In recent years, several highly-publicized episodes of police violence have inspired calls to reform our nation’s municipal police departments. On university campuses, scholars and students alike have joined voices in support of this goal. But despite the popularity of police reform as a topic of advocacy, legal scholars have largely failed to critically examine the police forces that patrol their own campuses. This oversight is a dramatic one, as campus police forces operate at nearly nine-hundred of our nation’s institutions of higher learning and collectively employ almost fifteen-thousand officers nationwide.

To ensure that this significant portion of the American policing enterprise does not escape scrutiny, this Comment offers legal scholars and students a multifaceted analysis of modern campus policing. First, it catalogues the various state laws that enable campus policing operations and offers a new taxonomy to model their jurisdictional powers. The upshot is that, in most states, campus police have the power to arrest, detain, and use force both on- and off-campus. In many states, these powers are extended to campus police employed by private institutions, creating public-private partnerships that empower unaccountable school employees with one of the most closely-guarded powers in American law—the general police power.

To demonstrate how these powers are used in practice, this Comment then presents a case study of campus policing at the University of Pennsylvania. At Penn, school-sponsored police officers patrol a district that extends beyond campus and into the neighboring streets of University City, where they interact with members of the public.

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who are unaffiliated with Penn but who work or live nearby. Despite this fact, Penn’s internal disciplinary system—as well as many of the complimentary services offered by Penn’s police department—are available only to Penn-affiliates, not to the public.

This differential treatment of school-affiliates and the unaffiliated public, and two other campus policing trends, are critiqued in the Comment’s final Part. In addition to pairing these critiques with recommendations for appropriate reform, this Comment demonstrates how campus policing might act as a site for imagining more humane police forces in the municipal context, and encourages scholars to agitate for greater oversight of their own institution’s police forces as a means toward actualizing that vision.

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INTRODUCTION

Throughout one square mile of West Philadelphia, more than one hundred armed, uniformed police officers patrol the streets by car and foot. In the same area, over 1,300 CCTV cameras monitor and record public walkways, entrances to private businesses and residences, and the interiors of certain buildings. If you are arrested within this area, you could face either prosecution or diversion; it is up to the arresting officer to decide which. This police force is the University of Pennsylvania Police Department, and they operate without public oversight.¹

This arrangement is not unique to the University of Pennsylvania, or to the West Philadelphia neighborhood where it is located. In neighborhoods surrounding the nearly nine hundred colleges and universities with their own campus police forces, Americans are policed by officers who are, ultimately, school employees. These officers have the power to arrest, detain, and use force.² Their jurisdictions commonly extend beyond the campus itself,³ and they frequently stop, detain, and arrest members of the public who are entirely unaffiliated with the school that employs them.⁴ While residents of other neighborhoods have at least a modicum of democratic control over their local police,⁵ most people living and working on and around college campuses lack any comparable power.⁶

In most states, it is school administrators alone who control campus police. Administrators determine their policies, procedures, personnel and equipment, and investigate and punish their wrongdoing. It comes as some surprise, then, that legal academics working at these schools—many of whom are dedicated to studying policing—have largely ignored their own institutions’ policing practices.⁷ Indeed, only a handful of scholars have

¹ For an in-depth exploration of this police force, and for supportive citations to these introductory remarks, see infra Section II.A.
² See infra subsection I.B.1.b.
³ See infra subsection I.B.1.c.
⁴ See infra Section I.C.
⁵ Admittedly, the modern tools of democratic police oversight—namely, elections of sheriffs and municipal councilmembers—are questionably efficacious. See infra note 208 and accompanying text. The point I wish to make here is that the public has some official levers for controlling police behavior when officers are employed directly by the government. In the campus policing context, no such levers exist.
⁶ At public schools, who are usually controlled by a Boards of Regents, the accountability procedures for the public are greatly attenuated. At private schools, there are no democratic systems by which unaffiliated members of the public can control campus police. See infra Section II.B.
⁷ Take the work of University of Virginia Law School’s Professor Rachel Harmon as an example. Her recent textbook, THE LAW OF THE POLICE, is a comprehensive tome on its titular topic, but in its almost nine hundred pages of text, it contains no discussion of campus police qua campus police. See RACHEL HARMON, THE LAW OF THE POLICE (2021) [hereinafter THE LAW OF THE POLICE]. Or consider Professor Barry Friedman, who leads the Policing Project at NYU Law School. His 2017
undertaken in-depth studies of campus policing, approaching the topic from either an organizational,\textsuperscript{8} professional,\textsuperscript{9} or criminological\textsuperscript{10} perspective. The bulk of these studies predate the 2000s and they are quickly becoming outdated as campus police departments grow in size, expand their operations, and acquire new technologies that are reshaping the way campuses are policed.\textsuperscript{11} Even fewer scholars have discussed the legal basis for and extent of campus police forces’ jurisdiction,\textsuperscript{12} and none have considered who holds them accountable.

Furthermore, the extant legal literature on campus policing mostly lacks the critical perspective that dominates the contemporary legal-academic

\textsuperscript{8} See generally DIANE C. BORDNER & DAVID M. PETERSEN, CAMPUS POLICING: THE NATURE OF UNIVERSITY POLICE WORK (1983) [hereinafter THE NATURE OF UNIVERSITY POLICE WORK]; see also infra Part II.

\textsuperscript{9} John W. Powell began to write about campus policing as the Dean of Students at Yale University after a seventeen-year stint in the FBI. His work primarily takes the form of modular security “programs” designed for use by campus police departments around the nation. See generally JOHN W. POWELL, MICHAEL S. PANDER & ROBERT C. NIELSEN, CAMPUS SECURITY AND LAW ENFORCEMENT (2d ed. 1994) [hereinafter CAMPUS SECURITY AND LAW ENFORCEMENT].

\textsuperscript{10} The work of Max L. Bromley, who taught at the Department of Criminology at the University of South Florida, provides the best entry point to the extant literature on campus policing. Bromley wrote about campus police in comparison with city and municipal police; about the differences in crime-control tactics between sworn campus officers and nonsworn security guards; about victims’ services offered by campus police departments; and many other topics related to campus police. See In Memoriam: Max Bromley, UNIV. OF S. FLA. (Jan. 9, 2023), https://www.usf.edu/cbs/news/2023/max-bromley-obituary.aspx [https://perma.cc/X4T2-RDGA]; see also Max L. Bromley, Curriculum Vitae, UNIV. OF S. FLA., https://www.usf.edu/cbs/criminology/documents/curriculum-vitae/m-bromley-cv.pdf [https://perma.cc/RCP5-397B]. For further discussion of Bromley’s work on the jurisdiction of campus police, see infra subsection I.B.1c.

\textsuperscript{11} These studies are discussed in the introduction to Part II. See infra Part II.

\textsuperscript{12} There are several notable works tackling this topic. See Max L. Bromley, Policing Our Campuses: A National Review of Statutes, 15 AM. J. POLICE 1, 3 (1996) [hereinafter Bromley, Policing Our Campuses] (cataloguing state campus police enabling statutes); Jeffrey S. Jacobson, The Model Campus Police Jurisdiction Act: Toward Broader Jurisdiction for University Police, 29 COLUM. J.L. & SOC. PROBS. 39, 44-45, 70-78 (1995) [hereinafter Jacobson, The Model Campus Police Jurisdiction Act] (suggesting a model enabling statute that expands campus police jurisdiction); and Jamie P. Hopkins & Kristina Neff, Jurisdictional Confusion That Rivals Erie: The Jurisdictional Limits of Campus Police, 75 MONT. L. REV. 123, 125 (2014) [hereinafter Hopkins & Neff, Jurisdictional Confusion] (“This article examines the scope of lawful campus police jurisdiction and the power of campus police officers.”). All of these articles are discussed further throughout this Comment.

Another initial point should be made about the kinds of “laws” that this Comment examines. In her textbook on the law of the police, Rachel Harmon draws an initial distinction between two kinds of police laws: those that generate or enable policing in the first place, and those that constrain police authority or remedies violations. See HARMON, supra note 7, at 18. Though the latter type of laws has been the primary focus of academic studies on police in general, the former type is equally as interesting in the context of campus policing. Accordingly, this Comment focuses on the laws that generate and enable campus policing.
conversation around policing. In fact, until recently, the most vocal critics of campus police had been students, rather than their teachers. But in the wake of George Floyd’s murder in 2020, some schools have called on their faculties to evaluate and critique their campus policing practices. These investigations have yielded mixed outcomes, and the scholars conducting them have yet to explicitly integrate the lessons learned from such investigations into their own scholarship. Three years later, campus police reform has not remained a topic of ongoing advocacy in the legal community.

13 For example, Bromley’s work is fundamentally social-scientific, and makes no normative claims about the scope of campus police power. See Bromley, Policing Our Campuses, supra note 12, at 3 (explaining that his research was conducted “[i]n order to better understand the extent to which campus police agencies are able to deal with serious crime problems”). Jacobson, on the other hand, actually argues for expanding campus police capabilities, as opposed to constraining them. See Jacobson, The Model Campus Police Jurisdiction Act, supra note 12, at 45 (specifying that the Article’s project is to “mak[e] the case for broader jurisdiction for university police”).


15 See, e.g., infra subsection III.A.1 (describing the mixed results of the University of Pennsylvania’s internal campus police review process).

There are several reasons why campus policing should not be ignored any longer. As an initial matter, campus policing is no small affair. With over fifteen thousand sworn officers employed nationwide, there are roughly as many campus police in America as there are local police throughout the state of Missouri. So, to the extent that legal scholars want to understand the true contours of American policing, campus police should not be overlooked.

Relatedly, campus police receive their legal power in unique, surprising ways that require careful explication. For example, in at least sixteen states, private institutions are permitted by statute to operate campus police departments with full peacekeeping powers. These laws effectively establish public-private governance structures, a kind of partnership which is becoming increasingly common in the world of policing writ large. Campus police can thus be seen as a case study through which scholars can better understand the ramifications of hybrid governance.

Police reformers could learn much from campus policing too. Since campus police are not hamstrung by turgid public bureaucracy, such
departments could more easily be molded into model police forces, whether through democratization, community oversight boards, or any other reformist technique. In this way, campus police reform presents an opportunity for scholars to “think globally but act locally”—to change policing by starting on campus, where reform might be easier to achieve and sustain.

This Comment hopes to initiate some of these inquiries, and in three specific ways. First, Part I begins by explaining the legal structure of campus policing. Modern campus police departments vary most meaningfully in the extent of their geographical jurisdiction, which is a function of state statutory grants of authority, municipal or state “deputization,” and “mutual aid” agreements with local police departments. Previous scholarship has failed to account for the overlapping effects of these three distinct methods of empowerment; to correct this, Part I concludes by suggesting a novel model for classifying campus police according to jurisdiction.

Next, Part II describes the modern practice of campus policing through a case study of the University of Pennsylvania’s Division of Public Safety. This case study suggests that modern campus police perform three core functions—crime control, campus security, and customer service—and illuminates three general concerns about modern campus policing—extensive public interaction without public oversight, differential treatment of school affiliates and non-affiliates, and “mission creep.”

Part III suggests that reformers should work to address these three concerns and makes recommendations for doing so. Additionally, Part III considers whether certain aspects of modern campus policing should be imported into the municipal policing context, and describes how campus police might be useful in incubating wider police reforms. Part IV concludes.

I. THE LAW OF CAMPUS POLICING

The term “campus police” is a blunt descriptor that gestures at a wide variety of security forces, having in common only that they are operated by educational institutions. This Comment focuses primarily on bona-fide police departments operated by and for institutions of higher learning. Other legal scholars have undertaken analyses of state statutes that enable the establishment of campus police departments, the contours of their jurisdiction, and their status as “state actors” for the sake of civil rights

19 See infra Section III.A.
20 See Bromley, Policing Our Campuses, supra note 12, at 3.
21 See Jacobson, The Model Campus Police Jurisdiction Act, supra note 12 at 56-70; see also Hopkins & Neff, Jurisdictional Confusion, supra note 12, at 134-47.
lawsuits.\textsuperscript{22} Though these prior works are all rigorously researched, each suffers from outdated empirical findings in a way that limits its applicability to the modern campus.\textsuperscript{23} To bring the conversation up to speed, this Part will offer updated empirical findings and ultimately suggest a new taxonomy for conceptualizing the various kinds of modern campus police officer. But first, to contextualize this discussion, a short origin story of the modern campus police department is in order.

**A. A Brief History of Campus Police**

The history of campus policing in America has been a story of ever-increasing police presence on college campuses and in the neighborhoods that contain them. Since the dawn of campus policing in the late nineteenth century, universities have consistently taken steps to grow and “professionalize”\textsuperscript{24} their campus security forces. By transforming their personnel from the archetypal “watchmen” of yore into the fully-fledged police officers of today, many schools have created a unique crew of campus peacekeepers who, with their extensive training regimens,\textsuperscript{25} capacious jurisdictional grants,\textsuperscript{26} and near-military arsenals,\textsuperscript{27} are almost indistinguishable from their municipal counterparts.

Before campus police carried guns and arrested suspects, their predecessors carried keyrings and tended to leaky boilers.\textsuperscript{28} Indeed, the earliest forefather of the campus police officer, the “watchman” of the early 1900s, was little more than a custodian concerned primarily with the maintenance of the school’s physical plant.\textsuperscript{29} Usually a retired man working night and weekend shifts, the watchman was primarily tasked with locking and unlocking doors, repairing malfunctioning infrastructure, and keeping an


\textsuperscript{23} For an explanation of why Bromley’s research on campus police jurisdiction is outdated, and the ways that research has come to infect subsequent scholarship, see infra subsection I.B.1.c. This Comment is no exception to the rule of empirical uncertainty; for example, since there is no data collected more recently, I must rely on data about the quantity of campus police officers nationwide dating back to 2012. See generally CAMPUS LAW ENFORCEMENT, 2011–12, supra note 17 (reporting data from the 2011–12 school year).

\textsuperscript{24} See Jacobson, The Model Campus Police Jurisdiction Act, supra note 12, at 46 (describing how “have universities moved to professionalize their security forces”).

\textsuperscript{25} See infra subsection I.B.1.a (discussing the training required of campus police).

\textsuperscript{26} See infra subsection I.B.1.c (describing schools’ jurisdictional grants to police officers).

\textsuperscript{27} See infra note 157 (describing the militarization of campus police equipment).

\textsuperscript{28} See CAMPUS SECURITY AND LAW ENFORCEMENT, supra note 9, at 5 (“They walked a regular watchman’s clock tour at night to act as a fire watch, close and lock doors, tend the boilers, and perform other maintenance tasks.”).

\textsuperscript{29} THE NATURE OF UNIVERSITY POLICE WORK, supra note 8, at ix.
eye out for fire hazards. These employees likely received minimal training and were certainly not granted any legal powers of peacekeeping or arrest. Though some watchmen began to take on additional duties enforcing student conduct regulations around the time that Prohibition was repealed in the 1930s, their role remained largely unchanged throughout the first half of the twentieth century.

During the 1950s, however, university administrators began to recognize the utility of a more formal and organized security force. These administrators were responding to an exceptional rise in student enrollment, major expansion of their universities’ property, and the increased foot and automobile traffic concomitant with these developments. In addition to expanding the sheer size of their security teams, schools hired former police officers to help restructure their campus security squads into units more akin to the urban police departments familiar to these new hires from their prior employment. Despite the ways in which these organizational changes brought the appearance and structure of campus security forces more in line with public police departments, the legal powers of these watchmen remained “limited to detection, detention (if possible) and reporting rather than apprehension and arrest.”

The transformation from “watchman” to “policeman” that started in the 1950s accelerated in the late 1960s in reaction to unprecedented political unrest on campus. In support of Civil Rights causes and in protest of the Vietnam War, college students across America engaged in mass demonstrations and sit-ins, sometimes leading to disruptions of campus activity and destruction of university property. The watchmen-like security

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30 Id.
31 See id. (“The watchmen were given no training as law enforcement officers and were not expected to perform as such.”); see also John J. Sloan, The Modern Campus Police: An Analysis of their Evolution, Structure, and Function, 11 AM. J. POLICE 85, 86 (1992) [hereinafter Sloan, The Modern Campus Police] (“The watchman had no formal training in law enforcement, nor did he serve in a police capacity.”).
32 CAMPUS SECURITY AND LAW ENFORCEMENT, supra note 9, at 5; see also Sloan, The Modern Campus Police, supra note 31, at 86 (“During the mid- to late 1930s, watchmen took on additional responsibilities, some of which involved enforcing campus rules and regulations.”).
33 CAMPUS SECURITY AND LAW ENFORCEMENT, supra note 9, at 5-6.
34 Id.; see also Sloan, The Modern Campus Police, supra note 31, at 86 (“With this boom, campus administrators soon realized there was a need for a ‘police presence’ on campus.”).
35 CAMPUS SECURITY AND LAW ENFORCEMENT, supra note 9, at 5; see also THE NATURE OF UNIVERSITY POLICE WORK, supra note 8, at x.
36 THE NATURE OF UNIVERSITY POLICE WORK, supra note 8, at x.
37 See id. at xi (“With the advent of the era of student dissent, campus protest demonstrations, disruptive student activities, violence and increases in reported crime and fear of crime, an increasing number of educational institutions began replacing their line security officers with more educated and better trained police officers . . . .”).
38 CAMPUS SECURITY AND LAW ENFORCEMENT, supra note 9, at 6.
teams employed by universities were incapable of dealing with such violence and disruption and often allowed volatile situations to escalate until local and state law enforcement could respond with force and arrests. This period of reactionary policing on college campuses came to a disastrous head in 1970 when National Guard soldiers shot several students at Kent State University in Ohio. In the years following this tragedy, universities began to feel a need for well-trained, professional peacekeeping forces of their own, forces that had the ability to handle campus unrest without relying on support from outside police agencies who were unresponsive to the needs and preferences of university communities. It was in these pivotal years that many colleges and universities developed their modern campus police departments.

Today, campus police forces are commonplace. According to a 2015 report from the Department of Justice, almost fifteen-thousand sworn police officers are collectively employed by 68% of four-year colleges in the U.S. that have over 2,500 enrolled students. The vast majority of institutions utilizing sworn officers operate their own campus police departments and issue guns to at least some members of their force. Of all students enrolled in four-year undergraduate programs in America, roughly 82% attend schools with their own campus law enforcement agencies.

B. Campus Policing’s Legal Foundations

Police officers, as their name suggests, are the central means by which a state enforces laws enacted under its “police power.” Much ink has been spilled attempting to define the true extension of this nebulous power, and
a more complete treatment of that topic exceeds the scope of this Comment. It is sufficient to note that American police officers are generally understood to derive their legal authority from state, local, or federal government in some way.\textsuperscript{48} Campus police officers (CPOs)\textsuperscript{49} are no exception to this rule. Across the nation, most campus police departments trace their legal authority to the state in one of two ways: either by statutory grant or by municipal deputization.

1. Statutory Grants of Power

Forty-five states have passed statutes that enable institutions of higher education to establish campus police departments.\textsuperscript{50} These statutes are usually found within legislative chapters related to education, but some states locate their enabling laws in sections dealing with law enforcement or security.\textsuperscript{51} Among these forty-five states, there is some variation regarding who is eligible for campus police powers and which powers are in fact granted. However, the question of where campus police powers may be lawfully used is the most difficult to generalize about, both because the statutes vary widely in their jurisdictional grants and because campus police often expand their jurisdiction through mutual aid agreements with local police or deputizing their CPOs. This Section will elucidate the many statutory elements at play in the process of empowering campus police.

a. Eligibility Requirements

All campus police enabling statutes contain some language specifying who may lawfully establish a campus police department and what must be done to maintain legal authority. In the majority of states, campus policing privileges are granted only to public schools.\textsuperscript{52} For example, in Connecticut the enabling statute lists each state-run institution by name and declares that “[t]here are established special police forces for” each school on the list.\textsuperscript{53} Other statutes, like Pennsylvania’s, take a more categorical approach by granting police powers to “all law enforcement personnel employed by a State-aided or State-

\textsuperscript{48} See Hopkins & Neff, Jurisdictional Confusion, supra note 12, at 128. ("[P]olice powers are always derived from governing bodies.").

\textsuperscript{49} In the spirit of criticism, I reject the prevailing technocratic term for campus law enforcement officers (“CLEO”) and replace it with a term of my own coinage: “CPO.” The term better captures what campus police officers actually do, which, as discussed in Part II, is a whole lot more than “law enforcement.”

\textsuperscript{50} See infra Appendix tbl.1.

\textsuperscript{51} See Bromley, Policing Our Campuses, supra note 12, at 4-5 (noting the location of statutes).

\textsuperscript{52} Twenty-nine states grant powers only to public schools. See infra Appendix tbl.1.

\textsuperscript{53} See CONN. GEN. STAT. § 10a-156b (2023).
related college or university;”"\(^54\) since some private institutions in Pennsylvania receive “Commonwealth appropriations,” a type of state aid, this statutory language has the effect of empowering campus police at all public and some private schools."\(^55\) A minority of states grant police powers explicitly to both public and private colleges."\(^56\)

In addition to distinguishing between public and private schools, many states require that CPOs meet minimum training or certification requirements to remain in good legal standing. Illinois, for example, requires that CPOs at private schools “be persons who have successfully completed the Minimum Standards Basic Law Enforcement Training Course,”"\(^57\) a requirement that state and municipal police officers must also meet."\(^58\) Florida, which grants powers only to CPOs at public institutions, legislates that “[u]niversity police must meet the minimum standards established by the Criminal Justice Standards and Training Commission and [the state’s police accreditation statute].”"\(^59\) In Tennessee, the enabling statute empowers public institutions to “establish additional qualifying factors, training standards, and policies for employees holding a police officer’s commission,” suggesting that public schools across the state could have different training requirements for their respective police departments."\(^60\)

b. Powers Granted

All states with campus policing statutes grant the full gamut of police powers to CPOs, including the powers of investigation, arrest, detention, use of force, and general peacekeeping."\(^61\) States differ, however, on the question

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\(^54\) See 71 PA. CONS. STAT. §§ 646, 646.1(d) (2023).


\(^56\) See infra Appendix tbl.1.

\(^57\) See 110 ILL. COMP. STAT. 1020/1 (2023).

\(^58\) See 50 ILL. COMP. STAT. 705/7 (2023) (requiring all law enforcement officers to complete a law enforcement course before their appointment as an officer). It is unclear why officers at public schools like the University of Illinois have no statutory training requirements.

\(^59\) See FLA. STAT. § 1012.97(4) (2023).

\(^60\) See TENN. CODE ANN. § 49-7-118(b) (2023).

\(^61\) See Bromley, Policing Our Campuses, supra note 12, at 7 (“In all states that had enacted a campus police statute, campus police had virtually the same powers as their municipal counterparts.”). Nonetheless, statutes vary in precisely how these powers are granted. Compare OKLA. STAT. tit. 74, § 360.17(A) (2023) (giving Oklahoma CPOs “the same powers, liabilities, and
of which laws and policies CPOs are empowered to enforce. Most states limit CPOs’ use of the police power to the enforcement of state and local law.\textsuperscript{62} But many other states allow CPOs to use their police powers to enforce more than just public laws.\textsuperscript{63} For example, the Michigan enabling statute lets CPOs use their police powers “to enforce state law and the ordinances and regulations of the institution of higher education.”\textsuperscript{64} This kind of statutory language effectively bestows powers unto CPOs that their municipal counterparts would not clearly possess.\textsuperscript{65}

State statutes also vary in the manner by which they prescribe that new CPOs be hired. The majority of states bestow the hiring power upon their state’s board of higher education,\textsuperscript{66} while others give such power directly to the president or chancellor of each institution that qualifies under the statute.\textsuperscript{67} Other states, like New Jersey and Massachusetts, require that new officers be approved by state or local police executives before they are officially granted police powers.\textsuperscript{68}

c. Jurisdictional Boundaries

State enabling statutes diverge most widely on the question of where campus police may exercise their statutory police powers. This jurisdictional question is also the one about which previous scholars have written the most.\textsuperscript{69} Nonetheless, a clear picture of campus police jurisdiction remains elusive. This confusion is owed as much to unclear statutory language as it is to the regurgitation of outdated empirical work. Max Bromley,\textsuperscript{70} who

\begin{itemize}
\item immunities as sheriffs or police officers within their jurisdiction”), with 71 PA. CONS. STAT. §§ 646, 646.1(d) (2023) (listing individually all the powers CPOs have in Pennsylvania).
\item See infra Appendix tbl.1. Consider a statute like the one in Delaware, which limits use of CPOs’ powers to the apprehension of individuals who act in “violation of federal or state laws or applicable county or city ordinances.” DEL. CODE ANN. tit. 1. § 5104(b)(2) (2023).
\item Indiana, Kansas, Kentucky, Michigan, New Mexico, Oklahoma, Oregon, South Carolina, Tennessee, Utah, and Wisconsin each explicitly enable CPOs to use their powers to enforce campus rules. See infra Appendix tbl.1.
\item MICH. COMP. LAWS § 390.1511(1) (2023) (emphasis added).
\item See Bromley, Policing Our Campuses, supra note 12, at 10 (“These [statutes] noted specific tasks required of some campus police officers that may not have a parallel in local law enforcement agencies.”). This statutory language also seems to empower universities to act as miniature sovereigns, since they can legislate through “ordinances and regulations” that are enforceable with the full might of the police powers.
\item See infra Appendix tbl.1.
\item Id.
\item See N.J. STAT. ANN. § 18A:6-4.3 (West 2023) (providing authority to the chief of police or the superintendant to review and decide on applications of prospective police officers for institutions); MASS. GEN. LAWS ch. 22C, § 63 (2023) (providing authority to the colonel to appoint, regulate, and remove “special state police officers” that serve in colleges and universities).
\item For the full accounting, see supra note 12.
\item For more information on Bromley’s academic biography, see supra note 10.
\end{itemize}
authored the first comprehensive account of state campus policing statutes in 1996, grouped the various state jurisdictional provisions into the rough categories of “limited” and “extended” jurisdiction.71 Bromley defined his terms as follows:

A limited jurisdiction [is] defined as one wherein officers [are] limited to campus property or properties specifically under the control of the institution. A jurisdiction [is] defined as extended if the police [are] able to exercise their authority beyond campus properties.72

Under these definitions, Bromley found that twenty-one states granted limited jurisdiction to CPOs while twenty-two granted extended jurisdiction; only one state statute, Iowa’s, was said to make no mention of jurisdiction at all.73 Bromley’s terminology and empirical findings were later adopted by Jamie Hopkins and Kristina Neff, who co-wrote the last major article on campus police jurisdiction in 2014.74

The problem with Bromley’s categorization is not a conceptual one; there is nothing wrong, hypothetically, with sorting statutes according to the definitions he provides. The problem is that his categorizations do not map neatly to modern reality. This is for two reasons. First, and by no fault of Bromley’s, his counts are more than twenty-five years old and are no longer an accurate representation of current state campus police statutes. For example, Bromley counted twenty-one statutes that grant “limited” jurisdiction. Today, only sixteen state statutes actually restrict their campus police to campus property.75

But the second problem with Bromley’s typology is more fundamental. Even if it were completely accurate in classifying the various campus police statutes by their jurisdictional grants, such a classification would not be a faithful representation of the amount of jurisdiction that campus police across the nation actually possess. This is because campus police departments routinely enter into mutual-aid agreements with local law enforcement or else

71 Bromley, Policing Our Campuses, supra note 12, at 6. For reasons to be discussed later in this Comment, these labels, even if accurate, would be only partially useful as descriptors of the actual jurisdictional abilities of modern CPOs.

72 Id. at 6; see also id. at 19 tbl. A1 (discussing the split between limited jurisdiction and extended jurisdiction statutes and displaying details on Iowa’s statute).

73 Id. at 19 tbl. A1.

74 See Hopkins & Neff, Jurisdictional Confusion, supra note 12, at 129 n. 45 (citing Bromley’s work and claiming that it remained accurate as of 2012).

75 The sixteen states are Alaska, Arkansas, Colorado, Connecticut, Delaware, Maine, Massachusetts, Michigan, Missouri, New Mexico, New York, North Carolina, Rhode Island, Tennessee, West Virginia, and Wisconsin (though Wisconsin requires that campus police enter into mutual aid agreements with local police, which has the effect of extending their jurisdiction). See infra Appendix tbl. 1.
have their officers “deputized” by the same, both of which have the effect of expanding their jurisdiction widely. So, by restricting his categories to account only for jurisdiction granted by statutory language, Bromley misses the forest for the trees. Here, a detailed accounting of mutual aid agreements and deputization will follow a more general review of common statutory language establishing jurisdiction.

i. Campus Grounds Only

Among the statutes, the most limited jurisdictional grant is one that limits jurisdiction only to campus and the roads contiguous to it.\(^{76}\) The Maine enabling statute offers a typical example, granting campus police their powers only “within the limits of the property owned by or under the control of the University of Maine System.”\(^{77}\) Today, only sixteen state statutes grant this relatively constrained jurisdiction.\(^{78}\)

ii. “Hot” or “Fresh Pursuit”

While sixteen states grant only the jurisdiction explained above, twelve more states extend that jurisdiction by allowing officers to make arrests off-campus when in “hot” or “fresh pursuit” of wrongdoers who commit crimes on campus.\(^{79}\) These jurisdictional extensions have been met with varying degrees of skepticism by courts.\(^{80}\) A state court in Virginia, for example, ruled that the state’s “close pursuit” exception did not apply when campus police officers were not pursuing the suspect in order to effectuate an arrest, but only to question him.\(^{81}\) But regardless of their treatment by the certain courts, these provisions remain common in state statutory language, and have the effect of extending jurisdiction beyond campus in certain situations.

\(^{76}\) This is the category that Bromley calls “limited jurisdiction.” See Bromley, Policing Our Campuses, supra note 12, at 6 (“A limited jurisdiction was defined as one wherein officers were limited to campus property or properties specifically under the control of the institution.”).


\(^{78}\) See supra note 75. Notably, one of the main pieces of legal scholarship on the question of campus police jurisdiction is an article lamenting the restrictive nature of these statutes and arguing for a “Model Campus Police Jurisdiction Act ("MCPJA")”—which would grant an appropriate level of authority to university police officers” by widening their jurisdiction beyond campus grounds. See Jacobson, The Model Campus Police Jurisdiction Act, supra 12, at 45.

\(^{79}\) These states are Florida, Kansas, Kentucky, Louisiana, Maryland, Nevada, North Dakota, Pennsylvania, South Carolina, Virginia, and Washington. See infra Appendix tbl.1.

\(^{80}\) See Jacobson, The Model Campus Police Jurisdiction Act, supra 12, at 60-61.

iii. Extension by Distance

Another way that statutes extend campus police jurisdiction is through provisions that expand jurisdiction by some number of feet, yards, or miles. Pennsylvania’s statute, for example, specifies that the jurisdiction of all CPOs in the state shall extend five hundred yards beyond their college or university’s grounds. Georgia’s statute achieves the same result by defining the word “campus” to include “any public or private property within 500 yards of the property of an educational facility and one-quarter mile of any public street or public sidewalk connecting different buildings of the same.”

iv. Other Jurisdictional Grants

Other states do not limit campus police officers’ jurisdiction to the campus or its surroundings. Among these states, there is considerable variation as to how much jurisdiction is actually granted. Officers at the University of Alabama, for instance, have jurisdiction throughout the City of Montgomery. By contrast, CPOs in Minnesota are granted statewide jurisdiction whenever they are investigating crimes involving school “personnel or property.” New Jersey grants its CPOs statewide jurisdiction as well, but schools are allowed to limit their jurisdiction if they choose. Still other states make no mention of jurisdiction in their statutes whatsoever.

v. Mutual Aid Agreements

A considerable number of state statutes either allow (or require) campus police to enter into mutual aid agreements with local law enforcement agencies. The Vermont statute, for example, says that campus police “may,
for the purpose of coordinating effective law enforcement services, enter into any arrangements or agreements with any municipality if deemed necessary or appropriate . . . "91 These agreements typically have the effect of extending the jurisdiction of CPOs, whose law enforcement efforts off campus will almost always fall under the wide umbrella of "mutual aid." For example, the University of Pennsylvania Police Department has a mutual aid agreement with the Philadelphia Police Department that grants the former jurisdiction inside an area surrounding campus that includes both Penn-owned or operated property and non-Penn affiliated residents and businesses.92 In addition, the Memorandum of Understanding between the two entities coordinates police response in areas where the departments share concurrent jurisdiction, and reiterates the departments’ mutual pledge to “work closely together in the interest of public safety.”93 These provisions, taken together, effectively grant Penn’s campus police jurisdiction throughout the city of Philadelphia whenever their CPOs are operating in assistance of the Philadelphia Police Department.94

2. Deputization

The second major way that CPOs gain state-sponsored police power is through deputization by local police departments. In states where statutory campus policing authority is granted only to state-run schools, municipal deputization can be an effective way for private institutions to ensure that their CPOs nonetheless possess full police powers.95 Connecticut offers an instructive example. The state’s campus policing statute empowers CPOs only at public universities.96 But, in the City of New Haven, Yale University

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91 VT. STAT. ANN. tit. 16, § 2283(e) (2023).
93 See PENN MOU, supra note 92, at 1.
94 Id. at 1-3; see also Aubrey Whelan & Oona Goodin-Smith, Penn, Drexel Officers’ Presence on 52nd Street Renews Calls to Defund Campus Police, PHILA. INQUIRER (Aug. 3, 2020), https://www.inquirer.com/news/university-pennsylvania-drexel-police-west-philadelphia-52nd-street-protest-20200803.html [https://perma.cc/MB8D-QPAB] (describing an instance of University of Pennsylvania campus police involved in policing a protest outside of their “usual patrol areas”). For more on the UPPD and its policing practices, see infra Section II.A.
95 See Jacobson, The Model Campus Police Jurisdiction Act, supra 12, at 65.
96 See CONN. GEN. STAT. § 10a-156b (2023). A bill proposed in 2019, H.B. 7242, would have allowed “independent higher education institutions to apply to the Department of Emergency Services and Public Protection (DESPP) commissioner to employ police officers at their own expense." CONN. GEN. ASSEMB., OFF. OF LEGAL RSCH., OLR BILL ANALYSIS: H.B. 7242, at 1 (2019). The bill would also have empowered the DESPP commissioner to "commission, at his pleasure, individuals who are certified by the Police Officer Standards and Training Council . . . [to]
has operated an official police department with state-sworn officers for over a century.\textsuperscript{97} Jeffrey Jacobson offers a clear explanation of this arrangement:

While Yale maintains its own separate police force, all of its officers are commissioned through the City of New Haven. After completing all training requirements for municipal police in Connecticut, and after approval by the New Haven Board of Police Commissioners, Yale officers receive badges and shield numbers identifying them as \textit{New Haven} (not Yale) police.\textsuperscript{98}

Yale's campus officers, sworn as they are to protect the City of New Haven, have legal jurisdiction throughout the city, not just on Yale's campus.\textsuperscript{99}

By granting CPOs full jurisdiction within the locality of the deputizing agency, municipal deputization offers not only a means to empower otherwise powerless CPOs at private institutions, but also a means for legislatively-empowered CPOs to overcome restrictive jurisdictional grants. CPOs at the University of Colorado Boulder, for example, are granted police powers by statute, but they routinely seek deputization by the City of Boulder Police Department.\textsuperscript{100} By doing so, these officers can avoid Colorado's somewhat limited statutory jurisdictional grant\textsuperscript{101} and exercise their police powers in the

\nothertext

\textsuperscript{97} Yale University has operated an official police department since 1894, to be exact. See Press Release, Yale Univ. Off. of the President, The Yale Police Department in a Time of Historic Change (June 22, 2020), https://president.yale.edu/president/statements/yale-police-department-time-historic-change [https://perma.cc/Q2R3-NDB6] ("The Yale Police Department (YPD), which was founded in 1894, is the oldest college police force in the country . . . .").

\textsuperscript{98} Jacobson, \textit{The Model Campus Police Jurisdiction Act}, supra note 12, at 65.

\textsuperscript{99} Yale PD and New Haven PD have an agreement about which areas Yale PD can proactively patrol. Id.; see also Meghan Friedmann, \textit{New Haven Examining Yale Policing Agreement that Dates Back Decades}, NEW HAVEN REG. (Aug. 3, 2020, 11:04 AM), https://www.nhregister.com/news/article/New-Haven-examining-Yale-policing-agreement-that-15451782.php [https://perma.cc/P3WS-A9FD] (explaining that, even though Yale officers have "the power to function as city officers," they tend to stick to "well-established geographical beats" around campus buildings).

\textsuperscript{100} See \textit{Organisation & Personnel}, UNIV. OF COLO. BOULDER POLICE DEP'T, https://www.colorado.edu/police/who-we-are/organization-personnel [https://perma.cc/H44B-N248] ("University of Colorado police officers are commissioned under state authority as defined in CRS 24-7.5-101 through 106, and are also issued City of Boulder, Colorado Police Commissions.").

\textsuperscript{101} Colorado's statute specifies that "[w]hen not on property owned or leased by the state institution of higher education, state higher education police officers shall not have any greater authority than that conferred upon peace officers by section 16-3-110, C.R.S." COLO REV. STAT. § 24-7.5-103(2) (2023). Section 16-3-110, in turn, grants peace officers "the authority to act in any situation in which a felony or misdemeanor has been or is being committed in such officer's presence," regardless of whether the officer is within his jurisdiction or not. See COLO REV. STAT. § 16-3-110(2) (2023). So, the campus police enabling statute stops short of allowing full police powers for CPOs when they are away from campus.
areas surrounding campus without fear of acting beyond their jurisdiction. In this sense, municipal deputization is an additional tool with which CPOs can expand their jurisdictional reach, like the mutual aid agreements discussed above.

C. A Tripartite Model for Understanding Campus Police’s Legal Power

As the foregoing Section demonstrated, the overlapping legal empowerments of state enabling statutes, mutual aid agreements, and municipal deputization grant broad jurisdiction to campus police. Putting aside any normative concerns about the usurpation of legislative will, this patchwork of legal entitlements is troublesome in the way it obscures the true legal power of modern campus police. Bromley’s dichotomy between “limited” and “extended” jurisdiction is the only tool scholars have developed to answer this question, but his framework is inadequate due its narrow concern with statutory language, ignoring the effects of deputization and mutual aid pacts. To fill this gap, this Section offers a new model for categorizing the legal authority of campus police, one that accounts for the overlapping grants of power upon which modern campus police forces rely.

1. Notes on Methodology

For a few reasons, the model offered in this Section takes jurisdiction as its guiding principle. First, most campus police departments have full peacekeeping abilities, so distinguishing between departments on the basis of their powers alone would collapse into the narrow distinction between departments that can use the police power to enforce campus rules in addition to local laws and those that cannot. Second, whether a campus police department exists at a public or a private school is often a distinction without a difference as it relates to the legal authority of that department. If a state does not grant police powers to private institutions, but some private institutions in that state nonetheless operate campus police forces with full peacekeeping powers, the interesting question of how that came to be remains unanswered by a model that only sorts campus police based on who their state legislature chose to empower by statute.

Jurisdiction, then, is the last sensible candidate upon which to base new analytical types. But it is also the best candidate, for two independent reasons.

102 Jacobson shares that this kind of arrangement was met with skepticism in the courts when it was first introduced, but seemed to have become respected by 1995 when Jacobson was writing. See Jacobson, The Model Campus Police Jurisdiction Act, supra note 12, at 66.

103 See supra subsection I.B.1.c. (discussing the origins of Bromley’s framework for understanding the boundaries of campus policing jurisdictions).
First, jurisdiction is closely tied to the American conception of the police power. One of the reasons that campus police are an interesting and troublesome study is because, when given jurisdiction beyond their campus, they seem to flout the principle of territoriality that underlies our folk conception of criminal law enforcement. Second, mutual aid agreements and municipal deputization are most notable for the way they expand campus police departments’ jurisdiction, not the way they expand the police powers of such departments, or the way they expand who is eligible for such powers in the first place.

2. Short-leash, Long-leash, and Unleashed Campus Police

This model groups campus police departments into three main categories, ordered here from least to most jurisdiction: (1) short-leash campus police; (2) long-leash campus police; and (3) unleashed campus police. Short-leash campus police have full police powers, but only on their school’s campus and its contiguous roads. This category is similar to Bromley’s “limited” jurisdiction in that it picks out campus police departments whose state enabling statutes grant no additional jurisdiction beyond “campus,” usually defined as the land and buildings owned, operated, or occupied by the institution. However, the short-leash category is even narrower than Bromley’s because it excludes any campus police department that has a mutual aid agreement with local police or whose officers are deputized by the state or municipality. Being so narrowly defined, short-leash campus police are a relatively rare breed.

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105 MOUs do not seem to have this effect, except insofar as they add new duties to aid municipal law enforcement onto the plates of CPOs. See infra notes 90–94 and accompanying text.
106 Indeed, MOUs do not do this at all. See supra notes 90–94 and accompanying text.
107 Notably excluded from this model altogether are non-police campus security forces. These forces are a still a far cry from the campus “watchmen” of yore as they are equipped with capacious surveillance tools and their directives are decidedly more police-like. For an example of this kind of force, see infra subsection II.A.2.
108 See, e.g., WASH. REV. CODE § 28B.10.555(2) (2023) (“CPOs may exercise such powers upon state lands devoted mainly to the educational or research activities of the institution to which they were appointed.”); 71 PA. CONS. STAT. § 646(a) (2023) (“CPOs have powers on] the grounds and in the grounds and buildings of all State colleges and universities, State aided or related colleges and universities and community colleges . . .”).
109 As an example, Michigan State University’s CPOs appear to be short-leash, since their enabling statute limits their jurisdiction to campus and its contiguous roads and makes no explicit accommodations for hot-pursuit or mutual aid agreements with other law enforcement agencies. See MICH. COMP. LAWS § 390.1512 (2023). The statute, on its face, does seem to allow for a statutory extension of jurisdiction, but it is not clear that such a proposal has ever been considered by the Michigan legislature. See id. (“The jurisdiction of these public safety officers may be extended by state law governing peace officers if authorized by the governing board of control.”).
Long-leash campus police have full police powers on campus but can also use their powers off-campus while in hot pursuit of a suspect,\footnote{See supra subsection I.B.1.c.} within a certain distance from a piece of school property,\footnote{See id.} on certain roads surrounding (but not contiguous with) campus,\footnote{See, e.g., N.D. CENT. CODE § 15-10-17 (2023) (listing specific noncontiguous roads upon which CPOs have jurisdiction).} or in some combination of these circumstances.\footnote{In Florida, for example, limits CPO jurisdiction to campus property but allows for a hot-pursuit exception and further extends jurisdiction by one thousand feet. See FLA. STAT. § 1012.97(2) (2023).} Like their short-leash counterparts, long-leash CPOs do not maintain mutual aid agreements with local police or concurrent deputization with state or local authorities, and they are still tethered to campus in one way or another, even if their jurisdiction does not end exactly where campus does. But in densely-populated cities, long-leash CPOs are much more likely to interact with and arrest members of the public than their short-leash counterparts (or even unleashed CPOs at campuses that are geographically secluded or cordoned-off from the public).\footnote{For example, CPOs working for George Washington University or Howard University in Washington D.C. contend with urban campuses that may not have fixed boundaries when compared with a more suburban or rural university campus.}

Unleashed campus police are not tethered to campus boundaries in any way and can use their police powers wherever their statutes, mutual-aid agreements, or deputizations allow. This category is an expansive one and it includes CPOs with widely-varying amounts of off-campus jurisdiction. At one end of the spectrum are CPOs in states like New Jersey, who have a statutory grant of statewide jurisdiction.\footnote{CPOs in New Jersey “shall possess all the powers of policemen and constables in criminal cases and offenses against the law anywhere in the State of New Jersey,” and their jurisdiction can be limited only by the governing body of the school that employs them. See N.J. STAT. ANN. § 18A:6-4.5 (West 2023).} Other state statutes explicitly grant town, city, or county-wide jurisdiction,\footnote{In Alabama, for example, CPOs at Alabama State University have jurisdiction throughout the City of Montgomery. See ALA. CODE § 16-50-4(b) (2023) (“The police officers provided for in this section shall cooperate with and, when requested, furnish assistance to the regularly constituted authorities of the City of Montgomery; and their jurisdiction and authority shall be coextensive with the corporate limits of the municipality.”).} and a few are altogether silent about what jurisdiction is granted to their CPOs.\footnote{Those states are Iowa, Ohio, Oregon, Utah, Vermont, and Wyoming. See infra Appendix tbl.1.} All of these are considered unleashed because the lawful exercise of their police powers is not tied geographically to campus boundaries. At the other end of the spectrum are CPOs that enter into mutual aid agreements with local police to overcome their limited statutory jurisdiction. These pacts usually extend jurisdiction to match that of the partner department, usually town- or city-wide.\footnote{See, e.g., PENN MOU, supra note 92, at 1 (granting city-wide jurisdiction to Penn’s CPOs when acting in support of the Philadelphia Police Department).}
Deputization offers the same extension of jurisdiction, granting CPOs police powers throughout the municipality.119

3. An Illustration

Imagine an out-of-stater visits your school’s home city and, after some drinks with lunch, decides to take a drive through your campus. They make the rounds and admire its prim landscaping, well-behaved students, and the palpable sense of achievement that trickles in through their rolled-down windows. A short drive mere minutes away from campus, this visitor is pulled over by an officer from your school’s campus police department, who quickly realizes that the traveler is drunk and arrests them for driving in such a condition. The visitor, who has strong intuitions that the officer was acting beyond their jurisdiction by pulling them over far from campus and without following them “in hot pursuit,” asks their lawyer if they have recourse to challenge the legality of the stop.120

The model above provides the visitor with a handy guide. To learn which category this campus police department falls into, their lawyer should first investigate whether its officers are deputized by the surrounding municipality or the state. This may be easier said than done. Some schools, like the University of Colorado Boulder, list their deputization status right on their website.121 Others do not.122 Regardless, if the lawyer finds that the officers are deputized, then they are likely unleashed CPOs, and the visitor has no claim. If our protagonist’s lawyer is unsure, they should assume that the officer is not deputized and look to the state’s campus police enabling statute.

119 See, e.g., Organization & Personnel, UNIV. OF COLO. BOULDER POLICE DEPT’T, https://www.colorado.edu/police/organization-personnel (describing how CPOs at the University of Colorado Boulder are granted deputization by the City of Boulder Police Department).

120 Challenges to campus police jurisdiction were, at one time, somewhat common. See Jacobson, The Model Campus Police Jurisdiction Act, supra note 12, at 39-44, 56-70 (collecting cases); Hopkins & Neff, Jurisdictional Confusion, supra note 12, at 137-47 (same). This Comment is not geared toward providing a comprehensive analysis of the caselaw involving campus police, but many of the pieces cited throughout this Comment deal with more narrow themes within that genre. See, e.g., Jacobson, The Model Campus Police Jurisdiction Act, supra note 12, at 43 (arguing for an expansion of jurisdiction for CPOs to avoid the ex post facto nullification of arrests by courts); Hopkins & Neff, Jurisdictional Confusion, supra note 12, at 137-47 (exploring the various ways campus police jurisdiction has been challenged in courts); Jahnig, Under School Colors, supra note 22, at 261-71 (applying Section "1983 Color of Law Analysis to Campus Police Officers").

121 See Organization & Personnel, UNIV. OF COLO. BOULDER POLICE DEPT’T, https://www.colorado.edu/police/organization-personnel (describing deputization status of the University of Colorado Boulder Police Department).

122 See, e.g., About the University of Arizona Police Department, UNIV. OF ARIZ. POLICE DEPT’T, https://uapd.arizona.edu/about (describing how CPOs at the University of Arizona are granted deputization by the University of Arizona Police Department).
(if it has one) to see what jurisdiction it grants.\textsuperscript{123} If the enabling statute grants statewide, city-wide, or town-wide jurisdiction, the officer would be considered an unleashed CPO and the visitor has no claim. If the statute limits jurisdiction to campus grounds, whether by a short or a long leash, the lawyer should visit the campus police department website to determine whether it has a mutual aid agreement with the local police. Some campus police departments list any mutual aid agreements or Memoranda of Understanding that they have in effect.\textsuperscript{124} If not, the lawyer could call the administrators of the campus police department and ask for the document to be produced. If there is such an agreement in effect, then the officer would be considered an unleashed CPO, and the visitor would have no claim against the officer’s jurisdiction.

Only when the lawyer can confirm that (1) neither the state nor the municipality has deputized the campus officers, (2) no enabling statute grants off-campus jurisdiction, and (3) the campus police force has no mutual aid agreement with a municipal force can they be sure that the officer was, in fact, acting beyond their jurisdiction. Table 1 in the Appendix depicts the analysis and Table 2 lists the twenty-five largest campus police departments (by number of full-time sworn officers) and classifies them according to this tripartite model.

\textbf{II. CAMPUS POLICING IN PRACTICE}

Before the 1990s, campus crime and security were mainly topics of anecdote; parents would learn what they could about a school’s safety before enrolling their kids, but there existed no uniform system for reporting crimes and security measures on campus.\textsuperscript{125} But since the passage of the Student Right to Know and Campus Security Act of 1990 (the Clery Act), all colleges and universities eligible for federal funding are required to disclose yearly statistics about crime on and off-campus, information about their internal

\textsuperscript{123} The lawyer can infer that the school in question qualifies under the relevant state statute. If the school did not, and the officer was not deputized, there would be no legal foundation for the CPO to have police powers in the first place. A much stronger claim for the plaintiff, perhaps, but an unlikely situation in reality.


\textsuperscript{125} See Alison Kiss, \textit{The Jeanne Clery Act: A Summary of the Law and its Evolution in Higher Education, in Campus Crime: Legal, Social, and Policy Perspectives 33-35} (Bonnie S. Fisher & John J. Sloan, III eds., 3d ed. 2013) [hereinafter \textit{The Jeanne Clery Act: A Summary of the Law}] (telling the story of one family who assumed a university was safe but later, after their daughter’s death, was surprised to learn it had only twelve security guards for a student body of over five thousand).
security policies and procedures, regular logs of recent criminal activity, and timely alerts about developing emergencies. Yet for all the Clery Act has done to keep parents informed of the security of their children’s campuses, there remains a surprising lack of information about the ways campus police actually achieve that security.

Diane Bordner and David Petersen published an early study of the practice of campus policing in 1983. In addition to observing and interviewing CPOs at a large urban university, the authors collected and presented existing scholarship on the topic, which was mainly published in police and security industry periodicals rather than in academic journals. By analyzing this professional literature alongside their own ethnographic fieldwork, Bordner and Petersen successfully presented a multi-modal depiction of “the world of the campus policeman as viewed by him or her,” covering topics ranging from recruitment and selection, to the happenings of the typical daily patrol, to campus police bureaucracy and officers’ subjective impressions of their roles and functions.

However complete it may have been for its day, Bordner and Petersen conducted their work in the midst of great flux in the world of campus policing; many departments had yet to hit their major growth spurts of the 1990s and 2000s, and much of the gap-closing between campus and municipal police departments had yet to occur. Furthermore, Bordner and Petersen’s call for additional empirical studies of the industry, both to replicate their findings and to expand upon them, has largely gone unanswered to this day. Instead, what has proliferated is industry-centric criticism written by campus

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126 See id. at 35 (noting some of the requirements of the Clery Act).
127 Clery Act data itself is not an ideal source for a study of this sort because it does not differentiate between crimes handled by campus police and by local police; it just presents all crimes that occur on and near campus. But in many urban college settings where local and campus police share jurisdiction near campus this distinction itself is not a decisive one. And even if it were, Clery-reported crime data would tell us little more than the kinds of crimes that typically occur around campus. MOUs between campus police and local police sometimes assign responsibilities on the basis of crime types. See, e.g., SYRACUSE UNIV., MEMORANDUM OF UNDERSTANDING BETWEEN SYRACUSE POLICE DEPARTMENT AND SYRACUSE UNIVERSITY DEPARTMENT OF PUBLIC SAFETY, at para. 14(j) (2014), https://dps.syr.edu/wp-content/uploads/2016/01/MOU-Signed-12-3-2014.pdf [https://perma.cc/ZR7X-WT7K] (enumerating the various types of crimes that are to be handled under the responsibility of the campus police versus local municipal police forces).
128 See generally THE NATURE OF UNIVERSITY POLICE WORK, supra note 8.
129 Id. at 229, 249-60.
130 Id. at 229.
131 See Hopkins & Neff, Jurisdictional Confusion, supra note 12, at 130-32 (discussing the expansion of campus policing at the turn of the century).
132 See THE NATURE OF UNIVERSITY POLICE WORK, supra note 8, at 228 (“It is hoped that the present study provides a groundwork for guiding future research in an area which has only begun to be empirically investigated.”). Bromley’s work is perhaps an exception to this claim. See supra note 10 and accompanying text; see generally Bromley, Policing Our Campuses, supra note 12.
security specialists for other such specialists. These works illuminate the perspective of campus police professionals themselves, but they are less useful as a springboard for critical reflection since they lack an outsider's perspective.

Owing to this dearth of critical scholarship on the actual practice of campus policing, and in recognition of the limited scope of this project, this Comment presents the University of Pennsylvania's Divisions of Public Safety (which contains the school's campus police department) as a case study with which to explore the practice of campus policing in a modern urban university setting. This case study, though admittedly limited in scope and methodology, reveals three main functions that modern campus police perform: crime control, campus security, and customer service.

A. A Case Study from the University of Pennsylvania

The University of Pennsylvania's Division of Public Safety (DPS) is the institutional home of school's policing, security, and emergency-preparedness operations. Like comparable departments at other schools, Penn's DPS started as a small group of watchmen in the early twentieth century called the Campus Guards, who were tasked primarily with "prevent[ing] damage to...

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133 See CAMPUS SECURITY AND LAW ENFORCEMENT, supra note 9 at x ("We see [this] as a book that can be picked up by a director or chief looking for new ideas or inspiration or, maybe, to justify and support efforts to make changes."). In fairness, this volume has shades of critical self-reflection. See, e.g., id. at 82 ("The question of whether to provide police authority to campus officers cannot be answered with an unqualified yes or no.").

134 This is not per se a criticism; imagine what could be said about lawyers writing about themselves! I simply mean to draw attention to the typical perspective that these authors bring—one that is plausibly less reform-minded than the perspective of the average legal scholar writing today.

135 The first two of these categories are familiar from Part I: the watchmen of yore focused their efforts on securing the campus and its property, while the modern campus police-enabling statutes empower CPOs to control crime with the full apparatus of the state at their disposal. The third category, customer service, is a distinct phenomenon which arises from the fact that campus police departments must ultimately serve the needs of their institution and its students—collectively understood here as their "customers."

136 See About the Division of Public Safety, UNIV. OF PA. DIV. OF PUB. SAFETY, https://www.publicsafety.upenn.edu/about [https://perma.cc/X3VN-NMNM].

137 Consider, for example, the early history of the University of Delaware Police Department: [In 1965] the Security Department was made up of merely 18 employees, none of which were sworn officers. The employees were labeled as guards, and carried a two-way radio and a wooden nightstick for their protection. Originally, the department was responsible for building security, management of parking regulations, as well as ambulance and bus services. "Car One" was the sole departmental car that also doubled as the makeshift ambulance. In these new times of growth, there was a heavy reliance on local police departments for any criminal activity. General History, UNIV. OF DEL. POLICE DEP'T, https://www1.udel.edu/police/about-us/history.html [https://perma.cc/77PN-R5D5].
Throughout the 1960s and 70s, increased crime on and around Penn's campus led to student calls for an expanded security presence, culminating in the hiring and firing of several new “top cops” including a former Air Force Colonel, a former security director from the University of Massachusetts Amherst, and a former Captain of the Philadelphia Police Department. Each worked to turn the school’s security force from a small property-guard operation into an official University of Pennsylvania Police Department (UPPD), whose aim it was to “protect life and property, deter crime, and reduce the opportunity for crime.” The UPPD saw a dramatic increase in size throughout the 1990s, mainly in response to a rise in violent crime around campus. Today, the DPS, which contains the UPPD, is a unified security, police, and special services department whose expansive presence does little to belie its humble beginnings as the Campus Guards.

Legally speaking, Penn is empowered by statute to operate a campus police department. Another statute specifies that Pennsylvania campus police’s powers shall be exercised “only on the grounds or within 500 yards of the grounds of the college or university;” a third statute recognizes a statewide “hot pursuit” exception. In reality, though, this statutory

138 Finding Dead Man and Carrying Guns Revealed As Forming Part of the Life of the Campus Guards, DAILY PENNSYLVANIAN, Mar. 9, 1938, at 1. Notably, in apparent superfluity of their watchman duties, some of the Campus Guards were authorized to make arrests and carry handguns as early as 1938. Id.


142 Christine Lutton, What’s In a Name? For U. Police, It Marks a New Image, DAILY PENNSYLVANIAN, Mar. 6, 1990, at 1.

143 See Christine Lutton, U. Police to Hire 30 New Officers by Fall, DAILY PENNSYLVANIAN, Feb. 1, 1990, at 1 (“[T]he expansion of security was prompted by growing concerns about an increase in incidents of violence against students.”).

144 See 71 PA. CONS. STAT. § 646 (2023). Although the statute applies only to state-run or “State aided or related colleges and universities,” since Penn receives a modicum of state funding in the form of “Commonwealth Appropriations,” the University is technically a “State aided” school for the purposes of the statute. See id.; see also supra note 55. Penn’s “Commonwealth Appropriation” for the 2022 fiscal year totals $335,144, which is less than 0.3% of the school’s total operating revenue for the year. See UNIV. OF PA., FISCAL YEAR 2022 OPERATING BUDGET 10 (2022), https://apps.budget.upenn.edu:44303/secure/budgetbooks/PDFs/FY22-University-Operating-Budget.pdf [https://perma.cc/6RV7-5T5Z].


146 42 PA. CONS. STAT. § 8953(a)(2) (2023).
language is no limit on the operational capabilities of the UPPD. A Memorandum of Understanding with the Philadelphia Police Department, combined with a statewide law enforcement mutual aid statute, effectively grants the UPPD jurisdiction throughout the city of Philadelphia when operating in assistance of the PPD, making the UPPD’s officers unleashed CPOs. But in spite of their wide jurisdiction, the UPPD limits regular patrols to an area called the “Penn Patrol Zone,” a roughly one-square-mile quadrangle enveloping campus, plus a few Penn-operated properties arranged just beyond this area. Notably, this zone contains properties not owned or operated by Penn, but the UPPD retains the ability to patrol and make arrests on these public and private premises.

1. The “Crime Control” Function

Historically, major expansions of the UPPD were justified by swells of violence around campus. Today, such violence is comparatively uncommon and the UPPD’s extensive police presence is harder to rationalize on such grounds. Though the available data about the types of crimes reported near Penn’s campus is limited in its scope, it appears that violent crime does not constitute the bulk of the UPPD’s crime log. Instead, property crimes and

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147 See generally PENN MOU, supra note 92; see also 42 PA. CONS. STAT. § 8953 (2023).
148 See PENN MOU, supra note 92, at 1; see also About the Division of Public Safety, UNIV. OF PA. DIV. OF PUB. SAFETY, https://www.publicsafety.upenn.edu/about [https://perma.cc/X3VN-NMNM] (choose “Our Patrol Zone” under “Quick Access”) (detailing the Penn Patrol Zone).
149 When the UPPD is operating within five hundred yards of Penn property, their power comes from the state statutory grant. See 71 PA. CONS. STAT. § 646.1(a)(6) (2023). When they are operating beyond five hundred yards from Penn property but in support of the PPD, their power comes from the state law enforcement mutual aid statute together with the UPPD’s ongoing agreement with the PPD to mutually assist one another. See 42 PA. CONS. STAT. § 8953(a) (2023); see also PENN MOU, supra note 92, at 1.
150 Compare What Is Your Quest?, DAILY PENNSYLVANIAN, Oct. 18, 1991, at 6 (referencing “the continuing plague of violent crime on and near campus”), and Jonathan Margulies, Alcove From Danger, DAILY PENNSYLVANIAN, Apr. 28, 2000, at 1 (“Over the past several years, major crime around campus has fallen at dramatic rates, with reports of assault, burglary and other violent crime dipping to virtually nonexistent levels.”), with UNIV. OF PA., 2021 ANNUAL SECURITY & FIRE SAFETY REPORT 67–69 (2021) [hereinafter YEARLY CRIME REPORT], https://www.publicsafety.upenn.edu/files/2022/03/2021_ASR_PENN.pdf [https://perma.cc/R89W-VDN2] (reporting relatively few violent crimes on and around campus between 2018 and 2020).
151 Penn is mandated by the federal Clery Act of 1990 to compile and report to the public two kinds of data: (1) a yearly summary of the frequency of certain types of crime that occur on and around campus; and (2) a daily crime log detailing all crimes that occur in the same areas, regardless of whether they classify as “Clery crimes” or not. See 20 U.S.C. § 1092(f). “Clery crimes” include: criminal homicides, sexual assaults, domestic violence, dating violence, stalking, robbery, aggravated assault, burglary, motor vehicle theft, arson, hate crimes, weapons law violations, drug abuse violations, and liquor law violations. See id.; see also 34 C.F.R. § 668.46 (2023).
minor quality-of-life offenses are most common. But before exploring this data in detail, the UPPD’s general approach to policing should be discussed.

The UPPD is, by almost any metric, a “real” police department. Before they are hired, UPPD officers are subject to the same training and certification requirements as every other municipal police officer in Pennsylvania. Once they are hired, UPPD officers are expected to perform all typical police functions, including responding to emergency calls, making arrests and booking arrestees, providing back-up for other police units, investigating reports and complaints, and using coercive force to maintain order. The standard equipment for a UPPD officer includes a semi-automatic handgun, taser, pepper spray, bullet-proof vest, and baton. For emergency situations, the UPPD retains an undisclosed number of Colt Model 6490 rifles (a law-enforcement-specified sister of the civilian AR-15 rifle) and ballistic riot control gear. Measured by these standards of training, duties, and equipment alone, the UPPD is virtually identical to a municipal police department.

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152 See YEARLY CRIME LOG, supra note 150, at 67-69; see also CLERY ACT & CRIME REPORTING, UNIV. OF PA. DIV. OF PUB. SAFETY, https://www.publicsafety.upenn.edu/clery/#crime-log [https://perma.cc/66RN-8U9V].


154 See Penn Police Department, UNIV. OF PA. DIV. OF PUB. SAFETY, https://www.publicsafety.upenn.edu/about/uppd [https://perma.cc/ZFF3-W73Y]. It is worth noting that the Pennsylvania campus police statute requires this level of training. For a full list of statutes that impose similar training requirements, see infra Appendix tbl.1.

155 PENN MOU, supra note 92, at 1-3; see also UNIVERSITY OF CHICAGO POLICE DEPARTMENT, UNIV. OF CHI., https://safety-security.uchicago.edu/about/police [https://perma.cc/EB3C-K4MR] (listing similar tasks at the police department at another urban university); cf. Department Information, UCLA POLICE DEPT, https://police.ucla.edu/about-ucla-pd/department-information [https://perma.cc/DZ93-FNE5] (describing the UCLA Police Department, who explicitly refers to their approach as “community policing”).


Considering the extent to which UPPD officers are trained and equipped, it is surprising that the crimes most commonly reported around Penn's campus are alcohol offenses and thefts. For example, between 2018 and 2020, the UPPD reported 820 police encounters stemming from liquor law violations; in that same time period, the number of violent crimes reported on and around campus was 197. By way of comparison, neighboring Drexel University reported 78 violent crimes in this same three-year period, while Temple University (another large Philadelphian university) reported 137; both schools reported numbers of alcohol offenses similar to Penn's.

Besides alcohol and drug offenses, property crimes make up the bulk of the UPPD's daily work. Stolen bicycles and delivery packages, retail thefts from shops along the Walnut Street corridor, and thefts of personal belongings from classrooms and other buildings are commonly reported on and around campus. DPS relies on active participation from students and faculty to help deter such thefts, encouraging them to “[e]ngage in the practice of awareness” when moving about campus and to register their bicycles with a Penn-operated database. In their totality, these statistics suggest that violence around campus is still a serious issue, even if it does not occur as frequently as the public order and property offenses that dominate the UPPD’s daily attention.

2. The “Campus Security” Function

In addition to serving as the administrative home of the UPPD, Penn's Division of Public Safety oversees the remainder of the school’s non-police

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158 For the sake of this statistic, “violent crimes” include murder, manslaughter, rape, domestic violence, dating violence, robbery, and aggravated assault.

159 YEARLY CRIME REPORT, supra note 150, at 67–69. Note that both of these numbers would be higher in pre-pandemic years. Compare, for instance, the 62 liquor law violations in 2020 with the 377 that were reported in 2019. Id.


security operations. These operations can be grouped into three categories: Penn’s contracted security team, its closed-circuit television system, and its leadership role in the “University City District” neighborhood-betterment organization.

The most visible element of Penn’s comprehensive security plan are its contracted security guards. Since 1995, the DPS has maintained a contract with Allied Universal, a Pennsylvania-based security staffing company, which supplies unarmed guards for a variety of security positions. Allied guards have taken on the duties previously allocated to the watchmen that predated modern campus police: they walk patrol beats on campus and around University City, check identification at the entrances of school buildings, escort students, staff, and other community members around campus, provide security at on-campus events, and even jumpstart vehicle engines and assist with lockouts. In addition to the Allied guards marshalled to these various tasks, DPS retains a team of guards who can respond to non-police emergencies called in via telephone or through one of the more than seven hundred “Bluelight Phones” scattered throughout the greater campus area. The Allied guards can be conceptualized as the eyes and ears of the DPS, providing Penn and the UPPD with valuable eyewitness accounts of daily goings-on around campus.

If this fleet of Allied guards is Penn’s most visible non-police security effort, then its network of closed-circuit television cameras is its most covert. Since the first ones were installed in 1999, the number of fixed-angle CCTV cameras in operation around the Penn Patrol Zone has surpassed 1,200, in

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164 See generally Security Services, UNIV. OF PA. DIV. OF PUB. SAFETY, https://www.publicsafety.upenn.edu/about/security-services [https://perma.cc/J4BK-K6AH]. At some other schools, such as Emory, the campus police department itself oversees security systems and surveillance. See About Us, EMORY UNIV. POLICE DEP’T, https://police.emory.edu/about/index.html [https://perma.cc/974Z-L4R7].

165 See Lisa Levenson, Rodin Unveils New Campus Safety Program, DAILY PENNSYLVANIAN (Feb. 14, 1995, 5:00 AM), https://www.thedp.com/article/1995/02/rodin_unveils_new_campus_safety_program [https://perma.cc/U9ML-ASJN] (reporting on the services provided by Allied Security for Penn); see also A Master Plan, DAILY PENNSYLVANIAN (Feb. 22, 1995, 5:00 AM), https://www.thedp.com/article/1995/02/editorial_a_master_plan [https://perma.cc/H8QD-6CVN] (“Beginning today, Allied guards will patrol central walkways on campus to augment the coverage provided by University Police officers. Allied guards will give the University a fixed security presence on campus and provide more eyes and ears to ensure safety.”).


addition to almost 150 cameras with pan, tilt, and zoom functionalities. In the words of DPS itself, these “cameras are proactively used by our dispatchers to deter crime, identify safety hazards, and support our personnel . . . . These cameras assist DPS in enhancing the quality of life for the Penn and University City community through virtual CCTV patrols.” Notably, the CCTV Monitoring Panel—a group of faculty and students who advise on the installation of new cameras—features no members of the University City community who are not affiliated with Penn, even though Penn’s cameras monitor areas well beyond campus.

The third prong of Penn’s security plan involves its funding and co-leadership of the University City District (UCD) neighborhood-betterment organization. The UCD is a nonprofit group founded in 1997 by local universities, real estate developers, medical centers, and other community stakeholders with the mission of revitalizing the University City neighborhood. The UCD, like Penn’s DPS, contracts with Allied Universal to provide a network of unarmed guards who patrol the greater University City area on foot, on bicycles, and in automobiles. These guards, known as “Public Safety Ambassadors,” are tasked with the same types of responsibilities as Penn’s Allied guards, with the added responsibility of being approachable neighborhood guides who can be relied on to recommend a good restaurant as easily as report a suspicious loiterer. Penn helps shape the security strategies of the UCD at monthly meetings where security officials from the DPS, the UCD, and the PPD share intelligence and coordinate interdepartmental security efforts. Through these meetings, in addition to Penn’s funding of the UCD and its strategic placement of Penn

168 See PennComm Emergency Communications Center, UNIV. OF PA, DIV. OF PUB. SAFETY, https://www.publicsafety.upenn.edu/about/penncomm [https://perma.cc/7S5F-48PY].

169 Id.


staff on its Board of Directors, Penn further extends its surveillance and control over areas beyond its campus.

3. The “Customer Service” Function

In addition to its policing and security efforts, the Division of Public Safety allocates significant resources toward remaining in the good graces of the Penn community. Former Vice President of Public Safety Maureen Rush’s famous refrain, “it’s all about relationships,” sums up this third category nicely: if Penn students, faculty, and staff are DPS’s “customers,” then this third category can neatly be described as “customer service.” Notably, most of these activities are administered by the UPPD as opposed to another arm of the DPS, ostensibly because the UPPD are a common target of opprobrium by disaffected members of the Penn community and thus have the most face to save through such services.

Some of the UPPD’s customer service efforts are formal and public. For example, the department has promulgated written directives forbidding bias-based policing, regulating officers’ use of tobacco and social media, and governing officers’ interactions with transgender individuals. Other customer services are unwritten. For example, if Penn students or staff are caught violating the law, Penn police officers have the discretion to divert them into the school’s private disciplinary system instead of Philadelphia’s criminal courts.

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175 See About: Board, UNIV. CITY DIST., https://www.universitycity.org/board [https://perma.cc/Z4DL-HS9Y] (listing Penn’s Executive Vice President Craig Carnaroli as Chairman). Former Vice President of Public Safety Maureen Rush previously served as Secretary, but no longer does.


179 See generally UPPD Directives, UNIV. OF PA. DIV. OF PUB. SAFETY, https://www.publicsafety.upenn.edu/about/uppd/uppd-directives [https://perma.cc/4XA5-9AYZ].

180 See The Center for Community Standards and Accountability, UNIV. OF PA., https://csa.upenn.edu [https://perma.cc/NV3C-NGJ8] (“The Center for Community Standards and Accountability is responsible for acting on behalf of the University in matters of student discipline for violations of the Code of Academic Integrity and the Code of Student Conduct.”). Of course, there is overlap between the acts prohibited by the Code of Student Conduct and crimes familiar to the common law. See Pennbook: Code of Student Conduct, UNIV. OF PA., https://catalog.upenn.edu/pennbook/code-of-student-conduct [https://perma.cc/CLG5-SzLK] (prohibiting, among other things, “acts or threats of physical violence against another person (including sexual violence) and disorderly conduct”).
The UPPD also provides free services to Penn affiliates that it denies to other members of the University City community. The most frequently touted customer service offered to Penn affiliates is the UPPD’s mental health emergency telephone line, through which Penn affiliates in crisis can access twenty-four hour intervention assistance. Though the exact operation of this service is unclear from public records, a 2021 statement from DPS suggests the following procedure: when the HELP line receives a call, a Penn officer in soft clothes from the Crisis Response Unit is dispatched to the scene, along with a counselor from Penn’s Counseling and Psychological Services team.

In addition to providing crisis-response services, DPS supplies detectives from the UPPD to serve as Public Safety Liaisons for various academic and administrative centers on Penn’s campus. The job of the Liaison is to “provide information about new DPS initiatives and responds to questions or concerns about safety on or around campus.” By contrast, if unaffiliated members of the West Philadelphia community have a safety concern or an officer misconduct report that they would like to raise with the UPPD, they must resort to filing a complaint in person or through the department’s website.

The inverse of the Public Safety Liaison, which offers Penn affiliates a direct line into DPS for public safety concerns, is the DPS’s “uPennAlerts” system, which notifies affiliates via text, email, and online postings whenever there a “serious or ongoing threat” to public safety occurs within the Penn Patrol Zone. These alerts are sent to Penn students, faculty, and staff, but not to other individuals who live and work in the area.

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182 Sometimes referred to as “plainclothes,” soft clothes are defined as clothing with no identifiable police markings and worn without any visible police equipment (such as gun, handcuffs, etc.). See Mike Wood, Soft Clothes or Soft Target? Six Safety Tips for Detectives, POLICE (June 4, 2019), https://www.police.com/police-products/body-armor/articles/soft-clothes-or-soft-target-6-safety-tips-for-detectives-Lh4BDsa12yHcEufM.
B. Causes for Concern on the Modern Urban Campus

The foregoing case study reveals the expansive presence of campus police and security forces at the modern urban university and raises several causes for concern. Perhaps the most jarring of these is the simple fact that many CPOs interact with, detain, and arrest members of the public on a regular basis. This reality is especially discomforting when the school in question is a private institution, like Penn, where policies and procedures of campus police are decided without community input.\textsuperscript{186} While Penn’s DPS does operate an Advisory Board that recently expanded to include representatives from the local community not affiliated with Penn, the functions of this board are narrow, and they have very little say in substantive decisions made by DPS itself.\textsuperscript{187}

The second cause for concern raised by the Penn case study is the differential treatment of students and members of the public by campus police. Despite findings that “[m]ost university officers firmly believe that a double standard of justice has no place on campus,”\textsuperscript{188} other anecdotal evidence from campus police studies suggests that many officers are especially lenient toward students who they see as “nothing more than big kids.”\textsuperscript{189} Notably, this attitude is not limited to campus police officers; many municipal police officers have expressed their belief, for instance, in a “natural” relationship between being a college student and drinking excessively, a bias which can predictably result in lenient treatment or diversion of wrongdoers out of the criminal legal system and into school disciplinary programs instead.\textsuperscript{190}

The reality of such disparate treatment can also be inferred from data. Consider Penn’s self-reported Clery Act data from 2019 as an example. Of the seventy-one on-campus drug violations officially reported by the UPPD, none resulted in a student being arrested; each student was redirected to Penn’s internal disciplinary channels.\textsuperscript{191} In the same year, out of the five off-
campus drug violations that were reported, four resulted in arrest.\footnote{\textit{Id.}} While this data does not explicitly indicate that those four arrests involved non-Penn-affiliated individuals, a reasonable inference can be drawn that Penn students, who are more likely found on campus than off of it—and thus are less likely to be involved in those five off-campus incidents—are also more likely than other West Philadelphians to avoid arrest for similar crimes.\footnote{See \textit{id.} at 69 (showing statistics from 2018 that suggest the same conclusion).}

The final concerning trend suggested by the previous case study can be understood through the concept of “mission creep.” In its original military context, “mission creep” refers to the slow geographical expansion of an operation beyond its original boundaries.\footnote{See John J. Sloan III, \textit{Five Issues that Could Affect the Future of Campus Police}, \textit{CONVERSATION} (Aug. 12, 2021, 1:28 PM), https://theconversation.com/5-issues-that-could-affect-the-future-of-campus-police-163327 [https://perma.cc/RV9U-HNUB] (“'Mission creep' refers to the gradual geographical expansion of an intervention, project or mission beyond its original scope. Often used by the military, the term describes reasons for countries becoming involved in conflicts longer than originally planned.”).} Modern campus police operations could certainly be described with this term, since mutual aid agreements and municipal deputization have expanded the jurisdiction of many departments well beyond the boundaries set by statute.\footnote{See supra subsection I.B.1.c.}

But this term is also a useful descriptor of the modern campus police in a metaphorical sense. The “mission” of campus policing has expanded over the past century to include the crime control, surveillance and security, and “customer service” roles that were entirely unknown to the watchmen of yore.\footnote{See supra Section I.A.} Campus police forces have ballooned in size across the past half century, even as violent crime rates have largely tapered off in the areas surrounding college campuses in the past decades.\footnote{See Sloan, \textit{The Modern Campus Police}, supra note 31, at 87-88 (describing the expansion of campus police during the second half of the twentieth century).} Furthermore, as the services provided by campus police expand, the only benefit the public receives is an increased police presence. In this way, another kind of differential treatment exists today, whereby members of the public are denied some of the customer services offered by campus police departments yet remain subject to the full (if not fuller) force of their law enforcement powers. Each of these trends—increased public interaction without public oversight, differential treatment of affiliates and non-affiliates, and general “mission creep”—is worrying in its own right, but when considered in combination, they present a situation that is, at best, ripe for reform and, at worst, deeply flawed.

\footnotetext[192]{\textit{Id.}}\footnotetext[193]{See \textit{id.} at 69 (showing statistics from 2018 that suggest the same conclusion).}\footnotetext[194]{See John J. Sloan III, \textit{Five Issues that Could Affect the Future of Campus Police}, \textit{CONVERSATION} (Aug. 12, 2021, 1:28 PM), https://theconversation.com/5-issues-that-could-affect-the-future-of-campus-police-163327 [https://perma.cc/RV9U-HNUB] (“'Mission creep' refers to the gradual geographical expansion of an intervention, project or mission beyond its original scope. Often used by the military, the term describes reasons for countries becoming involved in conflicts longer than originally planned.”).}\footnotetext[195]{See supra subsection I.B.1.c.}\footnotetext[196]{See supra Section I.A.}\footnotetext[197]{See Sloan, \textit{The Modern Campus Police}, supra note 31, at 87-88 (describing the expansion of campus police during the second half of the twentieth century).}
III. THE FUTURE OF CAMPUS POLICING?

As Americans reckon with the way our nation is policed, campus police should not evade the reformer’s attention. Reformers can think about police reform on campus in two ways. The first asks how campus police can be reformed to alleviate some of the most troubling concerns they raise.198 This perspective is perhaps the more critical of the two, as it focuses on identifying problems with modern campus policing and offering solutions. The second takes campus police as they are and asks what features of their operations might be worth exporting into the context of municipal policing. This perspective is more optimistic, as there are several good reasons to think campus police might be a wise place to begin wider efforts toward broader police reforms. Each of these perspectives will be explored in turn, followed by a brief discussion of some outstanding empirical concerns.

A. How Might Campus Policing Be Reformed?

As discussed previously, there are three main causes for concern raised by modern campus policing: (i) lack of public oversight; (ii) preferential treatment of school-affiliates; (iii) and the continuous growth in the size and scope of campus policing operations. This Section will offer solutions geared specifically toward each of these trends.

At this stage, it is worth noting that many of the suggested reforms in this Section are, in reality, expansions of the size, cost, and responsibilities of campus police operations. For this reason, they may not be considered “reforms” at all by certain standards.199 There is another path available to the reformer, one focused on defunding or abolishing campus police forces.200 This Comment will not adopt that approach, and a focused pursuit of it will have to be the task of other writers.

198 For a discussion of these woes, see supra Section II.B.
199 See, e.g., Amna A. Akbar, An Abolitionist Horizon for (Police) Reform, 108 CALIF. L. REV. 1781, 1787-88 (2020) (arguing for “reform rooted in an abolitionist horizon [that] aims to contest and then to shrink the role of police,” as opposed to “[a]gendas focused on reforming and relegitimizing the police”). But see Jennifer Cobbina-Dungy, Soma Chaudhuri, Ashleigh LaCourse & Christina DeJong, "Defund the Police:" Perceptions Among Protesters in the 2020 March on Washington, 21 CRIMINOLOGY & PUB’Y 147, 152 (2022) (listing “increase[d] community oversight” as a reform, in contrast to defunding and abolition); Christopher Lewis & Adaner Usmani, The Injustice of Under-Policing in America, 2 ÂM. J.L. & EQUAL. 85, 90 (2022) [hereinafter Lewis & Usmani, The Injustice of Under-Policing] (arguing that increasing the size of police forces would actually achieve some of the common goals of police reformers, like making police more efficient).
200 See supra note 14 and accompanying text.
1. Increasing Community Oversight and Accountability

Community oversight and accountability are two concepts that travel together but carry distinct meanings. In the police reform context, “community accountability” refers to the ability of the community to call upon police to account for their decisions and actions. Accountability can be “front-end” or “back-end” in design. The latter often means that police are held responsible for their actions (usually misconduct) by groups in which the community is represented. The former refers to structures that require police to announce plans for future action to the community with the expectation that the community will have some say in whether or not those plans are carried out.

“Community oversight,” on the other hand, refers to mechanisms that provide civilian community members with structural positions of power by which they can observe, review, and change police behavior, funding, and policies. In this sense, community oversight boards often act as mechanisms for achieving greater accountability. Thus, if one problem with campus policing is a lack of public accountability for private school police, then one solution might be to implement a form of community oversight above them.

Structures for civilian oversight often borrow elements from three model forms: (1) the investigation-focused model, which either “replace[s] the police internal affairs function . . . or conduct[s] investigations that supplant, parallel or duplicate the work of internal affairs;” (2) the review-focused model, which focuses on “examin[ing] the quality of internal investigations;” and (3) the auditor/monitor-focused model, which “focus[es] on promoting large-scale, systemic reform of police organizations.” The former two models provide back-end accountability, while the latter aims to provide both front- and back-end accountability.

Of the three basic models of community oversight, some version of the auditor/monitor model seems most appropriate for the campus policing

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201 See THE LAW OF THE POLICE, supra note 7, at 803.
202 Id. In other words, community accountability can be understood as forward- or backward-looking, respectively. See Facial Recognition Technology: Examining Its Use by Law Enforcement: Hearing Before Subcomm. on Crime, Terrorism & Homeland Sec., H. Comm. on the Judiciary, 117th Cong. 2 (2021) (statement of Barry Friedman, Professor, New York University School of Law) (explaining the difference between front- and back-end accountability and calling for greater attention to the former).
203 Id.
205 Id. at 818.
206 Id. at 820.
207 Id. at 821.
context. The other two models are inappropriate because the current problem with campus police accountability is not really a backward-looking one. The issue is not that private campus police officers are committing misconduct on some grand scale, and that the public needs a way to hold them accountable for their actions. The real problem is that, in many neighborhoods, non-school-affiliated community members are being policed off-campus by a police force that is entirely unaccountable to that community. Admittedly, the municipal police context is no great bastion of democratic decisionmaking. But formal mechanisms for changing the budgets and policies of the police do exist in the public policing context. No such mechanisms exist for campus police at private schools.

The obvious solution to this problem is to involve unaffiliated community members in the oversight of campus policing. To the extent that certain schools have done this already, such oversight has been largely backward-looking. The University of Chicago, for example, operates an Independent Review Committee that reviews complaints against CPOs and includes among its team three community members. Similarly, the University of Pennsylvania operates the “DPS Advisory Board,” which “lacks any supervision authority” but includes community members in its ranks. To increase community accountability on and around Penn’s campus, a commissioned team of scholars recommended that a new “Review Board” be created with the primary duty of reviewing, commenting upon, and making recommendations to Penn regarding DPS’s procedures. However, it is far

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208 See THE LAW OF THE POLICE, supra note 7, at 9.
209 In places where sheriffs are elected, changing budgets and policies this is the accountability structure. In areas where police chiefs are appointed, the structure is more triangular—citizens vote for city council members, who can appoint and remove police officials, who in turn make the major decisions for their departments. Id.
210 Neither of these situations is obtained in the context of campus policing at private institutions. In Philadelphia, for example, members of the West Philadelphia community cannot vote for the President of the University of Pennsylvania, nor for the head of its Department of Public Safety.
from obvious that the creation of a new board lacking any executive power over DPS will actually make a difference in how that department operates.

Instead of establishing more backward-looking advisory boards, universities like Penn should consider establishing a true “Management Board,” one with some degree of executive oversight power over most proposed police and security initiatives. This power could be as weak as a conditional veto; or, at its strongest, the Board could hold final approval rights, and could make binding decisions instead of being limited to comments and recommendations. The membership of this Board should include unaffiliated community members in addition to representatives from the school’s student body, staff, faculty, and police department. However, instead of being appointed by school administrators (as is the arrangement with Penn and Chicago’s current review boards), these Board members should be elected by individuals in their respective communities. Such a democratic structure would maximize accountability of both the campus police department in question and the Board overseeing it. The implementation of a Management Board of this kind would be a major step toward repairing community-university relations in neighborhoods where unleashed campus police regularly use their powers on members of the public without community accountability.

2. Reducing Differential Treatment of School-affiliates and the Public

While the proposed Management Boards would work to provide democratic recourse to everyone that unleashed CPOs serve, the remainder of this Section’s reform recommendations focus on expanding campus police departments’ current customer service programs to benefit unaffiliated community members. The least tangible of these customer services—those stemming from CPOs’ preferential treatment of school-affiliates over unaffiliated community members—is the hardest to make equitable. To reduce this double standard, schools might try to train the bias out of officers or conduct detailed investigations of campus police tactics in an effort to reduce the effect of that bias. This Comment, however, suggests a different

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214 Drexel recently established the “Drexel Public Safety Oversight Committee,” whose duties seem more “executive” than Penn’s “DPS Advisory Board,” and whose membership includes unaffiliated community members. See Drexel Public Safety Oversight Committee, DREXEL UNIV., https://drexel.edu/treasurer/public-safety-oversight [https://perma.cc/6HN4-TEST]. However, the extent of this Committee’s power is unclear, and only time will tell to what use that power is put.

215 Calibrating the number of community members that are appropriate to include on such a board is difficult primarily because many schools do not report data indicating the frequency with which their police officers stop, detain, and arrest members of the public. This is one major site for future empirical work on the topic of campus policing. For further discussion of this work, see infra Section III.B.
technique—one that simply requires CPOs to treat every person they interact with in exactly the way they would treat the most sympathetic student offender.

To achieve this goal, schools could start by creating and funding an analogue to their school’s internal student discipline structure for the benefit of the unaffiliated community, perhaps in the form of a diversion program for the most common property offenses committed around campus. If successful, the program could be expanded to include quality-of-life offenses such as graffiti and panhandling as well. The details of such programs would require more serious scholarly attention than this Comment can provide, but schools with well-funded medical schools, hospitals, and social work programs would likely find it convenient to utilize such programs as training devices for clinical students preparing for work in these fields. In this way, schools could work toward alleviating the sting of differential treatment while simultaneously providing the services from which low-level offenders could benefit most.

3. Harnessing “Mission Creep”

The reality of ever-expanding campus police jurisdiction, budgets, and responsibilities is, at first glance, troubling. But, like the differential treatment of school-affiliates discussed above, it too can be harnessed for the benefit of the unaffiliated community. Instead of trying to quell the growth of their police and security operations, schools could consider shifting their focus from customer service to community service.

For many formal customer services, such an expansion would be administratively simple (though expensive). Take, for example, the safety liaison and emergency phoneline programs discussed above. To expand the former, selected officers could simply be sent to unaffiliated community hubs around the greater campus neighborhood who opt in to the program; in urban settings, these hubs might include homeless shelters, community health centers, youth recreation centers, and other similar locations. On the other hand, access to emergency mental health phoneline services could be expanded

216 The University of Arizona has a formal diversion program, but it is only available to students. See Types of Enforcement, UNIV. OF ARIZ. POLICE DEPT., https://uapd.arizona.edu/content/types-enforcement [https://perma.cc/9RD4-YNVG] (“Non-students are ineligible for UA Diversion, and will be warned, cited, or physically arrested for criminal activity.”).

217 See, e.g., CAL. PENAL CODE § 1001.36 (West 2023) (enacting a diversion program that includes, as a condition, treatment for mental health issues); see also JILL FARRELL, AARON BETSINGER & PAIGE HAMMOND, INST. FOR INNOVATION & IMPLEMENTATION, UNIV. OF MD, BEST PRACTICES IN YOUTH DIVERSION 10-11 (2018) (describing the effectiveness of counseling, intervention, family therapy, mentoring, and other social work strategies on curbing youth offense rates).

218 See supra subsection II.A.3.
to anyone living or working in the patrol zone of the campus police, and perhaps community members could register with the school or its police department directly to access these benefits. Such “community membership” could also entitle members of the unaffiliated public to the campus police bicycle registration program and the emergency alert notification system.

B. What Lessons about Reform Can Be Learned from Campus Police?

There is a second way to approach the topic of police reform with campus police in mind, other than suggesting the ways campus police could themselves be reformed. By considering what aspects of current campus police law and practice are admirable, police reformers may find inspiration for changes to be made in the municipal context. For example, the orientation toward prevention and service (as opposed to apprehension, force, and arrest) that prevails among campus police departments seems like the kind of atmosphere many police reformers envision as their goal. Similarly, CPOs’ tendencies to divert student offenders away from the criminal process is an admirable institutional instinct that municipal departments would do well to emulate. Finally, the legal practice of limiting CPOs jurisdiction, power, and contractual abilities by statute presents an interesting and underexplored approach to police reform, the further study of which some reformist police scholars may find fruitful.

In addition to serving as model police departments in their current form, campus police departments can also act as laboratories for new reforms that are intended for eventual application in the municipal context. As an initial matter, reformers would likely find a receptive audience in the administrations of major urban universities. Many schools have already commissioned detailed reviews of their campus policing procedures, and

219 Columbia University, for example, extends this service to “neighbors/members of the general public.” See Emergency Notifications, COLUMBIA UNIV. PUB. SAFETY, https://publicsafety.columbia.edu/text#text-631 [https://perma.cc/868V-N7M4].

220 See THE NATURE OF UNIVERSITY POLICE WORK, supra note 8, at 222 (“Thus in contrast to their municipal counterparts who are oriented to apprehension, campus police are more oriented to service and prevention—they are more concerned with the maintenance of an atmosphere conducive to learning and the protection of the community from hazards . . . .”).

221 See generally THE LAW OF THE POLICE, supra note 7, at 797-840.

222 See generally The Jeanne Clery Act: A Summary of the Law, supra note 125, at 345-46.

223 See, e.g., 21CP SOLUTIONS, AN ASSESSMENT OF THE YALE POLICE DEPARTMENT 3 (2020), https://your.yale.edu/sites/default/files/files/PublicSafety/Yale-Assessment-Overview-21CP-Solutions.pdf [https://perma.cc/CAM6-M5Z8] (describing the scope of the comprehensive assessment of the Yale Police Department); Courtney Tanner, What the University of Utah Continues to Get Wrong with Campus Policing, According to a New Audit, SALT LAKE TRIB. (Apr. 21, 2022, 2:46 PM), https://www.sltrib.com/news/education/2022/04/20/new-audit-finds-failures [https://perma.cc/NSF4-RT7E] (describing the most recent audit of the University of Utah’s campus police department, which has been under review “several times in recent years”); Fallon Roth, Temple
student groups across the nation have voiced their support for reforming campus police departments. Universities like these also tend to have capacious endowments with which to implement reforms, and their internal structures are far more straightforward than the bureaucratic labyrinths through which most municipal reforms must emerge, making reform efforts at schools all the more likely to succeed. By implementing reforms first in the campus police context, reformers could learn valuable lessons about what works and what does not, all with a comparatively low cost. Finally, campus police departments that have working relationships with local municipal police can leverage their contracts to put pressure on local police to change their practices in certain targeted ways. In these ways, campus police departments seem like a promising place for inspiring and incubating police reform in the wider municipal context.

C. What Else Does the Reformer Need to Know About Campus Police?

The major difficulty of writing about campus policing is the lack of good data on the topic. Though Clery Act data offers a decent picture of which kinds of crime occur on and around college campuses, it is not illustrative of campus police practices. In other words, although a scholar may be able to deduce how many incidences of domestic violence near campus were reported to police in a given year, there is no way to tell how many of those incidents involved school-affiliates versus the public, or what number of incidents involving students were diverted away from campus police in the first instance. Furthermore, there is no reliable way to tell how many members of the public are stopped, detained, or arrested by campus police in given

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224 See supra note 14.

225 Campus police forces tend to be small, so costs are low for this reason. Also, if the school is private, little (if any) taxpayer money would go toward implementing these reforms. Implementing them would require mainly the good will and reformist spirit of the schools themselves, which, in today’s world, seems to be in larger supply than any time in recent memory.

226 See Viviann Anguiano, Four Actions Colleges can Take to Address Police Brutality, CTR. AM. PROGRESS (July 15, 2020), https://www.americanprogress.org/article/4-actions-colleges-can-take-address-police-brutality [https://perma.cc/6UHB-WBVD].

227 These suggestions also collectively form a rejoinder to the reformer who argues that we should simply force all CPOs to have short-leash jurisdiction—that may be a good solution to the problem with campus police, but it teaches it very little about the solutions to the problems that are endemic to policing itself.

Campus Policing and Police Reform

One can hardly even estimate how many CPOs are employed in America in 2023. These data deficits make it difficult to grasp the size of the “problem” that unleashed CPOs pose to the public (if any), and to subsequently calibrate the degree of community oversight that may be needed to make such policing proportionately accountable.

The extent of campus police unionization, and the details of their collective bargaining agreements, is another area where further research is needed. If police unionization in the municipal context is a reliable indicator, then collective bargaining agreements could be a roadblock to many reform measures, especially those that reduce the quantity of campus police that are employed by schools or are otherwise tasked with law enforcement duties.

Colleges and universities themselves are probably best positioned to fill these empirical gaps. Institutions could require that their campus police departments start tracking, coding, and reporting their public-facing encounters, as well as their interactions with school affiliates. Similarly, schools could require that any campus police departments that engage in collective bargaining release the details of their contracts to the public, or at least to an oversight board akin to the Management Boards discussed earlier. If the schools are public, then there should be no barrier to making these contracts public; at private schools, the institution could simply make public notification a term of the contract itself. And finally, if action by school administrators is the goal, then organized lobbying from students, staff, and community members would go a long way toward achieving the desired outcome.

CONCLUSION

Though campus police are empowered in more varied ways than their municipal counterparts, these two kinds of force are more similar than they

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228 Some schools, like the University of Chicago, are required by law to report info about traffic stops to the state; but even these reports do not track the information we’re looking for here. See Traffic Stops, UNIV. OF CHI., https://safety-security.uchicago.edu/stay-informed/police-data-information/traffic-stops [https://perma.cc/FN5E-Y4GL].

229 The most recent survey conducted on this question was reported in 2015. See generally CAMPUS LAW ENFORCEMENT, 2011–12, supra note 17. The number-employed mystery is acutely felt by scholars making econometric-style arguments about the harms of under-policing and the purported benefits of increased police presence. See generally Lewis & Usmani, The Injustice of Under-Policing, supra note 199.

are different. Campus police carry deadly weapons, exercise full police power within their jurisdiction (and often outside of it), and act as the first link in the long chain of encounters with the state that constitute our criminal legal system. But despite wielding this full gamut of state-sanctioned tools, campus police officers are often less accountable than municipal police, answering not to a sheriff or city council but instead to a university president or a board of regents. What is more, the academics working at the schools that employ these officers have had little to say about them, and until recently have not involved themselves in efforts to reform their operations.

As America publicly rethinks its policing practices, there is no more appropriate time than now to carefully examine our campus police. This Comment has initiated that discussion in three ways. First, by elucidating the law that empowers campus police and offering a new model for classifying them, the Comment provides raw material for future scholars exploring the complicated legal scheme of campus police jurisdiction. Next, through a case study, it identifies three of the most troubling concerns about the way the modern urban campus is policed. Finally, by suggesting some targeted reforms and identifying areas for further research, the Comment adds a critical perspective to a field that largely lacked one and demonstrated the many real opportunities for meaningful reform that campus policing presents. And with such reform in mind, it concludes with a call to likeminded students and scholars to make their voices heard across our nation's campuses; without them, no change is possible.
### APPENDIX

Table 1: Campus Police Statutes in the Fifty States

<table>
<thead>
<tr>
<th>State</th>
<th>Public or Private</th>
<th>Appointing Authority</th>
<th>Limited JX</th>
<th>Physical Extension</th>
<th>Hot Pursuit</th>
<th>Allows MOU/Mutual Aid</th>
<th>Enforce Campus Rules</th>
<th>Training Requirement</th>
</tr>
</thead>
<tbody>
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<td>Public</td>
<td>President of School</td>
<td>No232</td>
<td>N/A</td>
<td>N/A</td>
<td>Yes, requires</td>
<td>No (but “protect property”)</td>
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</tr>
<tr>
<td>AK</td>
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<td>Board of Regents</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No mention</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

231 The term "Limited JX" stands for Limited Jurisdiction. The information in this table is drawn from the following statutes (by state, in alphabetical order): ALA. CODE § 16-50-4(b) (2023) (Alabama); ALASKA STAT. § 14.40.043 (2023) (Alaska); ARIZ. REV. STAT. ANN. § 1-215 (2023) (Arizona, public), ARIZ. REV. STAT. ANN. § 15-1897 (2023) (Arizona, private); ARK. CODE ANN. §§ 25-17-304, -305 (2023) (Arkansas, public), ARK. CODE ANN. §§ 12-20-201, -202 (2023) (Arkansas, private); CAL. EDUC. CODE § 89560 (West 2023) (California, public), CAL. PENAL CODE § 830.7 (West 2023) (California, private); COLO REV. STAT. §§ 24-7-5101 to -107 (2023) (Colorado); CONN. GEN. STAT. § 10a-156b (2023) (Connecticut); DEL. CODE ANN. tit. 14, § 5104 (West 2023) (Delaware); FLA. STAT. § 1012.97 (2023) (Florida); GA. CODE. ANN. §§ 20-8-1 to -7 (2023) (Georgia); 110 ILL. COMP. STAT. 305/7 (2023) (Illinois, public), 110 ILL. COMP. STAT. 1020/1 (2023) (Illinois, private); IND. CODE §§ 21-17-5-1 to -8 (2023) (Indiana); IOWA CODE § 262.13 (2023) (Iowa); KAN. STAT. ANN. §§ 76-726, 22-2401a (2023) (Kansas); KY. REV. STAT. ANN. §§ 164.950-.960 (West 2023) (Kentucky); LA. STAT. ANN. § 17:1805 (2023) (Louisiana); 2003 Me. Laws ch. 233 (Maine); MD. CODE ANN., EDUC. § 13-601 (West 2023) (Maryland); MASS. GEN. LAWS ch. 22C, § 63 (2023) (Massachusetts); MICH. COMP. LAWS §§ 300.1511–1514 (2023) (Michigan); MINN. STAT. § 137.12 (2023) (Minnesota); MISS. CODE ANN. § 37-105-3 (West 2023) (Mississippi); MO. REV. STAT. §§ 174.700–706, 178.862 (2023) (Missouri, community colleges); MONT. CODE ANN. § 20-25-321 (2023) (Montana); NEV. REV. STAT. §§ 396.325–3297, 289,350 (2023) (Nevada); N.J. STAT. ANN. §§ 18A:6-4.2 to -7 (West 2023) (New Jersey); N.M. STAT. ANN. § 29-5-2 (2023) (New Mexico); N.Y. EDUC. LAW § 355 (McKinney 2023) (New York, public); N.Y. EDUC. LAW § 6435 (McKinney 2023) (New York, private); N.C. GEN. STAT. § 116-40.5 (2023) (North Carolina, private), N.C. GEN. STAT. § 74E-1 to -13 (2023) (North Carolina, private); N.D. CENT. CODE § 15-10-17 (2023) (North Dakota); OHIO REV. CODE ANN. § 3345.04 (West 2023) (Ohio); OKLA. STAT. tit. 74 §§ 360.17–18 (2023) (Oklahoma); OR. REV. STAT. §§ 352.118, .121 (2023) (Oregon); 71 PA. CONS. STAT. §§ 646, 646.1 (2023) (Pennsylvania); R.I. GEN. LAWS § 16-52-2 (2023) (Rhode Island); S.C. CODE ANN. § 59-116-10 to -120 (2023) (South Carolina, public), S.C. CODE ANN. § 23-1-60 (2023) (South Carolina, private); TENN. CODE ANN. § 49-7-118 (2023) (Tennessee); TEX. EDUC. CODE ANN. § 51.203 (West 2023) (Texas, public), TEX. EDUC. CODE ANN. §§ 51.212, .2125 (West 2023) (Texas, private); UTAH CODE ANN. §§ 53B-3-104, -105 (West 2023) (Utah); VT. STAT. ANN. tit. 16, § 228(e) (2023) (Vermont); VA. CODE ANN. §§ 23.1-809 to -818 (2023) (Virginia); WASH. REV. CODE §§ 28B.10-550–507 (2023) (Washington); W. VA. CODE § 18B-4-5 (2023) (West Virginia); WIS. STAT. § 36.11 (2023) (Wisconsin); WYO. STAT. ANN. § 7-2-101 (2023) (Wyoming). Hawaii, Idaho, Nebraska, New Hampshire, and South Dakota have no relevant statute. 232 Jurisdiction is limited to the City of Montgomery. See ALA. CODE § 16-50-4 (2023).
<table>
<thead>
<tr>
<th>State</th>
<th>Public or Private</th>
<th>Appointing Authority</th>
<th>Limited Jurisdiction (JX)</th>
<th>Physical Extension</th>
<th>Hot Pursuit</th>
<th>Allows MOU/Mutual Aid</th>
<th>Enforce Campus Rules</th>
<th>Training Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>AZ</td>
<td>Both</td>
<td>Board of Regents</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes, allows</td>
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<td>Yes (for private schools)</td>
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<td>AR</td>
<td>Both</td>
<td>“Executive Head” of School</td>
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<td>Yes</td>
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<td>CT</td>
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<td>No</td>
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<td>University</td>
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<td>No</td>
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<td>N/A</td>
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<td>N/A</td>
<td>N/A</td>
<td>No mention</td>
<td>No</td>
<td>Yes</td>
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</tbody>
</table>

233 Jurisdiction is limited to counties where schools are located. See 110 ILL. COMP. STAT. 305/7 (2023) (public); see also 110 ILL. COMP. STAT. 1020/1 (2023) (private).
234 Jurisdiction can be extended statewide by the Board of Trustees. See IND. CODE § 21-17.5-5 (2023).
<table>
<thead>
<tr>
<th>State</th>
<th>Public or Private</th>
<th>Appointing Authority</th>
<th>Limited Jurisdiction</th>
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<th>Enforce Campus Rules</th>
<th>Training Requirement</th>
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<td>CEO of School</td>
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<td>Board of Regents</td>
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<td>Yes</td>
<td>Yes, allows</td>
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<td>Board of Regents</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes, allows</td>
<td>No (but broad description of purpose)</td>
<td>Yes</td>
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<td>MT</td>
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<td>Board of Regents</td>
<td>Yes</td>
<td>Yes</td>
<td>No</td>
<td>Yes, allows</td>
<td>No</td>
<td>Yes</td>
</tr>
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235 Jurisdiction be extended by state law if governing board approves. See MICH. COMP. LAWS § 390.1512 (2023).
236 Jurisdiction is statewide but limited only to crimes involving school “personnel or property.” See MINN. STAT. § 137.12 (2023).
<table>
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<tr>
<th>State</th>
<th>Public or Private</th>
<th>Appointing Authority</th>
<th>Limited JX</th>
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<th>Enforce Campus Rules</th>
<th>Training Requirement</th>
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<td>NV</td>
<td>Public</td>
<td>Board of Regents</td>
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<td>No</td>
<td>Yes</td>
<td>Yes, allows</td>
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<td>NJ</td>
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<td>Yes</td>
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<td>Board of Regents</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No mention</td>
<td>Yes (campus traffic rules)</td>
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<td>NY</td>
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<td>Governing Board</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>Yes, allows</td>
<td>Yes</td>
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237 Training for all peace officers is required by other statutes. See NEV. REV. STAT. § 289.550 (2023).
238 Jurisdiction is statewide but can be limited by schools. See N.J. STAT. ANN. § 18A::6-4.5 (West 2023).
239 CPOs at private schools in New York face interesting limitations, such as the inability to use lethal force. See N.Y. EDUC. LAW § 6435 (McKinney 2023).
240 The statute lists specific roads upon which jurisdiction is granted. See N.D. CENT. CODE § 15-10-17 (2023).
<table>
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<tr>
<th>State</th>
<th>Public or Private</th>
<th>Appointing Authority</th>
<th>Limited JX</th>
<th>Physical Extension</th>
<th>Hot Pursuit</th>
<th>Allows MOU/Mutual Aid</th>
<th>Enforce Campus Rules</th>
<th>Training Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>OR</td>
<td>Public</td>
<td>Governing board</td>
<td>Yes</td>
<td>No mention</td>
<td>N/A</td>
<td>Yes, allows</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>PA</td>
<td>Public and “Public-Aided”</td>
<td>School</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes</td>
<td>Yes, allows</td>
<td>No (but wide peacekeeping powers)</td>
<td>Yes</td>
</tr>
<tr>
<td>RI</td>
<td>Public</td>
<td>Governing Board</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>SC</td>
<td>Public (private are state constables)</td>
<td>Board of Trustees (public); Governor (private)</td>
<td>Yes (public); No (private)</td>
<td>No</td>
<td>Yes</td>
<td>No mention</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>TN</td>
<td>Both</td>
<td>Governing Board (if private, must be deputized)</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes, allows</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>TX</td>
<td>Both</td>
<td>Governing Board</td>
<td>No</td>
<td>N/A</td>
<td>N/A</td>
<td>Yes, allows</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>UT</td>
<td>Public</td>
<td>Governing Board</td>
<td>No mention</td>
<td>N/A</td>
<td>N/A</td>
<td>No mention</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>VT</td>
<td>Public</td>
<td>Board of Trustees</td>
<td>No mention</td>
<td>N/A</td>
<td>N/A</td>
<td>Yes, allows</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>VA</td>
<td>Both</td>
<td>Governing Board or Circuit Court</td>
<td>Yes241</td>
<td>No</td>
<td>Yes</td>
<td>Yes, requires</td>
<td>No</td>
<td>Yes (for private)</td>
</tr>
<tr>
<td>WA</td>
<td>Public</td>
<td>Board of Regents</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>WV</td>
<td>Public</td>
<td>Governing Board</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes, allows</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

241 Municipalities can petition their local circuit courts to grant additional jurisdiction to CPOs at schools within their geographical area of governance. See VA. CODE ANN. § 23.1-815 (2023).
<table>
<thead>
<tr>
<th>State</th>
<th>Public or Private</th>
<th>Appointing Authority</th>
<th>Limited JX</th>
<th>Physical Extension</th>
<th>Hot Pursuit</th>
<th>Allows MOU/Mutual Aid</th>
<th>Enforce Campus Rules</th>
<th>Training Requirement</th>
</tr>
</thead>
<tbody>
<tr>
<td>WI</td>
<td>Public</td>
<td>Board of Regents</td>
<td>Yes</td>
<td>No</td>
<td>No</td>
<td>Yes, requires</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>WY</td>
<td>Public</td>
<td>University</td>
<td>No mention</td>
<td>N/A</td>
<td>N/A</td>
<td>No mention</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
Table 2: Jurisdiction of Top Twenty-Five Largest Campus Police Departments

<table>
<thead>
<tr>
<th>Campus Served</th>
<th>Full-Time Sworn Officers</th>
<th>Jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Temple University</td>
<td>133</td>
<td>Unleashed</td>
</tr>
<tr>
<td>University of Pennsylvania</td>
<td>116</td>
<td>Unleashed</td>
</tr>
<tr>
<td>University of Southern California</td>
<td>102</td>
<td>Unleashed</td>
</tr>
<tr>
<td>University of Maryland - College Park</td>
<td>99</td>
<td>Unleashed</td>
</tr>
<tr>
<td>Howard University</td>
<td>94</td>
<td>Long-leash</td>
</tr>
<tr>
<td>The University of Texas Health Science Center at Houston</td>
<td>92</td>
<td>Unleashed</td>
</tr>
<tr>
<td>George Washington University</td>
<td>90</td>
<td>Long-leash</td>
</tr>
<tr>
<td>Tulane University</td>
<td>90</td>
<td>Unleashed</td>
</tr>
<tr>
<td>Vanderbilt University</td>
<td>88</td>
<td>Unleashed</td>
</tr>
<tr>
<td>University of Chicago</td>
<td>86</td>
<td>Unleashed</td>
</tr>
<tr>
<td>University of Alabama at Birmingham</td>
<td>84</td>
<td>Unleashed</td>
</tr>
<tr>
<td>Yale University</td>
<td>84</td>
<td>Unleashed</td>
</tr>
<tr>
<td>Virginia Commonwealth University</td>
<td>82</td>
<td>Unleashed</td>
</tr>
</tbody>
</table>

242 The data regarding the numbers of officers for each campus is sourced from CAMPUS LAW ENFORCEMENT, 2011–12, supra note 17. These numbers are likely not entirely accurate today.

243 It is unclear whether Virginia Commonwealth University (VCU) officers may respond to off-campus incidents only when such incidents involve VCU affiliates, or whether their off-campus...
<table>
<thead>
<tr>
<th>Campus Served</th>
<th>Full-Time Sworn Officers</th>
<th>Jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>University of Illinois at Chicago</td>
<td>81</td>
<td>Unleashed</td>
</tr>
<tr>
<td>University of Medicine and Dentistry of New Jersey</td>
<td>80</td>
<td>N/A</td>
</tr>
<tr>
<td>CUNY Brooklyn College</td>
<td>80</td>
<td>Unleashed</td>
</tr>
<tr>
<td>Harvard University</td>
<td>80</td>
<td>Unleashed</td>
</tr>
<tr>
<td>University of Connecticut</td>
<td>76</td>
<td>Unleashed</td>
</tr>
<tr>
<td>Georgia Institute of Technology</td>
<td>76</td>
<td>Long-leash</td>
</tr>
<tr>
<td>University of Florida</td>
<td>74</td>
<td>Long-leash</td>
</tr>
<tr>
<td>University of Georgia</td>
<td>74</td>
<td>Long-leash</td>
</tr>
<tr>
<td>Arizona State University</td>
<td>73</td>
<td>Long-leash</td>
</tr>
<tr>
<td>Michigan State University</td>
<td>71</td>
<td>Short-leash</td>
</tr>
<tr>
<td>CUNY City College</td>
<td>70</td>
<td>Unleashed</td>
</tr>
<tr>
<td>University of Pittsburgh</td>
<td>70</td>
<td>Unleashed</td>
</tr>
</tbody>
</table>

Jurisdiction is more general. See Jurisdiction/Core Campus, VCU POLICE, https://police.vcu.edu/about/jurisdiction/core-campus [https://perma.cc/3FQ4-FQ9D] (explaining that the VCU Police’s agreement with Richmond PD allows VCU officers to respond “when students, faculty and staff who were previously in ‘off-campus’ buildings request a VCU Police officer,” but also suggesting that “[s]hould they be needed, [VCU officers] could also assist the Richmond Police Department and other public safety agencies [off-campus]”).

244 This school was dissolved by the New Jersey state government in 2012, and its assets were distributed among Rutgers and Rowan Universities. See Kelly Heyboer, Rutgers Boards Approve Historic UMDNJ Merger, NJ.COM (Nov. 19, 2012, 4:45 PM), https://www.nj.com/news/2012/11/rutgers_boards_approve_umdnj_m.html [https://perma.cc/GKC3-HV4D]. It is unclear which school, if any, inherited its CPOs.
Figure 1: Jurisdiction Flowchart