Quarter Report" (Jan. 2019).

DUPD's services to the community, would ensure that AUS are adhering to fair and just public safety. Moreover, we learned that AUS does not have a formal policy for receiving or investigating complaints against AUS personnel that work for Drexel, but rather complaints are handled on a case-by-case basis by the Portfolio Manager. The status of the complaint investigation is relayed to DUPD leadership.

It is important that Allied Universal Security and its activities be wholly integrated into the re-imagining process and into the University's overall conception of public safety. With respect to issues of racial and other disparities, 21CP was unable to locate any formal documentation to support ongoing or collaborative training of security personnel relative to bias-free policing. Given that security personnel have a substantial presence on campus, have great visibility and extensive interaction with the Drexel community and surrounding neighbors, it is important that their values and practices reflect those of the University. The University should work to ensure adequate policies, training, and support for Security personnel to ensure alignment with its public safety vision.

PART 2: MAKING SHORT-TERM IMPROVEMENTS TO DUPD OPERATIONS

The recommended re-imagining process requires time and deliberation to ensure comprehensive and purposeful action, grounded in data and substantial stakeholder involvement. Implementation of a re-imagined approach to community safety will likely require time, resources, and capacity.

Even as Drexel embarks on a comprehensive and inclusive re-imagining process, there are a number of changes that DUPD can make today that can lead to better outcomes in the short-term. Likewise, if the community-based re-imagining process ultimately prescribes a role for Drexel University to have a law enforcement function that contributes to its public safety efforts, it will need to ensure that the entity operates according to best practices and aligns with a mission of community-centered service.

Most directly, the recommendations here for improving the Department as it exists now are not made instead of or as the alternative to this report's primary recommendation to re-imagine public safety at Drexel. Instead, in recognition that a meaningful, inclusive process of re-imagining public safety will take time, this section focuses on what DUPD and Drexel can do now even as larger systems and processes are being transformed. It may well be that the public safety system that emerges from the re-imagining process moots one of the recommendations here because DUPD does not have the responsibilities that implicate such recommendations in the long-term. None of these recommendations should be read as constraints to the community designing the public safety infrastructure it needs to thrive.

Within this context, 21CP Solutions makes a number of recommendations for specific changes that DUPD can make in the coming months to ensure better outcomes in the short-term. The recommendations are intended to enhance the current operations, enhance the level of performance, and improve the relationship between DUPD and Drexel's communities. The recommendations below focus on the most immediate and actionable steps that DUPD and the University can take to drive tangible changes to the quality and nature of the Department's performance and interactions with the Drexel community.

A Note Regarding Accreditation

As an initial matter, 21CP acknowledges the work that was required by DUPD to become accredited by The Commission on Accreditation for Law Enforcement Agencies ("CALEA") in 2011, with reaccreditation affirmed in 2014. Because CALEA is an accreditation agency that works with police departments of all types, most of its standards and criteria are broadly applicable. However, it does maintain some specific standards applicable only to departments in a higher education setting. Separately, DUPS is also a member of the International Association of Campus Law Enforcement Administrators ("IACLEA").

"CALEA was founded in 1979 by the International Association of Chiefs of Police, the National Organization of Black Law Enforcement Executives, the National Sheriffs' Association, and the Police Executive Research Forum."[62] The process of CALEA accreditation involves, primarily, an agency assessing itself against a set of codified standards.[63] CALEA representatives then conduct a one-week, on-site visit. CALEA does not provide an agency with policies, procedures, or protocols; instead, it provides a mechanism for the Department to assess itself along many dimensions and for CALEA representatives to verify compliance with these standards. Many CALEA standards relate to organizational, managerial, and administrative concerns like "personnel administration," "detainee and court-related services," and "auxiliary and technical services."[64]

Proponents of accreditation say that:

> The benefits of accreditation are improved police effectiveness, identification of problem areas, the development of documentation of performance, decreased insurance premiums, decreased liability potential, and demonstration to the community that its police department runs a state-of-the-art operation.[65]

There is some evidence that accreditation may be beneficial, especially with respect to how people view the professionalism of a police department. Specifically, studies have identified meaningful differences in accredited agencies with respect to police officer selection and training.[66] When surveyed, police departments say that they "view accreditation as beneficial to their departments."[67]

However, because accreditation "standards reflect greater concern with internal organization issues than with substantive community problems," being CALEA-accredited does not automatically correspond to better policing outcomes.[68] For instance, one study found that an agency's accreditation was not statistically related to the organization's number of use of force incidents.[69] A separate study concluded that "accreditation status does not affect violent and property crime clearance rates," with such rates more affected by an agency's number of

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[62] S. Daughtry Jr., "Time to Take Another Look at Law Enforcement Accreditation," 63 *Police Chief* 20 (1996).

[63] *Id.* ("The heart of the accreditation process is the 'self-assessment' phase, in which the agency measures its efforts against each standard and prepares a brief file that documents compliance.")

[64] Jim Burch, National Police Foundation, "CALEA Accreditation – A Platform for Excellence and Reform," https://www.policefoundation.org/calea-accreditation-a-platform-for-excellence-and-reform/ (last visited Mar. 8, 2021).

[65] R.L. Snow, "Accreditation: A 21st Century Necessity?," 40 *Law and Order* 84, 84 (1992).

[66] Stephen A. Baker, *Effects of Law Enforcement Accreditation: Officer Selection, Promotion, and Education* (1995).

[67] S. Cheurprakobkit, "Law Enforcement Accreditation," 3 *Telemasp Bulletin* 2 (May 1996).

[68] G.W. Cordner & G.L. Williams, "Community Policing and Accreditation: A Content Analysis of CALEA," *in Quantifying Quality in Policing* (Larry T. Hoover, ed.) (1996)).

[69] Geoffrey P. Alpert & John M. MacDonald, "Police Use of Force: An Analysis of Organizational Characteristics," 18 *Justice* Quarterly 393, 405–06 (2001).

officers and "law enforcement expenditures per capita."[70]   Another examination of 628 departments found "that no difference exists between CALEA-accredited agencies and non-accredited agencies in: (1) the total number of complaints received; (2) the number of sustained citizen complaints."[71]

Consequently, it is likely that:

> Police agency accreditation endures because it provides a veneer of professional assurance while accepting a wide range in the substance of formal policies, most of which have little consequence for the day-to-day practices of police . . . Its greatest significance is in the symbolic realm, not the everyday experiences of the police and the public.[72]

To the extent that the CALEA process and framework has assisted the Department in organizing its operations, that may be useful. Ultimately, however, "CALEA provides agencies with a blueprint for 'what, not how'"[73] – leaving police departments to determine for themselves the best ways for *how* to precisely address issues for their communities. The body does not certify the *effectiveness* of what a department like DUPD is doing to realize the *outcomes* that its community wants. Accreditation is a framework, not a prescription. A department's assertion that something has been "CALEA-certified" does not necessarily mean that it aligns with best practices; that it is effective in realizing positive outcomes; or that it aligns with the values and needs of its community. As a Drexel community member commented, "being accredited does not mean they are serving the needs of the community."

As such, the fact that DUPD is accredited imposes no ceiling or limit on what DUPD can do to provide the campus community with the public safety services that it needs and wants. The recommendations in this section, like the rest of this report, looks to best and promising practices to identify specific, short-term ways that the Department might better serve the Drexel community.

I.   ORGANIZATION, STAFFING, AND DEPLOYMENT

DUPS's current mission is "[t]o enrich the quality of life of our community by providing a safe and secure environment based upon effective relationships and excellence in service."[74]

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[70] William M. Doerner & William G. Doerner, "Police Accreditation and Clearance Rates," 35 *Policing* 1, 1 (2012).

[71] Ross A. Wolf, "Accreditation in Police Agencies: Does External Quality Assurance Reduce Citizen Complaints?," 90 *The Police Journal* 1 (2016).

[72] S. Mastrofski, "Police Agency Accreditation: A Skeptical View," 21 *Policing* 202, 205 (1998).

[73] Jim Burch, National Police Foundation, "CALEA Accreditation – A Platform for Excellence and Reform," https://www.policefoundation.org/calea-accreditation-a-platform-for-excellence-and-reform/ (last visited Mar. 8, 2021).

[74] Drexel University, Public Safety, *About* https://drexel.edu/publicsafety/about/overview/ (last visited Mar. 17, 2021).

Drexel University's community is located in the center of an urban environment. Even as DUPD was established as, and is structured like, a municipal police department, the expectations and demands on a university public safety entity are different in nature and scope from a general, city-wide law enforcement entity. A 2018 report on Campus Policing in an Urban Environment highlighted five unique challenges for policing in urban campus environments:

1. Urban campus police departments face exceptional difficulties in managing access to campus facilities.
2. Many urban campus police departments need more funding and leadership support to be effective and improve safety.
3. Urban campus police departments typically must tend to safety concerns over geographical areas that can extend for miles off campus.
4. Urban campus police departments must find ways to work more efficiently with local law enforcement agencies and community groups.
5. Technology and urban infrastructure issues often interfere with campus police response and coordination with other local law enforcement agencies.[75]

The DUPD should work to better align its current organization, and some of its function, to enhance the nature and quality of service delivery, to field the necessary level of supervision, and to ensure appropriate focus on community service for the enhancement of the higher institution community. Even without any long-term changes in Drexel's public safety system, DUPD's activities and response patterns make it fundamentally different from a municipal police department. Consequently, Drexel's staffing and structure – who is assigned to do what, and who leads and manages what personnel – needs to align with a philosophy of community problem-solving and community service.[76]

Recommendation 5.   The University should critically assess DUPD's staffing, deployment, and organization to ensure that they are consistent with the community's current needs and their vision of public safety.

Both in the long-term *and* in the short-term, DUPD's structure, staffing, and operations need to be tailored closely to the needs, problems, issues, and vision of the Drexel community – including students, faculty, staff, and neighboring community members. A short-term staffing deployment, and organizational assessment can allow for greater alignment with short-term needs even as the University re-imagines its public safety system.

[75] National Center for Campus Public Safety and Queens University, *Campus Policing in an Urban Environment* 4 (July 2018).

[76] *See, e.g.*, Lawrence J. Redlinger, "Community Policing and Changes in the Organizational Structure," 10 *Journal of Contemporary Criminal Justice* 36 (1994).

For instance, the Covid-19 pandemic has been changing patterns of behavior, how students and faculty utilize Drexel's physical campus, and the nature of public safety and crime in and around Drexel. The pandemic is also changing fiscal dynamics within DUPD and the University. As one DUPD member observed:

> The university has a hiring freeze. We have minimum staffing requirements, and we are now overworking people and spending overtime. People can't take time off. We can't work from home. Service expectations still exist without the resources.

Recommendation 5.1.   DUPD should conduct or request a workload study for sworn, private security, and communications center staffing and deployment to ensure clear distribution of work and functions in the short-term.

DUPD should conduct a short-term staffing study aimed at determining "staffing needs based on demand for police service from the community."[77] The workload review should consider how officers use their time and what the implications are for how officers should be scheduled, staffed, and assigned.[78] The pandemic has certainly impacted staffing and demand, and DUPD policies have been adjusted to respond to these dynamic issues. DUPD should review how these shifts may impact future staffing and demand, but beyond that, assess alignment between community need and organizational capacity.

In particular, the review should analyze DUPD's current shift deployment in light of community needs, officer workload, and current departmental dynamics. The Department of Justice has provided guidance on the types of factors that may affect a campus police department's staffing model, which include:

- Age and gender profile of the student body
- Number of students resident on campus
- The number and security requirements of buildings on and off campus
- Size of the campus
- Teaching hours
- Patrol boundaries and responsibilities
- Use of separate security companies

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[77] Keycare Strategy Operations Technology, "Police Workload Analysis," http://keycare.ca/downloads/Police_Workload_Analysis.pdf (last visited Mar. 17, 2021).

[78] *See generally* Jeremy M. Wilson, Alexander Weiss, "Police Staffing Allocation and Managing Workload Demand: A Critical Assessment of Existing Practices," 8 *Policing* 96 (2014); James McCabe, International City/County Management Association "An Analysis of Police Department Staffing: How Many Officers Do You Really Need?," https://icma.org/sites/default/files/305747_Analysis%20of%20Police%20Department%20Staffing%20_%20McCabe.pdf (last visited Mar. 17, 2021).

- Recruitment and retention issues
- Composition of the department—i.e., sworn or non-sworn, armed or non-armed
- The need for some campus public safety departments (CPSD)'s to rely on student employees
- CPSD responsibilities, including those not specifically related to their role;
- Policing style/range of community policing activities undertaken
- Efficiency of work schedules
- Institution expectations
- Budget restrictions . . . . [79]

This review should also analyze the current shift deployment against workload and make recommendations on how to balance workload across shifts.[80] For instance, the shift schedule for officers appears to have a significant overlap between the Second and Third shifts – and specifically during the hours of 9:00 pm to 2:00 am. A workload analysis should examine whether the overlapping shifts are necessary to adequately meet the needs of the community across times of day.

We note here that this recommendation is geared toward ensuring that DUPD's existing staffing and personnel are optimized for DUPD's and Drexel's current needs. It is not geared toward DUPD determining, removed from the re-imagining public safety process, how many officers are necessary overall or what, in mission-based terms, those officers should be doing for the long-term. With this in mind, we make some specific recommendations regarding staffing and organization that can benefit the Department in the short-term:

Recommendation 5.2. The Communications Center should be staffed with supervisors across all shifts.

A May 18, 2020 memo justifying filling vacant dispatcher positions outlined that 4 personnel (3 dispatchers and 1 supervisor) are required, at minimum, to staff DUPD's Communications Center as a 24 hours per day, 7 days per week operation. Filling one 24/7 requires about approximately 5 to 6 people depending on the relief factor (that is, considering practical considerations such as days off, vacations, sick, training, etc.). If minimum staffing is 3 on a shift it will require 18 to fill them around the clock and 6 supervisors – even, then there will be gaps.

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[79] Sue Woolfenden & Bill Stevenson, U.S. Department of Justice, Community Oriented Policing Services Office, *Establishing Appropriate Staffing Levels for Campus Public Safety Departments* 25 (2013).

[80] *See generally* Sue Woolfenden & Bill Stevenson, U.S. Department of Justice, Community Oriented Policing Services Office, *Establishing Appropriate Staffing Levels for Campus Public Safety Departments* (2013).

We understand there are shifts in which only three Communications personnel are assigned, and vacancies are filled through overtime. An examination of the overtime expenditures between July 1, 2020 and January 1, 2021, shows that four Dispatch Supervisors earned $32,006 in overtime and eleven Dispatchers earned $52,093. Total overtime for the Dispatch function totaled $84,099 for a six- month period. Although some overtime will always be necessary to cover absences and special events, the University should consider if it is better to fund the required full-time positions. As one dispatcher said, "people are tired." Overworked and tired people can make mistakes. A certain portion of these dynamics appear related to Covid-19, including the impact of individuals needing to quarantine because of possible exposure.

The Association of Public Safety Communications Officials ("APCO") provides standards across a number of Communication and Dispatch operations.[81] A staffing estimation model can be used to assess if and how current Drexel staffing aligns with best practices.[82] Such a process might also be able to anticipate how staffing might need to be enhanced or change to help implemented new response models that may emerge pursuant to the re-imagining public safety process.

> **Recommendation 5.3.   DUPD should assess how captain positions are being used and whether some roles and responsibilities might be filled by a lieutenant.**

DUPD's upper command structure appears somewhat skewed in terms of ranks, roles, and responsibilities. Specifically, DUPD's current organizational chart shows three captain positions and no lieutenants. There is the Captain of Patrol with six sergeants or shift supervisor reporting directly to the Captain – a highly unusual dynamic in a police organization. A Captain of Administration has four officers and one sergeant as direct reports. The Sergeant has four bike officers under his/her direct command. A third captain is in charge of Investigations and has two detectives, an investigator, and a victim services reporting to them. The patrol captain's span of control and responsibilities are much greater than the other two captains. DUPD should consider reducing the rank of Administration and Investigations and possibly adding a lieutenant position(s) between the Captain of Patrol and the shift supervisors. Additionally, the Captain of Administration functions appear to support patrol and if so, moving this function under patrol should be given consideration.

DUPD reported that it chose to have multiple Captain positions rather than Lieutenants because of issues related to what personnel of various ranks can access with the Philadelphia Police Department. Specifically, we learned that personnel of the rank of Captain and higher have access to specific training, can attend PPD meetings such as COMSTAT, and can participate in various Task Force reviews. Simply, coordination with PPD and regional law

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[81] APCO International, https://www.apcointl.org/ (last visited Mar. 24, 2021).
[82] APCO International, *Staffing Estimation Worksheets* https://www.apcointl.org/download/staffing-estimation-worksheets/?wpdmdl=6408&ind=0 (last visited Mar. 24, 2021).

enforcement partners is facilitated by having the rank of Captain. Having these additional Captain positions was also noted by DUPD as a way to allow commanders other than the Chief and Deputy Chief, to attend these meetings. Although 21CP appreciates this operational reality, the benefits and disadvantages of a lack of a Lieutenant-level supervisor within DUPD should be more formally assessed going forward to ensure that DUPD access to PPD is not indirectly or inadvertently compromising the quality of supervision of service internally.

> **Recommendation 5.4. DUPD should determine if there are a sufficient number of sergeants working the appropriate hours.**

"It is an established principle in policing that first-line supervisors – sergeants – play a critical role in directing and controlling the behavior of officers in police-citizen interactions."[83] In any police department, "[t]he sergeant is the person to whom the rank-and-file officer will look for direction, guidance, and assistance with problem solving," with first-line supervisors "essentially determin[ing] the efficiency and effectiveness of the agency."[84]

Over the last three years, the highest earners of overtime among DUPD personnel were three police sergeants. One sergeant earned $50,115 in fiscal year 2020. For the first 6 months of fiscal year 2021, seven sergeants earned $89,123 in overtime. The highest earner was at $32,256 and lowest at $3,708. As with dispatchers, it may be more efficient and help drive higher-quality first-line supervision if additional full-time sergeant positions are established.

> **Recommendation 5.5. The University and DUPD should examine whether DUPD Investigators should investigate serious complaints against the police.**

Our review revealed that DUPD's Investigative Unit is charged with a wide variety of duties, including criminal investigations, investigating incidents involving students and student conduct, background investigations, fingerprint processing, accepting and logging found property, investigate use of force and complaints against police, including bias-based complaints. The Unit also reviews internal and external crime reports and prepares statistics and reports. The Unit is currently comprised of a Captain, two detectives, a civilian investigator, and a victim services coordinator.

21CP recommends that the Unit's duties and functions be critically reviewed. The Unit is assigned to perform a significant amount of work – but not all of this work is investigative,

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[83] Samuel Walker, *National Institute of Justice, Police Accountability: Current Issues and Research Needs* 12 (2007), http://www.ncjrs.gov/pdffiles1/nij/grants/218583.pdf.

[84] Sean E. Moriarty, "The Leadership of Police Organizations Program in the Delaware State Police: Recommendations for Law Enforcement Leadership Development," *Police Chief* (May 2009), https://www.policechiefmagazine.org/the-leadership-in-police-organizations-program/.

and some critical portion of the work is arguably not well-suited for a police agency in the first instance. For example, it is unusual that reviews of crime reports, and the preparation of statistics and reports fall to an investigative unit. Additionally, given that student conduct violations do not involve public safety, crime, or law enforcement, it is unclear why sworn law enforcement officers are involved whatsoever.

Moreover, internal investigations of police misconduct should be separated from the possible criminal investigation of such misconduct. Currently, DUPD's Organizational Chart shows that the Investigative Unit's Captain is responsible for all internal investigations *and* criminal investigations relating to officer misconduct. As a threshold matter, criminal and administrative investigations must be rigorously separated to ensure integrity and avoid undue compromises to an officer's constitutional protections.[85] However, especially in light of contemporary and appropriate community scrutiny on police investigating their own misconduct, such a practice runs an unreasonable risk of damaging community trust and confidence.[86] For that reason, the University and DUPD should ensure that the Investigative Unit is not in a position to conduct both criminal and administrative investigations of officer conduct.

> **Recommendation 5.6. The University should consider whether dividing the DUPD Chief of Police and Vice President of Public Safety's current the roles and responsibilities between a separate Chief and a Vice President for Public Safety would better serve the DUPD and the University community.**

The University should review and consider dividing the responsibilities of the current Chief of Police, who is also Vice President of Public Safety, into two distinct positions. This recommendation should not be taken as a reflection on the performance of the current Vice President/Chief of DUPD. Indeed, some of the same community members who criticized DUPD's overall performance had positive things to say about the current Vice President and Chief's work at Drexel. Instead, this recommendation is about crafting a system of leadership within DUPD and Drexel's Public Safety function that can manage both short-term needs and longer-term changes in the University's public safety system.

We understand that the positions of Vice President of Public Safety and Chief of DUPD were two distinct positions in the past. We suggest that Drexel revisit this original structure. A review of IACLEA position announcements for similar public safety leadership positions, and consultation with campus executive recruitment professionals reveals that many institutions of higher education are structuring their community safety units in ways that distinguish between institutional level communication, coordination and strategic management, and the

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[85] *See generally* Office of Community Oriented Policing Services, U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice* (2007).

[86] *See, e.g.*, Grace Watkins, "The Crimes of the Campus Police," *Chronicle of Higher Education* (Oct. 20, 2020), https://www.chronicle.com/article/the-crimes-of-campus-police.

day-to-day operations of the public safety apparatus. Drexel's consideration of a these distinct roles may reflect a re-imagined campus safety and well-being approach where other units are engaged and the DUPD serves only one part of this larger community effort.

The position of a Vice President of Public Safety should focus on coordinating the major areas of public safety services – including police, communication center, security, fire and EMS to provide a comprehensive approach to university security. With the re-imagining public safety process, the job of public safety at Drexel may involve far more than policing, with the police department serving as one of many services that respond to community problems. The Vice President position will, in part, help to coordinate a cross-University public safety system.

The Chief of Police should be focused on the day-to-day operations of DUPD. This position should manage the effectuation of identified public safety priorities and report to the Vice President on ongoing progress and obstacles in addressing community problems in the manner that Drexel's public safety system dictates.

> **Recommendation 5.7. DUPD should create and implement a Recruitment, Hiring, and Promotional Plan that addresses the recruitment, hiring, and promotion of diverse personnel well-qualified to serve a campus community.**

Few people within or outside law enforcement assume that fielding a more diverse police force will automatically, by itself, solve the challenges with policing that this report has previously identified. However, 21CP heard from a number of students, faculty, and staff at Drexel who said that DUPD needs to do a better job of hiring officers who look like the campus and Philadelphia community – and who understands the needs, experiences, and backgrounds of Drexel's diverse communities. This insight aligns with emerging best practices from national police organizations on attracting and retaining diverse, service-focused officers.[87]

> Law enforcement agencies should strive to create a workforce that contains a broad range of diversity including race, gender, language, life experience, and cultural background to improve understanding and effectiveness in dealing with all communities.[88]

With respect to a campus community in particular, DUPD needs to ensure that it hires professionals who, as one faculty member put it, "see the community as their client."

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[87] Dwayne Orrick, International Association of Chiefs of Police, *Best Practices Guide: Recruitment, Retention, and Turnover*, https://www.theiacp.org/sites/default/files/2018-08/BP-Recruitment.pdf (last visited Mar. 16, 2021); *Final Report of the President's Task Force on 21st Century Policing* 16 (2015).
[88] *Final Report of the President's Task Force on 21st Century Policing* 16 (2015).

DUPD notes that its various recruitment efforts have been hindered by the COVID-19 pandemic and the associated inability to meet potential hires where they are in the community. 21CP acknowledges that 2020 and 2021 have been a challenging time for many organizations along this dimension. As in-person interactions are more possible in the coming months, DUPD may be able to make innovations with respect to how it cultivates a diverse organization and one that is more representative of the Drexel community.

One specific mechanism that DUPD should adopt to ensure greater diversity of experience and perspective among its officers is to directly involve the community in the hiring, training, and promotional process. Community members can be involve in candidate interviewing and can make recommendations as to the strengths, weaknesses, and potential suitability of prospective personnel.

II.   USE OF FORCE

DUPD officers are rarely involved in situations where they use force. According to DUPD data, during the three-year period of 2018 through 2020, 38 DUPD officers were involved in 24 encounters where force was used. These 24 encounters involved 25 subjects – or roughly 8 use of force cases and 8 force subjects per year.

Approximately 82 percent of the force used were physical maneuvers – including compliance holds or taking hold of the subjects' arms to apply handcuffs. Electronic control weapons (ECW/Tasers) were used three times, a gun was drawn twice, and a baton was used once during this three-year period.

Injuries were reported for 7 of the 25 subjects against which force was used. In two instances, the injury was related to ECW probe. In all cases, injuries were relatively minor – with all subjects being treated and released.

Some 12 arrests and 8 mental health holds resulted from these 24 force incidents. This means that, in half of the use of force incidents, the subjects were not arrested. As noted previously, 52 percent of force subjects were Black. Forty-four percent were white. The vast majority – 88 percent – were male.

Recommendation 6.   Although DUPD's current policies include many appropriate guidelines on the use of force, the Department should revise its use of force policies to provide clearer guidance to officers on when force may be used and to reflect additional best practices.

Although DUPD uses force relatively infrequently, providing officers with clear guidance and expectations on when force may be used is critical. As the Police Executive Research Forum ("PERF") has observed, federal and state law "outlines broad principles regarding what police officers can legally do in possible use-of-force situations, but it does not provide specific

guidance on what officers should do."[89] Ultimately, "police agencies are always within their authority to adopt new policies . . . that they consider best practices in the policing profession."[90] That is, force policies may provide specific and clearer guidance about how to use force in a manner consistent with a community's particular needs.

The 2019 version of DUPD's Directive 1, Use of Force,[91] included a number of important provisions that align with current best practices on the use of force. For example, this use of force policy, in effect during 21CP's review:

- Requires that any use of force be "reasonable and necessary";
- Requires the provision of medical care following the use of force;[92]
- Prohibits shooting at or from moving vehicles except as a last resort,
- Prohibits warning shots,
- Prohibits use of choke holds,
- Requires that deadly force be subject to an independent investigation conducted by an outside agency (the Philadelphia PD Officer Involved Shooting Team);
- Requires officers to intervene in situations where officer's behavior is criminal, unconstitutional or inappropriate;
- Requires officers to provide a warning and a reasonable time to comply before activating a CEW/Taser,[93] and
- Prohibits the use of a CEW/Taser in approximately twelve circumstances, including against passive or fleeing subjects.[94]

Nonetheless, DUPD's use of force directives can be improved to provide clearer guidance to officers. 21CP recommends that DUPD update their use of force policies in collaboration with the Drexel University community. This can be done through establishing a community policy review board, sharing draft policies for community input, and providing electronic mechanisms for community feedback.

The recommendations below inventory an array of specific use of force policy provisions that DUPD should adopt. DUPD and the community should also consult compendiums of best practices with respect to use of force for additional policy provisions that may be useful, including but not limited to:

- The Leadership Conference on Human Right's *New Era of Public Safety*;[95]

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[89] Police Executive Research Forum, *Guiding Principles on Use of Force* 15 (2016).

[90] *Id* at 17.

[91] DUPD, Directive 1, Use of Force (last rev. March 19, 2019).

[92] DUPD Memo 20-029, Chief Behr Use of Force Directive Updates to Include Duty to Intervene (July 24, 2020).

[93] DUPD Directive 2, Authorized Weapons: Training, Proficiency and Usage (last rev. Nov. 202, 2020).

[94] *Id.*

[95] The Leadership Conference on Civil and Human Rights, *New Era for Public Safety: A Guide to Fair Safe and Effective Community Policing* (2019).

- The Police Executive Research Forum's ("PERF") *Guiding Principles on Use of Force*; [96]
- Campaign Zero's *Police Use of Force Policy Analysis*[97] and *Model Use of Force Policy*;[98]
- The International Association of Chief of Police's *Critical Issues: Use of Force* paper and policy; [99]
- Use of force policies implemented pursuant to reform initiatives by the Camden County Police Department,[100] Cleveland Division of Police,[101] and New Orleans Police Department.[102]

21CP understands that, during our review, DUPD engaged in a process of updating its use of force policy. An amended use of force policy (Directive 1) was approved on April 8, 2021, and subsequently certified by the Pennsylvania Law Enforcement Commission.

Recommendation 6.1.   DUPD's use of force policy should reflect national best practices, including:

- **Reflecting the primary importance of the sanctity of human life;**
- **Requiring that force be used only when necessary, specify under what circumstances force is to be used, and that force is proportional to the threat that a subject pose;**
- **Providing officers with more specific and detailed guidance on the concept of "objective reasonableness," including setting forth the types of specific considerations that factor into the reasonableness inquiry;**
- **Prohibiting deadly force against individuals who are a danger only to themselves;**

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[96] Police Executive Research Forum, *Guiding Principles on Use of Force* 15 (2016).

[97] Campaign Zero, Police Use of Force Policy Analysis (September 20, 2016), at 11, *available at* https://static1.squarespace.com/static/56996151cbced68b170389f4/t/57e1b5cc2994ca4ac1d97700/1474409936835/Police+Use+of+Force+Report.pdf.

[98] Campaign Zero, Model Use of Force Policy, https://static1.squarespace.com/static/56996151cbced68b170389f4/t/5defffb38594a9745b936b64/1576009651688/Campaign+Zero+Model+Use+of+Force+Policy.pdf (*last accessed* Mar. 17, 2021).

[99] International Association of Chiefs of Police, *Critical Issues: Use of Force* (Apr. 2019), https://www.theiacp.org/resources/critical-issues-use-of-force.

[100] Camden County Police Department, Use of Force Policy, https://static1.squarespace.com/static/58a33e881b631bc60d4f8b31/t/5d5c89c2e3bc4c000192f311/1566345667504/CCPD+UOF+Policy+%288.21.19%29+%28FINAL%29.pdf (last rev. Aug. 21, 2019).

[101] Cleveland Division of Police, *General Police Orders, Use of Force: General*, https://static1.squarespace.com/static/5651f9b5e4b08f0af890bd13/t/582c54ac59cc685797341239/1479300270095/Dkt.+83--Use+of+Force+Policies+with+Exhibits.pdf.

[102] New Orleans Police Department Use of Force Policy, *available at* https://www.nola.gov/getattachment/NOPD/NOPD-Consent-Decree/Chapter-1-3-Use-of-Force.pdf/.

- **Articulating an affirmative duty of all officers to de-escalate situations whenever safe and feasible to do so, and positioning de-escalation as an overriding departmental philosophy;[103] and**
- **Enhanced guidance on when officers are expected to file a use of force report.[104]**

Recommendation 6.2.   DUPD's current process for the administrative review of force should be strengthened to ensure thorough, consistent, and fair review of use of force incidents.

DUPD Directive 1 outlines the Department's current process for reviewing uses of force. The section indicates that a designated supervisor is responsible for reviewing all use of force incidents to determine if there were policy violations. There is policy guidance addressing who appoints the designated supervisor. That supervisor's determinations are forwarded to the Chief of Police for review. When it is determined there are training inadequacies or policy violations, the officer's Commander is responsible for resolution or discipline.

21CP recommends that DUPD enhance its review procedures to involve more personnel in evaluating officer performance – ensuring a thorough review of force incidents and consistent fair sanctions or remedial actions when appropriate. This likely includes expanded chain of command review. It might also include the creation of a Force Review Board, analogous to the Firearm Review Board discussed below, to review all officer force.

Recommendation 6.3.   DUPD's Firearm Review Board, which is responsible for reviewing situations in which an officer has discharged a firearm, should include an officer and one or two non-police representatives from the community (such as students, staff, or faculty members).

DUPD's Directive 50, Discharge of Firearms by Police Personnel,[105] establishes a Firearms Review Board. The Board reviews instances in which personnel discharge firearms to determine if the officer's actions are consistent with departmental policy and training.

The Board is currently comprised of the Associate Director of Investigations who also serves as Chair, the Lieutenant of Patrol and a shift Supervisor that does not supervise the officer. To improve transparency and trust, 21CP recommends that an officer and non-police

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[103] Section V.E. of DUPD Directive No. 1 discusses this in the context of officer escalation and de-escalation based on the level of resistance of the subject. However, it does not address the expectation that officers use de-escalation techniques to avoid the use of force.

[104] Section B paragraph 5 of DUPD Directive No. 1 provides direction on when officers are expected to file a use of force report. Among the situations in which a report is to be filed is "in any incident in which weaponless physical force is used" – which is not readily defined in the directive.

[105] DUPD, Directive No. 50**,** Discharge of Firearms by Police Personnel.

representatives – likely students, staff, or faculty members – also formally sit on the Firearm Review Board.

III.   BIAS-FREE POLICING & STOPS, SEARCHES, AND ARRESTS

Part 1 of this report discusses race-based disparities with respect to DUPD activity and performance. Simply, the individuals who DUPD select for non-voluntary interactions are disproportionately Black – with Black males most likely to be stopped of any group even as they make up only a small part of Drexel's student population. Moreover, as Part 1 also addressed, Drexel community stakeholders across races believe that DUPD does not treat BIPOC individuals the same as other groups.

Within any organization or context, bias may surface as a result of *who* is impacted and *how* they are treated or impacted. As Part 1 notes, these biases may be explicit or conscious, but they also may be implicit or subconscious – involving "automatic associations people make about groups of people based on their personal characteristics."[106] "In fact, people can make negative associations about social groups even if they consciously disagree with them."[107] Regardless of whether conscious or unconscious, or intentional or unintentional, both the perception and reality that the burdens of law enforcement are distributed unequally based on race undermines the sense of fairness, justice, and legitimacy that are bedrock democratic principles.[108] "Protecting individual rights is not an *inconvenience* for modern police; it is the *foundation* of policing in a democratic society."[109]

We presume that the process of re-imagining public safety will focus significant attention on reducing the volume and types of interactions in which DUPD engages that are associated with disparities and/or changing DUPD's practices and approaches to various activities to promote more equitable impacts.

Accordingly, we identify here a handful of recommendations for addressing, in the short-term, the types of disparities that this report identifies in Part 1 and for DUPD to more comprehensively address issues related to bias.

Recommendation 7.   DUPD should revise, in partnership with community stakeholders, its current policy on bias (Directive 82, Bias Profiling) to ensure that it clearly communicates expectations to officers and commits the Department to regularly analyzing its activities and addressing disparities. Allied Security practices should reflect these policy changes.

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[106] The Leadership Conference on Civil and Human Rights, *New Era for Public Safety: A Guide to Fair Safe and Effective Community Policing* 39 (2019).

[107] *Id.*

[108] *See* National Institute of Justice, "Race, Trust and Police Legitimacy" (Jan. 9, 2013), https://nij.ojp.gov/topics/articles/race-trust-and-police-legitimacy.

[109] Lorie Fridell, et al, *Racially Biased Policing: A Principled Response* x (2001) (emphasis in original).

DUPD's primary policy addressing issues of bias is Directive 82, entitled "Bias Profiling." Among other things, the policy prohibits "biased profiling," which is defined as:

> [W]hen a police officer stops, takes enforcement or investigative action against a citizen based solely on any of the following, but not limited to the person's, ethnicity, national origin, gender, gender identity/ expression, sexual orientation, immigration status, housing status, occupation or language fluency, religion, age or disability.[110]

Although it articulates a number of important expectations for officers, it is a somewhat incomplete policy. Specifically, the policy focuses on bias in the context of stops and the initiation of enforcement activity – which is important but not, as Part 1 briefly discussed, the only context in which bias or disparity may surface.

DUPD should revise its policies to include a general policy on bias-free policing that prohibits explicit bias, addresses issues relating to implicit bias, and requires the analysis and evaluation of the Department's activities for systemic bias and indicia of disparate racial impacts and treatment. First and foremost, the Department should consider a broader statement of its values with respect to equitable treatment. IACLEA Standard 4.1.3 calls for campus public safety agencies to have a written directive "that prohibits officers from engaging in bias-based enforcement activity." The directive should address a definition of bias-based policing, processes for investigating complaints of bias, and minimum training of public safety employees to effectuate directive implementation and oversight.

Examples from municipalities are also informative. For instance, the Seattle Police Department's ("SPD") general policy on bias-free policing provides that:

> The Seattle Police Department is committed to providing services and enforcing laws in a professional, nondiscriminatory, fair, and equitable manner.

> The Department recognizes that bias can occur at both an individual and an institutional level and is committed to eradicating both.

> Our objective is to provide equitable police services based upon the needs of the people we encounter.

> The intent of this policy is to increase the Department's effectiveness as a law enforcement agency and to build mutual trust and respect with Seattle's diverse groups and communities.[111]

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[110] DUPD Directive No. 82, Bias Profiling, Section IV(A).
[111] Seattle Police Department Policy Manual Section 5.140, Bias-Free Policing, https://www.seattle.gov/police-manual/title-5---employee-conduct/5140---bias-free-policing.

Second, DUPD should commit itself to identifying and addressing activities and performance that may be linked to disparities. Here, too, the policies of institutions like the Seattle Police Department are instructive. The Seattle policy commits that department "to eliminating policies and practices that have an unwarranted disparate impact on certain protected classes."[112] To do so, the policy requires that the Department "periodically analyze data which will assist in identification of SPD practices . . . that may have a disparate impact on particular protected classes relative to the general population . . . . Where unwarranted disparate impacts are identified and verified," the Department must work with community stakeholders to identify if "equally effective alternative practices . . . would result in less disproportionate impact."[113] This process of a law enforcement agency gathering data about its enforcement activities, analyzing such information to determine if the burden of law enforcement is falling disproportionately on particular populations or communities, and exploring whether alternative approaches could address or alleviate disparity is critical to implementing a comprehensive approach to policing that is committed to equity and fairness.

We also note that policies and expectations for Allied Security personnel should conform to the updated requirements for DUPD personnel with respect to bias and disparity.

Recommendation 8.   DUPD should require and ensure that sufficient information about all non-voluntary interactions are captured to enable both the analysis of the Department's performance overall and the percentage of each officer's investigative stops in which the detained individual was found to have been engaging in criminal activity.   Officers with founded stop rates below identified thresholds, whether absolute or comparative to other officers, should receive continuing training on investigative stops and stop decision-making.

The data on DUPD stop encounters that 21CP received from the Department, analyzed, and summarized in Part 1 of this report was, it appears, a bespoke data set – generated in earnest and in the commendable spirit of transparency for purposes of 21CP's review. 21CP understands from DUPD personnel that multiple departmental personnel, sometimes on overtime, needed to manually review reports about pedestrian and vehicular stops, extract information from free response narratives or other rudimentary documentation, and generate a set of data on stop encounters.

The lack of more real-time information, or available aggregate information, on stop encounters was especially puzzling to 21CP given that DUPD's Departmental Directive 82, Bias Profiling, requires DUPD's Investigative Unit to review monthly aggregate data of all pedestrian and vehicular stops. A report is to be generated providing the number of stops made by each officer, the race and gender of the individuals stopped, and the outcomes of the stops. Shift supervisors are to respond by indicating they reviewed the report and what, if

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[112] *Id.*

[113] *Id.*

any, action steps were taken to address deficiencies. This supervisor review would be forwarded to the Captain of Patrol.

Thus, as a threshold matter, DUPD needs to ensure – by revising its policies, processes, training, and supervisory practices – that (1) all non-voluntary interactions between DUPD and members of the public are documented, reviewed, and tracked, and (2) aggregate data on non-voluntary interactions is indeed reviewed monthly on a department-wide level to identify patterns, trends, and disparities.

Additionally, the fact that a stop occurred only tells part of the story regarding disparate impact and treatment. To be able to understand the remainder of the critical dynamics regarding the racial impacts of its policing activities, DUPD needs to collect information about what transpires during non-voluntary interactions and what the outcomes of such interactions are – that is, whether an individual is cited, arrested, or released without any subsequent enforcement activity.

Although we could write a separate report on the legal requirements relating to the search and seizure of individuals, a few salient points can help illustrate the need for DUPD to collect systematically information about what transpires during stop encounters and post-stop outcomes. Specifically, before 1968, "a lawful warrantless search or seizure require[d] that officers have probable cause to believe that an offense has been, is being, or will be committed."[114] That year, the Supreme Court "recast [the] [then-]fifty-year-old constitutional process of determining the sufficient level of probability to justify police action" from probable cause to something less than probable cause."[115] While "probable cause" means "a fair probability that . . . evidence of a crime will be found,"[116] the Court in the case of *Terry v. Ohio* instead permitted officers to make an involuntary stop of an individual if they had reasonable, articulable suspicion that the individual "is, or is about to be, engaged in criminal activity."[117] That is, an officer must be able to articulate specific, objective facts that would lead a reasonable officer, encountering those same circumstances, to believe that "criminal activity is afoot."[118]

A primary reason why DUPD should collect this outcome data is to be able to determine the extent to which the purportedly "reasonable suspicions" of officers are, in fact, unreasonable. Although current law does not require that an officer only stop individuals when the officer is certain that they have engaged in criminal activity, it also cannot be that an officer that routinely stops people who were doing nothing wrong can be thought as engaging in

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[114] David Keenen & Tina M. Thomas, "An Offense-Severity Model for Stop-and-Frisks," 123 *Yale Law Journal* 1448, 1454 (2014).

[115] Peter S. Greenberg, "Drug Courier Profiles, Mendenhall and Reid: Analyzing Police Intrusions on Less than Probable Cause," 19 *American Criminal Law Review* 49, 49 (1981).

[116] *United States v. Sokolow*, 490 U.S. 1, 7 (1989).

[117] *United States v. Cortez*, 449 U.S. 411, 417 (1981).

[118] *Terry v. Ohio*, 392 U.S. 1, 21–22, 30.

uniformly "reasonable" stops. That is, if an officer's "hit rate" is too low – if too few of the people stopped were in fact found to have been engaging in criminal activity – then the officer's decision-making skills and determinations as to what may be sufficiently suspicious to warrant a stop will need to be improved.

Tracking stops and computing each officer's so-called "hit rate" will give departments and communities "concrete information about the varying proficiencies of their officers" – and will force them "to determine what to do with officers whose hit rates are too low to pass constitutional muster"[119]:

> Once proficient officers are identified, the department can begin the process of trying to discover what makes those officers more effective than others and use this information to improve the performance of the less effective officers. This might entail additional training, partnering less effective officers with those who are more proficient, or a host of other possibilities.[120]

Finally, we note here that the process of re-imagining public safety addressed above could, and likely should, explore whether a campus police presence at Drexel in the future should require, through its policies, officers to meet a different, higher level of certainty before initiating non-voluntary encounters. Police departments can, and in fact do regularly, set standards for employment that go beyond the bare, minimum requirements of constitutional standards and federal, state, and local law. Part of re-imagining public safety should be re-evaluating the circumstances in which the Drexel community believes that it is appropriate for officers to involuntarily detain someone in a Fourth Amendment encounter.

Recommendation 9. DUPD should revise and update its policies on searches, seizures, and arrests to ensure that officers have sufficient guidance on encounters that implicate core Fourth Amendment protections. To implement the policies, DUPD should provide in-depth, scenario-based training that incorporates and reflects adult learning techniques.

It appears that DUPD's primary guidance on involuntarily stopping and detaining individuals is provided in its directives on "Bias Policing," Directive 82; "Motor Vehicle Stops," Directive 36; and "Traffic Enforcement," Directive 41. Although these directives contain some of the relevant information and guidelines for officers on encounters that implicate core Fourth Amendment considerations, DUPD should join the many departments that have specific, detailed guidance within their policies on when and how various types of stops, searches, and arrests may and may not be permissible. For instance:

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[119] L. Song Richardson, "Police Efficiency and the Fourth Amendment," 87 *Indiana Law Journal* 1167 (2012).
[120] *Id.* at 1167–68.

- **Baltimore Police Department** – Among other policies, the Department maintains a comprehensive, standalone policy on "Field Interviews, Investigative Stops, Weapons Pat-Downs & Searches." That policy provides guidance on the legal requirements and parameters governing interactions ranging from voluntary contacts to arrests, including traffic stops.[121]

- **New Orleans Police Department** – The Department maintains individual policies on Search and Seizure generally, Stops/*Terry* Stops, Search Warrants, and Vehicle Stops.[122]

- **Cleveland Division of Police** – The agency maintains separate but inter-related policies on Search and Seizure, Investigatory Stops, Strip Searches & Body Cavity Searches, Probable Cause/Warrantless Arrests, and Miranda Warnings & Waivers.[123]

Recommendation 10.   DUPD should update its policies and procedures relating to arrests to better conform to best practices.

Recommendation 10.1.   The DUPD should ensure that it follows best practices in conducting photo line-ups.

Although DUPD does not conduct as many in-depth criminal investigations as a municipal police department might, it should nonetheless ensure that its current policy on photo line-ups incorporate all necessary best practices to minimize the potential effects of bias. The Department may benefit from incorporating various best practices codified in national guidance.[124]

Recommendation 10.2.   DUPD should require that all suspect interviews and interrogations be video-recorded.

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[121] Baltimore Police Department, Policy 1112: Field Interviews, Investigative Stops, Weapons Pat-Downs & Searches (Oct. 12, 2020), https://www.baltimorepolice.org/1112-draft-field-interviews-investigative-stops-weapons-pat-downs-and-searches.

[122] New Orleans Police Department, Chapters 1.2.4, 1.2.4.3, https://www.nola.gov/nopd/policies/ (last visited Mar. 24, 2021).

[123] City of Cleveland, Search and Seizure Policies, http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/PublicSafety/Police/PoliceSettlementAgreement/SearchandSeizures (last visited Mar. 24, 2021).

[124] *See* National Research Council, *Identifying the Culprit: Assessing Eyewitness Identification* (2014); *see generally* Police Executive Research Forum, *A National Survey of Eyewitness Identification Procedures in Law Enforcement Agencies* (Mar. 8, 2013), https://www.ojp.gov/pdffiles1/nij/grants/242617.pdf; Beth Schuster, "Police Lineups: Making Eyewitness Identification More Reliable," *National Institute of Justice Journal* (Oct. 1, 2007), https://nij.ojp.gov/topics/articles/police-lineups-making-eyewitness-identification-more-reliable.

In the same manner that all interviews in internal investigations should be recorded, interviews in criminal investigations should likewise be recorded whenever possible. Given the enhanced detail that video evidence provides, and the ready access to technology that captures inexpensive and high-quality video, DUPD's policies should require video-recorded subject and other interviews.

IV.   TRAINING

Traditional approaches to police training too often "fail[] to effectively teach [officers] how to interact with . . . communities in a way that protects and preserves life."[125] The International Association of Chiefs of Police ("IACP") has identified "concern[s] that in-service trainings have not" in the past "been validated in the same rigorous fashion as academy training" for new recruits – "and that the level of accountability is far different for officers when approaching in-service training" in many organizations.[126] The training that officers do receive "focuses on range shooting, classroom-based learning, and minimal exposure to realistic scenarios."[127] Classroom training often relies on passive consumption of PowerPoint slides rather than on skills-focused, scenario-based, hands-on learning that incorporates adult learning practices.[128]

DUPD provided documentation detailed the training offered to Department personnel from 2017 through 2021. It appears that some training was developed and provided in-house. Other trainings were accessed via free offerings from other agencies or through other criminal justice entities. Some personnel referenced occasional trainings or collaborations between DUPD and other University units. DUPD provided a synopsis of some of the training that was provided via partnerships with community stakeholders in 2019 and 2020, including:

- Anti-Bias for Law Enforcement (Online programs from COPS and Drexel Career Pathways);
- Crowd Control Training (Philadelphia Police Training Unit & Civil Affairs);
- Title IX Compliance Training (VP Title IX and staff, Drexel University);
- Mental Health Awareness (AJ Drexel Autism Institute);

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[125] Campaign Zero, *Training*, https://www.joincampaignzero.org/train (last visited Jan. 17, 2020).

[126] International Association of Chiefs of Police & U.S. Department of Justice, Emerging Use of Force Issues: Balancing Public and Officer Safety at 23 (March 2012), http://www.theiacp.org/portals/0/pdfs/emerginguseofforceissues041612.pdf.

[127] Judith P. Andersen, et al, "Highly Realistic Scenario Based Training Simulates the Psychophysiology of Real World Use of Force Encounters: Implications for Improve Police Officer Performance," 5 *Journal of Law Enforcement* 1, 1 (2016), https://tspace.library.utoronto.ca/bitstream/1807/73822/3/highly_realistic_scenario_based.pdf.

[128] *See, e.g.*, Mark R. McCoy, "Teaching Style and the Application of Adult Learning Principles by Police Instructors," 29 *Policing* 77 (2006); Michael L. Birzer, "The Theory of Andragogy Applied to Police Training," 26 *Policing* 29 (2003).

- Autism Spectrum Disorder and Engaging The Public (AJ Drexel Autism Institute);
- Responding to Veterans in Crisis/PTSD – (VA Hospital & Staff);
- Mental Health Issues and Suicide Awareness (Drexel University Student Counseling); and
- Extremism and Hate Groups – Anti-Defamation League (ADL).

President Obama's Task Force on 21st Century Policing recommended that "[l]aw enforcement agencies . . . engage community members in the training process."[129] Community participation in law enforcement training helps to ensure that officer instruction aligns with the values and needs of the community. In addition to formalized groups and organizations that have been involved in some DUPD training previously, community members across the general University community and from the neighborhoods adjacent to Drexel should have a role in helping to shape and provide ongoing training opportunities.

In the long-term, the Department needs to ensure that its officers have ongoing access to high-quality, integrated, scenario-based training – or training that closely mimics real-world situations and requires officers to practice their responses in a manner consistent with law, policy, and departmental expectations. In the next six to eight months, DUPD should work with the Drexel community to design and implement training in three areas: (1) the histories and experiences of Drexel's diverse communities, (2) bias-free policing, and (3) stops, searches, seizures, and arrests.

Recommendation 11.   DUPD should work with the Drexel community to design and implement officer training on the histories and experiences of Drexel's diverse communities.

In discussions with 21CP, a number of Drexel stakeholders called for DUPD to receive more training focused on the specific characteristics and histories of Drexel students, faculty, and staff. 21CP suggests that, in the coming months, DUPD should convene with relevant University stakeholders – including Drexel's Anti-Racism Task Force and relevant University scholars – to design a training about the backgrounds and experiences of the University's diverse communities.

Recommendation 12.   DUPD should work with the Drexel community to provide officers with training on bias-free policing; stops, searches, and arrests; use of force; and other foundational policies. Any policy changes should be the subject of meaningful officer training before being implemented.

This report elsewhere describes changes in policies and practices with respect to bias-free policing; disparate racial impact; stop, searches, and arrests; use of force; crisis intervention;

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[129] *Final Report of the President's Task Force on 21st Century Policing* 54 (2015).

and other issues. Where the Department makes any changes, it should design and implement, in close and active collaboration with the Drexel University community – including Drexel's Anti-Racism Task Force and relevant University scholars – in-depth training to ensure that officers have the requisite knowledge, understanding, and skills to meaningfully implement the policies and procedures in practice. Instruction should provide officers with substantial opportunity to practice decision-making skills through hands-on scenarios, classroom discussions, the analysis of video-taped and verbal scenarios, and the like.

V.   RELATIONSHIP BETWEEN DUPD & SURROUNDING POLICE SERVICES

Partnerships between university police departments and local police departments can be complex. Challenges include differences in policing strategies, training, and radio communications; ensuring that officers of both departments are aware of their roles and responsibilities when working together; and understanding how the departments patrol neighborhoods surrounding or bordering a campus footprint. In particular, a campus police department's involvement in neighborhoods adjacent to a college campus can "blur the boundaries between campus and community."[130] When a university police department is one of several law enforcement agencies providing police services in the same area, as DUPD is within the context of Philadelphia, managing service delivery and community needs can be complicated.

Generally, the scope and extent of DUPD's coordination with or support of PPD should be addressed in the process of Drexel's re-imagining public safety efforts. Drexel's Anti-Racism Task Force indicated that "involvement of Drexel police or resources with Philadelphia Police Department actions off campus should be prohibited and off-campus policing should be left entirely to the PPD."[131] These views have strengthened following the protests that occurred at 52nd and Market in May 2020, where DUPD officers participated as part of the law enforcement response. Many members of the Drexel stakeholder community – and not just members of the Anti-Racism Task Force – expressed strong opposition to DUPD support of PPD in this context.

Typically, law enforcement agencies that operate within the same area, interact with each other regularly, or serve overlapping communities formally articulate expectations for which agency does what and how the agencies interact with one another. Written memoranda of understanding ("MOU"s), which are often called "mutual aid agreements," between police agencies can provide:

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[130] National Center for Campus Public Safety and Queens University, *Campus Policing in an Urban Environment* 4 (July 2018). https://www.nccpsafety.org/assets/files/library/Campus_Policing_Urban_Environment_Report_Final.pdf.

[131] Anti-Racism Task Force Community Engagement Subcommittee Document provided to 21CP Solutions, Feb. 12, 2021.

- Form and structure, setting forth common procedures and expectations;
- Awareness of potential problems and concerns such as those related to liability and insurance; and
- Procedures for reimbursement for the costs of all deployed resources where the parties consent to such an arrangement.[132]

To the extent that Drexel identifies a need or desire for some type of sworn law enforcement entity to exist within the University and provide public safety services, the University will need to ensure a specific, written, and transparent agreement with PPD about how the two entities will interact and relate. Even as the re-imagining public safety process is underway, DUPD needs to re-visit and codify understandings for how DUPD and PPD will relate going forward.

Here, our recommendations relate to ensuring clear understandings of the contours of DUPD and PPD's relationship. DUPD notes that PPD has jurisdiction over the City of Philadelphia and, as such, can provide policing services to the Drexel campus at its election. However, as a matter of day-to-day operations, the Departments reach working understandings about what DUPD will handle and what PPD will handle. The recommendations here are about reaching clear, codified determinations as to what the various departments will and will not do and how the departments will interact with each other.

According to DUPD's General Order 012 – Jurisdiction and Mutual Aid, there are no formalized Mutual Aid Agreements between DUPD and PPD. There is a Memo of Understanding with the Philadelphia Police Department. General Order 012 states "that the PPD will answer and respond to all 9-1-1 calls for service within the DUPD patrol area."[133] For this reason, the recommendations only cover the Memorandum of Understanding.

Recommendation 13. The University and DUPD should update the Memorandum of Understanding with the Philadelphia Police Department ("PPD").

Drexel's current MOU with PPD was just updated on September 10, 2020. It is based on a prior 2018 MOU. However, there are three primary differences between the 2020 and 2018 MOUs. First, Hahnemann University Hospital Center City Center was removed, because it ceased operations, from the list of locations DUPD would patrol. Second, language about investigating sex crimes was changed from providing that "units of the PPD will handle the following types of incidents, with the assistance for the DUPD . . Sex crimes" to indicating that "[b]ased upon the responsibilities of Drexel University under Title IX of the Education Amendments of 1972, PPD and DUPD investigators shall coordinate any sex crimes investigations." The third change was to add a provision addressing the implementation of

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[132] International Association of Chiefs of Police, *Mutual Aid, Concepts and Issues* Paper 10 (2008).
[133] Drexel University Police Department, *GO 012 – Jurisdiction & Mutual Aid,* March 24, 2014.

pilot programs, which can proceed joint approval by both parties. 21CP recommends that, to ensure transparency and enhance trust, any proposed pilot program by either PPD or DUPD be fully vetted within the Drexel University community before being agreed upon by Drexel and the DUPD.

DUPD's patrol areas are defined in the MOU as 30th street to 36th Street and Chestnut Street to Spring Garden Avenue for the main campus, including the 3600 and 3700 blocks of Brandywine Street and the south side of 3200 Chestnut Street. However, the MOU also provides that "DUPD will patrol Drexel University owned/occupied properties and the immediate areas surrounding the following areas." A list is then provided of buildings owned or occupied by the University. This raises some questions that the MOU should clarify. For instance, will DUPD only patrol on the byways immediately surrounding the buildings? Are DUPD officers formally authorized to stop and intervene on incidents as they travel between properties? The MOU should make clear to officers and supervisors of both DUPD and PPD, as well as to community stakeholders, the full scope of patrol boundaries, responsibilities, and limitations.

Recommendation 14.   Drexel University and DUPD should establish clearer policies and protocols for how they will assist other police departments – including PPD and other nearby agencies – in managing crowds, responding to mental health crises, and responding to types of calls that run a reasonable risk of force being deployed. These protocols should be incorporated into outstanding MOUs.

Although the MOU between PPD and DUPD was just updated, the current MOU does not provide enough specificity on the conditions under which DUPD will provide aid to the PPD. Recent events, including events in the spring in the area of 52nd and Market Streets, have called into question the responsibilities of DUPD in assisting other police departments.

First and foremost, the 52nd and Market location is at least one mile from campus, and outside of the footprint of Drexel University – which leads a number of community stakeholders with whom 21CP spoke to wonder precisely why DUPD would need to be involved in the first instance. As this report has previously made clear, it is relatively atypical for DUPD to respond or address issues more than one mile removed from the University's campus.

Moreover, there are uncertainties about PPD's call for support during the events that occurred on May 30, 2020. Some officers interviewed for this review indicated hearing a call for assistance over their radios and responding accordingly. An independent report on PPD's response to the demonstrations and civil unrest of May 30 – June 15, 2020 indicates that on May 30, 2020, between 5pm and 8pm, the City of Philadelphia requested additional resources

from its local universities' security teams.[134]   Specifically, "PPD contacted Drexel, the University of Pennsylvania, Temple, and La Salle (unavailable)."[135] The report observes that, although PPD deployed 536 officers and despite additional resources provided by Southeastern Pennsylvania Transportation Authority ("SEPTA") and the local universities, law enforcement remained under-resourced – and a second request for assistance was sent to surrounding jurisdictions.[136]

Pennsylvania law, 42 Pa. C.S. §8953 1 *et seq*, grants extraterritorial jurisdiction to nonmunicipal police officers. That is, in some circumstances, police officers may operate as sworn law enforcement agents outside of their jurisdiction. This authority is granted "if the officer has been requested to immediately aid or assist a Federal, State, or local law enforcement officer…"[137]   Consequently, PPD appears to have requested assistance from university police departments on May 30, and DUPD responded, under the power and authority granted in Pennsylvania law.

Nevertheless, jurisdictions are not strictly compelled to provide aid whenever requested or for every purpose. 21CP recommends, therefore, that Drexel University and DUPD identify with greater clarity and precision the conditions that must be met for the Department to provide aid to other departments. This includes specifically identifying the conditions under which DUPD will provide aid outside of the Department's specified patrol boundaries. DUPD policy, and likely codified MOUs, should identify how such assistance is requested and how a request for assistance is authorized. DUPD policy should specifically prohibit "self-dispatching" such that an officer, upon hearing for a request for assistance from a nearby jurisdiction, independently elects to respond and provide aid without any definitive determination being made by the Department or its command staff. At minimum, a supervisor should approve all DUPD officers' actions occurring outside of their specified boundaries.

The independent report on the events of May 2020 recommended that "PPD should establish Memoranda of Understanding (MOUs) with other local law enforcement agencies in order to create clear protocols and expectations and facilitate a seamless integration to the incident's ICS."[138] 21CP strongly encourages Drexel University to determine how it will relate to PPD, and to articulate this expressly within the MOU with PPD.

In particular, Drexel should determine and expressly identify in an MOU both how it will, or will not, assist PPD with respect to crowd management, crisis management, and particular

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[134] Benjamin Carleton, et al, *Philadelphia Police Department's Response to Demonstrations and Civil Unrest, May 30-June 15, 2020* (Dec. 2020).

[135] *Id.* at 11.

[136] *Id.*

[137] Pa. Stat. §8951, Title 42, Subchapter D, Municipal Police Jurisdiction.

[138] Benjamin Carleton, et al, *Philadelphia Police Department's Response to Demonstrations and Civil Unrest, May 30-June 15, 2020* (Dec. 2020) at 22.

types of calls where force might be reasonably implicated. Likewise, PPD should articulate the same to ensure that DUPD or the University may have the handle on primary response to situations where it does not believe that PPD is the best or most useful response. In this way, in the long-term, any MOU involving the respective duties of DUPD and PPD will need to accommodate the output of the re-imagining public safety process.

Recommendation 15.   After MOUs are updated, DUPD should design and implement in-depth training personnel on relevant policy, procedures, roles, and responsibilities applicable to the Department's relationship with PPD and other nearby agencies.

Current General Order 012 – Jurisdiction & Mutual Aid is the only policy or procedural material that 21CP could identify that addresses the MOU with PPD. The General Order references the MOU in terms of jurisdiction, patrol areas, and responding to calls for service. However, the MOU contains much more around the topics of investigations and support services provided by PPD to DUPD.

Although 21CP heard that DUPD officers feel generally informed of MOU changes and updates, we could not identify a formal training or informational mechanism through which all DUPD personnel are updated on policies related to patrolling and responding outside of Drexel campus and properties. All Department of Public Safety and DUPD personnel, from dispatchers and officers to supervisors and managers, should be aware in detail of the MOU's specifics and about the particular roles and responsibilities outlined in it. Consequently, DUPD and the University should insure updated, in-depth training to personnel on the MOU that focuses on real-world problems and decision-making scenarios that may implicate concerns and provisions relating to the MOU and issues of overlapping law enforcement agency jurisdiction.

Recommendation 16.   Drexel University and the DUPD should collect and analyze data on all patrol and community interaction efforts that occur *off* Drexel campus or properties. This data should be made available, in aggregate form, to the community.

Across DUPD data, it was sometimes difficult to readily identify what types of DUPD activities occurred off-campus versus what occurred on-campus. The Department and University would be well-suited to update its data and information-collection mechanisms to log rigorously whether the underlying encounter or activity occurred within the footprint of Drexel's campus or occurred outside the boundaries of campus.

Recommendation 17.   DUPS should conduct a public awareness campaign for Drexel community stakeholders, as well as Drexel community neighbors, about when and where DUPD responds, how it interacts with the larger community, the

Department's boundaries, and the nature of DUPD's MOUs with other law enforcement entities.

21CP found no formal information suggesting that Allied Universal Security were formally engaged in understanding MOU policies. Given the significant presence of Allied Universal Security personnel on campus and in the surrounding areas, and that Allied personnel are partners in campus safety and security, we believe that some form of more detailed understanding and awareness is needed on DUPD roles, responsibilities, boundaries, and jurisdiction.

During engagement for the present report, members of the campus community, as well as Drexel University's neighbors, frequently asked about the boundaries of DUPD efforts. There appears to be a lack of clarity and shared understanding around the role of DUPD in responding beyond the boundaries of Drexel's campus. Although some content regarding the existing PPD MOU is available on the DUPD website, the University and Department need to provide better and more meaningful ways to inform Drexel University stakeholders as to policies and practices regarding patrol and mutual aid.

Recommendation 18.   DUPD should conduct joint trainings on responding to various types of incidents that might implicate assisting, or receiving assistance form, nearby police departments.

Once the MOU is complete, it should become a training document and used in exercises by all signatory agencies to ensure that the agencies understand how and why assistance, support, or joint activities may and may not occur. Joint training and exercises should be conducted to ensure that all personnel understand the rules and command-and-control structures outlined in the MOU.

VI.   ACCOUNTABILITY

Generally, accountability refers to "the quality or state of being accountable" and an individual or entity's "obligation or willingness to accept responsibility for one's actions."[139] President Obama's Task Force on 21st Century Policing situated this concept in the context of contemporary policing, emphasizing that police are accountable to the communities they serve:

> Rethinking . . . the role of police in a democracy requires leadership and commitment across law enforcement organizations to ensure internal and

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[139]   Accountability, Merriam-Webster Online Dictionary, https://www.merriam-webster.com/dictionary/accountability (last visited Mar. 18, 2021).

external policies, practices, and procedures that guide individual officers and make organizations more accountable to the communities they serve.[140]

Often, "[w]hen people talk about accountability in policing, they usually are referring to the back end. Something bad has happened, it is not what should have happened, and so someone must be held accountable."[141] However, the umbrella term "accountability" also encompasses front-end accountability, which involves ensuring that there are "rules in place before officials act, which are transparent, and formulated with public input."[142] In this way, accountability can be thought of in the narrow, retrospective sense – imposing consequences for misconduct or poor performance after it has occurred – and in a broader, forward-looking sense – defining ways of aligning police performance with the community's values and needs, thereby making the police "accountable" to the community.

Some stakeholders focused on accountability in terms of front-end fidelity by DUPD and its officers to the expectations and needs of the Drexel community. As one Drexel staff member shared:

> In police culture, accountability feels different and means something different then it might mean for a customer service institution. It's a completely different field in policing then in the public. Often you really feel the difference between our cultures.

To this end, the International Association of Campus Law Enforcement Administrators (IACLEA) goes further by specifying the application of accountability within the campus policing context by stressing, among other things:

- Recruiting and hiring for agency philosophy and mission;
- "Creat[ing] a culture centered on community service, transparency, and continuous improvement in which each agency member can 'check' any other agency member without consequence"; and
- Consistently communicating with the community on agency efforts – including listening to the community.[143]

Part 1 of this report's focus on re-imagining public safety inherently involves strengthening front-end accountability through a process of the Drexel community directly shaping the nature of the University's public safety system. Policing may be more accountable when the

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[140] *Final Report of the President's Task Force on 21st Century Policing* 2 (2015).

[141] Maria Ponomarenko & Barry Friedman, "Democratic Accountability and Policing," *in* 4 *Reforming Criminal Justice: Punishment, Incarceration and Release* 5, 5 (Erik Luna ed., 2017).

[142] *Id.* at 8.

[143] International Association of Campus Law Enforcement Administrators, *Shaping the Future of Policing & Public Safety: Summit on Policy and Accountability* 4 (Oct. 22, 2020), https://www.iaclea.org/assets/uploads/pdfs/Issue_Brief_Policy_Accountability_October_1.19.2021_FINAL.pdf.

community is directly setting the expectations as to when, where, and how the police interact with the community.

At the same time, many other Drexel stakeholders focused on back-end accountability and ensuring that DUPD officers that perform poorly or engage in misconduct are subject to appropriate consequences. Certainly, for front-end expectations to be meaningfully and systematically implemented, back-end scrutiny of officer and departmental performance is also necessary.

The recommendations below focus on what DUPD and the University can do now to enhance its systems and processes related to back-end accountability.

Recommendation 19.   To ensure that DUPD can better manage itself, hold officers accountable under its policies, and fully and fairly investigate complaints about officer misconduct, Drexel University should equip DUPD with body-worn cameras. DUPD should implement the cameras to all personnel after collaborating with the community on a codified policy for the use of such cameras.

As of 2016, about four out of five large police departments in the United States – or those "with 500 or more full-time officers" – used body cameras.[144] About one out of three smaller departments deployed body cameras.[145]

Evidence on the overall effects of body-worn cameras is mixed – with the nature and scope of the impact varying from place to place. In Las Vegas, "BWC-wearing officers generated significantly fewer complaints and use of force reports" than those without the cameras.[146] In contrast, body cameras in Washington, D.C. caused no measurable impact across a variety of policing activities, including use of force and civilian complaints.[147] In Milwaukee, officers who wore body-cameras made fewer stops and "were less likely to receive a complaint" but were no less likely to engage in use of force.[148]

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[144] Lindsey Van Ness, "Body Cameras May Not Be the Easy Answer Everyone Was Looking For," *PewTrusts.org* (Jan. 14, 2020), https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2020/01/14/body-cameras-may-not-be-the-easy-answer-everyone-was-looking-for.

[145] *Id.*

[146] Anthony Braga, et al, United States Department of Justice Office of Justice Programs, *The Benefits of Body-Worn Cameras: New Findings From a Randomized Controlled Trial at the Las Vegas Metropolitan Police Department* I (Dec. 2017), https://www.ojp.gov/pdffiles1/nij/grants/251416.pdf.

[147] David Yokum, et al, The Lab @ DC, Office of the City Administrator, Executive Office of the Mayor, Washington, D.C., *Evaluating the Effects of Police Body-Worn Cameras: A Randomized Controlled Trial* (Oct. 20, 2017), https://discover.pbcgov.org/criminaljustice/BodyWorn%20Camera%20Clearinghouse/TheLabDC_MPD_BWC_Working_Paper_10.20.17.pdf.

[148] Bryce E. Peterson, et al, Urban Institute, *The Milwaukee Police Department's Body-Worn Camera Program* 1 (May 2018),

However, regardless of whether the existence of cameras leads to changes in behavior among police officers who wear them, or among subjects who are aware that officers are recording, body cameras can serve as a critical accountability tool:

> [B]ody-worn cameras may result in better transparency and accountability and thus may improve law enforcement legitimacy . . . Video footage captured during . . . officer-community interactions might provide better documentation to help confirm the nature of events and support accounts articulated by officers and community residents . . .
>
> Video capture by body-worn cameras may help corroborate the facts of the encounter and result in a quicker resolution.[149]

Practically, it is easier for supervisors, independent oversight, and community members to reach their own determinations about what did or did not happen in a given incident when a video record of a police interaction is captured on video rather than when all that exists are the accounts of an involved officer and potentially an involved subject.

A broad cross-section of Drexel community members, affiliates, and police personnel expressed support for DUPD's use of body worn cameras. One student, responding via survey, advocated simply, "make them have mandatory body cameras." Several faculty and staff members indicated that, in their view, encounters might proceed differently if officers knew that their interactions were being filmed and may be subsequently reviewed.

DUPD indicated to us that they often must rely on closed-circuit television ("CCTV") to capture video of encounters or incidents that occur on campus. The quality and value of CCTV footage is highly dependent upon its placement, seasonal foliage, and the quality of lighting. The use of body worn cameras would avoid reliance on what DUPD personnel indicated is the less-than-reliable CCTV network.

We note that, in order to successfully implement body-worn camera technology, it is imperative that Drexel and DUPD collaborate with the community on policies and procedures for using cameras. In particular, the University and DUPD will need to work to balance interests of accountability with privacy concerns and the need to respond appropriately and sensitively to particular subjects and to crime victims.[150]

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https://www.urban.org/sites/default/files/publication/98461/the_milwaukee_police_departments_body_worn_camera_program_1.pdf.

[149] Brett Chapman, "Body-Worn Cameras: What the Evidence Tells us," *National Institute of Justice Journal* (Nov. 14, 2018), https://nij.ojp.gov/topics/articles/body-worn-cameras-what-evidence-tells-us.

[150] *See, e.g.*, Bureau of Justice Administration, U.S. Department of Justice, *Body-Worn Camera Toolkit*, https://bja.ojp.gov/program/bwc (last visited Mar. 19, 2021); Office of Community Oriented Policing Services, U.S. Department of Justice, *Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned*, https://www.justice.gov/iso/opa/resources/472014912134715246869.pdf (last accessed Mar. 19, 2021); Jay Stanley, American Civil Liberties Union, "Police Body-Mounted Cameras:

Recommendation 20. **DUPD's current policies and procedures on civilian complaints should be simpler and clearer – ensuring that the ability to make complaints is unimpeded and straightforward.**

DUPD's Directive 51 addresses the process by which individuals may file a complaint about DUPD conduct. Although the policy, and its various appendices, contain a number of important aspects of a comprehensive complaint process, several areas of the directive are not clear – providing confusing information or failing to provide important details.

As a threshold matter, "[t]he widest possible net should be thrown open at intake to receive all complaints from all possible sources of complaint."[151] This includes external complaints, allegations of misconduct alleged by members of the public or other sources outside the Department, and internal complaints (that is, allegations of misconduct identified by DUPD personnel about other personnel). "The complaint process from intake to final disposition should be clear to all involved"[152] and should be aimed at fully and fairly addressing a complainant's allegations. The following, specific recommendations speak to ensuring that DUPD's complaint process helps to inspire confidence and trust within the Drexel community and among the Department's personnel.

> **Recommendation 20.1.** **DUPD policy should clearly state who is responsible for accepting complaints.**

DUPD's Directive 51 states that officers should direct individuals who wish to file a complaint to the on-duty supervisor. Meanwhile, a section on anonymous complaints references complaints being received by "a supervisor or other persons accepting the report," suggesting that someone other than a supervisor can indeed accept a complaint in some circumstances.[153] A separate "Citizen Complaint Procedures" document that officers are instructed to provide complainants does not shed any additional light on *who* a complainant should approach or expect to respond to their request to file a complaint. DUPD policy should clearly spell out who has the responsibility of accepting complaints. If supervisors are the only ones to accept a complaint, the policy should set forth specific steps that an officer should take if the supervisor is not available or if a potential complainant is unwilling to wait for or make a complaint to an available supervisor.

With Right Policies in Place, a Win for All", https://www.aclu.org/sites/default/files/assets/police_body-mounted_cameras-v2.pdf (last rev. Mar. 2015); International Association of Chiefs of Police, *Body-Worn Cameras: Model Policy* (Apr. 2014), https://www.theiacp.org/sites/default/files/all/b/BodyWornCamerasPolicy.pdf.

[151] Office of Community Oriented Policing Services, U.S. Department of Justice, *Standards and Guidelines for Internal Affairs: Recommendations from a Community of Practice* 13 (2007), https://cops.usdoj.gov/RIC/Publications/cops-p164-pub.pdf.

[152] *Id.* at 14.

[153] DUPD Directive No. 51, Citizen Complaint Process.

Recommendation 20.2.   DUPD should make complaint forms accessible via its website and develop a more robust educational effort to make the community aware of how to file a complaint and the complaint process.

Currently, users have to click around many drop-down menus from DUPD's landing page to find where any information about complaints resides. When reaching the correct page regarding complaints, the following message has been displayed for at least the last several months (as of this writing in March 2021): "Public Safety's website is currently experiencing technical difficulties related to the complaint form."[154] Users are instructed to send an email to a general DPS email website or to call DPS dispatch.[155]

A transparent civilian complaint process should include a proactive educational effort to ensure that community members understand how they can make a complaint. This includes creating a complaint process that is easily accessible. 21CP recommends that Drexel establish an online complaint form, or at least a downloadable and fillable PDF complaint form, to facilitate the filing of complaints.

DUPD should also develop a codified plan to increase community awareness of its civilian complaint process. Updating the DUPD website homepage to include information about the complaint process would be a good initial step toward this effort.

Recommendation 20.3.   DUPD should revise its policies relating to the intake, investigation, and handling of anonymous complaints to ensure further that all complaints – regardless of whether someone provides their name – are fully and fairly investigated.

Language contained in Directive 51 allows for a potential, reasonable inference that anonymous complaints will not be fully and fairly investigated. The Directive, and its Appendix A, assert that DUPD might be hindered in its ability to investigate complaints if an individual wishes to file a complaint without identifying themselves by name.[156]

Although it could be true that knowing an individual's name could expedite some investigations, DUPD should ensure that its policies cannot be reasonably perceived as discouraging anonymous complaints. Ultimately:

> Departments should accept anonymous complaints, though they should let complainants know in a noncoercive manner that the anonymity of the complaints may hinder a full and complete investigation; this is because investigators may not be able to follow up with complainants or others with

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[154] Drexel University, Public Safety, Submit a Report or Request, *Report a Complaint*, https://drexel.edu/publicsafety/forms/complaint/ (last visited Mar. 7, 2021).
[155] *Id.*
[156] DUPD Directive 51, Citizen Complaint Process.

firsthand knowledge of the facts. Departments should eliminate deadlines for filing complaints and should not require a complainant's signature, oath, certification, or affidavit for reviews and investigations, as these requirements discourage people who fear retaliation from coming forward. All officers should be required to accept, document, and report any allegation of police misconduct.[157]

All DUPD policies, including Directive 51 and Appendix A, should be revised to make clear that anonymous complaints will be accepted and full investigated without any undue prejudice. To the extent that the potentially negative effects of not providing a name are addressed, they should be articulated in a manner that does not risk discouraging anonymous complaints. For instance, Seattle's Office of Professional Accountability notes to potential complainants:

> Anyone can file a complaint. Although you can file a complaint anonymously, it is helpful if you provide a phone number or email address so an investigator can follow up to obtain additional information that may be crucial to the investigation.[158]

Recommendation 21.   DUPD should develop a comprehensive policy manual addressing internal, administrative, and complaint investigations.

DUPD and the Drexel community would be well-served to develop a more detailed and exhaustive policy manual outlining procedures and expectations for investigations and reviews of officer performance – whether external complaints about misconduct or internal referrals regarding policy violations or deficient performance. As a general matter, an internal investigations policy should include:

- How complaint allegations are classified or categorized;
- Timelines and requirements for notification to implicated personnel and communication requirements for complainants on the status of ongoing investigations;
- Requirements surrounding the interview of complainants, officers, and witnesses, including that interviews be audio- or video-recorded (as discussed below);
- An investigative checklist of tasks that must be completed during an investigation or a detailed investigative chronology; and
- Guidelines for what should be included in an investigative or summary report.[159]

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[157] The Leadership Conference on Civil and Human Rights, *New Era for Public Safety: A Guide to Fair Safe and Effective Community Policing* 200 (2019).

[158] Seattle Office of Professional Accountability, *Complaints*, https://www.seattle.gov/opa/complaints/file-a-complaint (last visited Mar. 22, 2021).

[159] *See generally id.* (outlining best practices for internal affairs investigations).

Recommendation 22.   DUPD policy should be more specific about the potential dispositions for a complaint investigation.

DUPD does not appear to provide written expectations about the process through which investigative officers make final, formal determinations as to the outcomes of their investigations. Most agencies identify how complaint investigations may be adjudicated ("sustained," "not sustained," "exonerated," and "unfounded" are typical classifications) so that both citizens and officers will have a clear understanding of what they mean.

Recommendation 23.   The University should consider establishing an external board, comprised of representatives from the Drexel community, to review and provide recommended adjudications of community complaint investigations and dispositions.

Currently, although University Human Resources provides guidance to DUPD on disciplinary issues, the investigation and disposition of citizen complaints is conducted entirely within the Department.

As Drexel and DUPD work collaboratively with its campus and community stakeholders to re-imagine campus public safety, the University should explore the benefits of establishing an external review board to review, provide recommendations on the disposition of, or adjudicate external complaint investigations. Specifically, DUPD should consider an oversight mechanism with an adjudicative function, in which the oversight body "adjudicates specific disciplinary matters by making findings and recommendations" based on the complaint investigation.[160] This type of community-based oversight may serve to address the sense, shared among a number of Drexel stakeholders, that the Department is insufficiently accountable to the community with respect to complaints and misconduct – by actually involving the community in the process of addressing specific complaints about the Department's, and its personnel's, performance.

Recommendation 24.   Drexel University should post information about the findings of DUPD's complaint and misconduct investigations on its website.

To promote transparency and accountability, DUPD should provide information on the classification of received complaints and the outcome of complaint investigations on its website. Many police departments make this information publicly available,[161] and DUPD should join them.

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[160] Sharon R. Fairley, "Survey Says: U.S. Cities Double Down on Civilian Oversight of Police Despite Challenges and Controversy," *Cardozo Law Review De Novo* 8 (2020), http://cardozolawreview.com/wp-content/uploads/2020/01/FAIRLEY.DN_.2019.pdf.

[161] Baltimore Police Department, Transparency, Accountability, *Misconduct & Discipline*, https://www.baltimorepolice.org/transparency/misconduct-discipline (last visited Mar. 13, 2021);

Recommendation 25.   The University should ensure that it has policies and procedures that address complaints against Allied Universal Security officers.

As this report notes elsewhere, Allied Universal provides security services, and approximately 140 employees, to Drexel University. They provide a variety of community patrol services, providing security to residential, academic, and administrative buildings; special event security; and walking escorts for Drexel community members. Accordingly, Allied Universal employees perform numerous community-facing public safety functions. As one student observed, "I see them everywhere, they are always friendly."

Many students, faculty, and staff told us that they identify little distinction between DUPD officers on the one hand and Allied Universal Security officers on the other. Indeed, some stakeholders were unaware that security officers were not extensions of DUPD. Within this environment, issues with or complaints about Allied security personnel can clearly impact community members' sense of public safety and well-being.

Allied currently handles their own complaint investigations. 21CP's conversation with Allied personnel and representatives indicate they rarely have complaints about their security officers and cannot remember any complaints recently. The company apparently does not have a written complaint process and does not track complaints; likewise, they do not appear to have a procedure for investigating them.

To ensure that Drexel and DUPD are aware of any issues of misconduct pertaining to Allied Universal, the University needs to ensure a clear and rigorous process in which complaints about or issues with the performance of Allied security personnel are fully and fairly investigated, with information about outcomes made available in a timely and transparent manner.

Recommendation 26.   The University should ensure that all complaints relating to communications staff are documented and tracked.

The Communications Center is currently an entity, separate from DUPD, within the Department of Public Safety. Accordingly, Communications maintain their own general orders and standard operating procedures. Their accreditation is also separate from the police.

According to the Director of Operations of the Communications Center, Drexel's current long-term plan is for communications to become a part of DUPD. We note here that such a consolidation of the communications function into the police department may well be at odds

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Seattle Office of Police Accountability, News & Reports, *Closed Case Summaries*, https://www.seattle.gov/opa/news-and-reports/closed-case-summaries (last visited Mar. 13, 2021).

with a system of public safety, created during the re-imagining public safety addressed previously, that may well emphasize alternatives to police response.

Drexel's Communications Center has not received any external complaints about employees for the past few years. Complaints against communications center personnel are addressed in SOP Policy 105, DUPSCC Internal Investigations. Among other things, it notes a preference toward resolving issues using "the least adversarial methods" like "intervention" or "mediation", with an investigation otherwise conducted.[162]

Complaints in the communications context often result from a caller or civilian's misunderstanding or lack of awareness as to the standard procedures that communications dispatchers must follow, with an explanation often resolving the issue. To this extent, resolving issues via minimally "adversarial methods" is appropriate and worthwhile. The potential issues, however, is that the SOP does not require that these situations be documented or tracked – which may result in the Operations Director, and the University, not being aware of areas of concern. 21CP recommends that Communications document all complaints that it receives, whether resolved informally or more formally.

VII. COMMUNITY ENGAGEMENT

Recommendation 27. **Consistent with the outcomes of the re-imagining public safety process and the subsequent Community Safety Plan, and even as those processes are being completed, DUPD should explore ways of addressing community needs and problems beyond the realm of patrol or "law enforcement." This might include:**

- **Establishing mechanisms for providing time and creating opportunities for DUPD officers and supervisors to participate in community engagement and problem-solving consistent with the manner and scope of desired engagement by the Drexel community; and**
- **Establishing a collaborative Advisory Group consisting of students, staff, faculty, community members and DUPD representatives to review and consult on DUPD policies, practices, training, and community engagement efforts.**

Even as Drexel undergoes the process of re-imaging public safety on campus, there are still improvements that can be made in the short-term – particularly in the coming months as Drexel prepares to welcome more community members back to its campus – to the everyday practices of the DUPD that can improve outcomes and enhance community relationships.
A number of students, faculty, and staff at Drexel cited the positive impact the Community Relations Unit ("CRU") Officers at DUPD have on campus. These two DUPD officers are

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[162] SOP Policy 105, DUPSCC Internal Investigations (last rev. June 3, 2014).

considered the "primary liaison assigned to various community, educational and crime-prevention programs."[163] Even among some community members who were otherwise critical of DUPD, CRU Officers appear to be broadly seen as positive ambassadors for the department and a generally helpful presence on campus. For many, the contrast between CRU Officers and DUPD officers generally is notable. One stakeholder in resident life, when asked what it would take to have them be more comfortable in engaging DUPD, said, " I think if every officer were like them, [the Community Relations Unit], I would be more willing to have [DUPD] engage."

DUPD Directives position community engagement and positive community interactions as the responsibility of all personnel:

> [The] responsibility for accomplishing positive community relations and successful crime prevention programs is shared by all members of the agency. The Community Relations Unit will be the primary liaison assigned to various community, educational and crime-prevention programs. The existence of the Community Relations Unit does not relieve agency personnel from the responsibility to promote effective community relations.[164]

We learned that DUPD leaders regularly participate in community meetings, especially in the 16th District, which allows for communication and coordination relative to student and community resident needs. We also learned that DUPD leaders and officers observed that they are not as able as they would like to engage with campus stakeholders. These types of challenges have been noted elsewhere, such as reduced DUPD participation in student orientations, for example.

As previously noted, there are a number of stakeholders on campus who do not want to engage with DUPD and for whom the very presence of DUPD is unwanted and unwarranted. There are others, however, who say that one-to-one, personal engagement with individual DUPD officers may be useful for them or their communities. For example, one stakeholder said, "DUPD needs to interact with the community more. Most officers just hang out in their cars. They need to get out and put themselves among the student population." A student said that DUPD could improve campus safety through "[m]ore campus/student engagement." Another student suggested that DUPD could benefit from "[w]orking closely with students organization and maintaining a rapport can help to make students less afraid but free to be able to open up when needed." Yet another student indicated that "I think that DUPD could improve the feeling of campus safety by increasing their community outreach." These and similar sentiments were recurring across our stakeholder engagement.
Consequently, where and when – and only where and when – members of the Drexel community want to engage with DUPD, the Department should be ready, by empowering all

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[163] DUPD Directive No. 92, Community Relations.
[164] *Id.*

individual officers, to engage with members of the community in informal or problem-solving capacities. That is, all DUPD personnel, and not just CRU Officers, need to be ready, willing, and able to engage with the Drexel community on the terms and in the context set by the communities that DUPD serve.

As one student articulated, "I think the most important things the DUPD can do is sit down and listen to the student organizations that are challenging the DUPD. These are the people that have some of the most understanding on how the department can be reformed." Both through informal one-on-one interactions with individuals or community organizations and through more formalized mechanisms, the Department needs to be prepared to engage in an open and humble manner with Drexel's communities.

With respect to formalized engagement, DUPD might consider forming an Advisory Group, comprised of students, faculty, and staff, that could work with DUPD as it endeavors to implement the types of recommendations outlined in Part 2 of this report. Part of the Advisory Group's efforts should be engaging with the campus community in a manner that allows for listening and feedback from a diverse array of individuals and organizations. The group might also work to craft a short-term strategic plan for DUPD, even as the campus proceeds through a re-imagining public safety effort, aimed at ensuring the rapid and effective implementation of short-term goals.

We emphasize again that any engagement with the community needs to meet, or not meet, the community where they are and where they want. When individuals or groups do not want voluntary engagement, DUPD must respect those desires and views. However, for those community members who say that they would benefit or derive value from ongoing engagement with the Department, the Department needs to take the relevant steps now to ensure that it and its officers are more readily accessible and approachable.

VIII.   EMPLOYEE WELLNESS & SUPPORT

Policing in any community can be an unpredictable and stressful job – especially in a country with over 393 million guns in circulation,[165] where the possibility of being called to respond to serious physical threats serves as a continual, background reality. Officers respond to situations that others have not been able to resolve themselves and to interact with individuals when they are at their worst or most vulnerable. A number of studies establish that law enforcement officers often encounter physical and mental health challenges as a result of stress and trauma experienced on the job.[166]

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[165] Lisa Dunn, "How Many People in the U.S. Own Guns," *WAMU.org* (Sep. 18, 2020), https://wamu.org/story/20/09/18/how-many-people-in-the-u-s-own-guns/ (citing 2018 report of Small Arms Survey).

[166] *See, e.g.*, Gregory S. Anderson, et al, "Physical Evidence of Police Officer Stress," 25 *Policing* 2 (June 2002); John M. Violanti, et al, "Highly Rate and Most Frequent Stressors Among Police Officers:

This stress can impact not just the officers themselves but the quality of the officer's performance.[167] As President Obama's Task Force on 21st Century Policing observed:

> An officer whose capabilities, judgment, and behavior are adversely affected by poor physical or psychological health not only may be of little use to the community he or she serves but also may be a danger to the community and to other officers. As task force member Tracey Meares[168] observed, 'Hurt people can hurt people.'[169]

There is no one program, policy, or practice that is alone sufficient to provide the type of professional support that police officers need. Instead, "[t]here is . . . a continuum of mental health and wellness strategies" that "include[] proactive prevention and resiliency building; early interventions; critical incident response; treatment[;] reintegration; and ongoing support of officers, staff members, and their families.[170]

Even as DUPD appears to recognize the importance of the health and wellness of its officers, it does not appear that the Department's personnel believe that they have sufficient access to the types of resources and programs that would be beneficial. As one DUPD member summarized with respect to officer wellness programs, "We have an EAP [Employee Assistance Program] 800 number. That is pretty much it." The number this member is referring to is offered through the centralized Drexel Human Resources Office[171] and is contracted to an outside provider, Lincoln Financial Group. This University EAP program offers generalized employee assistance to all faculty and staff at the University. DUPD notes that a few officers have received training in the area previously.

Recommendation 28.   Drexel University and DUPD should formally codify a comprehensive health and wellness program for DUPD officers tailored to officer and community needs.
21CP's review identified no specific, tailored health and wellness program for Drexel University Police Department and Drexel University Public Safety employees. Although the

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Gender Differences," 41 *American Journal of Criminal Justice* 645 (2016); *see generally* Deborah L. Spence, et al, *Law Enforcement Mental Health and Wellness Act: Report to Congress* (2019).

[167] Police Executive Research Forum, *Building and Sustaining an Officer Wellness Program: Lessons from the San Diego Police Department* 7 (2018).

[168] Although Professor Meares is a consultant with 21CP Solutions, she was not involved in 21CP's work at Drexel University.

[169] *Final Report of the President's Task Force on 21st Century Policing* 61 (2015).

[170] 21CP Solutions, U.S. Department of Justice, Office of Community Oriented Policing Services, *Law Enforcement Mental Health and Wellness Programs: Eleven Case Studies* 1 (2019), https://cops.usdoj.gov/RIC/Publications/cops-p371-pub.pdf.

[171] Drexel University, Benefits, Other Benefits, *Employee Assistance Program*, https://drexel.edu/hr/benefits/other-benefits/employee-assistance-program/ (last visited Apr. 1, 2021).

University's general EAP program may offer some resources, it is not clear that the current offerings can serve the unique needs and experiences of Drexel's public safety employees.

Many DUPD personnel expressed the sense that they were not being adequately supported and did not have the benefit of necessary resources. One officer observed:

> The University has a hiring freeze. We have minimum staffing requirements and are now overworking people and spending overtime. People can't take time off.

Another DUPD member summarized:

> Morale is important and it is low. The University is thinking of opening back up in January, talking about testing students [for Covid-19]. The officers are saying we have been here since day 1, and we haven't been tested. Drexel we must own some of the morale problem. DUPD must be treated as a partner.

DUPD will need to work with its personnel, and the broader University community, to determine the portfolio of resources that may be beneficial going forward. To that end, the International Association of Campus Law Enforcement Administrators ("IACLEA") provides campus law enforcement officers and agencies with myriad resources for improving officer safety and wellness – with IACLEA members having access to a wealth of resources via the COPS Office Collaborative Reform initiative.[172] Beyond IACLEA, the U.S. Department of Justice provides a number of important resources addressing law enforcement health and wellness,[173] including the COPS Office National Officer Safety and Wellness Group[174]

An examination of practices by local law enforcement agencies may also offer insight into model employee health and wellness programs.[175] DUPD might also consider partnering with an appropriate and relevant social service provider external to Drexel University to assist in providing necessary resources to officers.

Not only in support of officer health and wellness but to promote accountability, DUPD may consider implementing a peer intervention program aimed at empowering officers with skills and techniques to prevent peers from engaging in poor performance or misconduct.

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[172] International Association of Campus Law Enforcement Administrators, Training, *Collaborative Reform Initiative Technical Assistance Center*, https://www.iaclea.org/collaborative-reform-initiative-technical-assistance-center (last visited Mar. 22, 2021).

[173] Office of Community Oriented Policing Services, U.S. Department of Justice, *Officer Safety and Wellness*, https://cops.usdoj.gov/officersafetyandwellness (last visited Mar. 22, 2021).

[174] Office of Community Oriented Policing Services, U.S. Department of Justice, *National Officer Safety and Wellness Group*, https://cops.usdoj.gov/oswg (last visited Mar. 22, 2021).

[175] Philadelphia Police Department, Directive 6.14, Employee Assistance Program (EAP), https://www.phillypolice.com/assets/directives/D6.14-EmployeeAssistanceProgram.pdf (Apr. 26, 2013).

Specifically, DUPD should consider providing officers with the type of training on peer intervention provided by the Active Bystandership for Law Enforcement ("ABLE") Project to departments across the country.[176]

Recommendation 29.   Drexel should ensure that employee health and wellness directives and programs are also made available to communications personnel.

All public safety personnel, which includes communications and dispatch employees, encounter and experience a variety of stressors in their work and work environments. During stakeholder conversations, 21CP learned that current staffing shortages, shift requirements, and personnel challenges were cited as concerns that are taking a toll on Drexel's communications staff.

Drexel University should also prioritize health and wellness support for Communications Center staff. Wellness-related resources from the Association of Public-Safety Communications Officials ("APCO") focus on the unique occupational stressors and challenges facing dispatch personnel, including 911 crisis communications, PTSD and secondary trauma, along with the consequences of such stressors.[177]

IX.   CRISIS INTERVENTION AND INTERACTION WITH INDIVIDUALS EXPERIENCING BEHAVIORAL HEALTH CHALLENGES

The college experience can be one filled with great excitement, exploration and discovery for students, who often find themselves away from their homes, families, and communities for the first time. In many cases, college provides transformative opportunities for learning about oneself.

At the same time, transitioning into a university environment, and the demands of a college education, can be overwhelming and stressful. [178] Some students may be able to "deal with stress and adversity in mature and healthy ways."[179] For others, the college experience may set the occasion for new, or exacerbated, health concerns.

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[176] Georgetown Law Innovative Policing Program, *Active Bystandership for Law Enforcement (ABLE) Program*, https://www.law.georgetown.edu/innovative-policing-program/active-bystandership-for-law-enforcement/ (last visited Mar. 22, 2021).

[177] *See* APCO International, *ProCHRT Toolbox, Health and Wellness Resources*, https://www.apcointl.org/resources/staffing-retention/professional-communications-human-resources-committee/prochrt-toolbox/health-and-wellness/ (last visited Mar. 22, 2021).

[178] *See generally* Louise A. Douce & Richard P. Keeling, *A Strategic Primer on College Student Mental Health* (2014), https://www.naspa.org/images/uploads/main/Campus_Mental_Health_Primer_web_final.pdf.

[179] *Id.* at 2.

"Mental health problems are very common among college students."[180] One study from the early 2010s found that "one-third of college students across the United States had problems functioning because of depression in the last 12 months," with "almost half sa[ying] they had felt overwhelming anxiety in the last year, 20 percent sa[ying] they had seriously considered suicide in their lifetime, and 5.8 percent sa[ying] they had attempted suicide."[181] Because three-quarters of "all lifetime mental disorders" start "by the mid-20s," many students with mental health challenges either arrive on campus already experiencing those challenges or will begin to experience them during their college careers.[182]

Further, the current global health situation, and the significant changes to daily life that have been associated with it, has significantly impacted mental health across the population, with 42 percent of Americans "report[ing] symptoms of anxiety or depression in December [2020], an increase from 11% the previous year."[183] Nearly three-quarters (71%) of college students in a 2020 study reported "increased stress and anxiety due to the Covid-19 outbreak."[184] Several students told 21CP that, as one student observed:

> I think currently a lot of students are struggling with mental illnesses and their mental health due to this time.

Our review of crisis response calls to the DUPD between the years 2018 and 2020 reveals that, even prior to the pandemic and the changes to residential life and in-person University activities that the pandemic caused, DUPD are responding to a many calls pertaining to student, staff, and faculty mental and behavioral health needs. For instance, "check on well-being" – in which officers seek to make contact with the person of interest to ensure their safety and well-being – is a common call to DUPD. A review of call reports show that these "check on well-being calls" involve a range of concerns, from suicidal ideation and substance use disorder to academic stress. DUPD is also involved in a calls in which a member of the Drexel community needs to obtain psychiatric or behavioral health assistance in a hospital setting.

It appears that DUPD is not just responding but that it has become the first and primary responder for a variety of calls that are, at their core, related to mental and behavioral health

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[180] Paola Pedrelli, et al, "College Students: Mental Health Problems and Treatment Considerations," 39 *Academic Psychiatry* 503 (2015), https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4527955/.
[181] Louise A. Douce & Richard P. Keeling, *A Strategic Primer on College Student Mental Health* 4 (2014), https://www.naspa.org/images/uploads/main/Campus_Mental_Health_Primer_web_final.pdf.
[182] Ronald C. Kessler, et al, "Age of Onset of Mental Disorders: A Review of Recent Literature," 20 *Current Opinion in Psychiatry* 359 (2007), https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1925038/.
[183] Alison Abbott, "COVID's Mental-Health Toll: How Scientists are Tracking a Surge in Depression," *Nature* (Feb. 3, 2021), https://www.nature.com/articles/d41586-021-00175-z (discussing U.S. Census Bureau survey).
[184] Changwon Son, et al, "Effects of Covid-19 on College Students' Mental Health in the United States," 22 *Journal of Medical Internet Research* 9 (2020), https://www.jmir.org/2020/9/e21279/.

intervention. This phenomena is consistent with many other American college and universities.[185]

Members of the Drexel community interviewed for this review expressed substantial concerns about the current DUPD serving as the *de facto* primary, first responder to mental health crises on campus. The need and desire for alternative responses to individuals experiencing mental and behavioral health crises was the most commonly-cited issue in our conversations with Drexel stakeholders.

A number of students expressly related their own experiences with what many see as a lack of sufficient mental health resources:

- I [feel] my physical safety is well protected by Drexel public safety and Drexel Police. My mental wellbeing has been neglected. When contacting Drexel mental health services I was told I needed to seek outside help because I have insurance. I understand there may not be enough staff to help all students struggling with mental issues . . . I am disappointed that Drexel is so focused on their Drexel Police Department but not at all addressing their failures to aid students struggling with mental illness.

- The DUPD has not contributed to my sense of safety and well-being at Drexel. As someone with a diagnosed mental illness, I have felt targeted, invalidated, and not taken seriously by the DUPD. My struggles have been treated like a crime instead of a medical condition to be treated.

- I feel like especially in mental health response – I think it's really intimidating for DUPD to respond.

Numerous stakeholders indicated that the mental health resources that the University needs cannot take the form of more DUPD involvement. To the contrary, many indicate that DUPD has not been, or should not be, part of the solution:

- I think it is essential to have a well-being taskforce. Some emergencies are related to well-being or mental health issues; we should be focusing on that. It can be very difficult for a student in distress to feel comfortable around a group of armed police officers. They need the reassurance of medical professionals to treat them or help them on the spot. As a college student, I see the lack of support surrounding mental health and a healthy/sustainable lifestyle.

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[185] *See* Gary J. Margolis & Penny R. Shtull, "The Police Response to Mental Illness on Campus," 26 *Journal of College Student Psychotherapy* 307 (2012).

- [Drexel should i]nvest in mental health resources. In what situation does it ever make sense to send a police officer to someone having a mental health crisis? If anything, that'd push me over the edge.

- Counseling services needs more staff to handle emergency mental health issues so that DUPD does not need to be involved in them.

- I think it would help to have social workers/psychologists on duty to assist in the health of students who might be at risk of themselves to avoid people being hurt or killed.

- The DUPD can work more with crisis centers/offices, trauma centers, centers for women, and other places that are meant to advocate for people. I do believe these places can handle some situations better than police can on their own, because they specialize more in one area. People from these groups can go to the scene first, and if police are needed, they can come as backup. Phone calls can also be transferred to these people. Again, working with students from Drexel For Justice would be the most helpful in understanding what the most vulnerable members of the community need.

The sentiments of many members of the Drexel community reflect the national movement to assess the role of police in responding to mental health crises and the move to reduce or eliminate the involvement of police across many types of mental health responses.[186] Still, the number of Drexel stakeholders who raised mental health as a significant safety and health concern was striking – and strongly suggests that the University must address mental health care and crisis response in a new and urgent manner. Even as we suspect that mental health response will be a substantial topic within any community-driven process for re-imagining public safety, we make some recommendations that the University might be able to adopt in the coming months in advance of a new academic year and Drexel's "return to an in-person learning experience in the fall."[187]

Recommendation 30.   The University should explore alternative models of behavioral health crisis response that use clinicians and/or social workers as first,

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[186] *See, e.g.*, Stuart M. Butler & Nehath Sheriff, "Innovative Solutions to Address the Mental Health Crisis: Shifting Away from Police as First Responders," *Brookings.edu* (Nov. 23, 2020), https://www.brookings.edu/research/innovative-solutions-to-address-the-mental-health-crisis-shifting-away-from-police-as-first-responders/; Eric Westervelt, "Removing Crops from Behavioral Crisis Calls: 'We Need to Change the Model," *NPR.org* (Oct. 19, 2020), https://www.npr.org/2020/10/19/924146486/removing-cops-from-behavioral-crisis-calls-we-need-to-change-the-model; Amy C. Watson, Vera Institute of Justice, *Crisis Response Services for People with Mental Illnesses or Intellectual and Developmental Disabilities* (Oct. 2019), https://www.vera.org/downloads/publications/crisis-response-services-for-people-with-mental-illnesses-or-intellectual-and-developmental-disabilities.pdf.
[187] John Fry, *Drexel Looking to a Full Return in the Fall* (Mar. 15, 2021), https://drexel.edu/now/archive/2021/March/Drexel-looking-to-a-full-return-in-the-fall/.

or co-responders for all crisis intervention calls. A new model may be created in collaboration with the University's Office of Counseling and Health Services and other relevant University units.

Community stakeholders made clear to 21CP that they desire clear, institutionalized, responsive, and well-resourced alternatives to DUPD response when it comes to mental and behavioral health crisis response on campus. A few classes of national models have emerged:

- Primary Community Response/"CAHOOTS" Model. Social service providers or clinicians are dispatched in teams, without police, as the primary response to individuals in crisis where the call indicates that the individual is not posing a threat. Police are dispatched as and when these primary, community-based responders require such assistance. The City of Eugene, Oregon has for three decades dispatched "two-person teams consisting of a medic and a crisis worker who has substantial training and experience in the mental health field," rather than immediately sending police, to "deal with a wide range of mental health-related crisis, including conflict resolution, welfare checks, suicide threats, and more . . . , " which has been associated with positive outcomes and significant cost savings to the City.[188]

- Community Co-Response. Officers and specially-trained clinicians or social workers respond together to calls involving behavioral health issues. These non-sworn specialists and officers are specially dispatched as primary responders in situations that may involve individuals in crisis. "Thus, co-response teams go beyond training police officers by integrating officers with trained professionals who specialize in behavioral health problems."[189] Programs launched in Colorado[190] and Dallas[191] are examples. Various programs differ as to whether the clinicians and officers engage subjects together, have the clinician or social worker take the lead while an officer stands at a remove from the subject as "back-up," or an officer is dispatched to be available in the event that issues arise but does not respond to the subject.

We observe here that the push, in earnest, for mental health response structures that de-emphasize police entirely is more recent in many jurisdictions. This means that, even as the

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[188] White Bird Clinic, *What is Cahoots?* (Sept. 29, 2020), https://whitebirdclinic.org/what-is-cahoots/.

[189] Katie Bailey, et al, "Barriers and Facilitators to Implementing an Urban Co-Responding Police-Mental Health Team," 6 *Health and Justice* 21, 22 (2018).

[190] Colorado Department of Human Services, *Co-Responder Programs*, https://cdhs.colorado.gov/behavioral-health/co-responder (last visited Mar. 6, 2021).

[191] Press Release, "Dallas Launches Coordinate Response Program for Behavioral Health Calls" (Jan. 22, 2018), https://mmhpi.org/wp-content/uploads/2018/04/01.22-RIGHTCareTeam_PressRelease_FMT_FINAL2.pdf.

University considers the various models implemented in other communities,[192] it will need to consider, first and foremost, how to best match current, expanded, and new resources to community needs.

Recommendation 31.   DUPD should review and revise its policies regarding response to individuals in behavioral health crisis (e.g. DUPD Directive 55: Mental Health Emergencies), in collaboration with key University stakeholders.

DUPD's current policies should be reviewed and informed by the University's Office of Counseling and Health Services. Policy terminology/definitions, directives and practices should be grounded in research and evidence, which should be noted in the directive. DUPD's response protocols need to support and align with the University-wide approach to mental health response – and reflect requirements and preferences, as developed, for non-police response to mental health crises.

Recommendation 32.   The University should provide training on mental health, behavioral health, and substance abuse issues to all public safety personnel.

Even if or as DUPD no longer serves as the *de facto* primary and first response to a host of mental and behavioral health crises, it is nonetheless likely that any law enforcement agency with responsibility for Drexel's campus will have to interact with some individuals who are experiencing mental and behavioral crisis. This may include individuals in crisis who are posing a threat to others, are engaged in serious unlawful activity, or are appropriately engaged by law enforcement pursuant to a call for service or self-initiated activity where mental health is not apparent as a potential issue until an officer is interacting with the individual. Consequently, law enforcement responsible for policing DUPD's campus should be well-trained on responding to individuals experiencing mental and behavioral health crises.

DUPD's Annual Training Report provides an account of the various training efforts completed for DUPD personnel between 2017 and 2021, including both training developed and provided "In-house" and training provided by outside entities or organizations.[193] None of the in-house training included topics or subjects related to mental health, behavioral health, or substance abuse. External training that may be relevant to crisis situations included:

    2017 – One (1) officer participated in 8 hours de-escalation training.
    2018 – No external training related to these topics reported.

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[192] Amy C. Watson, Vera Institute of Justice, *Crisis Response Services for People with Mental Illnesses or Intellectual and Developmental Disabilities* (Oct. 2019), https://www.vera.org/downloads/publications/crisis-response-services-for-people-with-mental-illnesses-or-intellectual-and-developmental-disabilities.pdf.

[193] *DUPD Annual Training Summary CALEA Assessment Period 2017-2021*.

2019 – 2 officers participated in crisis intervention training for 32 hours (unclear if in total, or 32 hours each).

2020 – 2 officers participated in trauma management training for 48 hours (unclear if in total, or 48 hours each).

The Training Report also references Mental Health Awareness training and work with Drexel's Autism Institute. The Report does not provide much in the way of additional details around these trainings, and 21CP was not provided with additional materials. We observe here that partnering with the Autism Institute is the type of potentially promising partnership that Drexel and DUPD can benefit with respect to training and community collaboration going forward.

Ultimately, it does not appear that DUPD personnel have received adequate training on mental health, behavioral health, and substance abuse issues over the last several years. Given the significance of the issues to the Drexel community, and the prevalence of such issues among the Drexel community, providing information and guidance to public safety personnel in this area is critical – and has the potential to enhance community well-being and safety even as the re-imagining public safety process occurs.

Specifically, Drexel and the DUPD should provide specific training on crisis intervention and mental health issues for all public safety personnel – including officers, civilian members of DUPD, communications center personnel, Allied Security personnel, and others. The training should be geared on identifying mental and behavioral health crises, strategies for successfully addressing interactions and situations involving such crises, and available, non-DUPD resources that officers may bring to bear on such situations. The training should be created in collaboration with University stakeholders, including Drexel's Office of Counseling and Health Services.

As part of this process, the University should ensure regular opportunities for joint, scenario-based training among campus-based mental health stakeholders, housing and residential staff, and public safety stakeholders. Consistent with the idea that public safety involves more than simply DUPD, the University should ensure that numerous points of contact – from police to University staff – have a common understanding and skill-set with respect to mental and behavioral health. As one stakeholder noted, "Collaborative training would be ideal here. Think role playing. Think situational trainings. Think collaborative response goal setting you do this, we do that." We agree.

Additionally, DUPD and University stakeholder partners should consider introducing a collaborative debriefing process whereby designated types of crisis response interactions are collaboratively reviewed and analyzed to consider lessons learned and in the spirit of continuous self-improvement for Drexel's community health and wellness systems.

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