




Stanford University
Department of Public Safety:
Evaluation of Policing Practices and
Recommendations on the Provision
of Police Services for the County of
Santa Clara

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Table of Contents

Executive Summary.....	1
Policing on Stanford’s Campus.....	8
SUDPS and the Sheriff’s Office	11
Memorandum of Understanding.....	11
Communication & Collaboration.....	14
SUDPS and the University	23
Criminal Records & Clery Act Submissions.....	23
Title IX & Sexual Assault Cases.....	25
Division of Work & Issues of Centralization	31
SUDPS Internal Functions	36
Use of Force.....	36
Use of Force Policy Review.....	42
Training Review	46
Addressing Misconduct Allegations	48
SUDPS Data: Examining Allegations of Bias	59
Bias-Free Policing: Policy & Training	63
SUDPS and the Stanford Community.....	66
“Abolish Stanford”	66
Other Campus Groups.....	68
Survey Results.....	68
Engagement, Transparency & Oversight.....	73
Re-thinking the Role of SUDPS.....	77
Recommendations.....	81

Executive Summary

This report was requested by the County of Santa Clara as an evaluation of the policing practices at Stanford University. The review is intended to assess and recommend changes to the policies, procedures, and programs of the Stanford University Department of Public Safety (“SUDPS”) that are related to law enforcement operations, reporting issues, and internal investigations.

While the specific framework of this project has to do with the County’s unique contractual relationship with the University, its contours were also informed by the attention brought to campus policing issues by a student-led movement to abolish SUDPS, or to at least consider alternatives to police as providers of public safety services on campus. This movement stemmed from a larger national dialogue that intensified after the murder of George Floyd in Minneapolis in May 2020. That event set off a wave of demonstrations across the country that focused an unprecedented level of attention on law enforcement and its fraught relationship with Black Americans and other communities of color.

The University responded by forming the Stanford Community Board on Public Safety (“CBPS”) and charged it with the task of developing recommendations to ensure the University is effectively addressing safety concerns and is promoting and maintaining a healthy and safe environment for all. The CBPS issued a Progress Report on July 12, 2021 that examined available data and made eight broad recommendations based on core principles that emerged from a series of meetings and community events it organized during the 2020-21 school year. The Board has since engaged a consultant to evaluate the principles and recommendations set out in the Progress Report and make more specific recommendations to align with those principles.

The County, for its part, cognizant of the dialogue about police reform that was happening on campus, similarly determined that an outside assessment of policing services at Stanford might be beneficial as a source of insight and potential reforms. The County engaged OIR Group,

a team that specializes in police practices and the civilian oversight of law enforcement.¹ OIR Group has a particular level of experience with Santa Clara County, as it both staffs the Office of Correction and Law Enforcement Monitoring for the County and serves as the Independent Police Auditor for the Palo Alto Police Department.

Unfortunately, due to ongoing pandemic restrictions at the time we began engaging with SUDPS, we conducted all our meetings and interviews remotely, via virtual platforms. Our evaluation included over 30 meetings with various stakeholders, including SUDPS members at all rank levels; University employees in Housing, Maintenance, Student Affairs, and the Title IX office; student leaders, survivor advocates, and one of the co-chairs of the Stanford Community Board on Public Safety.

We also requested, received, and reviewed a range of documents relating to DPS policies and operations. The document requests grew complicated because of the unique structure of SUDPS and its need to rely on Santa Clara County Sheriff's Office records systems (a situation we discuss more fully later in this report). While DPS complied quickly and cooperatively with our requests, getting access to documents that were within the Sheriff's span of control proved more difficult. In the end, we did get access to the materials we needed to complete this review. And the documents were certainly helpful, while sometimes significant for their scarcity as much as their substance, as discussed below.

We also had access to student voices through three means: first, the County provided us the opportunity to include public safety-specific questions to an already planned "student life" survey; second, a student group held three town hall forums regarding policing; and third, students were provided the opportunity to respond to a direct survey. The relatively small data set, distribution, and resulting respondents (e.g., the respondents to the student life survey predominantly identified as PhD students) made "statistically significant" findings not possible. But we did

¹ Since 2001, OIR Group has worked exclusively with government entities in a variety of contexts related to independent outside review of law enforcement, from investigation to monitoring to systems evaluation. It has worked in jurisdictions throughout California, as well as in Oregon, Colorado, New York, New Jersey, New Mexico, Iowa, Michigan, Arizona, Missouri, Washington, and Wisconsin. OIR Group is led by Michael Gennaco, a former Assistant United States Attorney and nationally-recognized expert in the field of civilian oversight. It has prior and current experience in working on campus policing issues in the Cal State system and elsewhere.

gain some interesting perspectives from the data we gathered that we discuss in detail below.

However, it was our interactions with stakeholders – including University personnel, student leaders, and Department members – that most shaped this report’s ultimate emphases and conclusions. We appreciated everyone’s candid input and earnest perspectives, which were invaluable as we formed our own impressions. Our observations and findings include the following:

- In response to intensifying criticism beginning in the summer of 2020, SUDPS significantly scaled back its proactive enforcement activities. The overall impact of this approach is still unclear.
- The unique, complicated, and sometimes troubled relationship between SUDPS and the Santa Clara County Sheriff’s Office – and the distinct culture and mission of the two agencies – has historically been an impediment to meaningful cooperation and efficient provision of public safety services.
- The unique relationship between SUDPS and the Santa Clara County Sheriff’s Office creates complications in records management that limits the Department’s flexibility in some key ways.
- We identified areas of improvement and collaboration that may improve the current procedure for Clery Act compliance.
- Better training, communication, and collaboration with the Title IX Office, survivor advocate agencies, and campus health may increase the effectiveness of SUDPS’s response to sexual assault cases.
- The number and variety of unarmed, private security personnel on campus are frequently associated with SUDPS in a way that is confusing for students and potential complainants. The large majority of students who responded to our survey stated that they could not tell the difference between these privately-hired personnel and an SUDPS officer. The campus would benefit from a greater degree of centralization and coordination between SUDPS and non-sworn security personnel.

- SUDPS officers do not use force often, and seldom use higher-level force, but the Department’s process for reviewing these incidents could be improved to maximize the Department’s ability to address each incident as a learning opportunity.
- Stanford community members infrequently submit formal complaints about the conduct of particular SUDPS personnel, a fact that can lead to several different conclusions but points to a need for greater transparency and access to the complaint system.
- Available data is inconclusive regarding the allegation that SUDPS focuses its enforcement activities or that the impact of them disproportionately fall on communities of color. Difficulties in the Department’s data collection efforts, attributable to some extent to legal limitations on access to data that is maintained by other agencies, contribute to this regrettable inability to draw meaningful conclusions.
- A full 70% of the set of students who responded to our survey reported that their perspectives on “police” and public safety were shaped by what they heard or read in the media, and 57% reported that their personal experiences with police, either at home or on campus, had shaped their views. Under a quarter of students reported having actual personal interactions with SUDPS.
- Improved transparency, communication, and oversight measures could assist the Department’s efforts to connect with and inform the Stanford community in key ways – by keeping the community informed about important aspects of the agency’s operations and providing an opportunity for community voices to be heard on expectations and priorities for public safety.

Our overall impression is that SUDPS carries out current expectations effectively, and that current leadership both understands and accommodates the unique dynamics of policing a student population. While it not surprisingly takes issue with the “abolish” movement and pushes back against the idea that its officers should be disarmed, it has responded to calls to reduce its enforcement activities. Nonetheless, the University officials and the Department need to work together (in collaboration with Sheriff’s Office counterparts) to reinvent its SUDPS’s role and find new ways to connect with students and other stakeholders in

this changing environment, where traditional concepts of “community policing” are less likely to succeed.

Stanford’s Community Board on Public Safety

Fewer than three weeks after the murder of George Floyd, Stanford announced the creation of a Community Board on Public Safety to address issues involving the safety, security, and quality of life of students, staff, and faculty. Broadly, the goal of the CBPS is to build trust and communication between SUDPS and the campus community by encouraging transparency and providing an avenue for community feedback.

Members of the CBPS include students (both undergraduate and graduate), members of faculty and staff, SUDPS staff, and a member of the broader community. After a series of town hall meetings and private discussions, the CBPS developed eight principles and recommendations centered on the idea of reimagining public safety on the Stanford campus.

1. Armed policing, particularly of student-centered areas of the community, should be reduced to the greatest extent possible; and more generally, armed policing should be used to the lowest extent appropriate for the circumstances.
2. Responses to mental health crises on campus should generally be handled by mental health professionals.
3. There should be tracking of the various types of public safety calls to facilitate review.
4. All security services operating on campus should meet minimum standards and be coordinated.
5. Anti-bias and de-escalation education should be provided for all security services as well as for the community.
6. There should be a process for receiving feedback (positive or negative) on community interactions with police and private security, and a process for independent review of complaints.

7. The University should consider other possibilities for community involvement in the management of public safety in the Stanford community.
8. The University should seek to capture data related to police interactions with the public in a way that better allows it to assess potential bias—data that would assist the ongoing work of SUDPS and the Board.

Recommendations

Throughout this report, we make 40 separate recommendations that are discussed in detail in the body of the report. Various recommendations align closely with the eight key principles articulated in the first report of the Community Board on Public Safety. They fall broadly into several categories.

- Suggestions related to updating and revising various provisions of the Memorandum of Understanding between the County and Stanford, aimed at creating alignment with current practices, encouraging greater collaboration between the Sheriff's Office and SUDPS, and producing greater efficiencies around records management and information sharing
- Development of a new approach to records management and data systems that will meet contemporary demands for transparency, accuracy, and accountability
- Recommendations related to classifying and tracking sexual assault cases and improving the responsiveness to sexual assault survivors, both by SUDPS and the University
- Improvements to the relationship between private security entities and SUDPS, including greater centralization of security services
- Recommendations to improve the mechanisms for reporting and reviewing uses of force by SUDPS members
- Revisions to use of force policies and training

- Improved transparency measures relating to use of force data, training materials, public complaints, and other key aspects of operations and outcomes
- Recommendations related to the public complaint and commendation processes, including easier access for complainants, clarity around the investigative process, enhanced independence, and alternative resolution programs
- Research regarding the extent of any disparate impacts of enforcement activity and improvements to the Bias-Free Policing Policy
- Enhanced collaboration between the University and SUDPS to encourage and promote increased community engagement

Policing on Stanford's Campus

The role of a campus police agency is unique, combining the realities and pressures of traditional law enforcement with the need to recognize and accommodate the distinctive qualities that attach to an educational community environment. SUDPS is further distinguished by its history and partnership with the Santa Clara County Sheriff's Office.

Prior to the 1960s, "policing" on Stanford's campus largely consisted of traffic enforcement. Demonstrations during that era's racial justice movement followed by Vietnam War protests created a desire by the University to have armed, uniformed peace officers on campus with the power to make arrests, but who acted at the direction of school officials. Stanford became one of the first private universities to partner with a local law enforcement agency when University officials petitioned California's Attorney General to allow them to pay Santa Clara County Sheriff's Office Reserve Deputies to staff a campus police department, creating a unique public/private collaboration that would eventually serve as the model for state legislation authorizing similar relationships at private universities throughout California.

Under agreements that have existed in various forms since 1971, the Sheriff's Office maintains oversight and provides support, and the SUDPS Chief is part of the Sheriff's rank structure. But SUDPS largely operates independently, with the Chief reporting to Stanford's Vice President and General Counsel. As with all campus police departments, the structural deference toward school administrators imposes constraints and collaborative requirements on SUDPS executives distinct from the experience of their peers at other agencies. Today, SUDPS has 32 authorized positions for sworn deputies (though the Department has a number of vacancies and is struggling with retention and hiring, a problem not unique to Stanford). Its deputies generally attend the Sheriff's Office Academy for training or are otherwise certified peace officers. But over half of the Department is made up of unarmed non-sworn personnel, who play a critical role in providing a broader range of public safety services.

These include Public Safety Officers and Community Service Officers who patrol the campus and provide general security services, assist community members and visitors, perform traffic control and parking enforcement, and provide logistical support to patrol deputies. The University also employs part-time, non-sworn Special Events Patrol personnel, many of whom are students, and off-duty officers who work special events (athletic events, dignitary visits, etc.).²

SUDPS's primary jurisdiction includes the Stanford campus proper and extends out to a one-mile radius around campus. This area borders the Palo Alto Police Department's jurisdiction.

Beyond performing traditional law enforcement activities – responding to and investigating crimes, traffic enforcement, and responding to critical incidents – SUDPS's role is varied. Deputies respond to all medical and mental health calls (a function that the university community is actively discussing and reconsidering, and which we discuss further below). The federal Clery Act applies to all college and university campuses, requiring certain crime reporting at a detailed level and creating additional tasks for law enforcement. And special events present distinct challenges, with large numbers of non-students coming onto campus for events like football and basketball games, or visiting dignitaries who travel with their own security details that require special considerations.

On a daily basis, the number of people coming onto the large, open campus fluctuates. We repeatedly heard estimates about how the campus population grows from 10,000 people overnight to many more arriving during the day, with people coming onto campus for any number of reasons, including regular sightseeing expeditions, given the school's history and prestige. During large events, as many as 50-to-80,000 people are on campus. This shows up in the Department's data: a majority of arrests involve non-students.

Even among those who are on campus on a regular basis, there is a wide range of experiences and expectations for law enforcement. Many faculty

² As we discuss later, areas of Stanford's campus are also "policed" by various private, and independently run, security guards, most of whom are unarmed. These areas include specialized schools and the residence halls. We discuss the challenges of having these private guards and the resulting confusion and lack of a cohesive public safety response on campus.

members and researchers are interested in keeping buildings and the valuable materials and equipment inside secure. Professors who live with their families in homes they own on campus property want secure neighborhoods. Parents who are sending young adults out to experience independent living for the first time have a desire for a police presence that makes them feel that their young adults are safe. And yet, that same police presence feels different to many undergraduate students, particularly those of color who grew up in an overpoliced U.S. neighborhood; who do not feel safe seeing an armed officer patrolling outside their dorms and libraries. And international students often have a completely different perception of police based on experiences in their home countries.

The SUDPS officers and leaders with whom we spoke were keenly aware of these different perspectives and expectations, especially in recent years, and the organization reports that it has changed its public safety approach. For example, it has largely ceased proactive enforcement activities, such as stopping bicyclists for violating traffic safety laws, and instead has tried to decrease its visible presence while remaining prepared to answer calls for service.

SUDPS is doing so against a backdrop of significant staffing concerns, as the agency (like many others locally and nationwide) is having a difficult time with retaining current officers and hiring new ones. Deputies reported to us significant issues with morale, stemming from a dispute with leadership over shift structure and working hours, understaffing, and a sense – consistent with what we hear from law enforcement officers from a wide range of agencies – that their standing in the community has shifted in the past two years in ways that make their jobs less rewarding.

This history and various perspectives on campus policing shaped our impression of the organization and serve as a framework for our more detailed observations and recommendations.

SUDPS and the Sheriff's Office

Memorandum of Understanding

Unlike its public counterparts in the California State University and University of California systems, Stanford cannot establish its own police department because of state law provisions governing peace officer authority. Instead, Stanford relies on an agreement with Santa Clara County, pursuant to which the Sheriff authorizes Reserve Deputies, who are hired and paid by the University, to perform police duties on Stanford's campus.³ A 2007 Memorandum of Understanding ("MOU") between Stanford and the County of Santa Clara governs this relationship, specifying:

All persons to be deputized as Stanford Reserves pursuant to this memorandum must:

- A. be employed full time by the Stanford University Department of Public Safety;
- B. meet the minimum standards for employment as prescribed by the California Commission on Peace Officer Standards and Training and such further reasonable qualifications deemed necessary by the Sheriff;
- C. meet the minimum standards for training as prescribed by the California Commission on Peace Officer Standards and Training for Level I Reserve Deputy Sheriffs as described in Sections 830.6 and 832.6 of the California Penal Code and such further reasonable standards for training as required by the Sheriff;
- D. be recommended for such deputization by the Chief and approved by the Sheriff or his/her designee.

³ California Penal Code § 830.75 permits this unique relationship between private universities and local law enforcement agencies.

The Chief of SUDPS has two distinct but inter-related roles. She depends on her status as a Reserve Deputy Sheriff (with the equivalent rank of Commander in the Sheriff's Office⁴) to exercise peace officer authority, but likewise is an employee of Stanford who answers to members of University Administration. The Sheriff maintains authority at Stanford through appointment of a Sheriff's Office Captain assigned to SUDPS:

The Sheriff's oversight and operational authority under this Agreement will be carried out by a Captain employed by the Santa Clara Office of the Sheriff who shall act at the direction of the Sheriff in policy matters and at the direction of the Chief in operational matters, unless specifically directed by the Sheriff. The Sheriff's Captain will be posted at the Stanford University Department of Public Safety on the Stanford campus unless otherwise directed by the Sheriff. The Chief will provide semi-annual, written performance evaluations of the Captain's duties at Stanford to the Sheriff.

The MOU likewise sets up a dual chain of command for records management:

Primary responsibility for managing criminal records generated by Stanford Reserves will rest with a Santa Clara County Sheriff's Office Records Clerk ("Stanford Records Clerk"). The Chief, or his/her designee, will participate in the interview process with the Sheriff's Office for the selection of the Stanford Records Clerk. The Stanford Records Clerk will be posted at the Stanford University Department of Public Safety. The Stanford Records Clerk will oversee Stanford Department of Public Safety criminal records management, will participate in Clery Act submissions, will run reports for the Chief or his/her designees and will assist with other front office and records related tasks at the Department of Public Safety, such as answering phones and responding to walk-in guests. The Captain from the Sheriff's Office will be the direct supervisor of the Stanford Records Clerk to address

⁴ This designation needs to be updated in a new MOU, as "Commander" has been eliminated from the Sheriff's Office rank structure.

any performance-related mailers. When the Stanford Records Clerk is unavailable, criminal records will be managed by Stanford Reserves. Except as lawfully permitted by the Sheriff or his/her designee, the Chief will not permit non-sworn Stanford employees to have access to confidential law enforcement information. (This section is not intended to affect records subject to disclosure under the Public Records Act or other laws.)

The University funds both the Captain and Records Clerk positions.

Stanford Reserves are generally responsible for all law enforcement duties on the Stanford campus, except that the Sheriff's personnel will take the lead in investigating "all cases involving the death of a human being, attempted murder, kidnapping and/or the taking of a hostage or hostages" and may take the lead in investigating property crimes in excess of \$25,000.

The MOU states that SUDPS deputies are subject to the General Orders of SUDPS, and that those General Orders must be approved by the Sheriff:

The General Orders for Stanford University Department of Public Safety will be reviewed and approved by the Sheriff or his/her designee prior to implementation. No changes will be made to any Stanford University Department of Public Safety General Orders without approval of the Sheriff or his/her designee.

It also sets forth a process for internal affairs investigations:

The Sheriff will review and approve Stanford University Department of Public Safety policies guiding Internal Affairs investigations. The Stanford University Department of Public Safety will notify the Sheriff whenever it intends to conduct an Internal Affairs investigation on a matter that meets the requirements of the Santa Clara County Sheriff's Office General Orders for conducting an Internal Affairs Investigation. The Sheriff may elect to take responsibility for such investigation.

Communication & Collaboration

The MOU envisions a cooperative working relationship between the Sheriff's Office and SUDPS, with a Captain serving as a liaison between the two agencies, taking guidance from the Chief (and subject to her evaluation) on operational matters while at the same time ensuring adherence to Sheriff's Office policies. On paper, this has a common sense appeal, but is less than ideal as it plays out in real-world scenarios, where organizational cultures collide.

As it is, different organizational cultures and a history of strained relationships create tensions and inefficiencies. The Sheriff chooses which Captain will be assigned to Stanford, and much depends on the personal attributes of that individual. Frequent rotation of Captains is typical. SUDPS personnel report that there have been both "good" and "bad" fits in the position, and that they have in the past had Captains who seemed uninterested in the job, at best. To our knowledge, there is no written "job description" attached to the position of Sheriff's Office Captain assigned to Stanford, nor is there any articulated view about the types of prior experience or general attributes the individual assigned to the role should possess.

Moreover, there is no process for Sheriff's Office personnel who might be interested in such an assignment to apply for the position nor any clear evaluation criteria to judge the performance of those selected. The MOU provides that the Chief is supposed to write semi-annual performance evaluations of the assigned Sheriff's Office Captain, but this provision generally has not been practiced or enforced for years. The requirement puts the Chief in a difficult position, particularly if she does not have a functioning relationship with the Sheriff, and the Sheriff's Office historically had little interest in receiving such feedback. We recommend this provision be eliminated from an updated MOU in favor of a Sheriff's Office command staff evaluation setting out the special criteria expected of this unique position, completed with input from the SUDPS Chief.

Both agencies could benefit from a more clearly defined formulation of the role of the Sheriff's Office Captain and characteristics of those best-suited to the position, along with a specially designed application and evaluation

process for those interested in the assignment. We recommend a revised MOU include these descriptions.

We heard from numerous SUDPS personnel about the generally dysfunctional nature of the relationship with the Sheriff's Office over the past decade, with decisions that have significant impact on DPS made with no communication or collaboration. The current Sheriff and Chief do not regularly meet, and have not talked in a number of years on issues of mutual interest.

And as an example for how this lack of communication has real implications, Stanford had historically hired off-duty Sheriff's deputies to work as armed security at special events (football games, visiting dignitaries, etc.). The Sheriff's Office policies regulating deputies' outside work has fluctuated over time; each modification impacts Stanford's ability to maintain an armed presence at large events, but none of these policy changes have been discussed with SUDPS prior to implementation.

At the same time, we heard from Sheriff's Office personnel about the shortcomings of SUDPS officers, and the agency in general. SUDPS officers go through Sheriff's Academy training, but they get less practical experience on campus than they would at a busy, traditional police agency, and the Field Training Officer program is not part of a regular course certified by California's Commission on Peace Officer Standards and Training.⁵ The view is that incidents of crime are so low on Stanford's campus that officers do not have the experience or ability to deal with significant crime on those rare occasions when it does occur.

That assessment comes with a degree of judgment about the "reserve" status of SUDPS officers, without an acknowledgment of how the mission and role of a campus officer differs from the traditional law enforcement model. The flip-side of this critique, expressed by SUDPS members, is that the Sheriff's Office personnel sometimes takes some important campus events (such as a medically-related death of a student) less seriously than SUDPS detectives because they don't fully appreciate the implications for campus life. The most effective university police departments and campus officers embrace the distinctive community

⁵ Though SUDPS officers attend the same training as Sheriff's deputies, the legislation creating the unique relationship between the Sheriff's Office and SUDPS prevents full certification of the FTO program.

features of the campus environment, which is less about catching “bad guys” and more about fostering a safe environment in which academic, social, and extra-curricular growth can flourish.

This cultural divide hinders meaningful collaboration. There is a sense at SUDPS that the Sheriff’s Office would prefer to treat Stanford like a contract city and operate a typical patrol operation out of a sub-station on campus. That approach would not suit the University, as it overlooks the unique attributes of the campus environment as well as the ways in which the mission of campus police differs from a typical police agency and the importance of hiring individuals well-suited to that role.⁶

Clearly, both the County and the University would benefit from an improved working relationship between the Sheriff, the Sheriff’s Office and the Chief at SUDPS. The transition to a new Sheriff following the November election presents an opportunity for a sort of “reset” of that relationship and a chance to establish better lines of communication and new expectations for a cooperative approach.

Indeed, a sort of “re-thinking” of the relationship may already be underway. We conducted a good number of our interviews and fact-gathering in the fall of 2021, and the Sheriff’s Office transitioned to a new Captain assigned to Stanford in January 2022. We recently talked with the new Captain and found his approach and attitude toward the position to be considerably different from his predecessor’s. And we learned that very recently the SUDPS Captain has been invited to join a regular meeting of Sheriff’s Office executives, which surprisingly had not previously been occurring. This is a positive development, and a good sign that the two agencies will be better able to coordinate and collaborate moving forward. However, given that even this invitation is tenuous and dependent on the Sheriff’s preference, we recommend the practice of inclusion be required in an updated MOU. Likewise, we suggest that the

⁶ There is agreement, though, that the Sheriff’s Office and SUDPS generally work well together on one thing most central to law enforcement’s mission – investigating serious crimes. There, we heard that the involvement of Sheriff’s Office detectives is “seamless” and not marked by the type of “turf battles” that sometimes occur when different agencies are involved in the same investigation.

Chief and the Sheriff establish a schedule for regular meetings, and recommend the MOU include a provision requiring that practice.⁷

RECOMMENDATION 1: An updated MOU between the County and Stanford should include a provision requiring consistent attendance of the SUDPS Captain (or a designee) at the regular meeting of Sheriff's Office Captains.

RECOMMENDATION 2: An updated MOU between the County and Stanford should include a provision requiring the Sheriff and the SUDPS Chief to establish a practice of meetings on a regular basis, either bi-monthly or quarterly (at a minimum).

RECOMMENDATION 3: An updated MOU between the County and Stanford should include a well-defined description of the duties and responsibilities of the Sheriff's Office Captain assigned to SUDPS, as well as the experience and general attributes the individual assigned to the role should possess.

RECOMMENDATION 4: An updated MOU should include an application process to fill the position of Sheriff's Captain at Stanford when the assignment becomes available. Selection should be based on the special criteria for campus public safety.

RECOMMENDATION 5: The MOU should eliminate the requirement that the Chief evaluate the Sheriff's Office Captain and require the Sheriff's Office to develop an alternative evaluation process that includes the Chief's input and takes into account the special attributes of campus public safety.

⁷ The current MOU inadequately provides: "The Chief will meet with the Sheriff or any officer designated by the Sheriff at such intervals as are specified by the Sheriff."

Policies & Procedures

One area where the lack of regular communication between the Sheriff's Office and SUDPS sometimes impedes operations is in policy development. The MOU specifies that SUDPS will follow the Sheriff's Office General Orders, but it may also create its own policies on issues specific to their operations (Title IX and Clery compliance, for example). All SUDPS policies are to be reviewed and approved by the Sheriff's Office prior to implementation. There have been some challenges with this seemingly straightforward provision. The first is the lack of any meaningful process for the Sheriff's Office to review and approve SUDPS policies, which we understand does not routinely happen, despite the MOU requirement.

Another challenge is that there is no established mechanism for the Sheriff's Office to communicate to SUDPS whenever it updates its General Orders, so Stanford is regularly behind the curve on new policies, or on policies that are updated to meet changes in the law. SUDPS reports the Sheriff's Office does not timely share new policies, and that SUDPS personnel are made to feel as though they are being unnecessarily intrusive when they request information from the Sheriff's Office.

This proved to be problematic when California's SB 978 took effect on January 1, 2020, requiring law enforcement agencies to proactively publish on their websites all policies, practices, operating procedures, and training materials that would otherwise be available pursuant to a Public Records Act request. SUDPS anticipated they could link or refer to the Sheriff's Office publication and add on their own site any additional material unique to SUDPS. Unfortunately, the Sheriff's Office was not prepared to comply with the new law on January 1, and SUDPS was in the difficult position of scrambling to comply with the new state law while balancing its concern about posting information the Sheriff might determine to be not subject to publication.

RECOMMENDATION 6: SUDPS and the Sheriff's Office should work together to establish mechanisms for both the timely review and approval of SUDPS policies and the timely update of policies to maintain SUDPS consistency with Sheriff's Office policies.

Reporting Systems & Inefficiencies

The division between the Sheriff's Office and SUDPS, coupled with the involvement of Palo Alto dispatch, creates challenges in the maintenance of typical law enforcement records systems. There are multiple systems to navigate for various functions, including the Palo Alto's Computer Aided Dispatch ("CAD") system to facilitate incident response and communication in the field, the Sheriff's Office Records Management System (SORMS) for maintaining records relating to law enforcement operations, and internal SUDPS systems for a host of other tasks, including tracking Daily Activity Reports, Clery data, and other information.

Complaints about recordkeeping seem inherent in law enforcement – getting various systems to sync up across different platforms is a problem that agencies frequently struggle with – and police officers are not unique in their dislike of unnecessary paperwork. The concerns at SUDPS, though, go beyond the typical complaints because of its unique relationship with the Sheriff's Office and limitations the Sheriff has placed on non-Sheriff staff civilian access.

Under the current MOU, the Sheriff's Office designates a "Stanford Records Clerk" to be posted at SUDPS. The MOU calls for this individual to be supervised by the SUDPS Chief,⁸ and the position is funded by the University. The Records Clerk is charged with overseeing criminal records management, including Clery Act submissions, as well as performing other clerical tasks. SUDPS deputies have access to criminal records systems, but non-sworn employees may not access confidential law enforcement information "[e]xcept as lawfully permitted by the Sheriff or his/her designee."

We understand that SUDPS at one time had its own civilian records clerks, but that sometime in the 1990s, one of these civilian employees improperly shared her password with another member of the records staff,⁹ and the Sheriff's Office responded by essentially taking control over

⁸ In reality, the Chief does not actively supervise this individual; timecards, vacation requests, and other administrative matters are all handled by the Sheriff's Office.

⁹ It is our understanding that the password was shared not for any illegal purpose, but to ensure the employee's counterpart could continue processing records during the employee's planned absence.

all case work and creating de facto “walls” around the SORMS system. The Sheriff’s Office-employed Records Clerk assumed responsibility for reporting information to the state and federal governments, looking up any law enforcement information (such as criminal backgrounds and DMV records), and performing various data entry tasks.

The Sheriff’s response to the failure of one employee (over 20 years ago) by limiting access to confidential law enforcement information to one Records Clerk and sworn deputies created a number of frustrating inefficiencies for SUDPS with which the Department continues to struggle, especially as many of its personnel are non-sworn. It creates a dividing line among SUDPS front-office staff which even high-level managers with long histories at SUDPS cannot cross. And it takes sworn staff away from field work in order to be in the office doing clerical work.

SUDPS uses an internal records information management system¹⁰ but is also required by the Sheriff’s Office to use the SORMS system. Its internal system is essentially a duplicate or “shadow” system where all authorized SUDPS personnel can access data that would otherwise be prevented by the Sheriff’s Office wall: we learned that SUDPS essentially copies SORMS case data (e.g., reports) into its internal system. The system is also used to store data that is not related to a law enforcement purpose (SUDPS responses to 911 calls related to medical emergencies, for example), and to track Clery data. The system is both inefficient and duplicative and unnecessarily opens the door to allegations about inaccurate data reconciliation.

We learned that the Sheriff’s Office is currently moving forward on a technology upgrade to include the systems that SUDPS requires. In considering the new technology, we strongly urge that the Sheriff’s Office collaborate with SUDPS to break down the data wall and allow secure access for all appropriate personnel as needed, and to the extent permissible given statutory limitations relating to access to confidential law enforcement records.

The inability of non-sworn staff to access any law enforcement information also creates some limits on efforts Stanford would make, consistent with recommendations of the Community Board on Public Safety, to reduce the

¹⁰ This internal “homegrown” system has been replaced by a system SUDPS purchased from an external vendor to eliminate some earlier concerns.

presence of sworn officers on campus. SUDPS might wish, for example, to have non-sworn public safety officers write crime reports on stolen bikes, but is unable to make this shift, with the current limitations.

We understand the importance of protecting the accuracy, retention, and release of criminal records and other law enforcement information and appreciate the sensitivity around potential data leaks. It is appropriate for the Sheriff's Office to maintain control and security of law enforcement records, and we recognize that state law places constraints on the Sheriff's Office's ability to share records. But it is possible to find a balance between protecting confidential information and allowing access that allows for efficient operations. We encourage the County, the Sheriff, SUDPS, and Stanford to find a new way to approach records management, both in the terms of an updated MOU and in the Sheriff's exercise of discretion over non-sworn SUDPS personnel access to law enforcement records. This should include training and emphasis on the need for confidentiality for those newly entrusted with this access, as well as robust internal auditing and other accountability measures.

We understand the Sheriff's Office is in the process of acquiring a new Records Management System that should address many of the concerns we raise here, and throughout this report, but it is only at the beginning stage of development and we have been advised that it will not be operational for many months. Consistent with our recommendations, we encourage the Sheriff's Office to collaborate with SUDPS to devise a workable solution now and ensure that its new system will in fact resolve the issues identified in this report.

RECOMMENDATION 7: An updated MOU between the County and Stanford should encourage a different approach to records management that, to the extent permitted by law, grants non-sworn SUDPS personnel a greater level of appropriate access to confidential enforcement information.

RECOMMENDATION 8: The Sheriff's Office should work with the SUDPS Chief to develop a different approach to records management that, to the extent permitted by law, grants non-sworn SUDPS personnel a greater level of appropriate access to law confidential enforcement information while also protecting the security of records.

Beyond the data-sharing concerns that we discuss above, our review suggested additional challenges with SUDPS' "shadow" Records Management System. As we discuss at various points in this report, we requested data from SUDPS to evaluate allegations of racially motivated policing, underreporting or "decriminalization" of sexual assaults and other forms of harassment, and counts of enforcement activities, among other items. While SUDPS earnestly responded to our data requests and we appreciate its sincere efforts, we found the data received to be incomplete and accompanied by caveats and explanations. SUDPS pointed to the system's inability to easily produce the data that we requested. At times, receiving the "right" data required hours of manual clean-up work by personnel well-versed in the case load. In other instances (see, for example, our discussion of sexual assault case counts below), we engaged in our own data clean-up work, and still did not feel confident in the resulting data set. This is an issue with both its technology systems and internal data collection procedures.

In a time where data transparency and accuracy is of paramount importance to law enforcement's credibility with the community, SUDPS' data systems need improvement. We recommend that SUDPS engage a technical consultant to assist in development of a new system, or to improve the current system for effectiveness and transparency.

RECOMMENDATION 9: SUDPS should engage a technical consultant to evaluate its current data systems and assist in the development of a new system that will meet contemporary demands for accuracy, effectiveness, and transparency. This review should include a thorough assessment of its current records management system – including data fields and export capacity – to ensure the system adequately captures all relevant demographic data (e.g., race, student/non-student status, type of contact) for all contacts with the public.

RECOMMENDATION 10: SUDPS should train all personnel to accurately and regularly enter all relevant demographic data into the records management system so that records are complete and easy to export for review.

SUDPS and the University

Criminal Records & Clery Act Submissions

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act” or “Clery”) is a federal law¹¹ that requires colleges and universities to publicly report campus crime data and publicize the policies and procedures that they have put into place to promote campus safety. Among other things, Clery requires that universities publish the Annual Security Report (ASR) that detail the types of crimes on campus and public safety measures to prevent them.

At the very outset of our review, we heard troubling allegations that Stanford underreports Clery data in an attempt to appear “safer.” While an investigation into that specific allegation was outside the scope of this review, we asked those that we interviewed about the Clery process to determine areas of improvement and increased efficiencies, especially as they relate to the role of SUDPS in Clery compliance.

SUDPS is the agency on campus responsible for maintaining and publicly reporting Clery data. This work is done predominantly by the Clery Compliance Officer, a civilian member of SUDPS. But many entities both on and off campus play a role in data collection and reporting. These responsible parties are referred to as “Campus Security Authorities,” or CSAs, and can range from the level of Vice Provost who learns of an incident to a residential hall advisor who is contacted by a survivor in a dorm. CSAs hold posts throughout the campus, including Residential Education, Title IX/SHARE Office,¹² and a number of others.

¹¹ California Education Code §67380 places similar requirements on campus authorities in the state.

¹² The Stanford Title IX Office, also called “Sexual Harassment/Assault Response & Education” (SHARE) is the main entity responsible for managing, investigating, and reporting instances of sexual assault and harassment.

CSAs receive Clery compliance and reporting training from SUDPS, either online or in-person, based on their job description.¹³ They are provided a guide for reporting (e.g., what crime is reportable) and instructions for how to report crimes to SUDPS, including phone numbers for “Type A” (serious violent, including sexual assaults and hate crimes) crimes and an online, single-page submission form for “Type B” (theft, weapons/drug violations) crimes.

SUDPS identified several challenges with the reporting process that may have an impact on case counts and reporting. First, Stanford policy requires that CSAs report Type A crimes that involve sexual assault or other prohibited sexual conduct to the Title IX/SHARE Office as well as to SUDPS. Sometimes, CSAs report these to Title IX/SHARE, but *not* to SUDPS. As a result, the incident might be tracked by Title IX/SHARE but not ultimately included in the SUDPS Clery database. To resolve this disconnect, SUDPS personnel holds bi-monthly “check-in” meetings with SHARE personnel for the explicit purpose of ensuring case tracking and reporting. All parties to these meetings are committed to preserving the confidentiality and privacy rights of those involved in allegations, which complicates efforts to reconcile data. Nonetheless, these meetings have increased collaboration and, according to representatives from both entities, have largely resolved the data disconnect.

Second, there was confusion among some we talked to about whether Resident Fellows, who are advisory figures living in the residential halls, are “officially” designated CSAs. However, because of their role, they might receive information about reportable crimes, either directly from students who trust these senior advisors, or from RAs who are confused about the reporting process. SUDPS assures us that Resident Fellows are designated CSAs, but any confusion around their obligation to report is troublesome. We urge the University to clarify the reporting obligations with its Resident Fellows.

Finally, SUDPS reported a concern over perception: as we discuss later in this report, SUDPS and others reported that survivors might be reluctant to involve law enforcement in their cases. It heard instances where

¹³ According to SUDPS, all graduate students working in Residential Halls received CSA/Clery training, but, as of November 2021, SUDPS had not yet trained all new undergraduate Resident Advisors (“RAs”). The training was planned for 2022, with Resident Directors training the Resident Advisors.

survivors reported the incident confidentially to their RA, explicitly stating that they did not want to involve the police for fear of getting the perpetrator “in trouble.” We note that Clery reporting (as well as reporting under the state law corollary) is anonymous. The reporting form clearly states, “Please DO NOT identify by name the individuals involved. Names are not requested on this form.” But SUDPS opined that this is not always made clear to survivors (and, as we discuss below, even SUDPS personnel often ask survivors for identifying information). This is a difficult dynamic that requires creative solutions from the University to resolve. Here again, we recommend that the University seek options, such as training and communication with students, to ensure that all incidents are safely and appropriately reported.

RECOMMENDATION 11: To ensure an effective reporting system, the University should clarify any confusion around whether Resident Fellows officially designated Campus Security Authorities and provide appropriate training about their Clery reporting obligations.

Title IX & Sexual Assault Cases

Over a three-week period in March of 2021, three rapes occurred on the Stanford campus. The highly-publicized cases came on the heels of a 2020 University-wide Title IX Office study that showed rising levels of sexual assaults and harassment reported by students both on and off campus. And while SUDPS was reported to be investigating these three particular cases, we found that in many other cases, the Department is frequently not part of the reporting and resolution process because (among other reasons) the criminal justice system as a whole is *perceived by survivors* to be too intrusive or formal. Indeed, in two recent incidents we learned of through media reports, survivors of violent rapes on Stanford’s campus did not report the attacks to law enforcement and opted not to provide statements to SUDPS about the reported assaults. In practice, however, many of those involved in the process told us that they found SUDPS to be helpful and responsive, though they also identified areas of potential improvement.

Overall, as we discuss fully below, we found that SUDPS (with needed support from the University) could do more to increase its visibility,

communication, and collaboration to better serve the student community and play a more significant role in resolving sexual assault and harassment.

Administrative Reporting and Resolution

Sexual assault and harassment cases are notoriously difficult to manage, especially among the student population, reported one expert in the Title IX/SHARE Office. Survivors are often reluctant to report incidents, perhaps resulting in underreporting.

When survivors do choose to report an incident, they have various administrative resolutions available to them. We heard that few survivors go through a formal “investigative hearing” or “investigation process” through the Title IX/SHARE Office, which offer both the survivor and alleged perpetrator legal counsel and a hearing process with a formal outcome. Some survivors go through a less formal mediation process, facilitated by a third-party mediation service. Others seek guidance in obtaining a “no contact order” (an administrative directive prohibiting one party from contacting another) or in transferring dormitories. In all cases, the Title IX/SHARE Office acts as a neutral party to facilitate the resolution process. SUDPS reportedly does not play a role in these administrative resolutions.

Notably, the 2020 SHARE/Title IX Office survey we mentioned above did not list SUDPS as a resource option available to students. The Title IX/SHARE Office and survivor advocates that we spoke with reported that survivors are often hesitant to involve law enforcement in its incident resolution process. In some cases, law enforcement involvement is not appropriate (e.g., if no crime has occurred) or the Office does not engage SUDPS because survivors only want the supportive measures mentioned above (and not any criminal intervention). But as we discuss below, SUDPS’s own case data suggests that SUDPS actually plays some role - though often relatively minor and informal – in a fair number of cases.

We also found evidence to suggest that the reluctance to report to Title IX/SHARE may be in part due a larger concern over the perception of how the University manages these cases: a 2019 “Campus Climate” survey conducted by the Association of American Universities showed that Stanford students’ reluctance to report might be due to their perceptions

that the University does not take these cases seriously. A large majority (67%) of students in this study reported that they perceived that it was “extremely” or “very unlikely” that campus officials would take a report of sexual assault or harassment seriously. And the outcomes reported in Title IX’s own 2020 survey aligned with this perception; for example, of 19 cases of “nonconsensual intercourse,” the Title IX process reportedly found only one policy violation resulting in “separation from the University” and made three “university interventions.”

Survivor advocates that we spoke with suggested that the University must work to reverse its image of not supporting assault survivors. Though the role (and perception of) the Title IX/SHARE resolution process (and any outcomes) is outside the scope of this specific review, the frequency with which we heard this bears noting in this report.

RECOMMENDATION 12: The University, in collaboration with survivor advocate groups and DPS, should work to create an improved protocol to serve survivors of sexual assault, which includes ways to more effectively address allegations when a survivor chooses to remain anonymous.

(See also Recommendations 13 and 14, below, regarding the role of DPS in responding to these cases.)

Role of SUDPS: Criminal and Supportive

SUDPS plays various roles in sexual assault and harassment cases, ranging from criminal case investigation to more supportive functions.

Formal/Criminal Case Process

First, in addition to the Title IX/SHARE Office’s administrative resources, a survivor might go through a criminal investigation of the incident, as occurred with the three 2021 rape cases cited at the beginning of this section.

SUDPS provided a data set with all cases from 2019 to 2020. We attempted to use this data set to determine how many of the total cases were classified as various types of sexual assault and harassment offenses, but that task proved to be quite difficult. As we discuss throughout this report, we found that analyzing SUDPS’ data required a

nuanced understanding of SUDPS' internal data input and tracking procedures that could only be explained by SUDPS personnel.

As we previously mentioned, the Department often creates home-grown “work arounds” to its internal and Sheriff systems. In the data set evaluated here, SUDPS created a work-around to meet both its actual case tracking needs and the requirements to track certain information per state law.

Specifically, SUDPS uses one database to track both *actual* offenses (e.g., crimes that were reported by a victim, investigated, and charged) and offenses that were reported to them by CSAs, had no identified victim or specific charges, but were required by the Education Code to be tracked.¹⁴ For the latter, SUDPS classified the cases with the code “67380 EC,” the descriptor “student safety,” and a list of possible criminal charges as reported (but not confirmed). Using this internal process, SUDPS is able to track and report out on all cases reported as required by the Education Code, even if these cases were ambiguous or anonymous in nature.

This again points to the critically important need for a better technology system with clear (and separate) ways to track information. While SUDPS personnel can explain their internal process as they did here, this type of institutional knowledge departs when personnel leave the Department. Here again, we recommend that SUDPS retain a technical consultant who can develop a better, more transparent tracking system (see Recommendation 9).

SUDPS also becomes involved if a student seeks a formal restraining or protective order, and especially when the order is emergent in nature. We

¹⁴ CA Education Code 67380 requires that campus public safety record:

(A) All occurrences reported to campus police, campus security personnel, or campus safety authorities of, and arrests for, crimes that are committed on campus and that involve violence, hate violence, theft, destruction of property, illegal drugs, or alcohol intoxication.

(B) All occurrences of noncriminal acts of hate violence reported to, and for which a written report is prepared by, designated campus authorities.

did not obtain counts for these incidents from SUDPS and do not know if these cases were resolved to the satisfaction of the student.

We heard that in these formal cases, the Department is helpful and responsive, mostly because the mission is clear and direct. One survivor advocate reported that, to their surprise, SUDPS deputies are well-informed and helpful; this advocate reported that a particular SUDPS detective is trauma-informed, patient, and sensitive when engaging with survivors.

Informal Supportive Process

While the advocates praised SUDPS's formal engagements, they also reported that many survivors may be reluctant to initially engage with SUDPS because they perceive that SUDPS acts in an overly-intrusive manner when dealing with survivors. For example, a survivor advocate reported that SUDPS advertises an "anonymous ride service" to the hospital or safe house if needed after assault to acquire a forensic exam or seek counseling. But the advocate reported that the responding officers often ask survivors for their name or other identifying information, which the survivors feel compelled to provide despite their desire to remain anonymous.¹⁵ Word "got around" that the anonymous ride was not, in fact, anonymous.

Similarly, we heard anecdotes of discouraging interactions with the personnel who answer the SUDPS non-emergency phone number. When students contact the SUDPS non-emergency line to report an incident, they reported that their first contact was abrupt and clerical, and that they were asked to provide detailed identifying information but received no support. The advocate who shared this presumed that this was because personnel are trying to collect needed data for reporting (e.g., Clery reporting) and/or investigations; but it can be off-putting and create a

¹⁵ We noted that the "advertisement" of this service does not guarantee confidentiality. The Sexual Violence Support website states: "Call SUDPS at 650-329-2413 and tell them you are a Stanford student and would like an anonymous courtesy ride to Stanford Hospital Emergency Department or SCVMC for a SART exam (though not strictly confidential, you will not be required to make a police report; contact CST if you would like assistance with coordinating a ride through SUDPS)."

perception that SUDPS is only interested in data, versus survivor well-being.

In some of these situations, SUDPS may be unfairly blamed for the work and demeanor of others. There is an SUDPS non-emergency number that connects the caller with Palo Alto dispatch, and a separate business line that goes directly to SUDPS. It was unclear in the anecdotes we heard which of these lines had been called. While some of the issues may lie with Palo Alto, SUDPS could nonetheless train its own clerical staff to be more trauma-informed and survivor-supportive and could likewise engage with the Palo Alto Police Department to ensure that its dispatchers are mindful of these concerns.

RECOMMENDATION 13: SUDPS should provide trauma/crisis training for clerical staff responsible for initial intake, as appropriate, and ensure that these staff members are aware of options available to support survivors.

Finally, we heard that SUDPS's collaboration with the campus medical services are not effective, especially in the area of what Stanford calls "unintended drug consumption," or incidents of being drugged. According to one advocate, most students who have been drugged report to the campus student health center, which cannot perform the needed drug tests. The appropriate test, the advocate reported, must be authorized by law enforcement (in this case, SUDPS or other local law enforcement agency). The advocate's belief is that law enforcement typically only authorizes the test in cases when the drugging is combined with an assault, which is sometimes, but not always, the case.

In the confusion, survivors might wait in the health center or local clinic for hours waiting for the right parties to respond and the necessary orders to be processed. Often, reported the advocate, the test misses the window for accurate results. This process is clearly problematic beyond SUDPS's involvement. Indeed, SUDPS responded that the issue lies with the crime lab, whose policies do not permit conducting drug tests without an associated police report. Given the confusion over this issue, it behooves SUDPS to engage in problem-solving around how to more effectively resolve these cases.

SUDPS should work with its partners on the County's Sexual Assault Response Team (SART)¹⁶ Committee to explore possible solutions to this issue.

RECOMMENDATION 14: SUDPS should work with its partners on the County's Sexual Assault Response Team Committee to address concerns around the availability of drug testing for cases of "unintended drug consumption."

Division of Work & Issues of Centralization

SUDPS is a hybrid organization, made up of sworn deputies authorized to work as peace officers by the Sheriff's Office but employed by Stanford, and a greater number of non-sworn employees with no relationship to the Sheriff's Office.

Other public safety services on Stanford's campus – Dispatch and Fire – are provided by the City of Palo Alto. Because Palo Alto Fire provides fire and paramedic services on campus, having Palo Alto Police Department manage the dispatch service makes sense on a number of levels. Palo Alto dispatchers receive training on issues particular to Stanford (like handling medical calls), and we did not hear specific complaints about how this de-centralized system functions (though dispatch services are often an area of concern when we evaluate policing operations, given its critical role in an effective response).

As Stanford moves forward with plans to implement recommendations from the Community Board on Public Safety, the arrangement with Palo Alto PD for dispatch services may need adjustment to accommodate a proposed differentiated response system for mental health or other calls that Stanford determines should be handled by unarmed personnel.¹⁷

¹⁶ California Penal Code section 13898 provides that a county "may establish and implement an interagency sexual assault response team (SART) program for the purpose of providing a forum for interagency cooperation and coordination, to assess and make recommendations for the improvement in the local sexual assault intervention system, and to facilitate improved communication and working relationships to effectively address the problem of sexual assault in California."

¹⁷ Although presumably, Palo Alto's recent commitment to working with the County's Mobile Response, as well as developing its own mental health response cadre will

Finally, an even greater degree of de-centralization exists for overall security systems on campus. There are at least seven independent security agencies operating on campus, hired by various departments of the University to meet their particular needs. For example, the School of Medicine, Business School, and Residential & Dining Enterprises each employs private security guards to safeguard their facilities. These agencies are hired through a public request for proposal process open to any security or law enforcement entities, including SUDPS.

Indeed, we heard that there have been times when SUDPS submitted cost proposals to provide security services for a particular department of individual school, but was underbid by a private security company and did not win the contract.

Many of these are associated with one large private security firm that serves as an umbrella for different entities, and each of them wears a distinct uniform and works pursuant to different contracts. Unless specifically hired by the Department, none coordinates their activities with SUDPS on a regular basis.

This lack of centralized command, or even information, creates a myriad of problems. The first is confusion about the security firms on campus. In response to our survey, a majority of students (and 78% of undergraduates) reported they could not tell the difference between SUDPS officers and privately-hired security guards. Accordingly, when students complain about actions of “police” on campus, it’s not always clear who they are complaining about. And when those complaints about private security are directed to SUDPS, there is little the agency can do to address the issue.

Further, there is no coordination or regulation about who the private security services are employing on campus, what standards are used for hiring and training, or how these security services track and report their activities. These gaps are particularly problematic, given concerns raised by student groups about disproportionate targeting of communities of color. Though not authorized to detain or arrest, privately-hired security guards may nonetheless question a student or member of the public in a way that may seem to the individual questioned to be a type of

provide its dispatch the training and experience in diverting appropriate calls to a mental health clinician.

enforcement action. Because California’s Racial and Identity Profiling Act (“RIPA”) requires law enforcement agencies to collect and report perceived demographic and other data regarding all stops made by sworn officers, the University and the public will soon have detailed information about all stops made by SUDPS officers.¹⁸ But RIPA does not apply to private security entities, resulting in unfortunate gaps in this information. The University should exercise leadership in this regard, and could require all private security agencies employed on campus to report their activities consistently with RIPA reporting standards, notwithstanding the fact these companies are not required to do so by state law.¹⁹

Finally, the inefficiency and potential for overlap and delay given the lack of seamless communication between private security services and SUDPS is problematic. For example, if a security guard sees a crime in progress, it notifies SUDPS through the regular dispatch service run by Palo Alto, with an attendant, unnecessary delay. Open communication on a shared radio frequency would be preferable.

These problems relating to private security companies operating on campus are not unique to Stanford. We heard similar concerns from a former executive at the Department of Public Safety at the University of Southern California,²⁰ who acknowledged that it’s not always easy to control the activities of deans of individual schools operating autonomously within a larger university system and confirmed that certain departments also hire private security services without informing his agency. To address the need for lower-cost security services while still

¹⁸ SUDPS non-sworn officers are not required by law to comply with RIPA; the Department is developing a different system to track demographic data collected by non-sworn officers.

¹⁹ The University of Southern California has attempted to regulate private security companies employed on campus by requiring all security personnel to be trained in Clery requirements and to comply with reporting requirements under California’s Racial and Identity Profiling Act (“RIPA”).

²⁰ USC and Stanford are the two largest private universities in the state and both depend on agreements with outside law enforcement agencies for their public safety officers to exercise peace officer authority, pursuant to requirements of California law. While USC’s contractual relationship with the Los Angeles Police Department differs from Stanford’s MOU with the County in some significant ways, and the neighboring areas of the two campuses are substantially different in ways that impact public safety concerns, the contours of public safety challenges on both campuses bear similarities.

maintaining some central control, USC employs private security staff dubbed “Ambassadors” who wear highly visible and distinctive yellow jackets to maintain a security presence in areas of campus and the surrounding community where student safety is a concern. While not employed by the Department of Public Safety, they are connected via radio and have the specific and limited task of being DPS’s “eyes and ears.”

The Community Board on Public Safety addressed this issue of private security guards and recommended that “all campus security services including privately contracted services be managed and administered centrally by SUDPS.” (Principle 4). The Board further recommended that privately hired security personnel be subject to the same background and training requirements as non-sworn SUDPS officers, and be required to collect the same in-service data as SUDPS sworn officers. We agree and reiterate those recommendations.

RECOMMENDATION 15: The County should use its agreements with Stanford to encourage centralization of all security services, with coordination by SUDPS.

RECOMMENDATION 16: The County should use its agreements with Stanford to encourage the University to require private entities providing security services on campus to follow the same hiring standards as SUDPS employs for its non-sworn personnel.

RECOMMENDATION 17: The County should use its agreements with Stanford to encourage the University to require private entities providing security services on campus to train its personnel according to the same curriculum and standards SUDPS uses for its non-sworn personnel.

RECOMMENDATION 18: The County should use its agreements with Stanford to encourage the University to require private entities providing security services on campus to collect and report perceived demographic and other data regarding contacts with students and other individuals made by their personnel working on Stanford's campus. These reports should be consistent with requirements for law enforcement agencies under California's Racial and Identity Profiling Act.

SUDPS Internal Functions

While SUDPS relies on its MOU with the Sheriff's Office for authority to perform police duties on the Stanford campus, it is in many ways an independent entity, under the command of its own Chief and command structure. SUDPS' internal functions, which include management, personnel and mission development, training, and, at times, policy, are its own. Here, we provide a review these internal functions and recommend improvements in areas where SUDPS needs development to align with the more effective practices, especially as they pertain to internal review and evaluation of deputies' actions.

Use of Force

We requested a list of all use of force incidents involving SUDPS officers from 2019 to 2021. SUDPS provided a spreadsheet with 30 incidents that resulted in arrests and 11 that did not result in an arrest (mostly mental health incidents or medical transports). The force used was relatively minor – takedowns, hobble restraints, or withdrawing and pointing a firearm. None involved a use of deadly force, about a third (seven each of the 31 arrest and 11 non-arrest cases) involved students. The Department received no complaints from members of the public regarding use of force within the time window of our review. None resulted in reported observable physical injuries to the subject of the force, and one resulted in injuries to an involved officer. This low level of use of force is in many ways to be expected, given that officers' activity is largely confined to the campus environment and the relative levels of crime (particularly violent crime) they encounter.

We selected 13 of these incidents for review, and requested all documentation related to the incidents, including body-worn camera footage. While our review did not raise red flags about the type or degree of force used, and we noted some positive practices and sound tactical performance, we also found room for improvement in de-escalation and dealing with mental health calls, which we discuss

below. For example, and to their credit, deputies routinely waited for backup before going “hands on” with subjects, a practice that might minimize the need to use force and increases officer safety.

We also note that the documentation of the force in the officer’s Incident Reports were well-detailed and articulated the circumstances leading up to the force, any efforts to de-escalate, and the force itself. These accounts demonstrate a commitment to detailed report writing that we find commendable.

We also found that the officer’s written narratives aligned with what we observed on the body-worn video footage with only one exception (in that case, the officer described a subject who was extremely intoxicated and seemingly fumbling away from the officer’s grip as “aggressive”).

And while these narratives included within the Incident Report were detailed, we recommend that SUDPS create a means for officers to report force separate from the Incident Report.

Best practice is to have officers write an account of the force they use that is separate from the general case report. Such a stand-alone force report generally focuses officers on providing the level of detail and description needed for a meaningful review of the incident, and allows the Department to quickly flag force incidents, both to facilitate tracking and data collection and to trigger supervisory review.

RECOMMENDATION 19: SUDPS should create a separate force reporting mechanism so that all reports, documents, recordings, and other evidence pertaining to a particular force incident are collected in one distinct package.

A bigger issue, though, has to do with the lack of any documented management-level review of force incidents. The significance of officers’ authority to use force when necessary brings a corresponding duty of the agency to critically review and evaluate each force incident in order to determine whether it complies with expectations as set out by policy and reinforced in training. Ideally, the Department should have a review process that ensures supervisors and executives are thoroughly examining each incident to ensure that the force was consistent with policy and law as well as identify performance issues –

both exemplary and not – as well as any other concerns about tactics, training, equipment, or supervision. As part of that review, supervisors should consider whether potential de-escalation techniques could have eliminated or reduced the need to use force. Such a holistic review of force incidents will promote accountability and increase future tactical and decision-making capabilities of officers.

In the time frame of the cases we reviewed, SUDPS reported that review of incidents and determinations about whether the force was within policy occurred quickly, but informally. We have no reason to doubt this, particularly given the relatively minimal use of force by SUDPS officers and the level of engagement by Department leaders we observed, with a Lieutenant or Captain often responding to the scene. The Department also reported that questionable cases would have triggered Internal Affairs investigations, and that leadership reviewed each incident to for any indication that additional training was warranted.

Acknowledging that it could do more to document these reviews, the Department recently (within the past month or two) introduced a new process for reviewing use of force that involves a form to be filled out initially by the involved deputy. It is essentially a cover letter to be attached to the incident report and forwarded through the chain of command. The form lists the type of force used and by which deputies and contains fields to document the review and findings by the Sergeant, Lieutenant, and Captain. According to the Department, the Captain is to review the case for purposes of identifying violations of and deficiencies in agency policy, procedures, rules, training, equipment, or any aspects of organizational culture that may related to the force used, though the form itself has a single line under the heading, “Needs further review.”

This new tracking form is a positive development, and a recognition of both the increased focus on police accountability issues as well as the potential damage to the Department’s credibility with the University community that could come from a troubling use of force. Nonetheless, we recommend further refinement of the review process and documentation, to require supervisor evaluation beyond the question of whether each use of force was within policy or generically needs further review, and instead contains analysis that involves more than a simple

checking of boxes. Ideally, the review documentation would involve a narrative write-up of the incident, including the de-escalation techniques used (and whether others were available), as well as any other policies implicated by the incident, with a supporting analysis that demonstrates a holistic review of all the circumstances surrounding the use of force, including any training, equipment, or supervisory issues raised by the incident. The analysis should expressly note the supervisor's review of body-worn camera video and whether it is consistent with the reported force.

In the relatively small sample of force incidents we had for review here, we found several issues worthy of further discussion that we would expect to be included in such a thorough force review process:

- In one case, the use of force (officer pointed his firearm at the subject) was preceded by a significant vehicle pursuit. The deputy sought to stop the subject vehicle initially for speeding and running a stop sign. He ran the vehicle's license plate and it came back clear, but the pursuit continued, with the subject vehicle exceeding the speed limit, running several red lights and stop signs. The subject vehicle lost control at one point and crashed into a telephone pole (prompting the deputy to exit his vehicle and point his weapon). But the subject then managed to maneuver off the curb and continue driving, while the deputy returned to his patrol car and continued the pursuit. The subject then sped through multiple stop signs and drove through a red light before driving onto the freeway in the wrong direction. At that point, the deputy lost sight of the subject, and an SUDPS sergeant advised him to terminate the pursuit, seven minutes after it had begun.

The subject eventually crashed the vehicle and fled on foot, successfully evading apprehension that night. But deputies were able to identify the subject and arrested the individual later that day.

Vehicle pursuits are high risk events with the potential for tragic outcomes. For that reason, vehicle pursuit policies contain a lengthy list of factors to consider and balance when deciding whether to initiate – and when to terminate – a pursuit. The circumstances of this pursuit – including the deputy's decision

making and the associated supervisory issues – warranted a level of review not contained in the documentation of the incident we received.

- In another case, deputies responded to a call from a University employee late at night regarding an individual behaving erratically and threateningly in a part of an academic building in which a limited number of people were authorized to be. Deputies confronted the individual, and exercised patience in a protracted effort to de-escalate the situation. They grappled with the subject briefly, then let go of the individual out of concern about escalating the violence, but also allowing the person access to the person's property while not in their control. They ultimately struggled with the individual again, performing a takedown prior to the arrest. They found a BB-style handgun in the person's possessions. Our assessment raised potential concerns about safety concerns that should have been reviewed for training purposes.
- In a third case, deputies responded to a welfare check in a residence hall where a student, who was known to have mental health issues, was yelling and behaving erratically. Despite concern about the student's intention to self-harm, the Stanford official had exhausted her administrative capacity to intervene. When deputies arrived, they identified themselves several times but received no response. Concerned that the student was at risk of self-harm, they used a master key to open the room door. The student requested, several times, that the officers leave the room and not intervene. While the officers took time and patience, their continued presence apparently escalated the student's agitation. The deputies' continued engagement, which involved telling the student that they wanted to provide help, seemingly "stalled out" as the student repeated that a lack of desire for that help and continued to ask the officers, and later the administrator, to leave the room.

Eventually, a deputy took the student's shoulder, then arm, pulled the student from the room and performed a takedown

maneuver. Two deputies placed the student in handcuffs and a WRAP restraint device.²¹

It was unclear from the documentation why the deputies went “hands on” with this student who was experiencing a mental health crisis and then why they used the WRAP device as a further constraint.

A more exacting review of force incidents would address issues and learning opportunities such as these.

RECOMMENDATION 20: SUDPS should adopt policy requiring a management-level supervisor to evaluate whether each use of force was within policy, what de-escalation techniques were used and/or available, whether other policies were implicated by the incident, and any training, equipment, or supervisory issues raised by the incident. The analysis should be documented in a way that demonstrates a holistic review of all the circumstances surrounding the use of force.

One related issue that came up in our review is the SUDPS policy on retention of body-worn camera footage. Because of the delay in our ability to access files, video was available in only five of the 13 cases we reviewed. Other incidents occurred more than two years ago, beyond the retention period required under California law (Penal Code section 832.18). Stanford’s storage system for video is programmed to delete video footage not marked for retention after two years. The policy has provisions relating to video retention in criminal cases and Internal Affairs investigations. In addition, SUDPS practice is for management to mark for retention any footage related to a complaint, or in any situation where a deputy or supervisor anticipates a complaint might be made. Though we acknowledge that the current system complies with the statutory minimum two-year retention period, we recommend SUDPS amend its policy to make retention of video in reportable use of force incidents match the retention provisions for criminal cases and IA investigations.

²¹ The WRAP is a temporary restraint device that immobilizes the subject’s body and restricts the ability to kick or do harm to oneself and others. It is intended to both increase officer safety and reduce risk of injury to subjects.

RECOMMENDATION 21: SUDPS should modify its policy on body-worn cameras to provide for retention of video in use of force incidents consistent with the policy's current retention provisions for criminal cases and Internal Affairs investigations.

Use of Force Policy Review

SUDPS has done commendable work in updating its Use of Force, Firearms and Less Lethal Munitions policies to incorporate many new statewide standards, such as only using force which is necessary and proportional, highlighting the need to use de-escalation and crisis intervention techniques when feasible, and requiring that deputies provide a verbal warning prior to using force. It also sets out detailed guidelines for use of less lethal force such as OC spray and batons. Most importantly, it sets very clear guidelines for use of deadly force, including prohibiting the shooting of an individual who is a danger to only to themselves and requiring deputies to assess the risk to bystanders before shooting.

The policy also appropriately considers mental health and crisis intervention, the capacity for a subject to understand commands, the needs of vulnerable populations, and the requirement to provide medical attention. SUDPS's policy requires deputies who witness any unnecessary force to intercede immediately and prevent such force from being applied.

SUDPS's Use of Firearms policy restricts the shooting of firearms at or from a moving vehicle except when a life-threatening situation requires immediate action. SUDPS's Use of Less-Lethal Munitions provides standards for less-lethal weapons and munitions.

At the same time, we have also identified some areas for improvement. We acknowledge that SUDPS follows the Sheriff's Office lead on policy development. In particular, SUDPS is required to adhere to Sheriff's Office policies on use of force, and we understand the Sheriff's Office force policies are in the process of being updated and reviewed with various layers of monitoring. Nonetheless, we note these concerns with SUDPS's current policy:

- SUDPS's Use of Force policy includes an outdated force continuum that should be replaced with an emphasis on officers' critical decision-making skills.
- SUDPS's policy needs clearer standards for pointing of a firearm at a person.
- SUDPS's force policy has not yet incorporated California Assembly Bill 26's use of force policy requirements. As required by this new state law, SUDPS should update its Use of Force policy to: 1) require officers "immediately" report potential excessive force; 2) prohibit retaliation against officers who reporting other officers' misconduct; 3) limit officers with substantiated force complaints from training others for a minimum of three years, and 4) address potential discipline for officers who fail to intercede during an improper use of force. These improvements are discussed more fully below.

Remove an outdated use of force continuum.

SUDPS's policy includes a "use of force continuum" and states that the escalation of force shall occur in reference to a list of force options that increase in their severity of harm. A use of force continuum implies a step-by-step progression of force options or weapons that pairs a subject's actions with a defined police response. Policies and trainings that rely on a force continuum have been criticized as inconsistent with evolving constitutional standards of force.²² For example, the Police Executive Research Forum (PERF) characterized force continuums as a rigid, mechanical and outdated concept that continues to be pervasive in police training and police culture. PERF observed that continuums suggest to officers that if "presented with weapon A, respond with weapon B. And if a particular response is ineffective, move up to the next higher response on the continuum."²³ PERF contrasted the step-by-step continuum approach

²² For earlier critiques of the use of force continuums, see Ken Wallentine, *The Risky Continuum: Abandoning the Use of Force Continuum to Enhance Risk Management*, Dr. John Peters and Michael A. Brave, *Force Continuums: Are They Still Needed*, 22 *Police & Security News* 1, (Jan./Feb. 2006); John Bostain, *Use of Force: Are Continuums Still Necessary*, *FLETC Journal*, V. 4, No. 2, Fall 2006, 33.

²³ Police Executive Research Forum, *Guiding Principles on Use of Force*, 19-20 (2016), ("PERF Guiding Principles").

with the type of critical decision-making skills required by the law and expected of officers:

[A]ssessing a situation and considering options as circumstances change is not a steady march to higher levels of force if lower force options prove ineffective. Rather, it entails finding the most effective and safest response that is proportional to the threat. Continued reliance on rigid use-of-force continuums does not support this type of thinking.²⁴

Modern use of force policies and training emphasize officers' decision making skills rather than the mechanical approach of a use of force continuum.

RECOMMENDATION 22: SUDPS should revise its Use of Force policy to remove the Use of Force Continuum and emphasize the role of critical decision making, use of force concepts and strategic de-escalation tactics in use of force decision making, review, and evaluation.

Clarify standards for drawing and pointing a firearm.

California law requires law enforcement agencies to have “clear and specific guidelines” regarding situations when officers may or may not draw a firearm or point a firearm at a person.²⁵ SUDPS's policy permits the drawing a firearm for the “safety” of the officer or others or when the officer believes the officer or another may be in danger of death or great bodily harm, and considers pointing a firearm to be reportable force. We recommend more specific guidelines.

The California Commission on Peace Officer Standards (POST) Use of Force Standards and Guidelines observes that unnecessarily or prematurely drawing or exhibiting a weapon can escalate a situation and limit an officer's alternatives. It can also create unnecessary anxiety on members of the public and could result in an unwarranted or unintentional

²⁴ PERF Guiding Principles, 20.

²⁵ See California Government Code §7286 (b).

discharge of the firearm.²⁶ POST recommends that agency's policies include the following requirements for drawing and exhibiting a firearm:

- Officers shall not draw or exhibit a firearm unless the circumstances surrounding the incident create an objectively reasonable belief that it may be immediately necessary for the officer to use deadly force.
- When, consistent with training, circumstances create a reasonable belief that display of a firearm helps establish or maintain control in a potentially dangerous situation.
- If feasible, when drawn, an officer should keep the firearm in the low ready or other position not directed toward an individual (e.g. building search);
- The officer shall, as soon as practicable, secure or holster the firearm.²⁷

RECOMMENDATION 23: SUDPS should revise its Use of Firearms policy to incorporate POST recommendations for drawing and exhibiting a firearm.

Make use of force data publicly available.

As we discuss throughout this report, SUDPS does not currently provide any external-facing data dashboards, except where required by the Clery Act. Here, we recommend that it publish its use of force data (we discuss additional data transparency recommendations later in this report).

Other university law enforcement agencies make their use of force data publicly available. For example, Yale University Police Department's website has a section dedicated to Use of Force. This section includes a statement from Yale's Chief of Police who acknowledges anti-black violence and systemic racism and the lack of fear and lack of trust many people feel toward police. The Chief explains that in the interest of

²⁶ California Commission on Peace Officer Standards and Training, POST Use of Force Standards and Guidelines (2021), 18 [hereinafter POST Use of Force Guidelines].
https://post.ca.gov/Portals/0/post_docs/publications/Use_Of_Force_Standards_Guidelines.pdf.

²⁷ POST Use of Force Guidelines, 18-19.

fostering a culture of transparency and accountability, he is providing a Use of Force report that he will continue providing annually.²⁸ UCLA Police Department has a dedicated website page on Use of Force that provides the Department's use of force statistics, provides a link to its Use of Force policy and explains statewide use of force reporting requirements.²⁹ We recommend that SUDPS make its use of force data publicly available on its website.

RECOMMENDATION 24: In creating public-facing dashboards, SUDPS should make use of force data publicly available on its website in a user-friendly, accessible format.

Training Review

To its credit, SUDPS provides a variety of state-mandated training on topics such as use of force, de-escalation and crisis intervention.³⁰ SUDPS offers an 8-hour course in Crisis Intervention and De-escalation and 24-hour course in Crisis Intervention training. Topics included interacting with individuals with mental health issues, substance abuse and intellectual and developmental disabilities. Curriculum addresses effective listening and communication skills, principles of de-escalation, reducing the need to use deadly force, stress management and officer suicide risks. The intermediate Crisis Intervention training includes role play scenarios, interactive video scenarios, case studies and a lived experience panel with individuals experiencing mental illness and homelessness. Use of Force training covers topics such as legal standards and force options and uses a simulator for scenario-based exercises.

SUDPS offers several trainings to address issues of bias, racial profiling, and cultural competency. An 8-hour course on Principled Policing covers the four principles of procedural justice (voice, neutrality, respectful treatment and trustworthiness) and its relationship to police legitimacy. It addresses historical and generational effects of policing with the goal of

²⁸See <https://your.yale.edu/sites/default/files/files/PublicSafety/use-of-force-annual-report-2021.pdf>.

²⁹ See <https://police.ucla.edu/use-of-force>.

providing a better understanding of the racialized legacy of policing on present day policing practice and policy. The course also teaches about the concept of implicit bias and the science and research behind it. It explores how implicit bias can impact decision-making and outcomes during police interactions. Video training on Bias and Racial Profiling is offered through POST. A two-hour course called “Responding to Anti-Muslim Bigotry enables officers to discern between a real threat and perceived threat based on pervasive stereotypes of Muslim Americans today. Its goal is to build empathy by sharing experiences of bigotry while enhancing officer’s skills when working with Muslim American communities. SUDPS also offers training on intercultural conflict styles. Training entitled “Increasing the Awareness of Implicit Bias” included several scenario-based exercises tailored to likely interactions between DPS officers and students. This training particularly stood out because it was tailored to the population DPS officers serve and type of campus environment and challenges that DPS officers may likely experience. We recommend that to the extent possible, SUDPS should design training that is tailored to the student and staff population it serves and that use of force, communication and de-escalation training involve realistic on-campus encounters DPS officers are likely to have.

RECOMMENDATION 25: Similar to its implicit bias training curricula, SUDPS training should be tailored to the student and staff population when possible and incorporate into use of force, communication and de-escalation training realistic scenario-based exercises that DPS officers are likely to have on campus.

SUDPS provided us curriculum for many of its trainings. However, we noted that when we attempted to access training materials posted on SUDPS’s website, such as Use of Force, Force Investigations and Legal Updates, the website link stated, “Course materials for official use only.” In addition to the state law requiring the posting of an agency’s training materials, we are unaware of any reason why these course materials would be restricted to “official use only” and not available to the public.

RECOMMENDATION 26: SUDPS should make its training materials relating to Use of Force, Force Investigations, and Legal Updates available to the public via its website.

Addressing Misconduct Allegations

Public Complaints

Transparency and accountability are vital to a law enforcement agency's ability to build and maintain trust within the community it serves. An important aspect of both centers on an agency's responsiveness to allegations of officer misconduct made by members of the public. Complaints of officer misconduct can identify problems that require disciplinary action against individual officers and aspects of police training and policy that need improvement. Public complaints can also provide an invaluable source of feedback to understand the community's perceptions and attitudes about the agency itself and police practices and procedures in general.

But investigations into these allegations unfold against a backdrop of inherent skepticism. Externally, a complainant who is already at odds with an officer or employee might question whether the department will follow through in terms of both investigation and accountability. Internally, officers might experience concern over being reviewed and the impact on their careers, or feel mistrust in (or even cynicism about) their agency's internal processes.

An effective public complaint process involves several key components, including accessibility and inclusivity when receiving complaints, thorough investigation, valid outcomes, and a meaningful process for notifying complainants of the results. We reviewed a four-year history of complaints involving SUDPS members to evaluate the Department's process on each of these issues. The first, most noteworthy fact is that, from 2018 through 2021, members of the public submitted only three complaints about the conduct of SUDPS personnel.³¹

There are several possible interpretations for such a small number of allegations of misconduct in four years of police activity. First, we note that the four-year span included nearly a year and half during the

³¹ The information we received shows SUDPS (or in some cases, an outside firm) conducted 18 administrative investigations over this period. Fifteen of these were internally generated, meaning that the investigation addressed allegations made in a complaint initiated by a supervisor or another SUDPS employee.

COVID-19 pandemic where students were largely absent from campus and SUDPS had very limited activity. Beyond that, one theory is that low complaint volume is reflective of effective officer performance and a high level of public satisfaction. These may be relevant factors – and we don’t have specific reason to believe otherwise – but we also note that a dearth of public complaints may also be a function of (1) a lack of awareness about the complaint process, (2) a lack of confidence in the value or legitimacy of the process, and/or (3) a lack of access to the complaint process.

Public Awareness and Access to SUDPS Complaint Process

California law requires agencies to provide the public a written description of their procedure for investigating misconduct complaints, and SUDPS complies by publishing its General Order on Complaints by Members of the Public on its website, as part of its general policy manual. And to SUDPS’s credit, its website provides a complaint form that can be downloaded.³² However, neither the complaint form nor the website provides specific instructions about how to submit the form, explains SUDPS’s process for investigating and resolving complaints, or describes what role the complainant can expect to play.

We recommend that SUDPS enhance its complaint and administrative investigative processes in several significant ways, including making its complaint system more user-friendly, updating its 2006 policy on complaint procedures to reflect current best practices, and publicly reporting complaint data on its website to enhance transparency and

³² We note that Stanford’s complaint form contains an admonishment required by California Penal Code §148.6: “It is against the law to make a complaint that you know to be false. If you make a complaint against an employee knowing that it is false, you may be prosecuted on a misdemeanor charge.” We have generally advised agencies not to include such a warning because of a Ninth Circuit opinion concluding that the language impermissibly restricted First Amendment speech. (*Chaker v. Crogan* (9th Cir. 2005) 428 F.3d1215). In May 2022, a California Court of Appeals published a decision finding that Penal Code §148.6 is valid and enforceable, despite the Ninth Circuit ruling in *Chaker*. (*Los Angeles Police Protective League v. City of Los Angeles*, May 19, 2022). That decision is likely to be appealed to the California Supreme Court.

boost public confidence. In addition, Stanford should consider developing a mediation or other alternative dispute resolution program for the resolution of some complaints that are less about problematic misconduct than gaps in communication or perspective. Each of these recommendations is discussed more fully below.

Explain SUDPS's commitment to a robust complaint process.

Law enforcement agencies often explain the complaint process in written materials and on their website to ensure public accessibility. Topics or frequently asked questions (FAQs) may address the investigative process, complainant and witness interviews, and how the Department will keep the complaint apprised of the status and completion of the investigation. This information enables the public to better understand the steps the law enforcement agency takes during the complaint process and the seriousness with which the agency treats complaints of police misconduct.

Typically, agencies emphasize their commitment to a timely, objective, and thorough complaint process. For example, Princeton University Department of Public Safety provides the following information on its website about the complaint process:

The Department of Public Safety takes all allegations of staff misconduct or complaints regarding our policies or procedures seriously. The goal of the department is to ensure that objectivity and fairness are assured by investigation and review. Our goal is to resolve all complaints as soon as practicable. A part of the investigation is to follow up directly with the complainant to ensure we understand the issue as clearly as possible. During the course of the investigation you also may be contacted for further information. Investigations are (typically) completed within a 30 day period. In cases where the investigation cannot be completed in this time frame, the investigator will update you on the status of the complaint. At the conclusion of the inquiry, a department manager will notify you of the findings of the investigation.

<https://publicsafety.princeton.edu/contact-us/complaint>

Yale University Police Department's website explains how to report a complaint against an officer and emphasizes its commitment to investigate police misconduct allegations:

The Yale University Police Department takes very seriously its obligation to investigate all allegations of police misconduct and will take appropriate action when warranted. Yale police officers are trained to follow the use of force to protect the life of those we serve. The process for reporting any complaint against any member of the department is simple and straightforward. Community members should contact Police Communications at 203-432-4400 and request to see a supervisory officer. A supervisor will respond and take the initial complaint, which most often can be resolved expeditiously at that level. Should any complaint require additional investigation, the matter will be referred to the Office of the Chief, which will assign the matter for investigation.

<https://your.yale.edu/community/public-safety/yale-police-department>

University of California Berkeley Police Department's website emphasizes its commitment to conducting complete, fair and impartial complaint investigations. It provides a link to UCPD's complaint investigation policy and provides several non-law enforcement locations for filing a complaint. The website explains the role of the duty supervisor to handle complaints and also explains how the Campus Ombuds Office can assist in resolving informal complaints. <https://ucpd.berkeley.edu/commendations-complaints/file-complaint>

Currently SUDPS's policy and website has no equivalent statement about the Department's commitment to a robust complaint process. Nor does SUDPS's website or complaint form explain the complaint process. We recommend that SUDPS create complaint materials that convey its commitment to a timely and objective process that takes seriously complaints regarding the services they provide and the conduct of their officers. An explanation of SUDPS's complaint process should be posted on its website and accompany the online complaint form.

Provide online filing of complaints.

Many law enforcement agencies provide an online system for accepting complaints. While SUDPS provides an online complaint that an individual can download, print and mail or submit in person to SUDPS, SUDPS does not currently provide an online system for accepting complaints. Although SUDPS's policy states it accepts complaints by e-mail, the complaint form

does not provide an e-mail address for submission nor does SUDPS's website explain how an individual can submit a complaint via email. In light of the population that SUDPS serves, an online complaint system would provide more accessibility and be consistent with expectations at an institution of higher education located in the heart of Silicon Valley.

Update SUDPS's complaint policy to address investigative and review processes.

SUDPS's complaint procedures are set forth in General Order 14.00, which states that individuals can submit a complaint any time in person, by mail, e-mail or by phone. SUDPS accepts anonymous complaints, an important feature for individuals who observe misconduct but may have reasons for not wanting to be identified. Complaints that may lead to formal discipline are designated as formal Internal Affairs matters. These include 1) alleged violations of the law; 2) excessive or unnecessary use of force; 3) racial, religious, or sexual harassment; and employee misconduct (e.g., general order violations, abuse of authority, false arrest or other behavior that can discredit the department). Less serious complaints may be investigated as informal administrative matters at the divisional level by a supervisor or manager. These include: 1) matters of policy or law where there is no evidence of employee misconduct; 2) lack of adequate service (e.g., failure to return telephone calls); and 3) demeanor/courtesy (e.g., rude, abuse, or profane conduct).

Complaints generally are referred to an SUDPS Lieutenant or if no lieutenants are on-duty, to a patrol supervisor or the highest-ranking officer on duty at the time. The policy also contains provisions for documentation and routing of complaints, but does not provide any detailed instruction regarding the investigative or review process, timelines for completion, review and notification to the complainant and involved officer, or the manner in which the investigative findings and recommendations are reviewed internally. We recommend the policy be revised to include these additional details. At a minimum, SUDPS's public complaint policy should refer to SUDPS's Internal Affairs Policy, which does address some of these topics.

Regardless of format, SUDPS should update its complaint policy in several ways. The investigative process should require that SUDPS

staff who are taking the complaint advise the complainant of the investigative process or at a minimum, provide the complainant materials that explain the process. The policy should require an interview with the complainant and investigation of each allegation reasonably raised by the complainant. The policy should identify who has responsibility for keeping the complainant apprised of the investigation's status and conclusion. The policy also should include a statement that individuals can report misconduct without fear of reprisal or retaliation. To assure compliance with statutory deadlines, the policy should include timelines for the investigation and post-investigation review process and a mechanism to monitor the status and completion of cases.

Explore ways to enhance independence of the complaint process.

Some universities provide non-police locations for receiving complaints concerning police misconduct. For example, complaints concerning UC Berkeley Police may be filed with the Police Review Board, the Office for the Prevention of Harassment and Discrimination and the Office of Government and Community Relations.³³ These complaints are forwarded to UC Berkeley Police for investigation.

Stanford's Community Board on Public Safety recommended going even further, and creating a process for receiving feedback on community interactions with police and private security that was separate from SUDPS. The Board also recommended a process for independent review of complaints.³⁴ Both recommendations could assist in building more transparency and community trust in the complaint process and we encourage further discussion and exploration of the feasibility of these concepts.

³³ <https://ucpd.berkeley.edu/commendations-complaints/file-complaint>

³⁴ This could be achieved by expressly designating a complaint review function for OCLEM, the County's independent oversight entity.

Consider developing an alternative dispute resolution program.

An increasing number of jurisdictions are offering a restorative justice approach to addressing police complaints in lieu of the traditional investigative model. An alternative dispute resolution or mediation program based on principles of restorative justice, provides an opportunity for the complainant and the law enforcement officer to meet in a neutral and confidential setting, with the assistance of a professional facilitator. The voluntary nature of the process allows both sides to be heard. Complainants talk about the behaviors they felt were harmful or discourteous and help law enforcement officers see the incident from their perspectives.

At the same time, SUDPS employees would have the opportunity to explain what happened from their point of view and share what kind of information they had going into the situation as well as relevant policies and procedures that may have impacted their decisions. The mediator facilitates the conversation in a safe space, allowing the parties to be heard and bringing closure to the encounter.

Publicly report complaint data.

Consistent with public expectations of greater transparency and accountability, many law enforcement agencies now provide complaint report summaries on their website. For example, Princeton University Police Department posts on its website an annual summary of complaint data and their dispositions.³⁵ UC Berkeley and UCLA Police Departments³⁶ also provide complaint summary data on their websites. We recommend that SUDPS update its website to include annual complaint data.

³⁵ For Princeton University's Department of Public Safety yearly complaint data, see <https://publicsafety.princeton.edu/information/directives-and-public-reports#public-reports>.

³⁶For UC Berkeley Police Department complaint data, see <https://ucpd.berkeley.edu/complaints-made-2018-2020>; for UCLA Police Department complaint data, see <https://police.ucla.edu/about-ucla-pd/departments-information/commendations-complaint-procedures>.

RECOMMENDATION 27: SUDPS should create complaint materials to be posted on its website that convey its commitment to a timely, thorough, and objective process that takes seriously complaints regarding the services they provide and the conduct of its officers.

RECOMMENDATION 28: SUDPS should develop an online system for submitting complaints.

RECOMMENDATION 29: SUDPS should update its Complaint policy to more thoroughly address required elements of the investigative process and a mechanism to monitor the status and completion of cases including timelines for completion, and review and notification to complainants and involved officers.

RECOMMENDATION 30: In conjunction with the Community Board on Public Safety and other University stakeholders, SUDPS should explore ways to enhance the independence of the complaint process, including the possibility of outside, independent review of complaints.

RECOMMENDATION 31: Stanford should consider developing an alternative dispute resolution or mediation program based on principles of restorative justice to resolve some complaints from community members.

RECOMMENDATION 32: SUDPS should report annual complaint data on its website, including summaries of complaints and their dispositions.

Seeking Broader Input

As important as it is to have a robust system of gathering and investigating complaints, it is equally important for a police agency to seek public feedback in the form of commendations. The Department can use the input for promotional consideration, informal reinforcement of desirable conduct, morale boost, or recognition in the form of awards. The SUDPS website has a complaint form, but no commendation form. The Department should remedy this and provide the community every

opportunity to commend employees when their performance leaves a positive impression, including an online system that mirrors the complaint process. Likewise, as SUDPS and the University consider ways to enhance the independence of the complaint process, they should ensure that community members have an opportunity to commend as well as complain.

Beyond that, there is value in a Department's efforts to actively solicit feedback from the communities it serves rather than just waiting to receive comments. Some agencies have gone so far as to create "customer satisfaction surveys" intended to obtain input on how they are being perceived by their community.

SUDPS should consider ways to actively seek feedback from its various stakeholders on the performance of individual officers and the Department as a whole. One targeted approach used by some agencies is to send out – with an individual's affirmative consent – text messages and/or email "surveys" to individuals who have had recent interaction with police (as complainants, victims, witnesses, or defendants, for example) to obtain their opinions on the encounter and views on the professionalism of the Department. One agency we have worked with employs a system where those who have had contact with police are automatically solicited for feedback via text message following the encounter.

RECOMMENDATION 33: SUDPS should develop a system for receiving public commendations that mirrors its public complaint system.

RECOMMENDATION 34: SUDPS should consider ways to actively seek feedback from its various stakeholders on the performance of individual officers and the Department as a whole.

Administrative Investigations

We reviewed the Department's investigation and review of the three public complaints. Two of these involved allegations of racial profiling made by the same complainant (a University employee) and were completed by outside law firms. The third, investigated by the SUDPS Captain, involved an allegation that a deputy improperly reached out to an individual

following his on-duty police contact with her. All were handled as formal investigations.

We found all three investigations to be thorough, objective, and complete. Likewise, the findings and dispositions in all three were appropriate and reasonable based on the evidence.

The decision to engage outside firms to conduct two of the three investigations was both interesting (from the perspective of typical law enforcement operations) and prudent (given the highly charged nature of racial profiling allegations). We typically see law enforcement agencies turn to outside investigators in only the most high-profile cases, or those that involve high-ranking members of the organization. For SUDPS, allegations of race-based enforcement actions are both significant and sensitive enough to warrant the engagement of investigators outside the Department, blunting criticism about the impartiality of the investigations.

One element of an agency's public complaint handling that is critical to perceptions of the legitimacy of the process is the way in which outcomes are communicated to complainants. Too often, agencies default to standard, boilerplate language that provides a minimal amount of information and does little to assure complainants that their concerns were taken seriously. These letters may technically comply with the agency's legal notification requirements but do not promote trust or confidence in the validity of outcomes.

Based on the one letter we reviewed that was authored by the Chief, SUDPS is not among those "boilerplate" agencies. The letter was personalized and provided specific information about the investigative process as well as assurances about the outcome. Closure letters in the other two cases were handled by the University's Employee and Labor Relations.

During the same four-year period in which the Department investigated three public complaints, it also initiated 15 administrative investigations that originated as internal complaints. In terms of seriousness, many of these cases were routine and low-level in nature; they warranted some intervention without being unduly concerning. (For example, several of these cases stemmed from improper driving or failure to report for a scheduled shift.)

Others were more significant, including one investigation that began with an allegation that one Public Safety Officer parked on campus without a required permit but grew into a more wide-ranging investigation into numerous officers, involving allegations of untruthfulness and failure to cooperate with the investigation. The investigations we reviewed were sound from a quality and thoroughness perspective, and we found that the evidence supported the individual outcomes that were reached.

SUDPS Data:

Examining Allegations of Bias

At least part of what prompted this review were allegations that SUDPS engaged in biased-based policing; namely, that SUDPS focuses its enforcement activities disproportionately on communities of color. We heard sentiment that the police presence on the west side of campus, where the Black undergraduate residences and the Black Community Services Center are located, is much more apparent than in other areas. Student groups also articulated that students of color were more likely than their white counterparts to be stopped as part of SUDPS’s bicycle safety enforcement and, in general, were more likely to have their activities on campus scrutinized by SUDPS officers.³⁷ For example, we heard one case of SUDPS questioning a Black male, only to find out that he was the father of a student moving into the dorms, and another of SUDPS responding to a Black “suspicious person” in a common room and later learning that this person was a graduate student who had fallen asleep while studying.³⁸

We engaged in numerous conversations with SUDPS about this topic. SUDPS vehemently denied claims of biased policing, stating that its policing and enforcement actions were responsive to public safety needs on campus. Moreover, SUDPS responded that the majority of their citations and arrests involved *non-Stanford*, non-student individuals, and that these interactions, too, were not targeted at a specific racial group.

³⁷ As we discuss in various places throughout this report, SUDPS has almost entirely stopped any sort of proactive enforcement efforts, including bicycle safety patrols, in response to this critique.

³⁸ We did not evaluate these allegations or ask for any supporting documentation or response from SUDPS. The point of noting the allegations here is to document the perception of bias that was reported to us.

Given this clear disconnect between both sides, we requested and reviewed several data sets provided by SUDPS. After much internal work to standardize the data, SUDPS provided two data sets.³⁹

Overall, we found the data to be inconclusive with respect to proving or disproving allegations of racial bias, mainly because the inefficiencies in data systems we noted above limit SUDPS's ability to systematically collect data in a comprehensive and effective way that might allow for routine analysis of statistics.

DATA SET #1: Citations and Arrests – 2018-2020

The first data set was a count of all citations and arrests from fiscal year 2018 to 2020 and a count of total calls for service for that period. This data set included nearly 7,000 unique arrests and citations. SUDPS noted that this is its most complete data set because the reports filed for arrests and citations include information about race. The arrests were also coded as “student” or “non-student.”⁴⁰

In this data set, we found evidence to support SUDPS' assertions that most of its enforcement activity (in this case, arrests) occur with non-Stanford individuals. Of 847 arrests, 78.5% were of non-students, while 21.5% were of students. But of course, the concerns from the Stanford community were not just how students were impacted by police activity; they extended to all persons who had encounters with SUDPS.

SUDPS repeatedly noted that the trouble with analyzing its data sets to look for bias is that they do not have a definitive total population count, or a “denominator,” to use when conducting an analysis (e.g., a relative risk ratio analysis). SUDPS noted that the total population it dealt with varied widely and was hard to quantify. It could not be compared to either the “student” population demographic data, as the communities served go beyond only students, nor could it be compared to general Census data

³⁹ SUDPS initially provided several data sets for our analysis. After internal work, they provided the two “best” sets for our use in this specific analysis. We also reviewed a third data set, the total case counts from 2019-2020; we refer to that third data set in our review of sexual assault (and related) cases, in the Title IX/SHARE office section.

⁴⁰ This data set also included 33,640 calls for service that were not coded for race or student status; we reviewed calls for service in our analysis of the second data set, below.

for Palo Alto as people travel to campus from San Francisco and other neighboring areas. It fluctuated in size during big events, such as games, and breaks in the academic year.

But we found that at least the arrest data set, which divided arrests into “student” and “non-student,” did have a denominator: total student population. The trouble, however, is that the data set spans several years, wherein the student demographics may change. Still, a more detailed study might use this data set to determine the relative risk of students of color being arrested versus their white counterparts.

Here, we present raw counts from the data set without additional statistical analysis for the reasons noted above.

- Student arrests. Of 182 student arrests:
 - o The majority (63.2%) were related to alcohol: minor possession of alcohol or “disorderly conduct: alcohol.”
 - o 55% of total arrests were of white students, 16% were of Asian students, 10% were of “other/unknown” race, 7% of Hispanic students, and 5% of Black students (with people of color totaling 38%).

- Citations. Of 5,637 total citations (data not broken down by student/non-student):
 - o The largest category (making up 31.2% of citations) were “moving vehicle” violations, such as failure to stop, disobeying “no turn” signs, and speeding. Of these, 60% were Black, Indigenous or people of color (BIPOC) and 38% were white.
 - o The second largest category, making up 21.3% of citations were “mechanical” citations, such as broken headlights and defective lighting. Of these, 58% were BIPOC and 40% were white.
 - o There is no clear “denominator” to analyze these statistics as a percent of total population.

DATA SET #2: Field Interview Contacts – 2018-2020

The second data set was of “Field Interviews” conducted by SUDPS from fiscal year 2018 through 2020. Field Interviews are contacts with the public that were initiated by one of three actions: calls for service (officers were called to the scene for a specific reason), Self-Initiated (officers choose to initiate contact of their own volition) and Patrol Checks (officers were instructed or requested to pay special attention to an area by a third party, such as a building manager or University personnel). At least part of this second data set was also provided to the Stanford Community Board on Public Safety for its analysis.

Here again, there is no set population total with which to conduct meaningful statistical analysis. Further complicating this second data set is the fact that many of these Field Interview activities occur with “repeat” offenders (for example, repeatedly issuing a Field Interview card for the same non-student transient to make a case for trespassing). If the repeat offenders happen to be a person of color (and in this period they typically were), the race data is artificially skewed higher because the same person is counted multiple times.

Keeping all of these caveats in mind, we were struck by one seeming disparity that aligned with anecdotal evidence: Patrol Checks occurred frequently for persons of color, and in particular for Black individuals. Of the 79 Patrol Checks in the data set, 72% of them were on people of color, and 32 of 79 were on Black people specifically. The majority of these Patrol Checks were classified as “Loiter/Etc Private Prop” and were resolved with no citation or arrest. This caused us to consider: are Patrol Checks focusing “special attention” on no/low-crime activities by specific racial groups?

When asked about Patrol Checks, SUDPS responded that these are a hybrid between a call for service and self-initiated activity. Here, they reported, their actions were often directed by a request from the Stanford community; for example, they stated that sometimes building managers might report “suspicious activity” in a building lobby and request that

SUDPS conduct more frequent checks of that lobby. In other words, this activity is more driven by community than by officer discretion.⁴¹

In reviewing the other data types – calls for service and self-initiated contacts – we did not note similar disparities by race.

With a large amount of data soon to be available pursuant to California’s Racial and Identity Profiling Act, the University community should be in a position to draw some more definitive conclusions about disparate impacts. Stanford is uniquely situated⁴² to analyze this data and consider all the permutations/complications that make straight comparisons inadequate. Stanford should use its academic expertise to shed further light on these issues and gain a better grasp on any disparities that may exist.

RECOMMENDATION 35: Stanford should commission a study on SUDPS public contacts, including enforcement activity, to determine whether persons of color are disproportionately impacted by that activity and, if so, the extent of that impact.

Bias-Free Policing: Policy & Training

Questions about the import of the limited data aside, Stanford could do more to address the issues of bias in its enforcement activities, beginning with the adoption of a bias-free policing policy to communicate its expected standards of conduct and convey a commitment to treating the public in a fair and equitable manner. Such a policy is consistent with recommendations of the California Attorney General’s Racial and Identity Profiling Advisory (RIPA) Board. A model policy should define relevant terms (including implicit and explicit bias) and express the Department’s commitment to identify and eliminate racial and identity profiling. It should

⁴¹ The CBPS’s recommendation (Principle 5) that “Anti-bias and de-escalation education should be provided for all security services as well as for the community” speaks to this concern.

⁴² Stanford’s vaunted Statistics Department is a preeminent center for statistical research, with its doctoral program ranked number one by the U.S. National Research Council.

also address training, supervisory review, data collection and analysis and accountability.⁴³

SUDPS's bias-free policing policy should also address "bias by proxy." Bias by proxy occurs when individuals call the police and their request for service is more reflective of their own prejudice than any actual observed misconduct. Recent well-known examples include police response to a Black student napping in the Yale University common room⁴⁴ and the arrests of two Black men waiting for the arrival of an acquaintance at the Philadelphia Starbucks.⁴⁵ When police act on a request for service that stems from a caller's own bias, there is a significant risk of an encounter that, in one way or another, reinforces that bias and its harms.

Our own data analysis – consistent with the Stanford Community Board's observations – suggests that the bias of others could be a factor influencing calls for service and requests for additional patrol activity that results in greater police contacts with persons of color as compared to other groups. To address this type of bias, the RIPA Board recommends that law enforcement agencies develop policies and training on how to prevent bias by proxy when responding to calls for service. The policy should include:

- how dispatchers⁴⁶ and officers can identify a bias-based call for service;

⁴³ See Racial and Identity Profiling Advisory Board Report 2020, pages 43-53. <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2020.pdf>. For other resources concerning best practices and bias-free policing, see California State Auditor Report 2021-105 "Law Enforcement Departments Have Not Adequately Guarded Against Biased Conduct" (April 2022), <https://www.auditor.ca.gov/pdfs/reports/2021-105.pdf>; International Association of Chiefs of Police Bias-Free Policing Model Policy and Concept and Issues Paper (January 2021) <https://www.theiacp.org/resources/policy-center-resource/bias-free-policing>; US Department of Justice Understanding Bias: A Resource Guide <https://www.justice.gov/file/1437326/download>.

⁴⁴ <https://www.washingtonpost.com/news/grade-point/wp/2018/05/10/a-black-yale-student-fell-asleep-in-her-dorms-common-room-a-white-student-called-police/>.

⁴⁵ <https://www.cnn.com/2018/05/02/us/starbucks-arrest-agreements/index.html>.

⁴⁶ Because, as noted above, dispatchers for SUDPS are employed by the Palo Alto Police Department, any effective training on addressing "bias by proxy" will need to coordinate with the City of Palo Alto.

- once identified, how officers and dispatchers should interact with the caller who has made a bias-based call for service;
- how an officer should interact with the community member who is the subject of the bias-based call;
- how the officer's supervisor should interact with the caller;
- required training for officers and dispatchers that covers responding to bias-based calls for service; and
- guidelines for how to implement a restorative justice approach to address bias-based incidents in the community.⁴⁷

The Sheriff's Office recently adopted a Bias-Free Policing policy that is consistent with best practices and addresses the topics recommended by the California Attorney General's RIPA Board. This policy should be incorporated into SUDPS's General Orders, and the Department should develop and utilize training specific to the campus environment to ensure its officers, supervisors, and dispatchers understand the new policy.

RECOMMENDATION 36: SUDPS should incorporate the Sheriff's Office Bias-Free Policing policy in its General Orders, and should develop training for officers, supervisors, and dispatchers to accompany the implementation of the new policy.

⁴⁷ See Racial and Identity Profiling Advisory Board Report 2021, <https://oag.ca.gov/sites/all/files/agweb/pdfs/ripa/ripa-board-report-2021.pdf>.

SUDPS and the Stanford Community

“Abolish Stanford”

Shortly after the murder of George Floyd, a group of Stanford students formed Abolish Stanford, self-described as “an autonomous formation fighting for police abolition and total liberation at Stanford university and across the peninsula.” The group’s specific demands would effectively end all sworn police presence on the Stanford campus, citing disparate treatment of people of color and harassment by SUDPS officers.

Abolish Stanford was critical of the Community Board on Public Safety, saying its recommendations, while meaningful, did not go far enough and were overly influenced by the presence on the Board of three sworn SUDPS officers. In January 2022, Abolish Stanford sent OIR Group, among others, its “Recommendations for the Santa Clara County Study on Policing at Stanford,” which included, among other recommendations, dissolution of the MOU between the County and Stanford, a well-supported mental healthcare response that does not include law enforcement while providing guidelines for limited law enforcement involvement in mental health calls, and establishing clear benchmarks and transparency in law enforcement data.

Abolish Stanford is a thoughtful and vocal collective and we appreciate the insights that they provided to our work. They assisted in dissemination of our own survey and engaged in several conversations with our team to express their recommendations which, they suggested, were widely shared by their student colleagues on campus. And, indeed, our survey discovered that at least some of their points of view were shared by those students who responded to our survey.

The most notable contributions were three Town Hall, focus group style sessions that Abolish Stanford held in the spring of 2022 with current

students.⁴⁸ The first group had seven students, the second group had four, and the third group, which Abolish specifically set up to solicit Black student opinions, had four Black students.⁴⁹

During these sessions, a facilitator asked: “what is your perception of SUDPS?” Some students responded that SUDPS engages in racial profiling, and one stated, “It is a myth that SUDPS is friendly. Their contact is confrontational.” And another noted that SUDPS is “chilling” when police reports are filed, that students are afraid to contact SUDPS, or that SUDPS prevents safe resolution to sexual assaults because of the perception that they require survivors to share data and file police reports. Some reported that their peers had been unfairly targeted by SUDPS, or that SUDPS made them feel unsafe. Several had been stopped by SUDPS for minor infractions, such as not stopping at a stop sign on a bike; they reported that this was “unjust.” Others commented about the various types of security guards on campus, and suggested that these security functions be streamlined for safety.

When asked “what would make you feel more safe on campus,” students responded with ideas such as “more street lights” and food and housing security. Students suggested more training and restorative justice action in the University’s response to sexual assault/harassment. Several commented on the need for more mental health services (through the University’s Counseling and Psychological Services, or “CAPS”), and more funding/quicker response times for mental health providers in times of crisis (similar to the CAHOOTS⁵⁰ model of crisis response). Some commented on the newly published military-grade equipment inventory, questioning why SUDPS might need military-grade weapons.

⁴⁸ Abolish Stanford facilitated these sessions themselves and the sessions were not recorded. Abolish provided OIR Group notes from each session detailing each participant’s responses.

⁴⁹ It is unclear from the notes whether the same students attended multiple sessions.

⁵⁰ CAHOOTS stands for “Crisis Assistance Helping Out On The Streets.” It’s a mental health crisis intervention program that began in Eugene, OR in 1989 and has become widely seen as a model for other cities and counties to emulate.

Other Campus Groups

We spoke with various University personnel who represented other campus groups, though, due to pandemic restrictions, our interactions were limited to virtual interviews.

The first of these groups were graduate students, represented by the Graduate Student Life office. They reported that graduate students, and particularly those with families who live on campus, often are supportive of public safety on campus. These students more often live in apartments rather than residence halls. They often rely on SUDPS to resolve noise complaints and to curb undergraduate behavior that might disturb the peace. Similar to all students, the graduate students expressed a need for more supportive mental health services.

Similarly, we heard from the Stanford Campus Residential Leaseholder, a group of approximately 850 homes within the boundaries of the Stanford campus. In Board meetings, this group supported SUDPS, arguing for more, not fewer, police services. This group reportedly pays for a small percentage of SUDPS' operating budget.

Survey Results

During the course of our work, we learned the County had engaged an outside research firm to develop a survey on “University Life” for distribution to Stanford students. We worked with that firm to include in the survey a limited set of policing questions relevant to our study.⁵¹ Distribution of the survey was coordinated by several student groups. We recognized from the outset that there were advantages and limitations to

⁵¹ Our survey questions were added to an existing student survey instrument being administered by a third-party on behalf of Stanford. The student survey was administered online using the Qualtrics web-survey platform. The student government provided a mailing list of all Stanford students. Using Qualtrics survey platform, surveys were distributed through an anonymous link in November of 2021. The survey instrument was available in English and Spanish. In total, 1,732 students anonymously completed some of the survey. The respondents represent 10.8% of the student body.

obtaining feedback in this way, and wanted to craft an instrument that would capture the relevant views and experiences of participants in ways that could be quantified in the aggregate.

We received a total of 1,732 responses to our questions, with 791 (46%) coming from students who identified as Black, Indigenous or people of color (BIPOC) and 941 (54%) from students who identified as white. Notably, the majority of students who responded identified as graduate or post-graduate/PhD students.

To better understand the experiences that students had with SUDPS, we asked respondents, “What types of interaction have you had with the Stanford University Department of Public Safety (SUDPS) in the last 12 months?” Respondents could select all answers that matched their personal experience(s). Overall, out of 1732 total respondents, 23% stated that they had not interacted with SUDPS in any way in the past 12 months.

Of those who *had* interacted with SUDPS, 50% reported that they observed an officer on campus and 15% observed an officer off campus. A very small percentage of others had more direct interactions with officers directly:

- Less than 1% were questioned in connection with an investigation
- 1% were questioned without any connection to an investigation
- 3% were stopped by an officer
- 1% were a witness to a crime
- 2% reported having “other” interaction with SUDPS

We analyzed these interactions by race to explore if students of color experienced SUDPS differently. For example, were Black students more likely to report that they were questioned or stopped by an officer than white students? A collection of the data (as a percent of total within race) did not show marked differences in experience: of the white students who responded, 1% reported that they were stopped by an officer, of the Black students who responded, 1% also reported this experience, and so on.

	African American or Black	Asian	Hawaiian or Pacific Islander	Native American or Alaska Native	White	Some Other Race	Two or More Races
Observed Officer On Campus	54%	41%	50%	59%	53%	86%	51%
Observed Officer Off Campus	20%	10%	0%	18%	18%	14%	12%
Questioned in connection with an investigation	0%	1%	0%	0%	1%	0%	3%
Questioned without any connection to an investigation	1%	3%	0%	0%	3%	0%	3%
Stopped by an officer	1%	1%	0%	0%	1%	0%	2%
Witness to a crime	1%	1%	0%	0%	1%	0%	1%
Victim of a crime	1%	2%	0%	0%	1%	0%	2%
Other	6%	1%	0%	0%	3%	0%	3%
SUPDS in any way in the last 12 months	30%	29%	50%	12%	19%	14%	25%

We then asked students to rate various statements about public safety using a scale ranging from “strongly agree” to “strongly disagree.” First, we sought to define how students’ opinions and beliefs about public safety were formed: by their own personal experiences with SUDPS and/or law enforcement, or by the national narrative of the past several years.

Overall, 57% of students reported that they “agreed” or “strongly agreed” with the statement, “My views on police and policing are shaped by my own, personal experiences with law enforcement or SUDPS.” This suggested that the perspective of these students came from personal experiences.

And 70% of students reported that they “agreed” or “strongly agreed” with the statement, “My views on policing are shaped by news stories I have seen or heard about police conduct nationally.” This indicated that the views of most students were shaped, at least in part, by news and media reports documenting the national scene of policing.

We then asked students to rate their perceptions of SUDPS on campus specifically in several areas. Here, we present the results broken down by area of study because the total respondent counts were so heavily skewed toward the PhD level.

We wanted to capture a sense of whether students wanted or felt safer with armed campus police. Just over or nearly half of students across levels of study, except Masters students, reported that they disagreed or strongly disagreed that seeing armed police officers made them feel safer;

in other words, the presence of armed police did not increase their sense of “safety.” And the majority of undergraduate and PhD students agreed or strongly agreed that Stanford should not have armed police officers on campus.

Seeing armed police officers on campus makes me feel safe.

	Undergrad	Masters	Professional degree	PhD
Strongly disagree	36%	18%	34%	36%
Somewhat disagree	23%	18%	19%	24%
Neither agree nor disagree	21%	28%	19%	22%
Somewhat agree	12%	26%	13%	11%
Strongly agree	8%	10%	15%	6%

Stanford University should not have armed police officers on campus.

	Undergrad	Masters	Professional degree	PhD
Strongly disagree	7%	13%	15%	10%
Somewhat disagree	14%	24%	18%	14%
Neither agree nor disagree	25%	29%	18%	18%
Somewhat agree	17%	18%	19%	23%
Strongly agree	37%	16%	30%	36%

Despite reporting these sentiments, however, the majority of students did not have strong feelings when asked if SUDPS always acted in the community’s best interests.

SUDPS officers always act in the community’s best interests.

	Undergrad	Masters	Professional degree	PhD
Strongly disagree	16%	4%	11%	10%
Somewhat disagree	21%	9%	14%	22%
Neither agree nor disagree	44%	57%	50%	45%
Somewhat agree	15%	24%	19%	17%
Strongly agree	4%	7%	7%	5%

As we discuss earlier in this Report, the presence of various private security companies on campus are of concern. We asked students if they could tell the difference between sworn SUDPS officers and these privately-hired security guards. The majority of students across all areas of study reported that they could not tell the difference, with nearly 78% of undergraduates expressing this sentiment.

I can always tell the difference between SUDPS officers and private security guards on campus.

	Undergrad	Masters	Professional degree	PhD
Strongly disagree	37%	23%	28%	28%
Somewhat disagree	40%	30%	35%	36%
Neither agree nor disagree	13%	31%	19%	20%
Somewhat agree	9%	11%	15%	12%
Strongly agree	0%	4%	2%	3%

This response rate creates an interesting question for us: if respondents cannot tell the difference between SUDPS and other security entities, who are the respondents thinking of when they respond to a survey about “police?” And how much does the presence of these private security companies, and the actions of their employees, influence the students’ perspective of “law enforcement” on campus?

Finally, we wanted to gauge students’ perceptions of bias by SUDPS. Our question was admittedly general in nature but represented our best attempt at capturing broad perceptions of bias with a limited number of survey questions. Nearly or just over half of students reported that they somewhat or strongly agreed that SUDPS “will stop, question, or arrest a person of color where they might not with a white person.” Here as in previous questions, Masters students were the exception.

SUDPS officers will stop, question, or arrest a POC in situations where they might not with a white person.

	Undergrad	Masters	Professional degree	PhD
Strongly disagree	3%	8%	11%	6%
Somewhat disagree	5%	10%	7%	6%
Neither agree nor disagree	32%	57%	34%	37%
Somewhat agree	31%	12%	25%	26%
Strongly agree	29%	12%	23%	25%

Again, while the survey provided some results worthy of consideration and reflection, the small sample size (10% of all students) and the likelihood that those who responded are the ones most likely to have stronger feelings about the impact of policing (one way or another) raise issues about the “statistical significance” of the survey.

Engagement, Transparency & Oversight

The COVID-19 pandemic, followed closely by the nationwide call for defunding police, exacerbated a communication gap between police and public in many communities, as even agencies that were once proactive in communication and outreach suspended their efforts.

SUDPS is no exception, and as the Department re-examines its place in the community following the events of 2020, it’s doing so from a deficit position. The Department used to have an assigned “community engagement” deputy, but when the community dissipated during the pandemic, that specific assignment ended and has not been officially resurrected, though SUDPS has in other ways been tentatively resuming engagement efforts. Still, even as students returned to campus, SUDPS found it does not have a transparent, direct forum to address the communities they serve.

For example, in the past, SUDPS officers gave a presentation during the new student orientation session to explain their role to incoming students and provide information about campus public safety. But, over the past several years, the university shortened the new student orientation sessions, and eventually made them virtual sessions due to the pandemic. As a result, SUDPS’ presentation time slot was compressed and eventually removed altogether. As such, officers asserted that most new students do not even know that a campus police force exists. Other engagement efforts suspended during the pandemic likewise have not been reestablished.

Nonetheless, SUDPS is making some proactive outreach efforts to engage with the campus community. One of these is resuming its “Exploring Campus Public Safety” course, a 10-week, one-unit course, a

version of which was first offered in 2016⁵² as a “Community Police Academy” and then suspended during the pandemic. In this interactive course (which is open to anyone including students from all levels, faculty, and staff), participants learn about SUDPS specifically and public safety generally. SUDPS hired two student collaborators as part of its re-design and re-launch of the course.

Other efforts include sponsoring a series of community events, including a SUDPS Open House, barbeques for graduate students who remain on campus during summer break, a breakfast with the Housing Association that is attended largely by faculty members, community movie nights, and other community engagement sessions. These events are now offered in the new SUDPS building, which has a large training room available for such occasions.⁵³ SUDPS plans on hosting these types of events throughout the academic year to engage with and welcome students.

SUDPS also trains University personnel who are designated as “Campus Security Authorities” (CSAs), individuals who must intake and report crimes according to the Clery Act (we discuss this in greater detail in the section related to Title IX/SHARE and Clery). CSAs include staff from the level of Vice-Provost to Residence Advisors (RAs) in the Resident Halls. SUDPS created an online training course related to Clery requirements that is taken by all CSAs. But SUDPS might also consider more targeted training or communication with residence hall personnel beyond Clery so that RAs, especially those in the undergraduate residence halls, are more aware of SUDPS’ role on campus and can provide SUDPS with valuable input on how to improve its engagement efforts.

⁵² The Community Police Academy was first offered in 2002 or 2003 but became an official course with available credit in 2016.

⁵³ We heard from some that the new “community room” housed in the SUPDS building is off-putting to some who already feel uncomfortable with a police presence on campus and/or who do not feel that the cost of a new building for police was justified. While acknowledging that point of view, we also commend SUDPS for opening its doors to welcome community.

RECOMMENDATION 37: The University should facilitate meetings between SUDPS and Residence Directors and Advisors to establish a more collaborative relationship and open communication channels beyond Clery reporting requirements.

These are all fairly traditional types of law enforcement community engagement efforts, and SUDPS should be commended for doing what it can to connect with students and other community members. Nonetheless, there was a sense among SUDPS members we spoke with of no longer knowing what their place is in the Stanford community. There is a concern that some outreach efforts that in the past would have been welcome – even something as simple as striking up a conversation with a student at a campus coffee shop – might now be seen as oppressive. And that leads to a fundamental problem with any attempt at engagement, with some version of this question being asked: “How do you build trust with people who don’t even want to talk to you?”

The answer, we think, lies in consistent effort, clear communication, and transparent sharing of information.

Here, we found that SUDPS has much room for improvement. Despite its engagement efforts, SUDPS still lacks a clear communication component. This can lead to increased tensions and persistent misinformation. And any efforts it wishes to make toward greater transparency are hindered by its lack of reliable data.

As we discuss throughout this report, SUDPS’ policing data is frustratingly difficult to navigate, both internally (as evidenced by the seeming struggle to provide us concrete information on policing statistics and the lengthy explanations required for outsiders to “understand” it) and externally. We acknowledge that some of this difficulty is driven by a lack of access to Sheriff’s Office data systems, but given increased calls for transparency and communication, SUDPS cannot continue to rely on “shadow” systems or institutional knowledge of how data is captured and tracked.

Earlier in this report, we recommend that SUDPS evaluate its data systems. In addition to creating a more effective system for the department’s own use, another important goal is information-sharing with community. Other agencies do so through real-time dashboards with crime statistics, uses of force, complaints data, and other key aspects of

the agency's operations, which are then incorporated into proactive public communications.⁵⁴

RECOMMENDATION 38: SUDPS should use data generated and tracked by an improved data system to create real-time dashboards on key aspects of its operations and outcomes to share on its website.

In our interactions with SUDPS personnel at all levels, we found a willingness to adapt actions to reflect community values. We spoke with personnel who indicated a receptivity to engaging with community, both formally, such as on the Community Board, and informally, such as meetings with student advocates. We encourage SUDPS to continue these proactive communications.

Another way for Stanford, the County, and SUDPS to enhance police-community relations is to consider some type of oversight of the public safety functions on campus. Expanding public involvement in these critical functions – and increasing the extent to which police officers are accountable to entities outside their own agency – is an important way of bridging gaps of distrust, alienation, and misunderstanding. Jurisdictions throughout the country have addressed their distinctive needs by creating models of oversight that range in name, size, budget, scope of authority, and specific roles. But these different forms of oversight share the same basic goal – finding ways to give the public a greater voice in how the police operate within their communities.

Whether a particular model of oversight would benefit Stanford may be a good question for the Community Board on Public Safety to consider, but we can say with some confidence that the Stanford community and its Department of Public Safety would benefit from adopting some form of independent outside review.

⁵⁴ Various universities throughout California publish their policing data, including crime statistics, calls for service, uses of force, complaints, and other information, along with their commitments to transparency, on their websites. See, for example, the University of California, Irvine dashboard on the UCI Police Department's website at <https://www.police.uci.edu/data-dashboards/about.php>.

Re-thinking the Role of SUDPS

A consistent theme we heard from nearly everyone we spoke with – including SUDPS personnel – encompassed some version of a need to reconsider SUDPS’s role on campus and whether there were other ways to address public safety needs. The view was expressed clearly by Stanford’s Community Board on Public Safety, whose July 12, 2021 Annual Progress Report articulated a set of eight principles and recommendations upon which its diverse group of members could reach broad consensus. The first principle serves as a springboard for the others:

Principle 1 – Armed policing, particularly of student-centered areas of the community, should be reduced to the greatest extent possible; and more generally, armed policing should be used to the lowest extent appropriate for the circumstances.

Even SUDPS deputies with whom we spoke acknowledged they were “overdressed” for most calls in their gun belts and bulletproof vests. Mental health calls, in particular, are a space to question what is the appropriate role for law enforcement, and the subject of the Community Board’s second principle:

Principle 2 – Responses to mental health crises on campus should generally be handled by mental health professionals.

Several of the use of force cases we reviewed reinforced this principle. We made two key observations relevant to this discussion (while noting the force used against individuals in crisis involved nothing more than restraint techniques and did not result in physical injuries.). First, while the involved deputies seemed well-intentioned, they may not be the best choice to effectively address individuals in the throes of a mental health crisis, particularly when the risk of violence is low or non-existent.

Second, in the cases we reviewed, there seemed no available alternative to SUDPS. In one case, two University administrators were on scene, at an individual's dorm room. Though the file we reviewed contained a reference to a prior call to the University's Counseling and Psychological Services, it seems that when the University administrators had exhausted their response capabilities, they called SUDPS.

It is unrealistic to think police will *never* need to respond (or at least co-respond) to a call involving a person in mental health crisis – for example, when an individual has a weapon or has harmed or is threatening to harm others. Nonetheless, everyone with whom we spoke agreed that Stanford needs to enhance its capacity to have mental health professionals respond to crisis situations. This perhaps might work best in conjunction with the County's Behavioral Health Services.

In both the medical and mental health situations noted above, SUDPS is responding to direct requests for its presence – calls for service – and has an obligation to show up. But for self-initiated activity like traffic stops and routine patrols, SUDPS has a high degree of control over its level of involvement. When students returned to campus as pandemic restrictions eased, and as the calls for a stepped-down police presence crystalized, SUDPS decided to dramatically limit all proactive enforcement measures. Deputies still respond to calls but have severely restricted discretionary contacts and have become reticent about engaging in enforcement activities.

The impacts of SUDPS's reduced enforcement efforts are not clear. Anecdotally, some reported a sense that there has been an increase in petty crime, but there is no data to support that assertion. Likewise, while some were concerned that ending bike safety enforcement would lead to a spike in bicycle accidents, SUDPS again did not have data available to prove this. This is partly an issue with data collection, and partly the result of lingering impacts of the pandemic. Traffic and other activity on campus may not be back to "normal" and so any comparisons of current data to pre-2020 numbers are less meaningful.

Some University administrative personnel with whom we spoke interpreted the reduction in enforcement efforts as being a somewhat petulant response to criticism, though these same individuals acknowledged the difficult position SUDPS was in and understood the rationale for pulling back. Still, they expressed concern that deputies were no longer "showing

up” or getting involved in things that legitimately called for a police response. We heard two examples: A large unsanctioned party that grew out of control but in which SUDPS decided not to intervene, and a protest at a University event where students reportedly moved aggressively toward the stage, but again SUDPS did not step in. In both examples, it was reported that University professional staff were present but felt unprepared to respond effectively.

One potential answer here is to expand the role of Student Affairs or other University personnel and provide additional training so they are better-equipped to handle a broader range of services. Another option is to employ a greater number of non-sworn SUDPS members to work in a community service role on a broad range of tasks. They would maintain a security presence on campus, but with a “softer” look, and could remain connected to sworn SUDPS members while allowing the armed, uniformed officers to maintain a lower profile.

Again, the Community Board on Public Safety addressed this concept broadly in its progress report by urging the University to consider possibilities for having other members of the Stanford community engage in public safety activities and recommending further study to determine if the community is willing to step into that role as a way to reduce the SUDPS footprint.⁵⁵

The Community Board is actively addressing this idea of “re-imagining” policing on campus in a number of ways, along with all the implications for moving forward. We understand the University has engaged a consultant to address the CBPS’s eight principles from the standpoint of feasibility and implementation. We are encouraged by this ongoing effort and urge SUDPS to continue engaging with the CBPS. While we understand the presence of SUDPS members on the CBPS was not always welcome, and the discussions are often controversial and uncomfortable, the importance of listening to community voices while sharing police perspectives cannot be overstated.

⁵⁵ We heard concern from many of those we interviewed that SUDPS’s “scaled back” presence has left a void in enforcement that the University has yet to fill in any meaningful capacity. There is a sense of urgency for the University to “step into” this role and to address this void for campus safety.

We also encourage the University to make every possible effort to encourage and facilitate engagement between various segments of the Stanford community and SUDPS. Continued support for the work of the CBPS is key to this. But the University should offer its unconditional support to other engagement efforts. A positive police-community relationship cannot be built solely on events and efforts initiated by SUDPS; the Department needs to find a willing partner in the University administration.

RECOMMENDATION 39: SUDPS should maintain a presence on Stanford's Community Board for Public Safety as an important element of its community engagement.

RECOMMENDATION 40: The University administration should encourage and facilitate community engagement efforts between its Public Safety organization and the campus community.

Recommendations

- 1: An updated MOU between the County and Stanford should include a provision requiring consistent attendance of the SUDPS Captain (or a designee) at the regular meeting of Sheriff's Office Captains.
- 2: An updated MOU between the County and Stanford should include a provision requiring the Sheriff and the SUDPS Chief to establish a practice of meetings on a regular basis, either bi-monthly or quarterly (at a minimum).
- 3: An updated MOU between the County and Stanford should include a well-defined description of the duties and responsibilities of the Sheriff's Office Captain assigned to SUDPS, as well as the experience and general attributes the individual assigned to the role should possess.
- 4: An updated MOU should include an application process to fill the position of Sheriff's Captain at Stanford when the assignment becomes available. Selection should be based on the special criteria for campus public safety.
- 5: The MOU should eliminate the requirement that the Chief evaluate the Sheriff's Office Captain and require the Sheriff's Office to develop an alternative evaluation process that includes the Chief's input and takes into account the special attributes of campus public safety.
- 6: SUDPS and the Sheriff's Office should work together to establish mechanisms for both the timely review and approval of SUDPS policies and the timely update of policies to maintain SUDPS consistency with Sheriff's Office policies.
- 7: An updated MOU between the County and Stanford should encourage a different approach to records management that, to the extent permitted by law, grants non-sworn SUDPS personnel a greater level of appropriate access to confidential enforcement information.

- 8: The Sheriff's Office should work with the SUDPS Chief to develop a different approach to records management that, to the extent permitted by law, grants non-sworn SUDPS personnel a greater level of appropriate access to law confidential enforcement information while also protecting the security of records.
- 9: SUDPS should engage a technical consultant to evaluate its current data systems and assist in the development of a new system that will meet contemporary demands for accuracy, effectiveness, and transparency. This review should include a thorough assessment of its current records management system – including data fields and export capacity – to ensure the system adequately captures all relevant demographic data (e.g., race, student/non-student status, type of contact) for all contacts with the public.
- 10: SUDPS should train all personnel to accurately and regularly enter all relevant demographic data into the records management system so that records are complete and easy to export for review.
- 11: To ensure an effective reporting system, the University should clarify any confusion around whether Resident Fellows officially designated Campus Security Authorities and provide appropriate training about their Clery reporting obligations.
- 12: The University, in collaboration with survivor advocate groups and SUDPS, should work to create an improved protocol to serve survivors of sexual assault, which includes ways to more effectively address allegations when a survivor chooses to remain anonymous.
- 13: SUDPS should provide trauma/crisis training for clerical staff responsible for initial intake, as appropriate, and ensure that these staff members are aware of options available to support survivors.
- 14: SUDPS should work with its partners on the County's Sexual Assault Response Team Committee to address concerns around the availability of drug testing for cases of "unintended drug consumption."
- 15: The County should use its agreements with Stanford to encourage centralization of all security services, with coordination by SUDPS.

- 16: The County should use its agreements with Stanford to encourage the University to require private entities providing security services on campus to follow the same hiring standards as SUDPS employs for its non-sworn personnel.
- 17: The County should use its agreements with Stanford to encourage the University to require private entities providing security services on campus to train its personnel according to the same curriculum and standards SUDPS uses for its non-sworn personnel.
- 18: The County should use its agreements with Stanford to encourage the University to require private entities providing security services on campus to collect and report perceived demographic and other data regarding contacts with students and other individuals made by their personnel working on Stanford's campus. These reports should be consistent with requirements for law enforcement agencies under California's Racial and Identity Profiling Act.
- 19: SUDPS should create a separate force reporting mechanism so that all reports, documents, recordings, and other evidence pertaining to a particular force incident are collected in one distinct package.
- 20: SUDPS should adopt policy requiring a management-level supervisor to evaluate whether each use of force was within policy, what de-escalation techniques were used and/or available, whether other policies were implicated by the incident, and any training, equipment, or supervisory issues raised by the incident. The analysis should be documented in a way that demonstrates a holistic review of all the circumstances surrounding the use of force.
- 21: SUDPS should modify its policy on body-worn cameras to provide for retention of video in use of force incidents consistent with the policy's current retention provisions for criminal cases and Internal Affairs investigations.
- 22: SUDPS should revise its Use of Force policy to remove the Use of Force Continuum and emphasize the role of critical decision making, use of force concepts and strategic de-escalation tactics in use of force decision making, review, and evaluation.

- 23: SUDPS should revise its Use of Firearms policy to incorporate POST recommendations for drawing and exhibiting a firearm.
- 24: In creating public-facing dashboards, SUDPS should make use of force data publicly available on its website in a user-friendly, accessible format.
- 25: Similar to its implicit bias training curricula, SUDPS training should be tailored to the student and staff population when possible and incorporate into use of force, communication and de-escalation training realistic scenario-based exercises that DPS officers are likely to have on campus.
- 26: SUDPS should make its training materials relating to Use of Force, Force Investigations, and Legal Updates available to the public via its website.
- 27: SUDPS should create complaint materials to be posted on its website that convey its commitment to a timely, thorough, and objective process that takes seriously complaints regarding the services they provide and the conduct of its officers.
- 28: SUDPS should develop an online system for submitting complaints.
- 29: SUDPS should update its Complaint policy to more thoroughly address required elements of the investigative process and a mechanism to monitor the status and completion of cases including timelines for completion, and review and notification to complainants and involved officers.
- 30: In conjunction with the Community Board on Public Safety and other University stakeholders, SUDPS should explore ways to enhance the independence of the complaint process, including the possibility of outside, independent review of complaints.
- 31: Stanford should consider developing an alternative dispute resolution or mediation program based on principles of restorative justice to resolve some complaints from community members.
- 32: SUDPS should report annual complaint data on its website, including summaries of complaints and their dispositions.

- 33: SUDPS should develop a system for receiving public commendations that mirrors its public complaint system.
- 34: SUDPS should consider ways to actively seek feedback from its various stakeholders on the performance of individual officers and the Department as a whole.
- 35: Stanford should commission a study on SUDPS public contacts, including enforcement activity, to determine whether persons of color are disproportionately impacted by that activity and, if so, the extent of that impact.
- 36: SUDPS should incorporate the Sheriff's Office Bias-Free Policing policy in its General Orders, and should develop training for officers, supervisors, and dispatchers to accompany the implementation of the new policy.
- 37: The University should facilitate meetings between SUDPS and Residence Directors and Advisors to establish a more collaborative relationship and open communication channels beyond Clery reporting requirements.
- 38: SUDPS should use data generated and tracked by an improved data system to create real-time dashboards on key aspects of its operations and outcomes to share on its website.
- 39: SUDPS should maintain a presence on Stanford's Community Board for Public Safety as an important element of its community engagement.
- 40: The University administration should encourage and facilitate community engagement efforts between its Public Safety organization and the campus community.