

History of Policing and of the Department of Public Safety and Security at the University of Michigan, Ann Arbor Campus

Overview

The history of the University of Michigan's relationship with policing through 2013, including the formation and evolution of the Department of Public Safety and Security, can be broken into four broad periods based on the records held at the Bentley Historical Library. It should be noted that the Bentley does not hold internal records from the Department of Public Safety.

The first period extended from the time the University arrived in Ann Arbor in 1837 through 1969. During this time, the University maintained no police force of its own, apart from a few night watchmen. Beginning in the 1940s however, the Board of Regents began contracting with the City of Ann Arbor to provide police services; initially officers patrolled the University's newly-built parking lots, but later they patrolled campus as well. During the protests of the 1960s, Ann Arbor Police along with other law enforcement agencies clashed repeatedly and violently with students. With no formal control over the police's actions, University officials were forced to negotiate—often unsuccessfully—with authorities or make requests to police officials to either act or not intercede.

The second period began in 1970 when the Department of Safety was formed. The Department's Director oversaw unarmed University-employed safety officers and contracted night watchmen. He reported to the Associate Vice President and Director of Business Operations and through them to the Vice President and Chief Financial Officer. The University continued to contract for security services with the Ann Arbor Police Department, while Housing and Hospital security remained separate entities. Following a number of highly publicized crimes in and around campus, particularly the murder of three women in separate incidents in 1980, a Campus Safety Committee was formed by the Vice President for Student Services as an advisory committee on campus safety issues. In response to continued perceived high crime rates and to student protests, the Board of Regents voted on July 22, 1988 to adopt a "Policy on Disruption of Student Activities." Its Fourth Article allowed for the deputization of the University's two senior Department of Public Safety officers with the authority to make arrests. There were numerous protests against the decision in the Fall Term, with opponents accusing the incoming Duderstadt administration of pursuing deputization in order to control student demonstrators.

The third period began in 1989, when the University administration organized a Task Force on Campus Safety and Security to consider all aspects of those topics in the face of perceived high crime levels. Following the completion of their report, the Regents voted to deputize additional employees within the Department of Public Safety through the Washtenaw County Sheriff's office on June 22, 1990. Once again, there were student protests in the Fall against the decision, under the slogan "No Guns! No Cops! No Code!" In February 1992, the decision was taken to end deputization through the Sheriff's Department and create a University Police Department under the sole control of the Regents utilizing the powers granted them in Public Act 120 of 1990 (see Appendix). The Coalition of Students Against Deputization (CSAD) formed to lead opposition to the decision, and for the first time issues of racial bias were widely

levied against the University police force. In the wake of the force's creation, a Police Oversight Committee was created consisting of faculty, staff and students. Although initially ineffective, its powers were strengthened following a second Task Force on Campus Safety and Security's report in 1997. This Task Force was created in the wake of the arrest of John Matlock, the African-American Director of the Office of Academic and Multicultural Initiatives, by Department of Public Safety police officers. The Task Force also led to the formation of a standing Campus Safety and Security Committee to consider broadly issues surrounding those topics on campus.

The Bentley holds fewer materials related to the fourth period in the history of policing at the University, which extended from 1999 to 2013. In this period, DPSS slowly expanded its scope and size by adding additional units and responsibilities around campus. Although concerns continued to be expressed by African-American students about racial profiling, the period saw no protests aimed at the Department. In 2009, a *Michigan Daily* investigation reported that the Police Oversight Committee was in danger of violating state law in the way it held elections for membership—particularly for student members. This led to electoral reforms among students and faculty and changes to grievance procedures. Following the discovery of a six-month delay in reporting a hospital employee's possession of child pornography to DPSS, a major review of the Department was ordered by the Board of Regents in February 2012. That review led to the creation of the Division of Public Safety and Security in October of that year, which combined the previous DPSS, Housing Security, and Hospital Security units.

Timeline of Important Events in the History of Policing at the University of Michigan

- 1898-The first night watchman is hired by the Board of Regents to provide security on campus.
- 1905-Public Act 180 is passed, granting the Regents the ability to “prescribe rules and regulations for the care, preservation, and protection” of the campus and empower one employee to act as guard with “the general authority of a deputy sheriff.”
- 1929-Public Act 98 is passed, granting the Regents the ability to contract with the City of Ann Arbor for “the furnishing of sewage, light, water, fire protection or other facilities.”
- 1946-Using Public Act 98, the Regents agree to pay the City a percentage of the overall police force’s salary in exchange for police officers patrolling University parking lots.
- 1970-The University establishes the Safety Department to serve as the primary coordinator for security and police services on the campus. It is renamed the Department of Public Safety and Security (DPSS) in 1982.
- 1972-Following the signature of a contract with the University, the Ann Arbor Police Department establishes a “University Unit” to provide police services on campus.
- 1980-The Campus Safety Committee is formed to advise and make recommendations concerning safety issues on and around campus. It is disbanded in 1994.
- 1988-The Regents vote 7-1 to have the two senior personnel in the DPSS deputized by the Washtenaw County Sheriff. Students protest the decision.
- 1990-In June, the Regents vote to deputize additional employees in DPSS through the Washtenaw County Sheriff. Students protest the decision.
- 1990-In August, Public Act 120 is passed into law, giving the Regents the authority to deputize a police force answerable to them rather than deputized by an outside authority.
- 1991-The Safety and Security Advisory Committee (SSAC) is formed with the charge of reviewing and providing advice relative to matters of safety and security on campus.
- 1992-The Regents vote on February 22 to use Public Act 120 and authorize “the empowerment of peace and police officers in the Department of Public Safety.” Students protest the decision. That summer, the Police Grievance Committee is formed.
- 1997-The Campus Safety and Security Committee (CSSAC) is formed to advise University officials on those issue and to review DPSS policies and procedures. It replaces SSAC.
- 2012-Following lapses in communication between Hospital Security and DPSS, the Regents create the Division of Public Safety and Security, which combines DPSS, Hospital Security, and Housing Security under one administrative unit.

History of Policing and of the Department of Public Safety and Security

First Period, 1847-1969

The University of Michigan came to Ann Arbor in 1837, but the first mention of security for the campus came a decade later. In 1847 the Board of Regents voted that among the University Janitor's duties would be "to preserve a wholesome state of police about the University Building" in addition to providing firewood and ringing the bell to summon students to classes.¹ The next known mention of security on campus did not come until 1873 when the Regents discussed the possibility of hiring a night watchman to patrol the campus, though there is no record of one actually being appointed until 1898.²

In this period, considerable antagonism existed between University students and Ann Arbor police over efforts to curtail students' drinking, fighting, and other disruptive activities, such as tearing up the wooden sidewalks for firewood. In both 1879 and 1890, brawls erupted between students and the police that resulted in the state militia being called out against the students; as a result of the second incident, a student was killed and the city's police force disbanded as a means of allaying students' bitterness towards the townspeople.³

Perhaps due to lingering antagonisms from those events, the Regents rejected a request from the City to contribute to the salary of a police officer to "police the boulevards" around campus in 1916.⁴ The University continued to rely on watchmen whose duties primarily involved protecting university property from fire, water, or other damage. They also performed some social control functions, monitoring and enforcing campus rules and regulations about building access and the like. As at other universities of the time, the watchmen had no formal training in law enforcement, nor did they serve in a police capacity.⁵

In 1946, the situation changed when the Regents agreed to pay annually a sum equal to the salary of seven police officers to the City for police officers to patrol the University's expanding number of parking lots and to enforce University parking regulations.⁶ They did this under the powers granted them by Public Act 98 of the Public Acts of 1929 (see Appendix), which authorized the Board to contract for police and fire services. The following year, the agreement was modified to pay the City one-seventh of the total payroll of the Ann Arbor Police Department (AAPD). Also in 1946, the position of Vice President of Business and Finance was created, responsible for hiring "watchmen, janitors, mechanics, and other buildings and ground employees."⁷ University security services would continue reporting to that office until 2012.

In 1951, in response to the City Council's demand that the University pay a higher fee for police services, the Regents ordered the executive officers to prepare a proposal "for a small University police force." In the end, however, they elected to continue to contract with the city to not only patrol the parking lots, but also for more general "police protection on University property" under Section 1 of Public Act No. 80 of 1905 (see Appendix).⁸ In September 1952, the Regents approved the hiring of retired Ann Arbor Police Detective Albert Heusel for the newly created position of Security Officer. Although he was vested with the "general authority of a deputy sheriff" under Public Act No. 80 of 1905, his task was in reality to supervise the

University's eighteen night watchmen and serve as chief liaison between the University and the AAPD regarding parking violations or similar matters.⁹

In 1956, the University deputized its first employees when the City refused to allow campus parking enforcement officers the authority to stop cars to see if they were properly registered to be in University lots. In response, a "four-man University patrol" was formed, deputized as deputy sheriffs by the Washtenaw County sheriff and given authority by the Regents to stop any car violating state, county, or local regulation near Campus and any car bearing a University registration sticker.¹⁰ It is unclear how long the unit lasted, however, for in March 1958 the Regents delegated "full authority" to the AAPD to enforce parking ordinances.¹¹

Beginning on June 20, 1959 the University engaged with Sanford Security Service to provide safety officers on campus. Already employed by the University on the Dearborn Campus, the service replaced the campus watchmen service.¹² By 1962, the Service employed sixty-seven men for nightly patrols and investigations; their responsibilities remained generally the same as the previous University watchmen service.¹³

It does not appear that Sanford Security was heavily involved in the protests of the late 1960s. They certainly worked with the AAPD to secure campus buildings, particularly in the wake of the three bombings in the fall of 1968, but the primary antagonists of students were the City police. It was the AAPD along with State Police and Washtenaw County Sheriff's Department who violently cleared South University on June 17, 1969 using tear gas and nightsticks despite University President Robben Fleming's objections.¹⁴ Although President Fleming generally sought to keep police away from protests as much as possible, there were times when he called for their use. Most notably in September 1969 when the Radical Caucus of the Students for a Democratic Society organized a takeover of the LSA building in response to the Regents' refusal to surrender control of the University Bookstore to students. Stating that he was concerned about the security of faculty offices and student files, Fleming sought a restraining order and at 4:00 AM had state and city police forcibly evacuate the building, resulting in 107 arrests.¹⁵

Second Period, 1970-1988

As the 1970s began, the University experienced more protests. The largest was the first Black Action Movement, which closed the University for over two weeks in the 1970 Winter Term through strikes, protests, picketing, and blocking streets. The movement sought to increase Black enrollment and integration on campus, and made no formal demands regarding University policing.¹⁶ In response to the protests, state and local police were mobilized at the request of President Fleming. When a group of twenty demonstrators entered into the Administration Building, police officers in riot gear cleared the building and arrested a nursing student. When protesters outside sought to stop her from being driven off, officers charged the crowd with nightsticks and a brief melee broke out with students allegedly throwing bricks, rocks, and bottles. At the end, three additional students were arrested.¹⁷

A reorganization of campus security was undertaken that summer with the establishment of the Safety Department, under the Directorship of Fredrick E. Davids, former Director of the

Michigan State Police.¹⁸ In describing Davids' hiring, President Fleming emphasized that "there will be some disposition, especially in these times, to believe that we are going to build our own police force. I want to allay any of these suspicions."¹⁹ The new Department brought together the Fire Marshal, the Key Office, the University's contract watchmen service, and university-employed unarmed guards for the Art Museum and the library. It also served as the primary coordinator for security and police services to the University.²⁰ As Director, Davids reported to the Associate Vice-President and Director of Business Operations who in turn reported to the Vice President and Chief Financial Officer of the University.

It is uncertain why exactly this new Department was created at this time. Neither the creation of the new Department nor the hiring of Davids were discussed by the Regents or commented on in the *Michigan Daily*. It is possible the goal was to increase coordination among the various safety and security units, both University and City, operating around Campus.

A few months after the Department's creation, the University was confronted with the potential need to drastically reorganize its security policies when Governor William Milliken's budget message to the State Legislature called for an end to the funds earmarked for reimbursing the University's payments to the City for police and fire services. The Fleming administration, the Regents, and the City all opposed the suggestion; University officials raised concerns over cost and Davids deemed the possibility of using the Washtenaw Sheriff's Office to deputize security as "not acceptable to the University" in the wake of 1969.²¹ Nevertheless, Davids was asked to prepare a report about the feasibility of creating a deputized University police force similar to those at Michigan State University and Wayne State University, which had existed since 1928 and 1966 respectively. In Davids' report, presented to the Regents in December 1971, he recommended the creation of a Department of Public Safety that would provide police services to the University. However, the State eventually agreed that the University could continue to reimburse the City on the basis of services actually rendered, rather than a general payment as had previously been the case, and the Regents declined to act on Davids' proposal.²²

In January 1973, the University Council (a committee formed in 1970 with an equal membership of students, faculty, and staff to draft rules of conduct for the University community) requested that the University employ a consultant "to assist the various constituencies within the University in evaluating the future organization of the policing functions at the University of Michigan."²³ The University administration selected the International Association of Chiefs of Police to conduct a comprehensive police and security study. In the fall of 1973, they presented their report. It contained several options for organizing safety functions at the University, but the authors' favored solution was the creation a Department of Public Safety to "perform basically the same activities as a municipal police department." The report also recommended that all security services be coordinated through the Safety Department and that the private security contractors be phased out.²⁴

Due to continued budgetary uncertainty and the political headaches such a move would result in, the University administration and the Regents declined to do so.²⁵ Instead, the decision was made to follow one of the report's alternative recommendations and continue contracting police services with the City. That year the University paid the City \$475,000 for police and fire protection.²⁶

In 1977, the Safety Department's name was changed to the Department of Safety.²⁷

For much of the 1970s, the police service provided to the University was done so through the University Unit of the AAPD, which initially included twenty-four officers. Working out of a special office in city hall, they were assigned to handle "all services normally requiring police attention" on University property, with the explicit exception of traffic enforcement. Officers on duty with the Unit were assigned to either Central or North Campus patrol areas, generally with two two-man patrols operating on both campuses. These patrols were also responsible for responding to off-campus incidents if they were the closest unit.²⁸

This last element caused frequent complaints from University staff, students, and the administration who claimed it violated the University's contract. In November 1972, for example, the Dean of Libraries complained that a librarian had called the Department of Safety's office about a "subject in the Social Work Library in the Frieze Building that was giving people a bad time." The office had immediately passed on the complaint to the AAPD University Unit, but, because one of the two patrols on duty was responding to an off-campus call and the other was filing a report on an incident in the city hall office, there was no police response for nearly an hour. When they eventually arrived, the individual had already left the library and committed "another assault with attempt to rape, this time using a knife" against a student on campus.²⁹

Such incidents were part of a broader perception that crime was increasing both on the Campus itself and around Ann Arbor. At the same time, severe budget constraints affected both the University and the AAPD. By the spring of 1979, only ten police officers were assigned to the campus. That year the University's Department of Safety employed twenty-two unarmed security officers—most with prior police or security training. The same was not true of the privately contracted State Security Service's night watchmen; many of the watchmen were students who received little or no security or safety training and were primarily tasked with watching for fires. Housing and Hospital Security remained separate entities.³⁰

Although the 1970s witnessed nothing like the upheavals of the previous decade, protest movements continued. One of the most important was the second Black Action Movement in 1975, initiated primarily due to students' frustration with the lack of progress in implementing the first movement's demands. Almost three hundred students occupied the central administration building for three days in February 1975, issuing a list of demands to the administration. None of them involved security or police on campus.³¹ After three days, the protesters agreed to leave voluntarily after President Fleming convinced them that he would negotiate in good faith. Although stationed in the vicinity, neither the police nor the Department of Safety's guards intervened with the protest and there were no arrests or legal penalties.

Although there had been student demands for the University to cease payments to the City for police services in the 1960s, there does not seem to have been the same level of animosity the following decade.³² Nevertheless, tensions certainly continued. In the fall of 1979, for example the *Michigan Daily* reported that a student member of the Revolutionary Communist Youth Brigade trying to sell their organization's newspaper in the Alice Lloyd cafeteria was allegedly dragged from the lunch line by Ann Arbor police and thrown to the ground in an outer

hallway.³³ However, in an interview with Ann Arbor Police Chief Walter Krasny in September of that year, it was claimed that student-police relations had improved greatly since the 1960s and “there is now no real animosity between students and police.”³⁴

Even if that statement was true in 1979, that positive relationship did not continue into the 1980s. Accounts of harassment of students and racism among Ann Arbor police were common that decade in the pages of the *Michigan Daily*. In the fall of 1986, for example, it was reported that a police officer stopped a Black man near campus, ostensibly to ticket him for driving with “obstructed vision” due to objects hanging from his rearview mirror; the officer then arrested him for “resisting” his orders. This was the second time the officer had arrested the man on the same charges.³⁵ Despite these issues, policing and security were not mentioned in the third Black Action Movement’s demands in 1985.³⁶

Accusations were also made that rape survivors had been victimized by callous police questioning, such as questions about their clothing and comments such as “well, honey, welcome to the alleys of Ann Arbor.”³⁷ There were also allegations of homophobia and lack of interest in pursuing cases involving harassment of LGBTQ individuals.³⁸ The AAPD were also involved with the arrest of protesters and refused to prosecute those who harassed demonstrators.³⁹ Now under the leadership of Leo Heatley, the Department of Safety does not seem to have attracted anywhere near the criticism levied at the City police. A 1989 letter to the Task Force on Campus Safety and Security, however, did complain about the “negative values and attitudes r.e. homosexuality” among campus security personnel.⁴⁰

The criticism levied at the AAPD was bolstered by a significant increase in reported crimes, both violent and property related, around and on campus during the 1980s. Between 1982 and 1986, the number of reported crimes increased by nearly a third, causing considerable alarm among parts of the University community.⁴¹ Following the unsolved murders of three women in the neighborhoods around campus in 1980, a Campus Safety Committee was formed by the Vice President for Student Services. Consisting of University students, staff, and faculty, its charge was “to advise and make recommendations on practices, programs and proposals concerning safety issues, to the Vice President for Student Services, the Director of Affirmative Action Programs, and the Director of Business Operations.”⁴² Over the next decade, the Committee worked to spread awareness of security and safety programs on campus, expand outdoor lighting on campus, and improve the performance of the “Nite Owl” bus system among other projects. The Department of Safety, however, underwent no significant changes for most of the decade. The one exception was its name being changed to the Department of Public Safety and Security (DPSS)* in 1982.⁴³

In February 1985, a Bill was introduced in the Michigan State Senate that would grant state universities the authority to create their own deputized police forces reporting only to university leadership. The Bill would be debated on for five years. Although Director Heatley supported the Bill, President Harold Shapiro told the Michigan Student Assembly (MSA) in early 1986 that the University was not interested in the Bill and was happy with the service

* Although its full title was the Department of Public Safety and Security according to University organizational charts from 1982 to 2012, the Department was almost invariably referred to as simply Department of Security or DPS during this period. For precision’s sake, it is referred to by its full title here.

provided by the AAPD.⁴⁴ By that summer, however, the Shapiro administration was openly in favor of the Bill, eventually arguing that it was needed for three main reasons: 1) that the University was a special community and required its own police to handle its specific and unique disturbances; 2) a private police force would increase safety on campus as it could respond faster than the AAPD and, if deputized, officers could apprehend and detain individuals before AAPD arrived; and 3) a private police force would be more cost efficient.⁴⁵

A review of University safety and security operations commissioned by Director Heatley and conducted by the Directors of the Michigan State University and Wayne State University public safety departments in 1987 concluded that “the University is not being supported to the agreed upon level” by the AAPD. As a result, the University’s public safety officers were “in the unenviable position of having to deal with criminals when those officers have no legal authority to take appropriate action.” The report concluded that, while the University should continue to subsidize and work with the City police, it should also seek to “bestow police/peace officer authority upon fulltime employees of the institution.” It also urged greater centralization of safety and security issues, improved crime reporting system, and drafting of a DPSS mission statement.⁴⁶

A number of students, including those on the Student Rights Committee of the MSA, were opposed to deputization, arguing that such a force would lack accountability and would be loyal only to the Regents and not to the constitutional laws of the state. In November of 1987, a committee from the Assembly travelled to Lansing to lobby against the Bill.⁴⁷ The *Michigan Daily* editorialized ceaselessly against the deputization bill, linking it to condemnations of the Shapiro administration’s actions regarding student protests—particularly through the use of trespassing rules to have students removed from buildings. The DPSS, it was alleged, had a “conflict of priorities between fighting crime and repressing students.”⁴⁸ Issues of potential racism and homophobia that were levied against the AAPD were not part of the discussion of the period of a deputized campus police force in the student newspaper’s pages however, though they were likely on many minds. Fearing the loss of revenue it would entail, the Ann Arbor City Council also passed a resolution opposing the creation of a University police force.⁴⁹

Nevertheless, on July 22, 1988 the Regents voted 7-1 to approve a “Policy on Disruption of Student Activities.” Its Fourth Section read:

The Regents authorize improving the University’s police posture by arranging with the Washtenaw County Sherriff to have its two top Department of Public Safety personnel deputized and thereby authorized to make arrests. We are informed that ours is the only Department of Public Safety force in either the Big Ten or among all Michigan public institutions of higher education which does not presently have such power. (In this connection, it is stressed that we would not permit our deputized officers to carry arms while dealing with protest activities. Guns in the hands of University personnel have no place in campus disputes, as experience shows. We do not want our people using guns; we do not want to tempt others to seize such arms; and we do not want others carrying arms

based on the pretext that our Department of Public Safety employees are armed. The value of deputizing our officers is simply to give them the power of arrest in cases where this would be effective, and in giving us access to the county law enforcement machinery for processing violations of civil/criminal law.)

As part of the Policy, the Regents also voted for a code on freedom of speech and artistic expression, as well as to allow the President to use his powers under Regents' Bylaw 2.01 to draft a set of rules of conduct for students and enforcement procedures. They also informed the University Council that the Bylaw creating it would expire the following year unless it recommended a series of amendments to improve its functioning agreeable to the administration and Regents.⁵⁰

Acting President Fleming explained that deputization was needed in the context of student protests because "once we ask the police to intervene, we no longer have any direct control over how the situation is handled."⁵¹ Other internal communications in the University administration emphasized that deputization was not linked to student demonstrations: "The issue is crime on the campus and having the ability to investigate, apprehend and bring a case to the county prosecutor's office so the prosecutor can make an ultimate disposition. We do not think student demonstrations are crimes, and if that's all we had to worry about on this campus you would not need a Department of Public Safety."⁵²

That was not how the issue was seen in the press and among students. Incoming President James Duderstadt was warned of the "galvanizing effect" that combining deputization with the other issues had had on student opposition by explicitly linking it with issues of protests and student rights.⁵³ Student groups such as the Black Student Union and the Asian Students Association, which had largely remained uninvolved in the debates over the student conduct policy, were brought into alliance with other opponents over deputization. There were protests outside the September Regents' meeting after students returned to Ann Arbor. However, in MSA elections that fall the six parties were evenly split for and against deputization.⁵⁴ Leo Heatley and his Assistant Director Robert Pifer were deputized by the Washtenaw County Sheriff's office in early September.⁵⁵

Both Heatley and Pifer, along with Ann Arbor police officers, were involved with the arrest of protesters at President Duderstadt's inauguration in September. The *Michigan Daily* claimed that Heatley had thrown a student to the ground while Pifer had then handcuffed the student and escorted them into a police car claiming they were under arrest for interfering with an officer.⁵⁶ This further solidified the view of many opponents of deputization that the goal was to create an anti-protest force.

Third Period, 1989-1999

After several months of protest, the issue of deputization died down somewhat on campus, and that of crime returned to the forefront. In 1988, a *USA Today* study of twenty-two large universities ranked Michigan as the third most dangerous school in terms of violent crimes. That year 164 cases of physical assault and 85 cases of sexual assault were reported to campus

authorities.⁵⁷ In response, in March of 1989 a Task Force on Campus Safety and Security was appointed by Charles Vest, Provost and Vice President for Academic Affairs, and Farris Womack, Vice President and Chief Financial Officer. Chaired by the Dean of the School of Music Paul Boylan and consisting of the Assistant to the Provost, three faculty, three staff, and three students, the committee was charged to:

...consider whether the human climate on campus is as secure and as free as we would wish and, if it is no, to propose recommendations for improving it. In addressing this issue, we urge you to look beyond questions of simple safety and security. First, you should think about what the ideal climate ought to be, then examine the present situation, and ultimately recommend proposals for improvement. Such recommendations should take into consideration both personal and intellectual freedom and the security necessary to live without undue fear in the community.⁵⁸

Over the next ten months, the committee cast a wide net in investigating security incidents on and near campus, current security polices and their comparison to other universities and commissioned an Institute for Social Research (ISR) survey on “Perceptions of Safety and Security at the University of Michigan.”

In March 1990, the Task Force submitted a report with twelve recommendations. Many had to do with increasing outdoor lighting and evening bus services, increasing coordination with the AAPD, and improving collection of data on crimes and security incidents. The third recommendation, however, was that “the staff of the Department of Public Safety and Security be supplemented with additional personnel who are certified (sworn) law enforcement officers empowered to make arrests.” By doing so, the Task Force argued “the University would have better control in determining those circumstances in which sworn officers would be used if they were directly under university authority and ultimately accountable to the university community. Presently, the Department of Public Safety can only make citizens’ arrests, which hampers its overall effectiveness.”⁵⁹

In making this recommendation, the Task Force cited high crime rates and community concerns regarding the amount of time the AAPD actually spent on campus. They also cited the ISR survey, which found that 56% of those surveyed supported the development of a University police force and only 28% opposed it. Furthermore, every racial group on campus supported it including whites (54%), Blacks (68%), Hispanics (70%), Native Americans (60%), and Asians (61%). There was more polarization along gender lines—67% of women interviewed supported increased deputization but only 44% of men.⁶⁰

Following the report’s release, opposition to deputization arose among students led by the leadership of the MSA. In a referendum included as part of the Assembly’s spring election, seventy percent of those who voted opposed deputization.⁶¹

At the same time, the administration began work on planning how to address the Task Force’s recommendations. In order to improve standardization and coordination between units, it

proposed to transfer Housing Security, Museum of Art Security, Michigan Union Security, Parking Enforcement, and Hospital Security to DPSS. In the end, Housing Security and Hospital Security would remain separate units. The reorganized DPSS continued to report to the Associate Vice President for Business Operations. As for the issue of deputization, it was decided that a forty-eight member law enforcement unit would be developed over a three-year period, and that it would “not replace the Public Safety security officers but will be an additional unit supplementing an expanded security officer force.”⁶²

In June, the Task Force’s report was formally presented to the Board of Regents. Over two days the Regents debated its findings and recommendations, before voting 6-1 to deputize additional employees within DPSS on June 22. The Regents took pains to separate their vote from the broader list of Task Force suggestions, adding an amendment that the motion did not constitute an endorsement of the Report as a whole.⁶³

In August, Public Act 120 of 1990 was passed into law by the State. This gave the Regents the authority to deputize a police force answerable to them rather than deputized by an outside authority. However, the Regents did not make use of the new law following their June deputization decision. In a public statement, State Representative Perry Bullard criticized the University for not using the Act that it had lobbied to pass for years; Bullard contended that they had done so in order to avoid the two public hearings and the creation of an Oversight Committee the Act required.⁶⁴ In a letter to State Senator Lana Pollack, Duderstadt defended the decision, arguing that the relationship with the Sheriff’s Department “has served us well for a number of years, and I believe it is still in our best interests.” The University had supported the legislation, he claimed, because they believed it was needed for other state colleges and because it provided the University with “leverage in our negotiations with local authorities.”⁶⁵

Officers already serving with DPSS began being deputized by the Washtenaw County Sheriff’s office beginning in late summer.⁶⁶

Throughout the fall, protests urged on by the *Michigan Daily* and organized primarily by the Student Rights Committee of the MSA called for an end to deputization. In September, around two hundred protesters disrupted a Regents’ meeting. Other rallies were held outside the administration building and on the Diag under the slogan “No Guns! No Cops! No Code!” Most of the demonstrations were framed in terms of defending students’ rights and ability to protest; it was claimed that the new police force was designed to enforce the Free Speech and Protest Policy of 1988 and the Interim Drug and Alcohol Policy. However, there were other concerns as well that received less publicity from the student newspaper. At an October rally on the Diag one student was quoted by the *Daily* that he was concerned University police would be taking orders from Regents “who don’t want lesbians and gay men and people of color on campus.”⁶⁷

The protests culminated in November. On the 16th, over four hundred students rallied outside the Fleming administration building during a Regents’ meeting and several entered, writing chalk messages on walls and chanting. In addition, that month thirty-five students from the Students for a Safer Campus began a sit-in in President Duderstadt’s office and another six hundred participated in an overnight sit-in on the President’s lawn. Sixteen students were arrested and a public safety officer was injured during these events. On November 17, a thousand

students attended a rally on State Street, blocking traffic in front of the Student Union.⁶⁸ On November 20, a thousand students attended a teach-in on the issue.⁶⁹

Other students were more apathetic, claiming that most did not care about deputization and that the protests on the 16th were designed to provide publicity for MSA elections being held the same day. This view might have held some truth as a new conservative coalition which favored negotiations over protests on the deputization issue swept to power in MSA.⁷⁰

In late November, Mary Ann Swain, the Vice President for Student Services, held two public forums to discuss deputization with students. Around a hundred and seventy students attended in total.⁷¹ President Duderstadt also published an editorial in the *Michigan Daily* in which he emphasized the dangers from crimes on campus and that “the issue before us is not really *no* police, but *whose* police.” (Emphasis in original.) He argued that “campus-based officers will be more sensitive to the problems of the University, more responsive to the unique needs and values of our community, more familiar with the campus and its people, and will have the University as their only priority.”⁷²

The issue of the relationship between police and the campus community became urgent after December 9, when an Ann Arbor police officer used mace on students in order to break up a fight that had broken out at an Alpha Kappa Alpha sorority party in South Quad. It was also alleged that AAPD officers and housing security officers had used racial slurs during the incident.⁷³ In the aftermath, new concerns were raised about the newly formed campus police force’s relationship with minority groups on campus. At the time, the unit consisted of eight officers, all of whom were white and only one was female.⁷⁴

A survey conducted by the *Daily* in January 1991 found that 52% of those surveyed opposed deputization, 24% supported it, and the rest had no opinion.⁷⁵ However, the looming conflict in the Persian Gulf soon diverted attention and protests away from the issue.

The 1991 Spring Term witnessed the formation by the Provost’s office of the Safety and Security Advisory Committee (SSAC), consisting of four each of faculty, staff, and students. It was charged with: 1) monitoring and reporting on the implementation of the Task Force’s twelve recommendations; 2) reviewing and providing advice relative to matters of safety and security; 3) maintaining a comprehensive review of campus safety perceptions and reality, 4) serving as a committee to receive and consider complaints against the actions of University security or law enforcement officers, or policies/procedures governing the operations of the Department of Public Safety, and 5) documenting and evaluating the costs of its recommendations in the context of the need to contain costs within the University.⁷⁶ It was an advisory committee and issued an annual report, the first of which was criticized by the *Michigan Daily* for overlooking the issue of racial bias at DPSS.⁷⁷

In November 1991, the University reached an agreement with the City for the AAPD to continue to supply three patrol officers and a detective to campus for the next year in exchange for a payment of \$407,000.⁷⁸

In December 1991, the decision was made to deputize campus police through the Regents under Public Act 120 following a request from the Washtenaw Sheriff's office that they do so. The Sheriff was concerned about being legally responsible for the University's police while having no supervision of them.⁷⁹

Pursuant to the requirements of Public Act 120, the Regents selected two days in February 1992 to hold public hearings on the issue. They were strongly criticized for choosing dates the week before Spring Break by the Coalition of Students Against Deputization, which was an alliance of several student groups including the Black Student Union, the Progressive People of Color, and SHIT Happens (Students Halting Institutionalized Terrorism). The Coalition denounced the campus police force and argued that it had treated African Americans poorly in the past, particularly in two incidents where Black men had been chased through University buildings and Black women were illegally searched while white women were ignored.⁸⁰ The Rackham Student Government offered logistical support to the Coalition, but the Michigan Student Assembly chose not to support the protests because its members did not wish to lose their voice in the formation of the new police oversight committee. Members of the Coalition disrupted both public hearings, forcing the Regents to shift locations at the last moment and limiting the number of student speakers.⁸¹

On February 22, the Regents voted 7-1 to authorize "the empowerment of peace and police officers in the Department of Public Safety and delegate the authority to grant such powers to the Vice President and Chief Financial Officer."⁸² Regent Paul Brown, who supported the motion, said afterwards that there was "no choice" as the sheriff would no longer oversee the force; other Regents spoke of the advantages the change in jurisdiction brought by allowing students greater input on policies. During the vote, around twenty students sat in the audience with their mouths gagged to protest what they viewed as a lack of student input in the process.⁸³

At the time of the vote, the University's deputized police force consisted of twenty-four officers, including five Black officers, one Hispanic officer, and eighteen white officers. Although the police force's budget was not separate from the larger DPSS budget, the Department's budget had been increased by \$500,000 in the first year following deputization; in the second year, it was increased by another \$600,000.⁸⁴

In April, following an investigation into the subject, the SSAC recommended that sworn DPSS police officers be authorized to use chemical repellents such as "'Freeze' or 'Freeze+P'" under strict guidelines.⁸⁵

That summer a Police Grievance Committee was formed as required by Public Act 120. It consisted of two faculty, two staff, and two students, all of whom were elected by their respective campus communities. Its initial "convenor" was E. Royster Harper, Associate Vice President for Student Affairs. The committee's charge was to:

receive and address grievances arising by persons against police officers or the Department of Public Safety and Security arising out of acts or omissions of such officers or the Department. As an advisory committee, the Committee may prepare and make

recommendations concerning such grievances to the Office of the Vice President and Chief Financial Officer, including recommendations concerning disciplinary measures to be taken by the University against a police officer who was found responsible for misconduct in office.⁸⁶

The committee was to meet monthly, but any grievances submitted to it were to be referred to the Director of DPSS for investigation and review. It could then examine the report on the incident made by the Director and either accept it, request further investigation, or report comments to the Vice President and Chief Financial Officer. It had no ability to investigate on its own or to meet with individuals filing a complaint.⁸⁷

On September 19, 1992, DPSS entered into the Washtenaw County Mutual Aid Agreement; this agreement provided for an exchange of services, personnel, and equipment with other law enforcement agencies in the county. The County, AAPD, and Michigan State Police would provide resources such as tracking dogs, SWAT, crime labs, and hostage negotiation if required by the University police force.⁸⁸

In February 1993, the *Daily* published an article detailing the significant decline in reported crimes over the previous year; for example a drop in number of aggravated assaults from 34 in 1991 to 13 in 1992. Several Regents and administrators quoted in the article argued the decline was linked with the creation of the campus police force. However, the article also quoted a graduate student and board member of the Baker-Nelson Mandela Center for Anti-Racist Education who complained that the Center frequently receives calls from community members with complaints about campus police who harassed them when they came to campus. They argued that “people are being harassed by police because they are on campus and police make a judgement as to whether or not they should be there,” and thus the police were isolating campus from the surrounding community.⁸⁹ An October 1993 *Michigan Daily* editorial called DPSS’ crime statistics “garbage” since they only included incidents reported to DPSS and left out crimes near campus reported to AAPD. It also accused the Department of focusing on punishing crimes rather than preventing them.⁹⁰

In March 1993, the Police Grievance Committee presented a set of draft procedures that would allow it “to not only intake grievances, but also to conduct its own independent investigations in order to adequately address and make informed recommendations.” The administration refused their recommendations, arguing that its first year the Committee had decided they would best fulfill their oversight responsibility by “reviewing for consistency, thoroughness, etc. the investigations conducted by the Department” and that the situation had not changed. The stated rationale for this was that a committee investigation would be delayed since it met only once a month while an internal investigation could begin immediately. Other reasons included the belief that witnesses would respond more readily to authority represented by a police officer than a committee member and that confidentiality of individuals could be more easily maintained by officers than by committee members. In response, the two co-chairs of the Committee resigned.⁹¹

In June 1993, DPSS and the AAPD entered into a “Cooperative Policing Agreement” and made plans to open a community policing office in Mason Hall, manned by officers from both departments. The office did not open until November of the next year however.⁹²

In April 1994, the Campus Safety Committee was abolished after it was determined by the administration that its function overlapped with those of SSAC and the Police Grievance Committee.⁹³

In September 1994, SSAC issued a four-year report on progress regarding the 1990 Task Force’s twelve recommendations. In it, it was noted that DPSS had twenty-two sworn law enforcement officers and twenty-four non-deputized security officers. Ninety percent of officers had earned or were working on college degrees. In addition to graduating from state-certified police training, all law enforcement officers participated in a seven-to-ten week orientation program covering (depending on their classification) topics such as first responder, community relations and officer ethics. All officers also underwent mandatory campus-specific training to help understand and appreciate different cultures and perspectives in the areas of affirmative action, cultural differences, domestic violence, sexual assault and harassment, “lesbian/gay/bisexual issues,” and “issues sensitive to residence hall lifestyles.”⁹⁴

That same month, the *Michigan Daily* ran an article with the headline “Fear of armed campus police force remains unfounded.” It claimed that no officer had yet discharged a weapon and that concerns over harassment of students and restrictions on free speech had “not been a widespread problem.”⁹⁵

In mid-February 1996, John Matlock, a Black man and Director of the Office of Academic and Multicultural Initiatives, was arrested and handcuffed by a DPSS police officer following an altercation outside the Central Campus Recreational Building in which he allegedly shoved an officer.⁹⁶ Although Matlock was initially charged with two misdemeanors, assault and interfering with an officer, both charges were later dropped by the County prosecutor at the written request of the two DPSS officers involved in the incident.⁹⁷

In the immediate aftermath of Matlock’s arrest the Department of Public Safety Oversight Committee (it had been renamed from the Police Grievance Committee earlier that year) was asked by President Duderstadt to “review the larger issues associated with the incident and determine what University policies, practices and procedures may have contributed to the incident.” The Committee found itself stymied as DPSS refused to let members interview officers directly and restricted their oversight to DPSS’ internal investigation. In a scathing letter written in June the Committee concluded: “In practice, the Department of Public Safety and Security has come to operate with virtually no oversight outside the University administration.” They further complained that their Committee, in the four years of its existence, had processed only a single grievance and even that had been terminated before completion. Moreover, the Committee alleged that a lack of effective oversight of DPSS carried the risk of inappropriate intervention by high-level administrators, such as may have happened when the administration told DPSS to halt its internal investigation of the Matlock incident. This, the Committee interpreted as an admission that the administration did not trust DPSS—and by extension the Committee’s—objectivity. They concluded their letter by stating that there was a “widespread

perception” that the Department discriminated against minorities in general and African Americans in particular. Many reportedly viewed it as a distant and authoritarian force.⁹⁸

In July, the administration formed a new Task Force on Campus Safety and Security. The Task Force was presented the same charge as the 1990 Task Force and asked to review the “degree to which [the University had] achieved the lofty conditions” set forth in the earlier report and “take a fresh look at the degree to which we have an ideal human climate.”⁹⁹ Once again chaired by Dean of the School of Music Paul Boylan, the committee included faculty and staff representatives as well as two undergraduates and one graduate student.

In September, the DPSS Oversight Committee’s name was changed to the more specific Police Oversight Committee.¹⁰⁰

In addition to reviewing records, meeting with DPSS and other organizations on campus, and contacting other universities for information on their own safety and security programs, the Task Force met with the campus community in a number of open meetings. They also commissioned the Institute for Social Research to undertake an updated study of “Perceptions of Safety and Security at the University of Michigan.”

The Task Force submitted its report to the University in April 1997 and it was released to the public in September.¹⁰¹ In it, the Task Force began by stating their belief that “both the sworn and security officers of the DPS are dedicated and conscientious in the fulfillment of their duties. They are better educated on average (3.7 years of college) than officers on other campuses reviewed. They also receive significantly more training, including sensitivity training in support of diversity on campus.” The survey conducted by ISR revealed that DPS was perceived by 87% of the University community as making the campus a safer place and a similar percentage believed themselves to be treated courteously by DPS officers. Once again, the main axis of polarization on perceptions of campus safety fell along gender lines—fully 84% of women expressed fears of visiting certain areas after dark, but only 34% of men did. Members of minority groups also tended to be somewhat more concerned with safety and security issues, though the statistical differences were not great. The one exception was in attitudes towards racial harassment where, unsurprisingly, Black community members showed far more concern than whites.¹⁰²

The Task Force made four recommendations. One called for a reconsideration of alcohol and drug policies on campus. The other three concerned DPSS. They were:

1. That overall management responsibility for campus safety and security be placed in a new post, Associate Vice President for Campus Safety and Security, and that the individual appointed to that position should report jointly to the Executive Vice President for Financial Affairs and the Executive Vice President for Academic Affairs.
2. A new Campus Safety and Security Committee be established to serve as both an executive and advisory committee for those units reporting to the new

Associate Vice President for Campus Safety and Security. Its responsibilities would include:

- a. Advising the Associate Vice President on short- and long-term issues concerning campus safety and security.
 - b. Serving as a liaison for the University community as a whole, and especially with organizations that sometimes have special interests in safety and security matters, including MSA, SACUA, SAPAC, CEW, Affirmative Action, and others.
 - c. Reviewing DPS policies and procedures, annual crime and service data, and complaints and grievances, with authority to forward grievances to the Police Oversight Committee.
 - d. Monitoring policies and budgets of other units reporting to the Associate Vice President for Campus Safety and Security.
3. A senior officer be designated to investigate all complaints involving DPS personnel, and that the results of such investigations be reported to the Director of DPS and to the Associate Vice President for Campus Safety and Security.

In considering the Task Force's recommendations, it was decided that given the cost of creating a new senior administrative position establishing a new Associate Vice President for Campus Safety and Security was neither needed nor desirable. This was in keeping with much of the public feedback the report received.¹⁰³

A new Campus Safety and Security Committee (CSSAC) was created in April 1998 based on the report's recommendations. This replaced the previous Safety and Security Advisory Committee. The new committee's charge was to:

1. To serve as a contact point for the members of the University Community who wish to raise issues regarding safety and security, and the prevention of violence
2. To advise the Provost and Executive Vice President and Chief Financial Officer (EVPCFO) in conjunction with the Associate Vice President for Business Operations (AVPBO) regarding issues relating to campus safety, security and the prevention of violence. The committee will prepare reports as needed and shall submit by June 1, annually, (excluding June 1, 1998) a report outlining the issues addressed in the preceding year and make such recommendations to the Provost, EVPCFO, and AVPBO as are deemed appropriate
3. To review Department of Public Safety (DPS) policies and procedures, annual crime and service data, and to advise the Director of DPS regarding issues which are identified through such review.¹⁰⁴

A senior officer was also designated to investigate all complaints involving DPSS personnel during the summer of 1997, but it is currently uncertain which officer that was.¹⁰⁵

September 1997 marked the first time a DPSS officer fired a weapon while on duty, when an officer fatally shot a man who was in the act of fatally stabbing his girlfriend, an LSA senior, on north campus.¹⁰⁶ Later that fall, following the University football team's victory over Ohio State in November, a number of students filed complaints of police brutality after a number were manhandled and maced by DPSS and state police officers while attempting to rush the field in celebration.¹⁰⁷

In March 1998, the *Michigan Daily* reported that tensions still existed between minority groups on campus and police. While the focus of concerns described in the article related to the AAPD, complaints were also voiced by students about a pattern of "large presence of DPS officers at minority events" that proved "the police do not trust racial minorities." The article also reported that DPSS was taking steps to address how officers dealt with minorities through an increase in diversity training and initiation of outreach and community-oriented policing programs to establish better relations with minority and other student groups.¹⁰⁸

Leo Heatley, who had been Director of DPSS since 1979, announced his retirement in March 1999.¹⁰⁹

Fourth Period, 1999-2013

In September 1999, William Bess was selected as the new Director of DPSS.¹¹⁰

In November of that year, MSA passed a resolution condemning discriminatory practices against Black and Hispanic students at the University. In the resolution, the Assembly specifically accused DPSS and management at the Michigan Union of forcing minority students to wear wristbands during events when majority-white events did not, closing events early, and having more DPSS officers stationed at minority student group events than others.¹¹¹ That same fall, complaints were also made in the *Michigan Daily* about the differences in marijuana penalties levied by the DPSS and the AAPD. The latter imposed a much more lenient penalty based on local City ordinances, while University police enforced tougher state laws.¹¹²

In the 2002 Winter Term a string of residence hall robberies were reported in the *Michigan Daily*. In response, DPSS created a canine unit to track suspects and investigate such crimes. Director Bess insisted in an interview with the *Michigan Daily* that the dogs would not be used to search for illegal substances.¹¹³

In February 2003, DPSS began implementing a new Team Community Oriented Policing (TCOP) program, focused on "proactive problem-solving preventative efforts" to deal with crime. As part of the program, all DPSS officers would be assigned to one of three districts for a minimum of one year with the goal of forging relationships with the campus community in their district and providing daily patrols and emergency response. The three districts were: the Adam District (south of South U and west of State St), the Charles District (Medical, North and East Campuses), and the Baker District (all areas between the Adam and Charles Districts).¹¹⁴

In October 2003, a *Michigan Daily* article about the student-police relationship stated that DPSS officers believed their relationships with students were "generally friendly and respectful,

though they see an adversarial relationship with a fraction of the campus community.” The article did not specify what that “fraction” was. It also included dissenting voices from students who complained that police on and around campus give out too many minor-in-possession-of-alcohol citations and did not always treat students with respect. However, the article pointed out that many students were not sure if the incidents complained of involved AAPD or DPSS officers.¹¹⁵

In February 2004, the *Ann Arbor News* reported that DPSS was issuing traffic tickets on roads well away from campus. It also noted that the number of motor vehicle violations issued by DPSS increased from 540 in 1999 to 1,545 in 2003.¹¹⁶

In early 2005, the *Michigan Daily* reported that DPSS had purchased two radar units for monitoring speeding on the streets around campus. The units had been acquired through a \$5,000 grant from the Michigan Office of Highway Safety Planning. The *Michigan Daily* also reported that DPSS had formed a two-vehicle motorcycle unit the previous year.¹¹⁷

In September 2005, David Betts, a Black undergraduate student, penned an editorial in the *Michigan Daily* criticizing DPSS for a “general emphasis on making sure black people don’t act up while white members of the campus community are allowed to run relatively free.” In addition to criticizing what he described as an excessive DPSS presence at “every black function,” he also complained that crime alerts issued by the Department were overly broad and placed too heavy an emphasis on race. An article published in the *Michigan Daily* in December echoed those concerns, in particular focusing on a National Pan-Hellenic Council (NPHC) event at the Union designed to introduce students to the University’s Black Greek community where six DPSS officers were present, video surveillance was observed being undertaken, and a “paddywagon” was stationed outside. The article quoted a NPHC member as saying: “communication is the problem or the cause of tension between the black community and DPS... We don’t have a problem with DPS being at the event for security, but many (students) don’t understand DPS’s practices, such as (videotaping).” It went on to report that, while DPSS did not wish to change its protocols, in the future it would consult with the student members of the Police Oversight Committee before issuing future crime alerts on a case-by-case basis to ensure their language did not single out a particular group of people.¹¹⁸

In November 2008, William Bess stepped down from the position of Director of DPSS. He was succeeded by Kenneth Magee.¹¹⁹

A year later in November 2009, the *Michigan Daily* published a lengthy special report arguing that the Police Oversight Committee may have been in violation of state law. This contention was based on the fact that Public Act 120 of 1990 specified that the Police Oversight Committee must be composed of two faculty, two staff, and two students “nominated and elected by the faculty, students, and staff of the institution.” The report detailed how the two student seats were sometimes vacant for months at a time due to graduation or other circumstances; there had been no students on the Committee from May through November 2009, for example, during which time it had considered two grievances. The article quoted both the Chair of the Committee and members of MSA blaming each other for the long vacancies. A University spokesperson was also cited in the article stating the central administration had been unaware of the vacancies. The

article also quoted several non-University affiliated attorneys as stating that, as the student members of the Committee were chosen by MSA rather than directly elected by the student body as a whole, state law might be violated.

The article also reported that there had been no faculty elections to the Committee for nine years, though the two faculty elected in 2000 continued to serve. The Chair of the faculty Senate Advisory Committee on University Affairs (SACUA) was quoted as saying that the Oversight Committee “simply fell off the radar screen” of the faculty senate. The article also stated there were legal concerns over the elections of the two staff members, as one was elected by unionized staff and the other by non-unionized staff in alternating years; the concern expressed was that it violated the law by excluding some staff of their right to vote each year.

Further concerns were expressed over the fact that the Oversight Committee met only sporadically, often only once a year despite its Bylaws stating it must meet monthly. Its Chair argued that the committee met “as needed” and that “if there are no complaints filed with us, there’s not much more for us to discuss.” Most of the grievances they received, according to the Chair, were from individuals who said they were mistreated at a traffic stop or did not like how they were treated when issued a “minor in possession” citation. The article also stated that while DPSS fielded eight to twelve complaints a year, the Committee dealt with an annual average of only two grievances.¹²⁰

In the wake of the special report’s publication, the *Michigan Daily* severely criticized the University administration and MSA in several editorials for allowing the Police Oversight Committee “to lapse into irrelevance by failing to provide for adequate representation of students, faculty, and employees on the committee.” By the end of November MSA had agreed to have the student seats be filled by a campus-wide election, ending a practice of appointment that had lasted since 2000.¹²¹ In February 2010, SACUA voted to overhaul its election procedures for the Police Oversight Committee; going forward, elections would be split with tenured and non-tenured faculty each electing a member from their respective group.¹²²

At a May 2010 meeting of the Board of Regents, a University alumnus asked the Regents to examine a clause in the policies governing the Police Oversight Committee. Previously, the Director of DPSS could appeal a grievance to the Regents through the Executive Vice President and Chief Financial Officer, if the Regents accepted the grievance it would be dismissed without the Oversight Committee’s involvement. The alumnus alleged, however, that a change had been made in February allowing the Chief Financial Officer, with the President’s agreement, to dismiss a grievance without the Regents involvement. The speaker claimed President Mary Sue Coleman had recently dismissed a grievance of theirs. A *Michigan Daily* article on the meeting quoted a University spokesperson as saying the change had been made to bring DPSS oversight in line with policies at other universities.¹²³ In an editorial, the *Michigan Daily* called the President’s veto power “a clear and shameful conflict of interest.”¹²⁴

Director Magee went on sick leave in early 2011 and did not return. Greg O’Dell was chosen as Director of DPSS in August 2011. He resigned in December of that year to return to Eastern Michigan University.¹²⁵

In Fall 2011, the *Michigan Daily* published complaints by Black students about vague language and racial profiling in DPSS crime alerts. For example, they described one alert in which the suspect was described as a “black male, possibly bald or with dread locks, wearing an orange or red t-shirt, with gray sweat pants.” Director O’Dell stated that such descriptions were based on the information available from witnesses and were required in order to adhere to federal crime alert guidelines.¹²⁶ The Director also initiated a program of inviting members of the public to attend one of the Department’s weekly internal crime meetings, drawing praise from the *Michigan Daily* as a means of encouraging student cooperation.¹²⁷

Following revelations in January 2012 that University Hospital Security officials had waited six months to report to University police that a Hospital employee had been found to be in possession of child pornography, the Board of Regents ordered an external investigation of the “current organizational setup for law enforcement and investigation” at the University.¹²⁸ Two external reviewers were eventually hired: the law firm of Latham and Watkins, and the consulting firm of Margolis, Heady, and Associates.¹²⁹ Their reports sharply criticized coordination between the various security units on campus. In October 2012, the Regents voted to create a “Division of Public Safety and Security” to bring together all safety and security components of the University’s Ann Arbor campus under a unified organization. The new Division would contain the old DPSS, Hospital Security, Housing Security, and University Security Services. This last category included the Office of Emergency Preparedness, Security Systems and Technology Management, Art Museum security, Kelsey Museum security, and any contracted security guards. An executive director of public safety and security, who would report directly to the University President, would lead it.¹³⁰

Following a national search, Eddie Washington Jr. was appointed the Division’s first Executive Director in June 2013.¹³¹

Appendix:
Public Acts of the State of Michigan Relevant to Policing at the University of Michigan

Note: For brevity's sake, not all sections of each Act are included here; only those most relevant to the University of Michigan's ability to employ deputized officers are present.

Public Act No. 180 of 1905

AN ACT to authorize and empower certain state departments, and the board of control, board of trustees or governing board of certain state institutions, or the governing body of a municipal corporation, to make, prescribe and enforce rules and regulations for the care, order and preservation of buildings or property dedicated and appropriated to the public use and the conduct of those coming upon the property thereof; to prescribe penalties for a violation thereof and to repeal all acts or parts of acts inconsistent with the provisions of this act.

Sec. 1. The department of management and budget, the state board of education, the department of social services, the board of control of the Michigan technological university, the department of mental health, the department of corrections, the department of education, the board of regents of the university of Michigan, the department of agriculture, and the board of managers of state fairs may prescribe rules and regulations for the care, preservation, and protection of buildings and property dedicated and appropriated to the public use, over which they have jurisdiction or power of control and the conduct of those coming upon the property thereof, which is necessary for the maintenance of good order and the protection of the state property; may enforce the rules and regulations, and empower 1 or more persons with the authority prescribed in this act, and may cause a person found guilty of a violation of this act to be punished in the manner prescribed in this act.

Sec. 3. (1) A person appointed or chosen by a board or department set forth in section 1 to act as a superintendent, watchperson, or guard has the general authority of a deputy sheriff, relative to the arrest and custody of an offender against a rule prescribed by the appointing board or department, and may arrest without warrant a person found violating a rule which is prescribed by that board or department relative to trespasses upon property, good order, the preservation of property, or the mutilation or destruction or injury to property. Such an appointee shall make a complaint against an offender of this act, or a rule of the appointing board or department, before that court in which a prosecution for a misdemeanor may be initiated...

Sec. 4. A member of each board set forth in section 1, an authorized person within a department prescribed in section 1 and any other person, having jurisdiction or power of control over property specified in section 1 may make a complaint, before that court in which a prosecution for a misdemeanor may be initiated, against a person who he or she believes has willfully violated a law or rule pertaining to the property or building over which the respective board or department has jurisdiction or power of control.

Sec. 5. Each board or department prescribed in section 1 shall have all rules and regulations which are made or prescribed, entered in convenient form, in a record book kept in

the respective office of the board or department, for that purpose and posted in not less than 3 conspicuous places on the premises subject to regulation. The prosecuting attorney of the county in which the offense is committed shall prosecute offenders against this act or a rule or regulation made or prescribed by a board or department, under this act.

Public Act No. 98 of 1929

AN ACT to authorize and empower the state administrative board, the board of regents of the state university, the state board of agriculture, and any municipality, to contract for the furnishing of sewage, light, water, fire protection or other facilities to state institutions, and to authorize said board or boards to grant to municipalities the consent of the state to enter upon state lands for the purpose of constructing and maintaining any sewer, water mains, or other public improvement.

Public Act No. 120 of 1990

AN ACT to empower the governing boards of control of public 4-year institutions of higher education to grant certain powers and authority to their public safety officers; to require those public safety officers to meet certain standards; and to require institutions of higher education to make certain crime reports.

Sec. 1. (1) The governing board of control of a public 4-year institution of higher education created under article VIII of the state constitution of 1963 may grant the public safety officers of the institution the same powers and authority as are granted by law to peace and police officers to enable the public safety officers to enforce state law and the ordinances and regulations of the institution of higher education. Public safety officers to whom the powers and authority of peace and police officers are granted under this section shall be considered peace officers of this state and shall have the authority of police officers provided under the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being sections 257.1 to 257.923 of the Michigan Compiled Laws. (2) The determination by a governing board of control of an institution of higher education whether to grant the powers and authority described in subsection (1) to the public safety officers of the institution shall be made only after the governing board of control has held not less than 2 public hearings regarding that determination. (3) The governing board of control of an institution of higher education shall not grant the powers and authority described in subsection (1) to the public safety officers of the institution unless, before those powers and authority are granted, the governing board provides for the establishment of a public safety department oversight committee. The committee shall be comprised of individuals nominated and elected by the faculty, students, and staff of the institution. The committee shall include 2 students, 2 members of the faculty, and 2 members of the staff. The committee shall receive and address grievances by persons against the public safety officers or the public safety

department of the institution. The committee may recommend to the institution that disciplinary measures be taken by the institution against a public safety officer who is found responsible for misconduct in office.

Sec. 2. (1) The jurisdiction of public safety officers to whom the powers and authority of peace and police officers are granted under section 1 shall include all property owned or leased by the institution of higher education or the governing board of control, wherever situated in this state, and this jurisdiction shall extend to any public right of way traversing or immediately contiguous to the property. The jurisdiction of these public safety officers may be extended by state law governing peace officers if authorized by the governing board of control. (2) This act does not limit the jurisdiction of state, county, or municipal peace officers.

Sec. 3. Public safety officers to whom the powers and authority of peace and police officers are granted under section 1 shall meet the minimum employment standards of the Michigan law enforcement officers training council act of 1965, Act No. 203 of the Public Acts of 1965, being sections 28.601 to 28.616 of the Michigan Compiled Laws.

Sec. 4. The public safety department of each public 4-year institution of higher education created under article VIII of the state constitution of 1963, whether or not the public safety officers in the public safety department are granted powers and authority under section 1(1), shall submit monthly uniform crime reports pertaining to crimes within the department's jurisdiction to the department of state police as prescribed in section 1 of Act No. 319 of the Public Acts of 1968, being section 28.251 of the Michigan Compiled Laws.

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- ¹ Regents' Proceedings, January 9, 1847.
- ² Regents' Proceedings, June 24, 1873 and July 9, 1898.
- ³ Wilfred B. Shaw, ed. *The University of Michigan, an Encyclopedic Survey* Vol. 9 (Ann Arbor, MI: University of Michigan Press, 1956), 1,778-1,779.
- ⁴ Regents' Proceedings, May 19, 1916.
- ⁵ John J. Sloan, "The Modern Campus Police: An Analysis of their Evolution, Structure, and Function," *American Journal of Police* 11:2 (1992), 86.
- ⁶ Regents' Proceedings, September 27, 1946.
- ⁷ Regents' Proceedings, April 26, 1946.
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