

To: Art Costantino

From: Police Services Community Review Board

Subject: Police Services Rifle Request

May 5, 2009

INTRODUCTION

The Police Services Community Review Board (PSCRB) is an advisory committee composed of students, staff, and faculty members of The Evergreen State College (TESC), whose mission is to review complaints regarding the work of Police Services and to enhance communications between Police Services and the community at large. At your request we have reviewed Police Services' request for rifles, body armor and related training for use in the event of an armed intruder on campus.

TIMELINE AND PROCESS

- February 14, 2008: Washington Substitute Senate Bill 6328, "Enhancing campus safety and security" was introduced (and later passed by both the House and the Senate in early March). This bill contained a mandate for all six four-year institutions in Washington State, including TESC, to submit a self-study by the end of October, 2008 that included an assessment of each institution's current and proposed safety plans for a variety of emergency situations.
- September 15, 2008: Evergreen Police Sergeant Tim Marron sent an email to the members of the PSCRB with an attached report titled "Evergreen Police: active shooter response readiness, August 2008" which assessed TESC Police Services' level of readiness and response capabilities in the event of an active shooter on the Olympia campus. This report was one part of the College's response to SSB 6328.
- September 22, 2008: Director of Police Services Ed Sorger and Sergeant Marron made a presentation to the PSCRB during which they explained that Police Services believed that procuring rifles was a necessary piece of overall campus safety improvements that needed to be accomplished in the interest of public and officer safety. A few of the other needed improvements mentioned at this meeting included mass notification systems, evacuation drills, mutual aid agreements, and research on improving the building locking systems.

- October 22, 2008: Chief Sorger sent an email to all students, staff and faculty titled: "Campus response to enhancing safety and security" which outlined various steps taken and proposed in response to SSB 6328. Among the various bullet points in the email, one read: "Training and equipping on-campus police responders to effectively interrupt and stop an active shooter by providing tactical training, helmets, heavy ballistic vests and access to rifles". The email also included a link to the Senate Bill, information about active shooter/armed intruder training being offered to departments on campus by Sergeant Marron, and contact information for anyone with comments or questions.
- Vice President for Student Affairs Art Costantino subsequently asked the Board to consider the piece of the response to SSB 6328 which consisted of the request to purchase patrol rifles, body armor and training to be used in the event of an active shooter incident on campus. The Board was given three options on how to proceed: advise against approving the request, advise proceeding with the request, or engage in a campus-wide discussion of the issues prior to making a recommendation. After discussion, the Board chose to gather community input from a variety of methods before deciding, including but not limited to public and staff forums, meetings of faculty and students, a secure, anonymous survey, and email responses solicited from announcements on various campus distribution lists.

LIST OF RESOURCES CONSIDERED

- Police Services web page: "Active shooter response: Patrol rifle proposal at Evergreen"
- "Student response to Police Services request for high powered rifle" (sic) web page on Blogspot.com
- Input from Faculty meetings
- Input from Geoduck Student Union (GSU) meetings
- GSU's "Statement in response to the Police Services rifle proposal and active shooter response plan"
- Two all-campus open forums
- One staff forum
- Various faculty/staff/student/community emails in response to requests via TESC TALK, TESC CRIER, and all-student, all-faculty, and all-staff distribution lists
- Faculty/staff/student survey
- Articles and research both independently obtained as well as provided by TESC Police Services
- Presentation by Colleen Warren, Senior Counsel, Washington State Attorney General's Office

OUTCOME

April 20, 2009: after a lengthy discussion, the Board voted to recommend that the College reject Police Services' request for rifles, body armor and related training by a vote of six to three. Majority and minority opinions are attached as Appendix A and Appendix B, respectively.

RECOMMENDATIONS

The members of the PSCRB agree that the following issues require further examination and response:

1. Coordination among TESC Police Services, the Thurston County Sheriff's Office (TCSO) and other responding agencies appears weak presently and should be strengthened. For example, it was noted that TCSO officers are not familiar with the Evergreen campus which could potentially cause problems and delays when responding to an active shooter situation as well as other natural disasters.
2. TESC staff concerns evident in the survey and at the forums should be addressed. Their comments indicate further responses need to be made to address the concerns of these community members.
3. Any future proposals from Police Services should be developed fully ahead of time and include specific policy recommendations, standard operating procedures and timelines. This will increase transparency and allow the PSCRB to function more effectively in its role of responding to subsequent proposals and as acting as an intermediary or liaison between Police Services and the community at large.
4. We recommend the college community be informed of the ongoing plans to address safety issues on the campus, especially as they relate to an active shooter scenario and sexual assault.

Respectfully submitted,

Voting Members, Police Services Community Review Board:

Nicole Ack (Staff)
Sky Cohen (Student)
Tasha Glen (Student)
Aaron Lee (Student)
Tim Markus (Staff)
Rita Pougiales (Faculty)
Andrea Seabert Olson (Staff)

Michael Vavrus (Faculty)
Jason Wettstein (Staff)

Appendix A

Majority Opinion

All members of the Board share a similar sense of *competing goods*. On the one hand, members recognize that a campus achieves safety through many efforts including the weapons to protect members of the community, if necessary. On the other hand, the presence and use of guns runs the risk of encouraging their use, minimizing other efforts to promote safety, and brings a militarized mind-set to the campus. While the latter may seem the least tangible, it can end up being very destructive to the educational and ethical goals of this College. We are in agreement that the concerns regarding safety must be addressed, and we believe there are a number of ways to address those concerns.

There were a number of factors influencing those who were against the Police Services request for patrol rifles. Those factors cited most often include the following:

- The probability of an active shooter situation on campus is statistically very small.
- The claim that the Evergreen campus is unsafe lacks validity and in itself helps create and perpetuate a climate of fear.
- Other safety issues are more important to a large segment of the campus and include sexual assault and natural disaster preparedness.
- Many community members feel Police Services acquisition of rifles won't make campus safer, it would, in fact, make it more unsafe. Many feel that instead we should be promoting grassroots student and community resources on campus such as a student-run escort service and workshops against sexual assault.
- Approval of the request would increase the already-present hierarchy between Police and students as well as the trend of militarization on college campuses and increase the oppression of marginalized groups.
- Many on campus feel there are better uses for the money requested, especially in a time of budget shortfalls, cutbacks and layoffs.
- The PSCRB survey results show that over 2/3 (66.8%) of the respondents overall oppose the proposal.

- Our representative to the Attorney General's office did not feel that there was any current case law to support the idea that the college would automatically be held liable for injuries that resulted from an active shooter situation on campus if the request for rifles is denied.
- Ever since TESC police were armed the campus has been deeply divided over the issue; approving the proposal would only exacerbate the anger among those who felt their voices against arming weren't heard.
- Evergreen is unique among Washington State four year institutions of higher education and it isn't logical to compare us to them. We have a different mission, culture, student body, and means of operating. Because the other state colleges/universities police departments have rifles doesn't provide justification that it is the best option for us.
- Many feel that even though rifles may be more accurate at distance, the most likely armed shooter scenario on campus would likely involve close quarters where the advantage of a rifle would either be a negligible or a hindrance.

Appendix B

Minority Opinion

We start with the presumption that none of us likes the idea that weapons may be needed for response to violence in society and all of us would like to reduce violence in society. We are against the violence that is perpetuated throughout the world by firearms. Our position is not as advocates for the status quo or complacent onlookers willing to accept violence or injustice in society, but as pragmatists. We recognize violence does exist, preparations and plans are a logical response, and time and large-scale social change will be needed to change the fact of violence over the course of many decades, possibly many generations.

Most, if not all of us, also want to improve preparation for a possible active shooter in ways outside the purchase of rifles, equipment, and ongoing active shooter training, including better coordination with Thurston County, practice of lockdown procedures, and other means. All of us also want to do all we can to reduce sexual assault on campus--an essential concern that was brought forth in this process. But in all of these cases, some members of this board see the operative phrases in this context as "yes/and" rather than "either/or."

While symbolism is important, and the rifle discussion has logical, ethical and symbolic implications, in the admittedly unlikely scenario that an active shooter

came to campus, symbolism would not be a sufficient reason for not having been prepared from the perspective of families of those injured.

Even though the probability of an active-shooter situation on campus is small, we have a responsibility to be prepared for the possibility in the interest of public safety. In the United States, there have been active shooting incidents in public and semi-public places like malls, colleges, schools, sporting events, public parks, workplaces, etc. Gun violence has occurred on campuses. Guns have been on this campus. Gun violence has occurred in Thurston County.

These statements are not designed to encourage a “climate of fear,” on campus, but recognition of facts. Without engaging in too many semantic arguments, at least some of the minority opinion would question the use of the word “militarization” in regard to the proposal. “Militarization” commonly means preparing for large-scale war, and the use of the word could also be interpreted as an attempt to create a “climate of fear.” We are in support of police *preparation*, as recommended by outside experts and as practiced in all other four-year Washington state institutions. Preparation is distinctly different from *militarization*.

On either side of this issue, we should not be paralyzed by fears of incidents and examples, but simply be prepared. And while probabilities are small that the unimaginable will happen here, our jobs as public policy advisors is to imagine the unimaginable and prepare. The probabilities noted by some in this long conversation assume randomness. Many, but not all, expressions of probabilities as an argument against rifles contain an inherent assumption that there are not factors that narrow the odds for us here at Evergreen over coming decades, that violence in society is a static trend rather than a mutable one, and that the future is proceeding as it has in the past. None of these assumptions are necessarily true.

Evergreen State College police are professionals and should have the tools, and, as importantly, the training, they need to do their jobs safely and effectively. Best practices and standard practices indicate that Police Services should have rifles to respond to an active shooter.

Solidarity is also important. It could be interpreted as signifying bias against police on campus that we provide tools that ensure safety in the practice of other careers, but that we are considering denying tools to ensure safety for police on campus. The point is we are all part of the community, including police working here. Police officers also have families and friends, and like all of us, they as often as not demonstrate empathy, care, and maintain high standards of ethics. We are concerned with the way in which police were offset in public fora -- the police position versus the other positions. It may have been unavoidable and was likely often unconscious, but it existed nonetheless.

In essence, police officers, like all of us, are individuals and Evergreen police do not fit the stereotypes or the simple roles constructed for them by some on campus. Members of the PSCRB are troubled by bias and categorical expressions about police, the use of false analogies with police off campus, often widely separated in time and geography (and levels of sanity or professionalism) from police serving here at Evergreen.

While we have already mentioned that we should show solidarity with Police Services' concerns for their and the public's safety, there is also a need to acknowledge concerns of a sizable minority of people who responded to the questionnaire distributed on campus, which might actually be more sizable given a truly random survey of campus rather than the campaign to drive votes that resulted from the highly politicized "survey", with the "anti-rifle" position most visibly advocating participation with banners, get out the vote drives, columns in student focused media, etcetera.

Despite the flaws, the questionnaire/survey indicates that a sizable group does not support the rifle proposal. But another way to look at the results of the survey is to consider the staff and faculty together as a group of those who may be here over a longer period than students and a group more likely affected by safety preparations over the long term. In this grouping with a total staff and faculty number of 160 in support and 70 opposed out of 230, one can note a result of 30% opposed to the proposal and 70% in favor.

The point in this is not to argue interpretation of the questionnaire, which as noted was not random but which on the whole indicated a majority of responders' opinion clearly. The point is to indicate that there is a sizable concerned group on campus, a group that may have more invested in the outcome of this process, and a group who should be considered. Those of us with a PSCRB minority view tend to believe that the campus has responsibility to address a sizable population that is concerned and sees adequately equipping the police as a component in their safety. Campus administrators should carefully weigh these concerns. Even if the majority on campus is against the proposal, there have been instances in the history of public policy where the majority is shown with time and perspective to be wrong, biased or misinformed, to the detriment of the minority.

In an active shooter situation on campus, rifles will ultimately arrive on campus, and quite possibly not in time to make the difference for some. The question is how much longer it would take to respond if we have to wait for Thurston County Sherriff's Office. The related question is how many people could be hurt in time spent waiting. In terms of budget requested, the amount considered is very minor in relation to the implications.

There is also a key distinction that has been lost in many discussions around the policy on campus -- between ways to contend with the factors that produce an

active shooter (a better society, more counseling, better ways to identify mental illness, etc.) and our ability to respond given the actual presence of an active shooter on campus (training and tools). While the first question is incredibly important, and is arguably more important than the second question, the second question is the one the PSCRB was asked to review.

The amount of time it could potentially take for Thurston County Sheriff's Office to respond to an active shooter situation on campus is too long and could lead to more deaths/injuries than if The Evergreen State College Police were able to respond with rifles. We also presently have some methods of oversight for the actions of Police Services that we lack if we rely on Thurston County Sheriff's Office or other local law enforcement agencies to respond.

Research presented indicates that rifles are safer than handguns both to officers and bystanders in the case of an active shooter. Rifles are designed to be more accurate than handguns. They are more accurate at distance (starting at relatively short distances) and allow officers to respond with less risk of exposure to the shooter. The presence of open access to roofs on campus is a condition that arguably creates vulnerability where handguns would be inadequate. To establish protocols calling for police not to respond without backup from outside agencies in such a case is also not viable. This would put officers in a dilemma which pits their ethical duty to protect the community against compliance with a procedure.

While not everyone agrees, there is a great appreciation for the work Evergreen Police Services does on campus. It may well be that the primary nature of interaction on the Evergreen campus is lack of exposure to police, with many unpublicized and ordinary examples of positive exposure with police (participation on committees, DTFs and other work groups, help with lockouts, car stalls, escorts to cars, waves and hellos, etc.)

This is not to say that the campus police have exhausted opportunities for improvement in processes, individual training, or transparency. From some of our individual conversations and interactions with police on campus over the years, many police on campus appear to be actively seeking to improve their community connections, professionalism, transparency, and practices with greater or lesser degrees of success.