

Committee on a Civil, Safe and Open Environment

Agenda

March 19, 2008

6:00 p.m. to 7:30 p.m.

Room 355C Holland Hall

1. Welcome and introduction of committee members
2. The committee's work and the value of tonight's public comment
3. Summary of recommendations
4. Public comment
5. Adjournment

Doing the math: maximizing public input using the City of Gainesville model

90 minutes total
(6:00-7:30 p.m.)

+ 30 minutes for summary of recommendations

+ 60 minutes for public input \div 15 speakers = 4 minutes/speaker
(3 minutes of comment with “1 minute warning” plus 1 minute to change speakers)

= *4 minutes devoted to public comment for each speaker*

*IF NECESSARY A SECOND SESSION WILL BE HELD TOMORROW
6:00-7:30 IN 355C HOLLAND HALL*

J. Bernard Machen
President

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October 2, 2007

Professor Kim M. Tanzer
Chair, Ad Hoc Committee
On A Civil, Safe and Open Environment

Dear Kim:

Thank you and the other faculty members and students who have agreed to serve on the President's Ad Hoc Committee On a Civil, Safe and Open Environment. I have convened this Committee with a forward-looking charge. That charge is to develop recommendations on how the University of Florida can best ensure a civil and secure environment at public and UF community events, conducive to a full, free, diverse and lively discourse in the tradition of great academic institutions. The need to review our existing protocols for the conduct and security of events arises in the wake of an incident at Senator John Kerry's talk at UF on September 17th that resulted in the tasing and arrest of a student, as well as a heightened awareness of the importance of security on university campuses.

In particular, I ask the Committee to review the University's police protocols, university and ACCENT events management practices, and community conduct policies to come up with a series of recommendations for the conduct and security of events at the University in the future. I ask you to provide the Committee's initial report to me by the end of December 2007.

In addition to any issues the Committee may identify, please consider:

1. Existing University policies on conduct of members of the UF community at events, including the code of student conduct.
2. Existing UF Police events security protocols, including those relating to the use of tasers.
3. Best practices for events conduct and security at peer institutions, including the role and training of moderators and the choice and set up of venue.
4. The size of the UF community and the options for security at campus venues of different types and in a variety of circumstances.

The Committee is comprised entirely of faculty and students. Please feel free to call upon others to assist you in fact gathering and for expert consultation. Vice President and General Counsel, Jamie Lewis Keith, is available to provide legal advice and other Vice Presidents and administrators are also available to assist you. Administrative support will be provided for the Committee.

Thank you again for this important service to the University of Florida. I will look forward to receiving and carefully considering the Committee's recommendations.

Sincerely,



J. Bernard Machen

The Foundation for The Gator Nation

An Equal Opportunity Institution

Committee members' contact information

Faculty

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Brian Aungst, Student Member

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Lola Bovell, Student Member

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The committee's work:

October 16, 2007

Nested **legal parameters** - US Constitution, federal law, Florida Constitution, Florida law, UF regulations, UF policies, commonly understood behavior norms

October 23, 2007

Existing UF **events policies** (Accent, but also other campus operations); best practices from peer institutions

November 13, 2007

Existing **conduct codes** relating to students, faculty, staff, UF visitors; parallel codes at peers institutions

November 20, 2007

Issues, as reflected in policies, laws, and best practices, related to **health, security and safety, including the use of force**, particularly tasers.

February 6, 2008

Presentation by epidemiologists Dr. Elizabeth Shenkman and Dr. Keith Muller, University of Florida, regarding **scientific validity of various CEW studies**

February 11, 2008

Presentation by Dr. William Bozeman, Wake Forest University, regarding **"Taser Medical Safety: the state of the science"**

- » About The Office
- » The President
- » First Lady
- » Honors & Awards
- » Executive Staff

- » President's Update
- » UF President's House

- » Documents
 - Conductive Electrical Weapons: A prospective, population-based study of the safety of application by law enforcement (PDF)
 - Letter from Machen about First Amendment Web site (PDF)
 - Series of documents about the "Obsession" movie advertisements
 - Bozeman Taser Safety Presentation (PDF)
 - Recent CEW Medical Studies (PDF)
 - More...

- » Minutes
 - 2/11/2008 (PDF)
 - 2/6/2008 (PDF)
 - 12/18/2007 (PDF)
 - 12/04/2007 (PDF)
 - 11/27/2007 (PDF)
 - 11/20/2007 (PDF)
 - 11/13/2007 (PDF)
 - 10/23/2007 (PDF)



Ad Hoc Committee on a Civil, Safe and Open Environment

General Documents

- [Committee Work Plan \(2/6/2008\)](#)
- [Conductive Electrical Weapons: A prospective, population-based study of the safety of application by law enforcement \(PDF, 2/1/08\)](#)
- [Committee's Draft Recommendations Outline \(PDF, 12/18/07\)](#)
- [Committee Chair's Letter to the President \(PDF, 12/18/07\)](#)
- [President's Letter to Committee Regarding Additional Charge \(PDF, 12/18/07\)](#)
- [Issues Related to Health, Security and Safety at UF \(PDF, 11/20/07\)](#)
- [UF Police Department Presentation \(PDF, 11/20/07\)](#)
- [Nested Legal Parameters \(PDF, 10/23/2007\)](#)
- [Existing UF Events Policies and Best Practices from Peer Institutions \(PDF, 10/23/2007\)](#)
- [Overview of First Amendment Forum \(PDF, 10/16/2007\)](#)
- [President's Letter to the Committee \(10/2/2007\)](#)
- [Amnesty International Report on Tasers \(PDF\)](#)
- [Wake Forest University Report on Tasers \(PDF\)](#)
- [Taser Journal Articles \(PDF\)](#)
- [Description of the Wake Forest taser study plans](#)
- [Research study on heart effects of taser shock](#)
- [NIJ Taser Reports](#)
- [NIJ list of ongoing studies on taser safety](#)
- [Bozeman Taser Safety Presentation \(PDF, 2/11/08\)](#)
- [Recent CEW Medical Studies \(PDF, 2/11/08\)](#)
- [Studies Examining Taser Injuries \(PDF, 2/6/08\)](#)

Documents Related to "Obsession" Movie Advertisements

- [Follow up e-mail to students from Telles-Irvin \(PDF, 12/13/07\)](#)
- [Willis letter to President Machen \(PDF, 12/12/07\)](#)
- [Response to Foundation for Individual Rights in Education \(PDF, 12/10/07\)](#)
- [E-mail to students from Telles-Irvin \(PDF, 12/06/07\)](#)
- [Letter from Rep. Adam Hasner to President Machen \(PDF, 12/05/07\)](#)
- [Rep. Hasner Press Release \(PDF, 12/05/07\)](#)
- [Letter from Attorney General Bill McCollum \(PDF, 12/03/07\)](#)

Committee on a Civil, Safe and Open Environment

Lessons Learned

Free speech and the First Amendment

UF's conduct and event policies

UF Police Department (UFPD) preparation

Resisting arrest

Committee on a Civil, Safe and Open Environment

Summary of Recommendations

1. Individual behavior, education and training of the UF community to assure a civil, safe and open environment (6 total)
2. Event management policies (4 total)
3. UF Police Department policies (6 total)

CSOE recommendations regarding

Individual behavior, education and training of the UF community to assure a civil, safe and open environment

A statement regarding the value of free speech at the UF should be crafted and widely disseminated.

CSOE recommendations regarding

Individual behavior, education and training of the UF community to assure a civil, safe and open environment

A tutorial reviewing issues related to free speech on the UF campus should be made available to all members of the university community.

CSOE recommendations regarding

Individual behavior, education and training of the UF community to assure a civil, safe and open environment

When UF opens a forum/event to the public that involves audience participation it should typically include, at the outset, a brief description of expectations for speakers and audience related to security and free speech.

CSOE recommendations regarding

Individual behavior, education and training of the UF community to assure a civil, safe and open environment

A website, providing training materials on free speech and the First Amendment, should be developed by UF. Members of the CSOE Committee will serve as advisors as appropriate. Links to the information should be placed on the Dean of Students' and Faculty Senate web sites.

CSOE recommendations regarding

Individual behavior, education and training of the UF community to assure a civil, safe and open environment

Students and other members of the University community should be made aware of the details of the student conduct code and regulations relating to disruptive behavior, free speech, and the right to dissent. A student-friendly pamphlet, to be handed out at Preview, can help publicize this information among students.

CSOE recommendations regarding

Individual behavior, education and training of the UF community to assure a civil, safe and open environment

With the support of the Faculty Senate, the UF Board of Trustees should approve modifications to the following UF Regulations: Student Conduct Code, Disruptive Behavior, and Distributing Printed Materials.


Revised UF event management policy developed by Student Affairs provides pre-event planning, training and the delineation of the roles and responsibilities of event hosts to provide for security and First Amendment speech interests.

The CSOE Committee has reached consensus that this revised event management policy is appropriate and should provide sufficient safeguards to prevent a disturbance from unnecessarily escalating.

Review/Enhancement of Protocol for event management

UFPD



- 
- Arrest for disruption
 - Escort out
 - Remind Event leader of opportunities to end event
 - Request leave
 - Give warning
 - Request compliance with event rules

UF Administration

(Office of the Dean of Students, Moderator)



- Request Law Enforcement intervention
- End presentation
- Give warning
- Request compliance

Ushers/Supervisors

(students, event staff)



- Request compliance with established rules
- Remind/warn of rules

 **options**

Training sessions--focusing on event management and security and on protecting First Amendment speech interests relevant to events and areas that are open for public speech at UF--should be held regularly and made available online for all event hosts.

Event hosts may include event managers, event staff, Student Affairs staff, the UFPD, and moderators of events, including but not limited to those involved with large student events.

Relevant portions of the revised event management policy, developed by Student Affairs, should be shared with all groups hosting events, including faculty, staff and student groups. UF should ensure the policies developed by Student Affairs and ACCENT regarding event management are consistent.

Other groups on campus should be urged to consider adopting parallel guidelines regarding providing security while protecting First Amendment speech interests.

For ACCENT events, the procedure used to select questions, when a written question format is used, should assure no censorship or appearance of censorship occurs.

CSOE recommendations regarding

University of Florida Police Department policies

The CSOE Committee recognizes that, as reflected in the UFPD policy, a taser is an intermediate, less than lethal, weapon, and should be used only when it is appropriate to use an intermediate weapon.

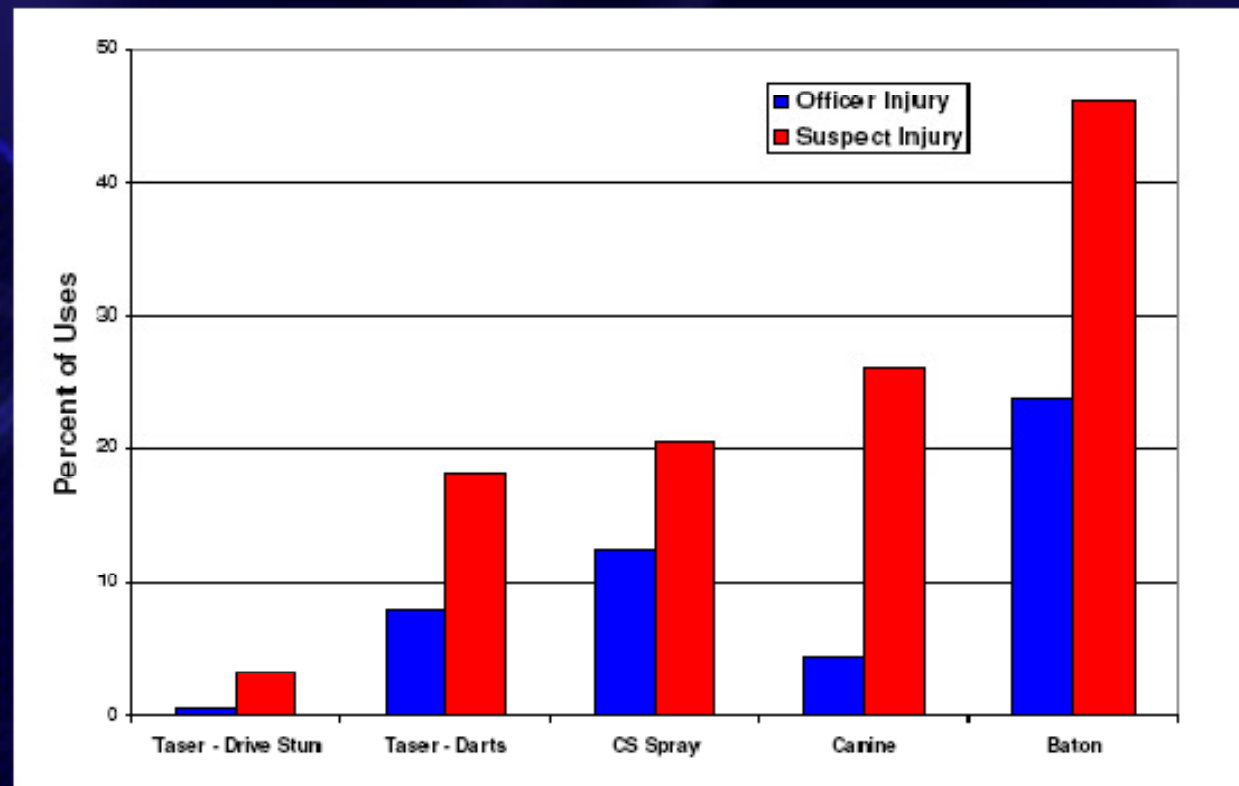
The CSOE committee has reached a consensus that the revised UFPD taser policy, which is more restrictive than State law and more restrictive than the previous UFPD policy, reflects an appropriate use and limitation on use of the taser as an intermediate weapon on campus.

Police Force Options



Provided by William Bozeman

UK Use of Force Review



Provided by William Bozeman

Police Database Reviews

Table 6: Police Field Experience of Reduction in Injury Rates Following Introduction of Taser

Agency	Officer Injury Rate Reduction (%)	Subject Injury Rate Reduction (%)
Cincinnati PD	70	40
South Bend PD	66	60
Austin PD	41	43
Cape Coral	93	68
Phoenix PD	3	55-60
Orange Co.	88	--
Topeka PD	46	41

- Important findings, significant limitations

FDLE

RECOMMENDED

CJSTC

RESPONSE TO RESISTANCE MATRIX

R E S I S T A N C E	6 Aggravated Physical	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
	5 Aggressive Physical	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
	4 Active Physical	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓			
	3 Passive Physical	✓	✓	✓	✓	✓	✓	✓	✓	✓				
	2 Verbal	✓	✓	✓	✓	✓	✓							
	1 Presence	✓	✓	✓	✓	✓	✓							
L E V E L S		Arrival	Interview Stance	Dialogue	Verbal Direction	Touch	Restraint Devices	Transporters	Take Downs	Pain Compliance	Counter Moves	Intermediate Weapons	Incapacitation	Deadly Force
		Officer Presence		Communication			Physical Control			Intermediate Weapons		Incapacitating Control		Deadly Force
		1		2		3		4		5		6		
		RESPONSE LEVELS												
		<p>Checked areas represent authorized, acceptable, beginning response levels. Any response in an unchecked area requires explanation. Refer to definitions for each level of resistance and response.</p>												

Provided by UFPD

Resistance Definitions

1. **Presence** - A subject is on the scene.
2. **Verbal** - A subject verbally refuses to comply with your requests or tries to control the situation.
3. **Passive Physical** - A subject makes no attempt to physically defeat your actions but forces you to use physical maneuvers to establish control.
4. **Active Physical** - The subject may brace or tense himself or herself, try to push or pull away, or not let you come close.
5. **Aggressive Physical** - A subject makes overt, hostile, attacking movements that may cause injury. However, they are not likely to cause death or great bodily harm to you or others.
6. **Aggravated Physical** - A subject makes overt, hostile, attacking movements, with or without a weapon. The person has the intent and apparent ability to cause death or great bodily harm to you or others.

Response Definitions

1. **Officer presence** - Officer adopts a stance at a safe distance from the subject.
2. **Communication** - Officer conducts a two-way, controlled, unemotional communication with the subject using verbal direction, and if necessary, a soft assisting touch to comfort, console, or gain a subject's attention.
3. **Physical Control** - Officer uses restraint devices (handcuffs), physical techniques used by the officer to control, move, and or take-down a subject, the infliction of controlled pain upon specific points of the subject's body such as pressure points, and countermoves that impede a subject's movement toward the officer or another person.

Response Definitions

4. **Intermediate Weapons** – Officer uses less than lethal weapons to control a subject.
5. **Incapacitating Control** – Officer uses that level of force necessary to stun or render a subject temporarily unconscious or unable to continue to resist.
6. **Deadly Force** – Officer uses a level of force that may result in death, great bodily harm, or permanent disfigurement, including strikes to the head with an impact weapon or use of a firearm.

Resistance vs. Response

- | | |
|-------------------------------|----------------------------------|
| 1. Presence | 1. Officer Presence |
| 2. Verbal | 2. Communication |
| 3. Passive Physical | 3. Physical Control |
| 4. Active Physical | 4. Intermediate Weapons |
| 5. Aggressive Physical | 5. Incapacitating Control |
| 6. Aggravated Physical | 6. Deadly Force |

FDLE

RECOMMENDED

CJSTC

RESPONSE TO RESISTANCE MATRIX

RESISTANCE LEVELS	6 Aggravated Physical	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	5 Aggressive Physical	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	4 Active Physical	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	3 Passive Physical	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
	2 Verbal	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
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LEVELS		Arrival	Interview Stance	Dialogue	Verbal Direction	Touch	Restraint Devices	Transporters	Take Downs	Pain Compliance	Counter Moves	Intermediate Weapons	Incapacitation	Deadly Force	
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		RESPONSE LEVELS													
		<p>Checked areas represent authorized, acceptable, beginning response levels. Any response in an unchecked area requires explanation. Refer to definitions for each level of resistance and response.</p>													

Provided by UFPD

CSOE recommendations regarding

University of Florida Police Department policies

The UFPD should incorporate into its ongoing continuing education program information focusing on providing security while protecting First Amendment speech interests. Continuing education on this subject should be held regularly and should be made available online.

CSOE recommendations regarding

University of Florida Police Department policies

The UFPD's annual report to accrediting agencies, which includes a section on use of force incidents, should be made accessible to the public on the UFPD website.

CSOE recommendations regarding

University of Florida Police Department policies

The UFPD should report to the UF Faculty Senate annually, including information on use of force incidents, parallel to the report currently made annually to the Student Senate. This report should be made accessible on the UFPD website.

UFPD - 2007

- 41,094 calls for service
- 3,326 generated reports
- 892 arrests
- 58,500 point-to-point SNAP Escorts (approximately)
- 705 RAD (Rape Aggression Defense Training)

- Personnel/Divisions
 - Criminal Investigations Division
 - Community Services Division
 - Training Division
 - Patrol Division
 - 11 CIT Officers (Crisis Intervention Team)
 - 12 CIRT Officers (Critical Incident Response Team)

CSOE recommendations regarding

University of Florida Police Department policies

The revised UFPD Use of Force policy, which clarifies the circumstances under which tasers are to be used on campus, should be made accessible on the UFPD website.

CSOE recommendations regarding

University of Florida Police Department policies

The Use of Force policy should include (if it doesn't already) a provision to the effect that when appropriate use of force is dependent on what a situation "appears" to a police officer to be, this means what the situation appears to a "reasonable police officer" to be under all of the facts and circumstances at the relevant place and time.

Doing the math: maximizing public input using the City of Gainesville model

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(6:00-7:30 p.m.)

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*IF NECESSARY A SECOND SESSION WILL BE HELD TOMORROW--
6:00-7:30 IN 355C HOLLAND HALL*

Your input on these topics is welcome:

1. Individual behavior, education, and training of the UF community to assure a civil, safe and open environment.
2. UF event management.
3. UF Police Department policies.
4. Other issues pertinent to the CSOE Committee's charge.

Committee members' contact information

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Thank you for your participation