

**PRIVILEGED &
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**Analysis of Confrontation
Between Barnard College
Public Safety And A
Columbia University Student
On April 11, 2019**

**Prepared for
Barnard College**

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EXECUTIVE SUMMARY

On April 11, 2019 on the campus of Barnard College, an all-women residential college located in New York City, a male¹ individual later identified as a Columbia University student was involved in a confrontation with Barnard College Public Safety (“BCPS”) personnel. As described in more detail below, the student had walked past a BCPS officer assigned to the main gate without showing identification. Barnard College has a policy that all individuals who enter the campus after 11:00 p.m. are required to display identification to the BCPS officer at the main gate. The officer tried to get the student’s attention repeatedly to no effect. The officer radioed for assistance as he followed the student to the Milstein Center for Teaching and Learning (“Milstein Center”). Inside the Milstein Center, the officer approached the student and requested identification. The student did not comply with the request to show identification.

Shortly thereafter, in response to the radio transmission, a BCPS Supervisor arrived at the Milstein Center, followed by four other officers. The Supervisor and the original officer placed their hands on the student’s shoulders and arms, braced the student against a counter and demanded identification. The officers created a semicircle around the student. The student demanded to be released, declared he was a Columbia University student and then produced a Columbia University identification card. The supervisor and officer released the student, verified his enrollment at Columbia University, returned his identification and left the location.

¹ The male self-identified as a “black man” in his Columbia Spectator Op Ed piece dated May 21, 2019. This fact is included here because of the concerns that race may have been a factor in the confrontation. These concerns were voiced by the male and by Barnard students. As such, T&M was retained to determine, among other items, whether race was a factor in the events of April 11, 2019. We note that in a report posted by Inside Edition dated April 16, 2019 the male stated “I’m inclined to say this falls along racial lines.” In contrast, in an interview with a CNN reporter that same day, and in response to the direct question, “(Y)ou’re saying that you think it was racial profiling” the male replied, “The reason I didn’t think it might be ... (I)t wasn’t until they told me we’re checking your ID because of this rule that I understood that was why.” Accordingly, T&M believed it to be significant to identify the male’s race.

The following day, in response to the confrontation, Barnard sent a communication to the student body and held a listening session.² Barnard placed the six BCPS personnel involved on administrative leave pending an independent review. On April 15, 2019 Barnard retained T&M Protection Resources, LLC (“T&M”) to conduct an independent analysis of the confrontation, to determine if race was a factor in the response by BCPS towards the Columbia University student, and to make appropriate recommendations as necessary and consistent with best practices. T&M was given full access to interview Barnard personnel, reviewed numerous documents and videos and conducted site visits to the relevant locations.

T&M’s review relied primarily on the following sources:

- Thirty interviews³ with members of the Barnard College community, including nine Barnard students, nineteen members of BCPS, and two Aramark⁴ employees who were present at the Milstein Center;
- Analysis of BCPS Incident Reports,⁵ Persona Non-Grata Reports and related documents prepared by BCPS;
- Review of Barnard College surveillance footage, including video footage in and about the Milstein Center captured on April 11, 2019;
- Examination of images captured on April 11, 2019 by student witnesses on mobile devices and made public on social media platforms;

² Barnard held a community listening session on April 12, 2019 and a staff listening session on April 15, 2019. On April 16, 2019 Barnard held a community forum on equality and inclusion. In addition, two messages from Barnard President Beilock were sent to the community. President Beilock also held a meeting with the Columbia University Student. The College also created a Barnard Community Safety Group.

³ As discussed in more detail below, the Columbia University student involved in the confrontation declined T&M’s repeated requests for a meeting.

⁴ Aramark was the food vendor at Barnard College on April 11, 2019.

⁵ In 2017, a total of two BCPS Incident Reports were prepared for trespassing. In 2018, a total of fourteen BCPS Incident Reports were prepared for trespassing. Between January 1, 2019 and April 11, 2019, a total of ten such reports were prepared.

- Evaluation of newspaper and television interviews given by the Columbia University student involved in the confrontation;
- Review of New York City Police Department crime data.

T&M did not find evidence to support a determination that race was a factor in the confrontation between BCPS and the Columbia University student. T&M did find the breadth of BCPS response and the lack of utilization of de-escalation techniques served to intensify the encounter for both the Columbia University student and for the Barnard students present in the Milstein Center and was inconsistent with best practices for a campus security department.

T&M found a lack of updated written guidelines, policies and procedures to inform its staff in the consistent execution of their duties, including the use of radio codes. There is also an absence of training for BCPS staff regarding their duties including effective ways for BCPS to interact with the public, especially in reference to individuals who are found to be on the campus with no affiliation to the College. Communication between BCPS management and officers was also found lacking, perhaps most notably regarding the dissemination and implementation of new policies and the consistent enforcement of existing rules.

T&M also found that the perceptions of BCPS by the student community while anecdotal, are a potent barometer of the performance of BCPS. Indeed, it is emblematic of the deficiencies of BCPS outlined in this report. A lack of updated written guidelines, policies, and training creates an environment in which each officer of BCPS responds or reacts dissimilarly. This lack of consistency in enforcement leads to a perception, if not a reality, of disparate treatment of individuals with whom BCPS interacts on campus. Notwithstanding the perception, T&M did not find evidence that race was a factor in this confrontation. However, the events of April 11, 2019 have shed a bright light on a multitude of shortcomings within BCPS.

BCPS is comprised of officers with and without formal law enforcement training. T&M's interviews revealed they express satisfaction in their roles serving the Barnard community. A data driven analysis revealed that they have assisted in making the Barnard campus an overwhelmingly safe campus. However, without consistent clear guidelines, leadership, training and accountability, any officer or supervisor has the potential to fail at executing the mission of both the BCPS and Barnard College.

As such, T&M makes the following recommendations:

- Development of an Operational Guide with written policies, procedures and guidelines and update on a regular basis;
- Formalize a training program for newly appointed officers to complement state mandated training including specific training by Barnard management on policies and procedures as well as management expectations;
- An ongoing comprehensive formalized training program for all personnel from Public Safety to reflect best practices for a college security department consistent with the mission of Barnard College. This program should specifically include de-escalation training protocols;
- Create appropriate processes to ensure compliance with all policies and procedures;
- Communicate relevant Barnard security policies to the Columbia University community;
- Conduct an independent and comprehensive physical security assessment of the Barnard campus by subject matter experts.

A. THE CONFRONTATION

OVERVIEW OF THE CONFRONTATION

T&M's analysis of the incident is based on its review of video footage and relevant documents and statements made by witnesses. T&M reviewed the information provided by each witness and evaluated the credibility of their accounts utilizing various factors. Specifically, T&M examined, where possible, the consistency or inconsistency of their various accounts of events given over time, the demeanor of the witnesses during their interviews, the witnesses' motives to not be honest, whether other corroborative or contradictory evidence exists, as well as whether the witnesses' versions of events made sense.

On April 11, 2019 at approximately 11:30 p.m., a male individual later identified as a student at neighboring Columbia University,⁶ walked quickly past a Barnard College Public Safety Officer assigned to the main manned access gate at 117th Street and Broadway without showing identification.⁷ There is a policy in effect at Barnard College that all individuals entering the campus after 11:00 p.m. must show identification to the BCPS officer assigned to the booth at the main gate.

Interviews revealed that the Barnard College Public Safety Officer ("PSO") on duty at the gate at that time was PSO #1, a 33-year employee of BCPS. He stated that while in the booth at the access gate, he observed a male quickly pass the gate looking straight ahead and enter the campus. The officer told T&M he immediately grabbed his radio and exited the booth. He recalled calling out to the male "excuse me, sir...excuse me, sir..." The PSO said the male was "walking with a purpose" and did not acknowledge nor otherwise respond to his repeated exclamations.

⁶ To address privacy concerns, the names of all individuals interviewed or referenced in this report are not identified herein but are known to T&M.

⁷ The only available source for this information is T&M's interview with the BCPS officer on duty at the gate. There is no video coverage of the main gate.

The PSO explained that he then announced over his radio, which could be heard by other on-duty BCPS officers, that he had a trespasser on campus who was heading towards an area known as North Campus. He stated that the distance between the two was approximately twenty feet and that there was a lack of other pedestrians in the area. These facts, coupled with the volume at which he stated he was calling to the male, made it apparent to him that the male was ignoring him. Nonetheless, the PSO stated he repeated his effort to gain the male's attention and called out, "excuse me, sir..." He then acknowledged that he radioed "supervisor, I need you," as he continued to follow the male. PSO #1 indicated that failing again to receive any acknowledgment from the male, and not knowing the male's possible intentions, he finally called a code "10-13" over his radio, indicating that he needed immediate assistance from any and all available officers.

A "10-13" is a universally recognized law enforcement and New York City Police Department ("NYPD") radio code used to indicate that an officer needs immediate assistance due to an imminent and serious threat of physical injury to the officer.

As a result of PSO #1's "10-13" radio transmission,⁸ other officers responded to the Milstein Center. Barnard video footage revealed the male entering the Milstein Center. PSO #1 followed the male into the Milstein Center and saw him approach a small group of individuals who were seated near Peet's Cafe.⁹ PSO #1 stated that he approached the male and requested identification. The male did not comply with the request.

Supervisor #10 stated that he arrived¹⁰ in the Milstein Center followed by other officers responding to the "10-13" call. Supervisor #10 approached the male from the rear and immediately placed his

⁸ PSO #5 and PSO #4 reported they heard the call as "10-13 Milstein." Thus, they headed to the Milstein Center.

⁹ Peet's Café is a coffee shop located inside the Milstein Center on the 1st floor.

¹⁰ Supervisor #10 recalled that when he received the radio transmission, "supervisor, I need you" he immediately went towards the gate where PSO #1 was assigned. Upon hearing the "10-13" call, Supervisor #10 redirected himself to the Milstein Center.

hand on the male's shoulder to gain control of the situation and escort him out of the building.¹¹ PSO #1 placed his hand on the male's arm. Supervisor #10 said he demanded the male to produce identification and explain his reason for being on campus. The male demanded that Supervisor #10 remove his hands, identified himself as a Columbia student and insisted the officers explain why he was being stopped. The video footage reveals that the male claimed he had been stopped twice previously.¹² The confrontation became chaotic with elevated voices from both the male and the BCPS officers.

Review of video footage reveals that the male continued to demand that the officers remove their hands from his person. The video further indicates that the male was braced against the counter in a semi prone position by BCPS members.¹³ Several witnesses later identified as Barnard students in the area became alarmed and began to cry.

Supervisor #10 held onto the male at the counter and allowed him to rise and reach into his front pants pocket. The male retrieved a wallet and removed a card which he stated was his Columbia identification. The male handed the identification card to Supervisor #10. Once he produced the identification card, Supervisor #10 removed his hand from the male. Supervisor #10 asked the male to step outside the building with him while he called to verify his enrollment status. The male, in an elevated voice, declined to step outside.

The video footage revealed that in less than one minute, Supervisor #10 received verification that the male was a student at Columbia University ("the Columbia University student"). Supervisor

¹¹ In his initial interview with T&M, Supervisor #10 stated he placed his hands on the male in order to check for possible weapons "like a screwdriver." No such check was performed by any BCPS personnel.

¹² T&M requested all documents related to these interactions. No documentary evidence existed to support this claim.

¹³ Supervisor #10 stated that the male "went limp" and laid backwards over a counter.

#10 returned the identification card to the Columbia University student and BCPS dispersed.¹⁴ The Columbia University student remained in the Milstein Center.

Immediately after the confrontation, student witnesses began posting videos on various social media platforms and video sharing websites. The videos generated the interest of mainstream media and the confrontation was widely reported, culminating in numerous television and newspaper interviews with the Columbia University student about his experience. Supervisor #10 prepared a report regarding the confrontation and sent an email regarding the incident to the BCPS Executive Director.

On April 12, 2019 Barnard College placed the six BCPS officers involved in the confrontation on administrative leave.

ANALYSIS OF THE CONFRONTATION

T&M found that the significant differences in the professional work history between PSO #1 and Supervisor #10, coupled with a lack of training and guidelines, resulted in a response that rapidly escalated from what should have been a routine interaction into a physical confrontation on the night of April 11, 2019.

BCPS is an unarmed security department with no law enforcement powers or authority. They are not authorized to carry handcuffs or other restraint devices. On April 11, 2019 Supervisor #10 placed his hands on the Columbia University student, which escalated the situation. PSO #1 quickly followed the actions of his Supervisor and also physically engaged the student. When Supervisor #10 arrived at the Milstein Center, PSO #1 was speaking with the Columbia University

¹⁴ Before departing the Milstein Center, PSO #5, one of the officers who had responded to the “10-13” call, admonished several students, who questioned the actions of BCPS during the confrontation, in a manner which continued to escalate the encounter.

student and although the Columbia University student had refused to comply numerous times with the PSO's directive to produce his identification, the situation was not physical in any way nor appeared to put any of the officers or students in physical danger.

T&M has reviewed the materials for the 8-hour security guard refresher training course that every BCPS officer must take each year as mandated by the State of New York.¹⁵ One slide in the training course is devoted to the "use of force" and reads as follows:

"A private person acting on his own account may use physical force other than deadly physical force upon another person when and to the extent that he reasonably believes such to be necessary to effect an arrest or to prevent an escape from custody of a person whom he reasonably believes to have committed an offense and who in fact committed such offense."

In T&M's review of BCPS training material, there is no guidance for the officers in how to effectuate any potential "use of force" as expressed in the above-mentioned slide.¹⁶ BCPS personnel have received no documented training or guidance to assist officers in how to de-escalate an interaction. Appropriate training generally consists of levels of control, with physical control being a significant escalation after officers have first used presence, demeanor, stance and numbers present, to resolve the interaction through a series of verbal controls from conversational to persuasive to forceful. The concept governing this training is to de-escalate and diffuse an encounter and prevent a physical altercation.

¹⁵ The minimum training requirements of a Security Guard mandated by the State of New York. Although Barnard and T&M staff refer to BCPS as officers, the New York State Department of Criminal Justice Services characterizes individuals in this capacity as Security Guards for purposes of licensing and training.

¹⁶ Supervisor #6 was asked how BCPS would handle a trespasser who refused to comply. He told T&M, "that's the million-dollar question."

Supervisor #10, as observed in the video footage, displayed no attempt to utilize any form of de-escalation in his interaction with the Columbia University student. Upon his arrival at the Milstein Center, and without assessing the existing dynamic between PSO #1 and the Columbia University student, Supervisor #10's immediate action was a physical response, thereby creating a chaotic and potentially dangerous situation. Once the Columbia University student produced his identification card, Supervisor #10 made a belated and ineffectual attempt to de-escalate the situation.

Supervisor #10, a retired New York City Police Lieutenant with more than twenty years of police experience stated he had never heard a "10-13" transmitted over the radio in his three and one-half years working at the Barnard campus. He further indicated that upon hearing the transmission, and without any Barnard training or policy to the contrary, he reflexively defaulted to his prior police training and experience relating to the significance of that radio code. As previously indicated, a "10-13" code, in police parlance, signifies a grave and immediate danger to the physical safety of the officer broadcasting the call. In contrast, PSO #1 had no prior law enforcement experience. PSO #1 stated he transmitted the "10-13" code,¹⁷ again without any Barnard training, to indicate simply that he required assistance.¹⁸

Moreover, response to the "10-13" transmission by so many officers also served to escalate the situation both for the Columbia University student and for the students present in the Milstein Center. Under the actual circumstances encountered by BCPS, this response was excessive and inconsistent with best practices for a campus security department.

¹⁷ In an interview with Supervisor #10 with T&M Investigators, he stated that upon hearing the "10-13" he thought PSO #1 was getting the "(expletive) beat out of him."

¹⁸ PSO #1 claimed that he had used the "10-13" code "hundreds of times" in his 33-year career at Barnard. Interviews with other officers contradicted this statement. Other officers stated to T&M that this code was seldom, if ever, used. Since radio transmissions by BCPS are not recorded and preserved T&M was unable to conduct a data driven analysis of the frequency of the use of this radio code.

C. THE COLUMBIA UNIVERSITY STUDENT

It was T&M's desire to commence the investigation by speaking with the Columbia University student regarding the events of April 11, 2019. As such, on April 16, 2019 the day after T&M was retained, T&M made the first of numerous and repeated requests to the Columbia University student to arrange such a meeting. While the communications with him were cordial, multiple reasons were given by the Columbia University student regarding his unavailability. T&M agreed to accommodate any and all requests regarding the manner, location and individuals he desired to have present at the meeting.

Ultimately, on May 11, 2019 the Columbia University student emailed T&M and stated, "after some more consideration with my family and lawyers, I have decided that it would be in my best interest to decline your offer to participate in your investigation."

Absent any direct conversation with the Columbia University student, it was necessary for T&M to rely on the numerous and differing accounts he gave to various media outlets concerning the events of April 11, 2019.

In a video on Facebook dated April 12, 2019 the Columbia University student was asked if he showed his ID at the main gate. He claimed he was unaware that he was supposed to show his ID at the main gate.

<https://www.facebook.com/caroline.cutlip/videos/pcb.10216901092152988/10216901020511197/?type=3&theater>

In an interview published on April 12, 2019 by the Columbia Spectator, the Columbia University student claimed he was aware of the rule mandating students show their IDs but expressed his

frustration with what he cited as inconsistent enforcement of the rule as he had noticed that white students were often not asked.

According to [the Columbia University student],¹⁹ Barnard Public Safety officers have approached him twice in the past year, both times when he was in Barnard Hall for dance practice. [The Columbia University student] claimed that the first time, Public Safety requested his ID as he was leaving the building, and the second time, he was drinking water at the water fountain barefoot during rehearsal and Public Safety wanted to verify that he was not a homeless man.²⁰ “Because of all that, I said ‘Nah that’s not happening again this time’” [the Columbia University student] told Spectator in regard to showing his ID.

<https://www.columbiaspectator.com/news/2019/04/12/black-columbia-student-physically-restrained-on-countertop-by-barnard-public-safety-requesting-to-see-cuid/>

New York Amsterdam News Podcast of April 18, 2019 states:

[The Columbia University student]²¹ states “I was pretty sure that the Barnard safety officer was calling to me hello sir...hello sir and asked me to show my ID and at this time I decided I wasn’t going to show them my ID.”

[Amsterdamnews.com/news/2019/apr/05/new-york-amsterdam-news-podcast](https://www.amsterdamnews.com/news/2019/apr/05/new-york-amsterdam-news-podcast)

In his CNN interview, the Columbia University student stated there were times in which he was able to walk through the gates without having to show his ID and therefore, he didn’t know to show his ID at the gate.

¹⁹ T&M removed the name of the Columbia University student from this quote.

²⁰ No documentation of these encounters was provided to T&M nor did a review of BCPS limited security footage and documentation reveal the existence of these encounters.

²¹ T&M removed the name of the Columbia University student from this quote.

According to the Columbia University student, “The reason I didn't think that it might be is because in the past two instances that I have had this past year of (Inaudible) public safety officer stopping me, it hasn't been with regard to any policy whatsoever, right? This was the only time of the three times that I've been stopped at Barnard that it was with regard to an ID- checking policy.”

<https://www.cnn.com/videos/us/2019/04/16/barnard-columbia-student-campus-police-bts-ctn-vpx.cnn>

<http://transcripts.cnn.com/TRANSCRIPTS/1904/15/cnnt.01.html>

Additionally, in an April 14, 2019 article by Katie Mettler in the *Washington Post*, she wrote,

[The Columbia University student]²² thought about two other occasions he had been stopped by Barnard public safety officers and asked to show his ID, encounters he said were a result of racial profiling.²³ They once demanded to see his ID as he was leaving a two-hour dance practice. Another time, he left dance practice to run — barefoot — to the bathroom, and he was stopped again because the officers assumed, he was homeless.

https://www.washingtonpost.com/education/2019/04/14/video-shows-black-columbia-student-pinned-by-campus-police-after-failing-show-his-id/?noredirect=on&utm_term=.d772d046eb1c

In an Inside Edition interview, published on April 16, 2019, the Columbia University student claimed that this incident “falls along racial lines.”

<https://www.youtube.com/watch?v=VvdIQwZri5I>

²² T&M removed the name of the Columbia University student from this quote.

²³ T&M specifically questioned a number of the responding officers regarding the issue of race. Each stated that race played no part in their actions.

In the Amsterdam News in an article published on April 18, 2019 the Columbia University student accused the public safety officers of racially profiling him and using excessive force. He stated that this wasn't the first time he was in the situation he was in and claimed that it was happening to other people.

“Everything else is a difference. So whereas last week it was me walking through the gate and then being asked to show my ID, the very first time it happened, it was me exiting a building on campus that I had already been in for 2 hours and being asked to show my ID. The second time, it happened to me at Barnard, it was me walking from one part of that building, the same one that I had exited from during the first time, to another part of the building, and while within building, which I had already been in for an hour, being asked to show my ID. So again, the similarities are just being stopped and being asked but the situation in which that stopping and asking was happening were different every single time.”

<http://amsterdamnews.com/news/2019/apr/18/black-columbia-university-student-alleges-racial-p/>

D. PERCEPTIONS

STUDENT PERCEPTIONS REGARDING THE APRIL 11, 2019 CONFRONTATION

T&M interviewed Barnard students who witnessed all or part of the confrontation on April 11, 2019. Barnard also requested T&M interview students who did not witness the confrontation to share their experiences about BCPS to assist T&M in understanding the context in which the confrontation occurred and the culture at Barnard.

Two of the students stated they were seated in the Milstein Center when the Columbia University student approached their area. These and another student stated they witnessed the portion of the confrontation which occurred inside the Milstein Center. One student recalled the Columbia University student asked about some food that was left over from a student government meeting.

The students saw BCPS officers approach the Columbia University student, confront him about entering the campus without producing identification and put their hands on him. The students recalled both parties shouting and that the scene was chaotic. The students felt that the number of officers and amount of force used by them was an overreaction to the situation. One student reported that there was a discernible shift in the posture of the officers and the space they afforded the Columbia University student once they appeared to verify his status as a Columbia student.

Moreover, the students recalled questioning BCPS officers after the confrontation about why the Columbia University student was being treated so aggressively and were told that he ran onto campus and ran inside the Milstein Center. One student said that in the immediate aftermath she and others had an opportunity to question three white male Columbia students. She says that two reported that they had just entered the campus through the main gate which was manned with an officer and they were not required to produce identification.²⁴ One student recalled that the Columbia University student told BCPS that he forgot to show his identification only for her to later read in the Columbia Spectator that the Columbia University student stated he “chose not to show his ID that night.”

One student was upstairs at the Milstein Center and did not witness the confrontation. She heard screams and saw people head downstairs, so she followed them. By the time she arrived downstairs the confrontation was over and she watched a video of it taken by her friend. She said she immediately thought the incident “was racial” in nature and “very reminiscent” of police brutality videos that she had seen on social media from 2014 to 2017.²⁵ She heard the Columbia University student arguing with BCPS proclaiming that he did nothing wrong and that BCPS had been following him.

²⁴ There is no video coverage of the main gate of Barnard College. Thus, T&M was unable to verify this claim.

²⁵ As noted in footnote 1, supra., part of T&M’s mandate specifically included an analysis of the role race played, if any, in this incident.

**STUDENT AND BARNARD COLLEGE PUBLIC SAFETY PERCEPTIONS
REGARDING THE AFTER 11:00 P.M. MANDATORY IDENTIFICATION POLICY**

T&M was informed that in 2013 Barnard College instituted a policy that requires photo identification be shown to BCPS officers prior to entering the campus between the hours of 11:00 p.m. and 7:00 a.m. This policy is recorded in the Barnard College Annual Security and Fire Safety Report, as follows:

Access to the main campus is restricted after 11:00 PM to the main gate located at 117th Street and Broadway and the 119th Street gate located on Claremont Ave. All persons entering the main campus after this time must present a valid Barnard College or Columbia University ID card prior to entry.

There is, however, no procedure listed for enforcement of this policy by BCPS staff.

Interviews of multiple Barnard students and BCPS staff revealed the policy is, at best, inconsistently enforced by BCPS. Salient points from those student interviews include the following:

- One student estimated she is asked to produce identification after 11:00 p.m. approximately 75% of the time.
- Another stated she sometimes shows her identification and other times does not but usually there is some sort of acknowledgment from the officer.
- A third reported instances where she did not show any identification at all and was not stopped by BCPS after 11:00 p.m.
- A fourth stated the policy doesn't actually make students safer because of its inconsistent enforcement where, depending on who is manning the post, a wave of the hand or any card that looks like a student ID is sufficient for entry.
- This student added that it has been her experience when dealing with groups entering campus, a single ID will often suffice for an entire group to pass.

- Yet another student stated she is always asked for identification.
- Finally, one student stated she learned there were a number of students who have never been asked for their identification. She was unable to provide the names of any of those students to T&M.

Salient components of interviews with BCPS staff revealed:

- PSO #5 stated “everyone is asked to show identification after that time to get on campus” although if he recognizes the student, he does not ask her for ID. He added that “if she has a guest, [he] asks for the identification of the guest.”
- Supervisor #8 stated that with Barnard being an all-female school, it is only logical that males in general would attract more scrutiny from BCPS, especially late at night.

STUDENT PERCEPTIONS OF BARNARD COLLEGE PUBLIC SAFETY

T&M also interviewed Barnard students regarding their perceptions of BCPS and the climate on the campus. Salient points from those student interviews include the following:

- One student believes that black male students are “definitely profiled” by BCPS though she could not provide specific details.
- Another characterized her interaction with BCPS as limited to one positive experience where BCPS was ready and willing to assist her.
- A third stated her experience with BCPS has been negative. She perceives BCPS to have a pattern and history of profiling black males. She did not provide details.
- Yet another student stated that her experience with BCPS has been “a mixed bag of good, bad and in the middle experiences.” She said there was inconsistent messaging about what BCPS can and will do other than call the NYPD. She added that their “policies are not very clear.”

- Finally, one student views BCPS as a disciplinary force which surveils the student body. She stated that as a black student, she felt threatened by BCPS and that other black students, whether male or female, at both Columbia and Barnard, share a similar view of BCPS which includes acts of racial profiling. She also stated that students from the LGBTQ-Plus Community have told her they feel BCPS has a negative bias towards their members. She also described a time when an officer “hit on” her.

E. BARNARD PUBLIC SAFETY POLICIES AND PROTOCOL

In an interview, T&M was informed by the Executive Director of BCPS that BCPS consists of an Executive Director, three Directors and six full-time Supervisors. There are an additional sixty-six employees who are represented by different unions that consist of thirty full-time Security Officers and thirty-six full-time access attendants and resident hall dispatchers. There are also a number of on-call personnel to fill in for full-time employees on vacation or otherwise unavailable. These personnel are responsible for protecting Barnard College, an open campus where the public has the ability to enter and leave at will throughout the day.²⁶

Supervisor #7 stated that significant pressure had recently been placed on BCPS by some departments, in particular the Physical Education and Dance Departments, to address the concerns of homeless individuals in non-public areas of the campus. He further stated that BCPS held listening sessions about trespassing and homeless individuals on campus.²⁷ A review of BCPS Incident reports filed between October 1, 2018 and March 31, 2019 revealed eighteen reports for trespassing. A similar review for the prior six months, April 1, 2018 through September 30, 2018, revealed six such reports for trespassing. Supervisor #2 stated Barnard professors requested

²⁶ Balancing the realities of an open campus in an urban setting against the mission of protecting the campus community is one that is inherently challenging and requires the development and implementation of robust policies, procedures and guidelines.

²⁷ According to Barnard, this listening session was related to several security issues on campus.

heightened vigilance to address homeless individuals and trespassers entering Barnard facilities without permission. He stated that BCPS responded to those requests with increased vigilance. Supervisor #7 stated that in January 2019 a supplemental guard post was created to more effectively deal with these issues.

The supplemental guard post was positioned at Barnard Hall. This is notable because, as discussed above, in an interview published on April 12, 2019 by the Columbia Spectator, the Columbia University student claimed²⁸ he was approached by BCPS twice in the past year when he was in Barnard Hall for dance practice.

T&M interviewed nineteen members of BCPS including executives, supervisors and officers. T&M found that BCPS supervisors and officers relied heavily on their individual and varied prior work history and experience in performing their duties due to the lack of updated and relevant written BCPS policies, protocols and training.

T&M received two binders containing BCPS rules and procedures. The first, entitled “Manual of Operations and Rules of Procedure” contains a section²⁹ relating to challenging suspicious persons on campus and includes, in addition to many undated documents, documents dated from 1971. These guidelines instruct the officer to place any person acting in a “suspicious manner” under “discreet surveillance” and “as soon as practical, summon the assistance of other guards, by radio or otherwise to aid in the surveillance, if necessary.” As noted above, this is what PSO #1 did after the Columbia University student passed him at the gate. The guidelines are completely silent on any steps beyond surveillance and/or notification to a Supervisor.

²⁸ As noted above, T&M has found no independent evidence of these encounters.

²⁹ Section 2, pages 2 and 3.

The second binder, entitled “Barnard College Security Procedure Index” contains undated documents regarding general procedures but does not address challenging suspicious persons on campus nor the use of force.

Neither of the two binders appear to have been formally updated. T&M also obtained a draft of a “patrol guide,” dated 2016 but learned that it was never implemented due to what was termed, in one supervisor’s parlance, “a hardline position” taken by the union which has thwarted the effort.³⁰ T&M did note the existence of an Emergency Plan and an Annual Security Report, which is required pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.³¹

T&M learned from interviews with BCPS PSOs and Supervisors that many policies and procedures are informal. A significant number of the BCPS officers have more than 20 years’ experience at Barnard and it is clear that institutional experience is how BCPS has conducted business for years. For example, T&M was informed that the policy requiring BCPS to check identification of all individuals entering the Barnard Campus after 11:00 p.m. was implemented in 2013 and set forth in the Annual Security and Fire Safety Report, although PSO #1 stated he learned of the policy by “word of mouth.” It is not a part of a formal written policy and procedures manual produced for Public Safety Officers due to what BCPS Supervisors again described as a robust unionized environment. In fact, Supervisor #10 stated there is no direction as to what PSOs should do if an individual refuses or ignores a request to check identification after 11:00 p.m.

³⁰ T&M did not receive any documentation regarding this claim. The President of one of the unions representing some BCPS staff told T&M that the union wanted policies and procedures updated and in writing to help guide their members.

³¹ The Act is a federal statute requiring colleges and universities participating in federal financial aid programs to maintain and disclose campus crime statistics and security information.

The Executive Director and BCPS Supervisors had strong opinions regarding the role of the union in explaining the lack of written policies and procedures. While there were a multitude of specific examples given, they can be characterized as a general perception that labor management issues are a barrier to formalizing policies, procedures, guidelines and appropriate training. T&M found the absence of written policies and protocols results in BCPS staff reliance on their previous law enforcement training, if any, in executing their duties.

T&M has been informed by a number of BCPS staff that despite the absence of written policies and procedures, BCPS staff have been able to implement and disseminate policies in a more informal manner. Salient components of interviews with BCPS staff revealed:

- One supervisor stated that on-the-job training and the continuous sharing of information between shifts educates and informs the supervisors and officers of relevant issues. Supervisors coming on-duty are given a shift report or “Recap Report” prepared by the outgoing shift.
- Another supervisor said that Recap Reports and roll call trainings are some of the ways that BCPS documents, communicates and retains relevant information used in the performance of their duties.
- A third supervisor said most communication and direction is handed down via email and upon receipt, it is the supervisor’s responsibility to implement.
- Yet another supervisor stated that the email system is the primary means of communication although information is also shared via the “event sheet of the day.” Some information received via email is read aloud at roll call and “sometimes” this information is documented on the roll call sheet.
- One PSO stated that sometimes a new policy is taped to a window in the guard booth.

T&M found a lack of training or guidelines regarding the manner in which BCPS staff should appropriately interact with individuals who are found to be on the campus with no affiliation to

the College.³² In interviews by T&M personnel of Barnard BCPS supervisors and officers, many echoed this sentiment.

Although each BCPS officer must receive the 8-hour security guard refresher training course³³ each year, this course does not focus on the interplay between guards and those with whom they interact. Instead, it focuses primarily on the legal powers and limitations of security guards, emergencies such as active shooter situations, report writing, access control and ethics. BCPS officers also receive a second full day of training specifically geared towards issues relating to Barnard. Supervisor #3 stated issues covered include Fire Safety, Active Shooter, Title IX and Sexual Harassment. Supervisor #2 added that the second day of training also includes Human Resources issues and workplace violence.

F. CONCLUSION

T&M did not find evidence to support a determination that race was a factor in the confrontation between BCPS and the Columbia University student. T&M did find the breadth of BCPS response and the lack of utilization of de-escalation techniques served to intensify the encounter for both the Columbia University student and for the Barnard students present in the Milstein Center and was inconsistent with best practices for a campus security department.

T&M found a lack of updated written guidelines, policies and procedures to inform its staff in the consistent execution of their duties, including the use of radio codes. There is also an absence of training for BCPS staff regarding their duties including effective ways for BCPS to interact with the public, especially in reference to individuals who are found to be on the campus with no affiliation to the College. Communication between BCPS management and officers was also

³² Barnard Administration refers to these individuals as “non-affiliates.” For purposes of this report, T&M has included in this category homeless, suspected or potential trespasses or any unidentified individuals.

³³ T&M was provided with a binder of materials entitled “Barnard College Security Guard 8-hour class 2013.” This binder contained slides dated July 2018.

found lacking, perhaps most notably regarding the dissemination and implementation of new policies and the consistent enforcement of existing rules.

T&M also found that the perceptions of BCPS by the student community while anecdotal, are a potent barometer of the performance of BCPS. Indeed, it is emblematic of the deficiencies of BCPS outlined in this report. A lack of written guidelines, policies, and training creates an environment in which each officer of BCPS responds or reacts dissimilarly. This lack of consistency in enforcement leads to a perception, if not a reality, of disparate treatment of individuals with whom BCPS interacts on campus. Notwithstanding the perception T&M did not find evidence that race was a factor in this confrontation. However, the events of April 11, 2019 have shed a bright light on a multitude of shortcomings within BCPS.

BCPS is comprised of officers with and without formal law enforcement training. T&M's interviews revealed they express satisfaction in their roles serving the Barnard community. A data driven analysis revealed that they have assisted in making the Barnard campus an overwhelmingly safe campus. However, without consistent clear guidelines, leadership, training and accountability, any officer or supervisor has the potential to fail at executing the mission of both the BCPS and Barnard College.

As such, T&M makes the following recommendations:

- Development of an Operational Guide with written policies, procedures and guidelines and update on a regular basis;
- Formalize a training program for newly appointed officers to complement state mandated training including specific training by Barnard management on policies and procedures as well as management expectations;

- An ongoing comprehensive formalized training program for all personnel from Public Safety to reflect best practices for a college security department consistent with the mission of Barnard College. This program should specifically include de-escalation training protocols;
- Create appropriate processes to ensure compliance with all policies and procedures;
- Communicate relevant Barnard security policies to the Columbia University community;
- Conduct an independent and comprehensive physical security assessment of the Barnard campus by subject matter experts.