

30 November 2016

Open letter to UW President Ana Mari Cauce

Dear President Cauce,

We, the undersigned concerned faculty, provide this letter in response to the investigation we and others called for on April 15, 2016 at the School of Public Health's Race & Equity Forum, in relation to a set of events in March 2016 involving UWPD officers and canine unit interactions with Department of Global Health (DGH) staff, students, faculty and guests. The investigative report, dated September 15, 2016, was approved and released to selected parties by President Cauce's office on November 2, and distributed within DGH on November 7 by DGH chair, Judy Wasserheit. The report focuses on the assertions and perspectives of UWPD officers and concludes that the UWPD officers involved in the March 2016 events were not guilty of any wrongdoing in relation to these events.

We acknowledge the importance of President Cauce's statement that she remains "sensitive and vigilant" to the "passions and concerns" regarding the violation of the rights of students, staff, faculty (and guests) of color by the UWPD. However, we speak for many in the UW community, including faculty, students and staff who do not find the commissioned report to be independent. We are deeply troubled by the contrasting lack of good faith demonstrated by the approval and release of such a one-sided report. Complaints of racial profiling and racism by UWPD and other groups have been brought to the UW leadership's attention several times over the past year. To address these issues, concerned faculty and students have made specific demands, which, for the most part, have been ignored by the UW leadership. The demands included 1) an independent investigation of the March 2016 incidents; 2) a statement to the UW community from the UW President's office that UWPD police are directed to discontinue racial profiling; 3) a zero tolerance policy for racial discrimination; 4) immediate reform of UWPD policies and procedures; and 5) the development of a new, public health-based approach to campus security that constitutes a "Safe Campus for All".

Instead of an independent investigation, UW leadership sought services from the law firm of Ogden Murphy Wallace PLLC which allegedly conducts a range of other business with the UW, therefore creating a possible conflict of interest. It is not surprising that the lone investigator, Ms. Karen Sutherland, concluded that the UWPD engaged in no wrongdoing during the two events in question in March 2016. As you may recall, the first event took place on Sunday March 6, 2016 when the UW police stopped and questioned five young African American men on south campus around 7 pm for allegedly smoking in a nonsmoking area. One of these men was a UW employee and staff member in DGH. The young men apparently refused to participate in the investigation. In fact, the entire account of this March 6 event in the report is based only on the perspectives of the police officers, whose presence, actions and claims regarding the events are under scrutiny.

The report acknowledges that these young men were subsequently subjected to background ID checks as well as body and vehicle searches in the presence of a canine unit. The responses by the police officers are inconclusive regarding whether they may have placed their hands on their

guns at some point during the event. One officer (Greary) indicated that he “rests his hand on the hood of his gun so it (his hand) is not dangling”, an action he does not see as an aggressive act, but which may have the effect and impact of an aggressive and dangerous gesture by other participants in the interaction. Other participants in this incident have clearly indicated that the group felt threatened. In each of the above actions taken by the UWPD, Ms. Sutherland the investigator finds the actions to be within the bounds of current UWPD policies, and therefore acceptable. The investigation, however, failed to examine and evaluate the context of the event, the appropriateness of the police action within that context, the proportionality of the police response in relation to the alleged smoking infraction, and subsequent escalation of the encounter concluding with an arrest. These are considerations that likely would have been taken had the investigation been independent.

The second event took place five days later, on March 11 2016, when one of these young men of color, the UW employee, was forcefully grabbed and pushed by two UWPD officers while in his office in the Harris Hydraulics building. Ms. Sutherland concluded that the actions taken were within the bounds of current policies. Again, she fails to provide adequate context, or examine the appropriateness and proportionality of the aggressive police action towards UW community members. This event was witnessed by other individuals whose accounts were either ignored or poorly articulated in the investigative report.

The investigation focused narrowly and solely on whether the UWPD followed its own policies and procedures. A more thorough, accurate, and independent investigation would have defined the issues, at a minimum, to include the following in order to determine if racial profiling had occurred:

1. An examination of whether it is appropriate or a common practice for the UWPD to search a vehicle, run ID checks, pat down individuals, and deploy a canine unit for an alleged smoking violation:
 - Was there in fact a smoking violation committed given that there is a smoking area to the south of the Harris Hydraulics building?
 - Are there any other recent instances in which the UWPD has conducted ID checks, searched cars, and used police dogs in response to a possible smoking violation? To many in the UW community, the circumstances are highly problematic.
 - Are there any examples of such action taken in other UW contexts? If so, when, with whom, under what circumstances and to what end?
 - Is smoking in a non-smoking designated area an issue that should be addressed by weapon carrying officers and canine units at all?
 - If so, is anything beyond a polite request to move to a smoking area justified?
 - Do UWPD officers routinely run background checks of UW community members in the daily line of duty? Under what circumstances?
 - Could the officers have handled the encounter differently, and more respectfully, in a way that did not leave the UW staff member and his guests feeling so angry and threatened that they refused to participate in the investigation?
 - Did the inclusion of a police dog, the arrival of several other officers during the encounter, the apparent acknowledged placement of hands on guns, and the search of the vehicle clearly escalate the tension in the encounter? It is unclear

from the report how these actions could be justified on the basis of such a minor alleged infraction.

2. A careful and comprehensive review of other police encounters with individuals, groups and communities of color on campus over the last five years:
 - Important related events before and after those two days in March were ignored by the investigation. For example, the UWPD has used canine dogs on campus on at least two other occasions; both cases targeted people of color, including at a 2016 Black History month celebration. In both situations where canines were used, the UWPD claimed it was engaged in “training exercises.”
 - Any independent investigation would have had to carefully review and evaluate why police dogs were used in this case and whether canine units are necessary for UW policing. The use of dogs as weapons in racist actions by police to intimidate, injure and suppress the rights of people of color has a long and disturbing history in the U.S. Their presence and deployment at UW are likely to lead to the dangerous escalation of police encounters.

As this case clearly demonstrates, the report fails to disprove charges that UWPD engaged in racial profiling in March 2016 events. It also fails to note that, at many critical points during these two events, the UWPD chose actions that escalated, rather than de-escalated, the situation. Without a genuinely independent and credible investigation into the appropriateness and acceptability of the police response, accountability cannot be ensured, nor can a claim to be “sensitive and vigilant” be taken in good faith.

We therefore call on President Cauce to:

- 1) Pledge to enforce zero tolerance of racial bias in policing at UW;
- 2) Establish an independent community-based Civilian Police Review Board to review all complaints of UW police abuse and police misconduct, including the cases ostensibly reviewed in the Ogden Murphy Wallace report;
- 3) Establish a policy that UW police will not carry firearms, joining a number of major universities in the U.S.;
- 4) Ban the use of police dogs in routine community policing on campus;
- 5) Establish a mental health response team independent of the UWPD;
- 6) Convene a community task force to begin revision of policing at UW to establish a new “Safe Campus for All” security approach in collaboration with student, staff, and faculty groups from campus.

Given the importance of this matter, we respectfully request a meeting with President Cauce as soon as possible, and preferably before the end of the upcoming Winter Quarter, to discuss the above 6 demands. The incident at DGH is an opportunity for the UW to be a leader and model for other universities and communities around the country by embracing civilian police

oversight, disarming our campus police, and developing humane “Safe Campus for All” approaches to campus security. This is a population health issue. Given the initiation of President Cauce's “Race and Equity Initiative” the timing could not be better for the UW to send a strong message.

Respectfully,

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Rachel Chapman, Anthropology, Global Health
Amy Hagopian, Health Services, Global Health
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