



10 Ways to Address the Relationship Between Title IX and Campus Police

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1. Climate surveys can often show that students prefer an administrative response, if the questions are asked in non-criminal terms.
2. The foundation needs to be laid around why campus police would be primarily involved in responding to acts of discrimination. They think they are dealing with rape, and they are not, unless a victim explicitly wants them to. The public misunderstands this as well. We are resolving and remedying an act of gender/sex discrimination that has physical form. Not a crime, and not really analogous to a crime by its campus definitions and processes. If they don't own race discrimination, age discrimination, disability discrimination and even sexual harassment, why would they own this one form of discrimination and not all others?
3. You may be able to get them to agree to take off the police hat. If they will, they can serve in the investigation pool for Title IX cases (and probably do so quite well, with training) without a conflict of interest.
4. Sworn police have a potential conflict of interest if they get involved in campus sexual violence when a victim does not want a criminal response and a real conflict when the victim does want a criminal response. Put it firmly on their plate and ask them if they understand the conflict, how it can play out in terms of serving two masters, the obligation of file sharing, the conflict between state law and federal, and ask them what right they have to set up a default intake/investigation mechanism that creates a conflict for the university. University counsel can/should be a facilitator of this conversation.
5. Consider the after-hours intake role for police, and the problems it causes with funneling victims to them who might during the day receive a response from Title IX administrators instead. Would an on-call Title IX team or hotline resolve some of the pressure being put on campus law enforcement to serve dual roles for after-hours dispatch related to sexual violence?
6. An MOU that clearly spells out the relationship of Title IX to campus police and local police is of great value here, as any understandings you create orally may not be honored (intentionally or unintentionally) in practice unless memorialized in writing. In the MOU, Title IX must commit to sharing data with campus police for purposes of Clery compliance, which will help to assuage their concerns. Further, Title IX and campus police must collaborate now to even hope to comply with VAWA Section 304. Spelling out who does what, and how you support each other is crucial right now if compliance is to be achieved.
7. Consider a Title IX Team model where campus police have a seat at the table.
8. Consider a revised reporting/supervisory model in which Title IX and campus police report up to the same VP or other cabinet-level administrator. That could help to get everyone on the same page.
9. Per the April 2015 Guidance document from OCR, give your TIXC the authority they need to accomplish compliance, which will often give them enough hierarchy institutionally to negotiate with the chief of campus police on an even footing. Disempowered Coordinators often lack the bargaining chips needed to leverage the conversation.
10. Build a personal relationship to improve a professional relationship. Start having lunches, designating liaison roles or deputies, do them a kindness, share information, make the chief look good in public so as to soften the blow they are feeling of the loss of face associated with being stripped of authority on sexual assaults. Remember that on many campuses, crime is low and law enforcement departments are

sleepy. Sexual assault is some of the most interesting action they get, and now we want to take that away as well. Don't ignore the adrenaline piece and remember that some people go into law enforcement for the action, find campuses to be boring, and cling to jurisdiction over sexual violence for that reason alone — to still feel they are in the game.