

Tragic Death Focuses Attention on Campus Police

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While the nation's attention has been focused on incidents involving the use of lethal force by local police—and ensuing racial and community unrest, protest, and violence—recent incidents involving campus police highlight the need for colleges and universities to assess their own security policies and practices.

On July 29, 2015, University of Cincinnati Police Officer Ray Tensing was indicted on murder and manslaughter charges for the shooting death of Samuel DuBose. Tensing, who is white, fatally shot DuBose, a black resident of Cincinnati who was not affiliated with the University, during an off-campus traffic stop. Tensing, who was patrolling non-University property under an agreement between the University and the City of Cincinnati, allegedly initiated the traffic stop because DuBose's car was missing a license plate. Body camera video appears to contradict Tensing's account that he was forced to shoot because he was being dragged by DuBose's car.

In light of this and other widely reported recent events, colleges and universities should evaluate their policies and procedures to make sure they reflect best practices for the protection of their own campuses and surrounding communities. In particular, colleges and universities may wish to:

- Review MOUs and agreements between campus police and local police departments to ensure that they clearly define the off-campus jurisdiction of campus police and that the work assigned to campus police reflects their skills and training;
- Enhance training programs to make sure they include such topics as jurisdictional limitations on patrol and arrest authorities, investigatory stop protocols, proper use of force, de-escalation techniques, racial profiling risks, cultural competencies, and interacting with people in psychological distress;
- Consider equipping patrol cars with dashboard cameras and outfitting armed officers with body cameras;
- Ensure an appropriate process is in place for investigating and disciplining officers alleged to have violated policies or procedures, and that mechanisms exist for identifying any patterns of misconduct; and
- Foster a positive relationship with the surrounding community so as to promote strong relationships between campus police and the residents and businesses near campus.

If you need help with this, we have experience counseling educational institutions and police organizations on legal and policy issues. Our team includes:

- Two former Deputy Attorneys General;
- A former FBI Director, FBI General Counsel, and FBI Chief of Staff;
- A former Chief Litigator for the NAACP Legal Defense and Educational Fund;
- A former General Counsel for two leading research universities, public and private; and
- Numerous former federal prosecutors, including the former US Attorney for the District of Columbia, and Deputy US Attorney for the Southern District of New York.

We would be pleased to speak with you about evaluating and enhancing your campus's security policies and procedures.

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