MANAGING CAMPUS PROTESTS AND DEMONSTRATIONS
AT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES

Findings from a Critical Issues Forum of
Historically Black Colleges and Universities - Law Enforcement
Executives and Administrators

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MANAGING CAMPUS PROTESTS AND DEMONSTRATIONS
AT HISTORICALLY BLACK COLLEGES AND UNIVERSITIES

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EXECUTIVE SUMMARY

On July 18, 2017 at the 18th Annual Historically Black Colleges and Universities – Law Enforcement Executives and Administrators (HBCU-LEEA) Training Conference in New Orleans, a national forum convened to identify challenges and potential solutions in managing protests and demonstrations on HBCU campuses.

The forum brought together campus police and safety officials from HBCUs across the country. The officials were seeking to ensure that campus law enforcement (CLE) policies and practices around protests and demonstrations are not only more effective, but also preserve the traditional role of HBCU campuses as centers of activism, engagement, and dissent.

What challenges did the national forum identify?
The participants discussed a wide range of challenges affecting different areas – from communications and resources to managing disruptive actors and spontaneous/unexpected incidents.

As a result, several patterns emerged about today’s operational reality including:

1. Lack of trust in law enforcement by
   • protest organizers unwilling to partner with CLE officials
   • campus administrators skeptical of CLE policies and procedures

2. Ineffective communications between campus law enforcement and
   • campus administrators about CLE resource and personnel requirements
   • external agencies including media, political groups, and local law enforcement

3. Increased risk posed by disruptive external actors that is
   • often ignored due to a “well that’s just not going to happen here” attitude on campuses
   • difficult for CLE to address due to lack of support from campus administrators and information from protest organizers

What can HBCU campus safety officials do to better manage protests?
The participants brainstormed numerous solutions to address the challenges identified, and then prioritized those solutions for greater focus. They formed specific recommendations to improve campus and community relationships, secure additional resources and training, and document and comply with the latest policies and practices.

To make these potential recommendations a reality, the participants identified the following needs as particularly important:

1. The need to share strategies that
   • bridge gaps between CLE officials and administration, faculty, and student partners

Heard in the forum:
“We are not just police officers; we are one college, one body, one mind. Our administrators often fail to understand that, and that lack of understanding creates a bigger challenge in our effectiveness.”
• improve campus administration’s understanding of law enforcement needs

2. The need to harness new tools like social media to
• manage future disruptions and communicate more effectively
• deploy necessary personnel and resources before a protest becomes disruptive

3. The need to respond to student-led protests by
• increasing understanding of what motivates student protests
• improving public safety at protests while ensuring constitutional rights are not violated

Heard in the forum:
“As a police chief, you need to understand the right to assemble and protest against the government. As a law enforcement officer, you have to protect that right.”
BACKGROUND

Are Protests at HBCUs Fundamentally Different from Predominately White Institutions?

From the Civil Rights movement of the 50s and 60s to today’s Black Lives Matter movement, HBCU students and faculty have been at the vanguard of social reforms that change America. This powerful and enduring legacy was on the minds of the HBCU participants attending the national forum, and it prompted the following question:

“Are protests and demonstrations at HBCUs fundamentally different from predominantly white institutions?”

The question sparked a critical discussion. With renewed national attention on policing as it impacts black Americans, the participants observed that students at both HBCUs and predominantly white institutions (PWIs) are engaging in protests focused on police reform and accountability. However, participants also found several differences that make protests and demonstrations at HBCUs unique.

Campus-wide respect for the historical role of protests at HBCUs
Comparing their experiences at PWIs, the participants see widespread pride in the legacy of protests at HBCUs. In fact, current HBCU students stay strongly connected to previous generations of alumni who have achieved worldwide recognition because of their involvement in protests.

Heard in the forum:
“Whatever student group it is, they will come to the police department first and we come to an understanding as to what they can do, where they can do it, and how long they can stay.”

Closer relationships between students and police
In managing protests at HBCUs, the participants tend to have a much closer working relationship with student groups. HBCU students share their protest planning with police in advance more often than at PWIs, and some participants even refer to student-led protests as “organized gatherings.”

Heard in the forum:
“Because HBCUs are generally situated in communities of color that reflect the same demographics as the campus, they share the same goals too, so campus protests are often coordinated with surrounding communities.”

Greater support by outside community for student protests
The participants reported that HBCU students tend to have deeper connections with neighboring communities around campus. Students and local community members often co-organize events such as protests and demonstrations.

Heard in the forum:
“Students want to still stay in line with past leaders like MLK, as well as leaders today like John Lewis and Andrew Young, who visit our campus all the time and talk to the students.”
Heard in the forum:
“I have to be honest, my students look like me, they remind me of me when I was their age. It’s my responsibility to look out for them. It’s my responsibility to take care of them.”

Police seeing themselves in the students
The participants find police and student relationships are more familiar and personal at HBCUs. As African Americans themselves, many of the participants feel a strong connection to the HBCU student community and readily identify with the students’ motivations for protesting.
INTRODUCTION

The national forum was facilitated by Andrea Young of the National Center for Campus Public Safety (NCCPS). Young guided the HBCU campus police and safety officials through a hands-on process of breakout group discussions and guided exercises. Throughout the day, the participants followed the agenda below, raising critical issues and developing practical solutions to address them:

- Identify key challenges that must be addressed
- Brainstorm solutions that may address these challenges
- Prioritize solutions that will receive additional focus by the group
- Dig deeper into prioritized solutions to develop potential recommendations

In the sections that follow, key takeaways and conclusions from each stage of the agenda are presented and constitute the principal findings of this report.

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**Forum purpose:**
*Identify challenges and associated potential solutions to assist the HBCU community in managing protests and demonstrations on campus.*
IDENTIFY CHALLENGES

Why is Managing Protests Difficult?

To help the participants better identify challenges in managing protests and demonstrations on campus, Young posed the following question:

“Think about the last demonstration or protest that occurred on your campus or think about the next demonstration or protest to come. When you think about that and your heart starts to race, why is it racing?”

Young led the participants in a group exercise to identify and discuss those challenges with the forum. Participants grouped the challenges into six areas:

- Disruptive External Actors
- Communications
- Spontaneous/Unknown Incidents
- Resources
- Liability and Regulatory Risk
- Campus Administration

Challenges in Managing Disruptive External Actors

The participants noted a lack of information about the risk posed by disruptive external actors at a given protest. In gathering intelligence about different external actors, such as citizen groups and the media, CLE officials may not have the training to fully monitor social media and to use the information gathered to develop a plan of action.

In addition, CLE officials may have trouble identifying the changing dynamics of a protest early enough to successfully adapt to those changes, especially in situations where external actors can quickly transform a peaceful protest into a violent one. In some situations, CLE officials may not even know the intended location of a gathering or march, making effective planning virtually impossible. Planning is further jeopardized by a lack of coordination with - and buy-in from - campus administration officials.

Communication Challenges

Protest organizers are sometimes unwilling to share demonstration plans with CLE officials. Organizers may have specific objectives - such as acts of civil disobedience - and fear that CLE officials will thwart such plans if discovered in advance. At the same time, the participants acknowledged a reluctance by many CLE officials to share relevant information with protest organizers and participants.

This lack of direct communication between student organizers and CLE officials can result in other voices filling the information gap, including people with divergent agendas using social media to share messages that may not be accurate. The most controversial messages and information may trigger reactions on campus that present serious public safety concerns. This information gap can be
further widened by a lack of coordinated and consistent messaging from campus administration and CLE officials.

**Spontaneous/Unknown Incident Challenges**

From unknown weapons in the crowd to arson, theft, and other crimes of opportunity, today’s protest environment presents numerous risks. Many campuses have adjoining properties with vulnerable populations, such as elementary schools which may need to be secured and protected during a protest. The size of a protest can greatly impact risk factors as well. A demonstration may begin with a handful of protestors and then rapidly grow to hundreds, especially if social media tools are used for outreach during the protest.

In fact, social media usage can rapidly create new and sometimes more dangerous conditions at protests. Use of social media may trigger the sudden appearance of counter protestors, thereby increasing the overall crowd size and making it more difficult to keep protestors and counter protestors separated. Hidden agendas of protestors may also create a challenge for CLE officials. Protestors will sometimes withhold or misstate details about protest routes, areas of congregation, and forms of protest.

Unknown protest conditions may also require CLE officials to take on responsibilities outside of their mandate, such as providing food and shelter to protestors or transporting protestors to and from off-campus locations. These additional responsibilities, although outside the CLE department’s scope, are still fulfilled by CLE officials because there is simply no time to contact and coordinate with the appropriate agency.

**Resource Challenges**

Insufficient resources, including qualified staff and equipment, are challenges that CLE departments face across campuses. Campus administrators may not be fully aligned with the vision, role, or purpose of the CLE department, which can lead to underinvestment by the university. This lack of administration buy-in is a serious challenge for ensuring that CLE officials have the resources they need to be effective.

Shrinking student enrollment and decreasing matriculation rates are also a challenge to ensuring sufficient resources, and CLE departments that have few outside partnerships with local, state, and federal agencies also have few outside sources for funding, training, and equipment.

**Liability and Regulatory Risk Challenges**

Not understanding the objective of a protest is a critical liability risk. Without insight into why a protest is occurring, and not knowing who the protestors are and the goals they seek to accomplish, CLE and campus officials cannot respond effectively. In fact, CLE officials may overreact and risk turning an otherwise peaceful protest into a violent one because they do not fully grasp its purpose.
If insurance coverage is inadequate to cover damage to persons and property, the university’s financial viability may be jeopardized. Inaccurate public statements - made on behalf of the campus administration or CLE department without preparation or authorization – can also negatively impact the university’s financial viability and reputation. In addition, the absence of (or poorly defined) written memoranda of understanding (MOU) between CLE and other agencies can curtail CLE’s ability to execute an effective, coordinated response to protests.

**Campus Administration Challenges**

The participants identified several challenges related to the support and coordination provided by campus administration for the management of protests and demonstrations. One participant described the conflicts that can occur when campus administrators want law enforcement officials to engage in practices that do not meet legal and professional guidelines for CLE agencies.

As a result, campus administration planning efforts for protests and demonstrations can underestimate the range of risks to the public and to CLE officials. The provision of resources and training for riot control measures was cited by the participants as a key example.

Administration officials often do not believe that such measures would ever be necessary on campus. They are often fearful of the image that riot control equipment and tactics used by police presents to the public. For CLE officials, riot control measures - when used appropriately as part of a larger public safety strategy - can protect both protestors and police.

The disconnect between campus administration and CLE officials on the proper role of law enforcement can also negatively impact working relationships. Campus administrators may ignore the chain of command and procedures within the CLE department, and will even redirect CLE officials while they are actively managing a protest or demonstration.
BRAINSTORM SOLUTIONS
How Can Challenges Be Addressed?

To address the challenges previously identified, participants drew on their collective experience and expertise in protest management to brainstorm solutions. For each of the challenge areas below, the participants developed several possible solutions:

Possible Solutions for Managing Disruptive External Actors

- **Designate a specific area for demonstrations** - External actors are generally unknown, therefore designating a specific protest location helps CLE focus resources in one place and ensure that disruptive external actors can be effectively managed.
- **Identify formal and informal demonstration leaders** – Understand the formal and informal leadership networks that drive campus protests and use designated CLE public information officers (PIOs) to issue statements and exchange information.
- **Gather intelligence from outside agencies** – Reach out to local and state law enforcement, as well as other campuses, to seek out available intelligence on possible disturbances that may occur at an upcoming protest.
- **Document plans and policies in writing before protests occur** – Execute according to written response and internal policy plans for protests and demonstrations. Written documentation can also resolve questions about police conduct during a civil or criminal proceeding.
- **Educate CLE officials on all aspects of the law relating to managing protestors and agitators** – Train officials to engage confrontational protestors calmly and lawfully even in emotionally-charged situations.
- **Use real-world scenarios to conduct preparedness exercises** – Apply lessons learned from other college and university protests to existing response plans and policies.

Possible Solutions for Improving Communications

- **Develop an emergency communications plan** – Involve relevant stakeholders in comprehensive and recurring training and exercising to keep the plan updated and fully operational.
- **Utilize PIOs to ensure message discipline and control** – Designate a CLE PIO to coordinate with PIOs in other groups and to ensure a single source of CLE information across social media, emergency alert systems, and other mass notification systems.
- **Coordinate PIO with incident command** – Use joint information centers and incident command systems to bring all internal PIOs together with external media for consistent messaging.
- **Conduct after-action reviews following each protest and demonstration** – Evaluate CLE response based on procedures in the emergency communications plan including a thorough debrief on what happened, how or why it happened, and what lessons can be learned.
Possible Solutions for Managing Spontaneous/Unknown Incidents

- **Incorporate medical emergency resources as early as possible** – Include both on and off-campus medical resources early in the planning phase. Student EMTs can share office space with CLE officials to ensure seamless coordination.

- **Prepare and maintain signed MOUs across agencies** – Keep MOUs updated with the latest policies and procedures and cosigned by the campus and external agency officials that work with CLE officials to manage protests.

- **Establish a staging area for CLE PIO away from the protest itself** – Provide a separate area for the PIO that allows protest leaders, agency representatives, and media to ask questions and receive briefings.

- **Gather information from multiple sources** – Use multiple social media platforms to gather information on upcoming protests and demonstrations while also engaging directly with student leaders and groups.

- **Ensure continuity of normal operations** – Designate CLE officials to remain on normal campus patrol during a protest to prevent crimes of opportunity that may occur during the event.

Possible Solutions for Additional Resources

- **Find new grant and resource-sharing opportunities** – Create agreements with other agencies that allow the use of resources as needed and pursue lesser known grant programs that may have fewer agencies competing for funds.

- **Bolster recruitment and training efforts** – Start recruitment and training programs as early as possible and before low staffing levels or high turnover rates require immediate action.

- **Create student internship programs** – Coordinate with campus administration and student affairs to create a CLE internship program for students pursuing criminal justice or related majors in order to improve campus protest response and to encourage post-graduate employment in law enforcement.

- **Become an early partner in the budget process** - Make a strong case for budget needs early in the budget cycle by using comparative, historical data and solution-based performance objectives that engage administrators with a clear vision of long-term budget requirements.

- **Build bridges with key decision makers and outside agencies** – Encourage campus and external decision makers, including municipal governments, community organizations, and local law enforcement, to partner with CLE in relevant grant opportunities.

- **Encourage grass roots donations** – Ask alumni and other community supporters to make individual (and possibly tax deductible) donations of non-monetary assets like cars and equipment.
Possible Solutions for Reducing Liability and Regulatory Risk

- **Understand the difference between free and unconstitutional speech** – Focus officer training on gaining a practical understanding of constitutional-versus-unconstitutional conduct and speech.
- **Keep funding requests in synch with new budget and grant opportunities** – Make sure that all training and other priority requests fully align with new budget and grant requirements.
- **Follow protest-specific risk management strategies** – Engage openly and honestly with protest leaders to obtain a deeper understanding of a protest’s purpose, expected attendance, and what may occur during the event.
- **Strengthen overall risk management** – Capture emerging threats in writing to make sure they are addressed in budget forecasts, funding commitments, and insurance coverage.
- **Designate official press contacts** – Assign specific press contacts from CLE or campus administration to ensure that all requests for comment can be directed to the correct resource.
- **Partner with local agencies** – Build long-term working relationships with key external partners including outside law enforcement and external media.
- **Conduct town hall meetings to better educate and serve the student community** – Establish a recurring, facilitated forum to meet with students to discuss ongoing challenges and other critical issues.

Possible Solutions for Better Coordination with Campus Administration

- **Get a seat at the table** – Review meeting schedules and attendance levels to make sure that CLE agencies are fully participating in administration decision making around budget, training, and operations.
- **Regularly educate administrators on continuing CLE needs** – Set a recurring time to brief administrators on emerging issues, as well as CLE practices, policies, and priorities.
- **Clarify CLE and administration policies and procedures for unplanned incidents** – Align CLE and administration procedures and train CLE and administration officials to follow those procedures and better understand the consequences of not following them.
- **Include administration officials in performance evaluations and debriefings** – Encourage administration officials to evaluate their own performance with CLE officials after a protest.
PRIORITIZE
Which Solutions Require a Deeper Look?

After brainstorming potential solutions in managing protests and demonstrations, the participants prioritized two solutions in each of the six challenge areas to develop more detailed recommendations.

Recommendations to Manage Disruptive External Actors

1. Develop a comprehensive written policy that clearly defines procedures for managing disruptive actors that includes:
   - Thorough vetting of written policies by legal counsel in case CLE polices or conduct is ever challenged by individuals or the courts.
   - Impact assessment of disruptive behavior to determine if conduct is criminal, disruptive, or inconsistent with the educational mission of the university.
   - Determination guidelines for a course of action that responds to both student and non-student disruptive behavior (such as code of conduct violations and suspension for students, and non-criminal trespass violations for non-students).

2. Train CLE officials on a wide variety of sources and topics to improve management of disruptive external actors. Training should incorporate:
   - Constitutional law as it relates to freedom of speech, assembly, and protest.
   - Civil law as it relates to individual and university liability for inappropriate conduct by CLE officials.
   - Policy manuals, including review of specific sections of the general orders manual that address CLE officer response to protest and demonstrations.
   - Briefings before each protest that includes educating CLE officials on how to respond to any potential disruptive actors.
   - Effective management of mass civil disturbance calls by utilizing external trainers who have expertise and experience in protest and demonstration management.
   - Expectation management through tabletop exercises with campus administrators to identify and address the risks posed by disruptive actors and the range of lawful responses that CLE officials can use to deal with them.

Recommendations to Improve Communications

1. Develop an emergency communications plan (ECP) that is executed by a permanent ECP working group and provides for:
   - Designated liaisons for public safety, emergency management, university communications, facilities, transportation, student government, and campus executives.
   - Fast assessment of critical intelligence through calling trees, conference calls, alert notifications, and other tools to ensure that the working group can quickly convene to assess situations and make decisions.
• **Designated protest location** specified in the ECP so that the working group has a specific area to manage protests and demonstrations that may require emergency response.

• **Local news media liaison** who works with the CLE PIO to assist in managing the message for CLE and the college or university.

• **Executive staff liaison** to keep the president’s office informed so that administrators can make necessary policy and response decisions.

• **Public safety liaison** attached to the communication center for exchanging information with fire and medical first responders.

• **Mass notification process** that brings all social media and other communication platforms together (email, Facebook, Twitter, public announcement systems, etc.) to deliver both targeted and campus-wide information before and after a protest or demonstration.

2. Embed regularly planned training, exercising, and updating processes in the ECP including:
   • **Tabletop exercises** based on actual protests that occur on campuses across the nation.
   • **Exercises** that require ECP working group involvement and are conducted twice a year to account for seasonal changes.
   • **After-action reviews** following each on-campus protest that includes a written after-action report for improved planning.
   • **Policy publication** for dissemination campus-wide through a regularly updated ECP that is also available online and to the public as part of official university policy.

### Recommendations to Prepare for Spontaneous/Unknown Incidents

1. Complete and maintain signed MOUs with key partner agencies. Considerations for this process include:
   • **Establishing agreements with emergency response and law enforcement groups** as well as municipal, county, and state agencies that are able to enter into MOU agreements.
   • **Defining external agency duties and responsibilities** such as specific functions and geographic areas of operation, pay rates, overtime and work hour limits for agency personnel, and any use of agency property.
   • **Periodically reviewing and updating MOUs** to incorporate policy and procedure changes among the signatory agencies; revisions to union contracts that limit or enhance access to agency personnel; or lessons learned in the prior period covered by the MOU.

2. Develop a campus-wide continuity of operations plan that includes:
   • **Procedures for transitioning from normal operations to emergency response plans** to ensure seamless, integrated operations as incidents unfold.
   • **Planning for loss of access to campus resources** such as electricity, water, facilities, or network abilities.
• **Clear recovery time objectives** that specify how quickly assets and operations will become available and contain all necessary external agency contacts and applicable MOUs, emergency spending procedures, and recall lists for staff, faculty, and CLE officials.

• **Incident command system (ICS) strategies** for staging personnel, equipment, and other first responder resources.

• **Planning reviews and updates** to ensure that contact and resource information is current and to incorporate lessons learned from previous protests.

### Recommendations to Find Additional Resources

1. Partner with other agencies to secure additional resources by actively pursuing:
   - **Outside agency inclusion into CLE grant applications** to encourage opportunities for reciprocal inclusion in outside agencies’ own grant applications.
   - **Smaller micro grants** (e.g. partnering with local alcohol boards for alcohol safety grants) which can bridge funding gaps as effectively as larger grants (e.g. COPS Office grants).
   - **Outside sources for training and equipment** including weapons training at local gun ranges, auditing outside classes for free, and borrowing seldom-used equipment.

2. Build relationships and maintain formal MOUs with non-traditional law enforcement partners including:
   - **Local hospitals, mental health facilities, nonprofits, and businesses** to secure and deploy additional resources as needed.
   - **Local officials** to train volunteer students and staff as campus community emergency response teams (CERTs) to increase the number of personnel available for emergencies.

### Recommendations to Reduce Liability and Regulatory Risk

1. Nurture a campus-wide understanding of the differences between unlawful hate speech and lawful free speech through:
   - **Co-development of protest management policies with campus stakeholders** including administrators, emergency response teams, and student groups to ensure effective and constitutional treatment for all.
   - **Constitutionally-compliant conduct** that limits CLE interaction with protestors only to time, place, and manner restrictions appropriate to ensure public safety.

2. Strengthen relationships with external law enforcement agencies and media outlets to reduce dangerous protest conditions and outcomes through:
   - **Capacity building with local and state law enforcement agencies** for rapid deployment of additional police officers when required to support CLE officials.
• **PIO office coordination with outside reporters** for delivery of accurate, consistent public information regarding CLE officer conduct during protests and demonstrations.

**Recommendations to Improve Coordination with Campus Administration**

1. Educate administrators on CLE functions and roles by:
   - **Providing administrator training** on policies and procedures that CLE officials must follow during protests.
   - **Providing administrator education on constitutional law** as it applies to managing protests and the obligation of sworn CLE officials to ensure citizen safety and constitutional protections.
   - **Prevention of undue interference by administrators** when CLE officials are engaging in appropriate and lawful conduct (such as arrests) during protests.

2. Ensure a seat at the administrator’s table by not only reporting problems but recommending solutions for a host of critical issues including:
   - **Student quality of life**
   - **Incident and emergency management**
   - **Budget**
   - **Training**
   - **Resources**
CONCLUSION

Deepen Relationships on Campus and Beyond

Through the course of the national forum, a picture emerged among the attending HBCU officials on the importance of relationships. Whether it’s the students and groups that lead the protests, or the campus administrators and external agencies that help CLE officials safely manage them, building lasting and direct relationships with everyone who impacts protests and demonstrations can make a positive difference.

Stronger relationships can open new lines of communications - and even new lines of CLE funding - and help ensure that the right personnel and resources are in place before a protest or demonstration. These relationships enable CLE officials to update and formalize operational plans and MOUs with relevant stakeholders, thereby establishing clear accountability in managing protests. In addition, CLE departments can team up with external agencies on grants and other funding opportunities, work with local fire and police to train CLE officials, or train students to serve on CERT teams.

The participants also acknowledged that building trust between CLE and campus administration officials is necessary to bridge gaps in funding and operational support. Finally, fostering trust and understanding between CLE and the larger campus community is probably the single most important mission for CLE departments. Bridging the trust gap and deepening on-campus relationships can help ensure that protestors themselves will view CLE officials as good faith stewards of both public safety and constitutional protections.

Heard in the forum:
“Sometimes you have to swallow your pride and find a way to bridge that gap with people.”
APPENDIX: PARTICIPANTS

• Gloria Blair, Chief of Police and Director of Security, Livingstone College
• Edgar Clark, Chief of Campus Safety, Florida Memorial University
• Herman Commey Jr., University Police Lieutenant, Southern University Baton Rouge
• Troy Covington, Chief of Police, Norfolk State University
• David Glover, Chief of Police, Hampton University
• Sharon Herman, Chief, Shaw University
• Nicole Johnson, Campus Police and Security, Shaw University
• Kelsh Kelly, Jr., Police Captain, Xavier University of Louisiana
• Joe Little Jr., Chief of Police, Clarke Atlanta University
• Randy Nelson, Police Officer, Saint Augustine University
• Stacy Sauls, Interim Deputy Chief, Morehouse College
• Charles Wilson, Chief of Police, North Carolina A&T State University