Michael McKinney and Ball State University
A Public Relations Case Study

by

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7-8-04
Abstract

Michael McKinney and Ball State University: A Public Relations Case Study examines a current situation at Ball State University. It is a public relations case study that looks at the case of a student being killed by a Ball State University police officer. The study delves further into an analysis of Ball State's handling of the event. The case study examines what they have done right and wrong and analyzes the reasoning behind the public relations choices they have made.
Acknowledgements

I am indebted to a number of people for assisting me with my Honor’s thesis project. First of all, my thesis advisor, Becky McDonald, has been of great help through all of my research, analysis, and writing. I must also thank my roommates and friends for their support, advice, and constructive criticism of my project. Finally, I must acknowledge my parents for their help and support over the years, as well as over the past year, in which I have been working on my project.
The Background

Ball State University is a medium-sized state school located in Muncie, Indiana. The university began as a private school in 1889. The five Ball brothers, for whom the university is named, then purchased the buildings. The university was then given to the State of Indiana in 1918. The university has since grown to a 1,035-acre campus that includes 65 buildings. The overall value of the university is approximately 900 million.

Ball State currently holds an enrollment of approximately 18,000 students, both undergraduate and graduate. Of these students, 56 percent are female, 9 percent are out of state students, and 2 percent are international students. Ball State awards about 4000 degrees annually.

Ball State is composed of seven academic colleges with 48 different departments. The school offers 140 majors, 72 Master's programs, and 15 doctoral programs. Ball State employs 836 full-time faculty members. The university has become Delaware County's largest employer with 3,497 total employees.

Residence halls are available for student housing. Space is available for 6,800 students in the residence halls. Upperclassmen often choose to live off-campus in many of the surrounding neighborhoods, which are primarily college student neighborhoods. There are also fraternities and sororities at Ball State, of which the fraternities have houses.
Yearly tuition at Ball State for the academic year of 2003-2004 was $4,532. Room and board at the university’s residence halls started at $5,800. Additional expenses for students including books, fees, and other costs are estimated at $2,940- $3,240.

The university teaches thousands of graduate and undergraduate students, conducts research, and does its part to prepare these students for the work force. There are also numerous organizations and services that attempt to provide students with much needed leadership and social skills training, which will be valuable to them after they graduate.

President Blaine Brownell headed Ball State from the fall of 2000 until December of 2003. Currently, the acting president is Beverly Pitts.

Ball State claims, on its website, to bring together the “powerful resources of a large comprehensive university with the personal learning of a small liberal arts college.”

The Situation

A Ball State student was shot and killed by a university police officer on Saturday November 8, 2003, at approximately 3:30 a.m. Ball State junior, 21-year-old Michael Shea McKinney was killed when officer Robert Duplain shot him four times outside the residence of 1325 West North Street in Muncie.

At first the incident was reported as a burglary. Officer Duplain had been called to the scene. The resident of 1325 West North Street had heard someone banging on the back door and had called the police to report a possible burglary.
Duplain found McKinney in the back yard and shouted at him to freeze. McKinney ran toward the officer with his arms out when Duplain began firing his gun. McKinney was shot four times, three times in the chest and once in the head. He was pronounced upon arrival at Ball Memorial Hospital.

However, later, investigators find out that McKinney had been planning to spend the night at a friend's house, located only a couple of houses down from the one where he was shot. This street is located only several blocks from the campus bars, where McKinney had been that evening. His friends, whom he had been with at the bar that night, say that he had consumed large quantities of alcohol and was probably drunk and disoriented enough to believe he was at a different residence. The coroner's report later revealed that McKinney's blood alcohol level was .343, showing that he was highly intoxicated that night.

Also called into question was whether or not Robert Duplain was qualified to be on the force already. The 24-year-old rookie officer had only been on the force at Ball State for seven months. He had completed only the minimum 40 hours of formal training required by Indiana law. A veteran officer also trained him for 14 weeks before patrolling on his own. He had also planned to attend the Indiana Law Enforcement Academy the following January, as he was required by Indiana law to enroll there within one year of joining a police department. The Muncie Police Department immediately began an investigation into the incident. Duplain was placed on administrative paid leave.

In December, about one month after McKinney's death, the university announced changes it had made to policies regarding the University Police
Department. Several changes made were: (1) No Ball State police officer could patrol or respond to calls alone until he/she has completed training at the Indiana Law Enforcement Academy, (2) Ball State’s field training program was expanded from 14 to 21 weeks, (3) New officers would now work with an experienced officer for a period of three months following the officer’s completion at the Indiana Law Enforcement Academy, and (4) All officers are now to be trained to use all equipment including chemical defensive spray and baton.

Following the university’s changes, Michael McKinney’s father, Tim McKinney asked the university to remove guns from University Police officers. He asserted that there are rare situations on campus at Ball State where officers need to use guns.

In early January, a Delaware county grand jury determined that Duplain would not be charged with any crime in connection with the shooting. After hearing testimony over a three-day period, grand jurors decided that there was not probable cause to indict the officer for any crime. The university also announced that Duplain would not be returning to the streets, but be given a “non-patrol position.”

In February, Michael McKinney’s parents filed a federal civil rights lawsuit against Ball State University and University Police officer Robert Duplain. The family retained attorney Geoffrey Fieger of Southfield, Michigan, who is well known for several high-profile cases including the defense of Jack Kevorkian, as well as the family of a man who killed himself after the taping of a “Jenny Jones” show.
In early March, another Ball State student, 20-year-old sophomore Karl Harford was shot and killed after leaving a house party near campus. His blood alcohol level was over .1.

After the second student at Ball State was killed in an alcohol-related incident, Ball State decided it was time to make some waves. The university launched a campaign called, "Police Yourself," warning students that the university and Muncie police officers were going to begin cracking down on underage drinking and all alcohol-related offenses.

Meanwhile students on campus at Ball State had been saddened and outraged throughout the entire situation. McKinney had been a member of a disbanded fraternity at Ball State, Delta Chi. His family, friends, and fraternity brothers spoke out publicly, saying how infuriated they were that this could happen. *The Daily News*, Ball State's student-run newspaper, printed numerous editorials written by McKinney's friends and family, students, professors, and concerned Muncie residents. It was the topic of discussion in classes, student organizations, and all over campus.

**Ball State University's Response**

Although the administration and officials at Ball State University were saddened and shocked by what had happened, there was little time for that. It was necessary for Ball State officials to focus on the crisis, address their publics, and communicate their key messages. This crisis could be defined as a non-operating problem, or a situation that is outside any management training or
experience. It is important to look at the situation as a whole, but still realize all of the different aspects of the case that must be viewed separately. For instance, there is the death of a student, major allegations and possible crime by a university employee, and impending litigation against the university.

Ball State handled this crisis situation to the best of their ability. There were things they did right. There were things they did wrong. They were completely caught off guard in this situation, and this was to be expected.

One of the most important issues in public relations is that preparation and prevention are key in crisis management. It is important for public relations people to be aware of any and all possible crises and be prepared to deal with them. This situation with Michael McKinney’s death would have been impossible to predict. However, Ball State reacted tentatively. They were not sure of what message they wanted to send, and sometimes sent no message at all.

Another important factor is to never let press criticism go unanswered. The media covered this situation nationally. There were articles about it in the Muncie and Ball State newspapers every day for weeks. Ball State usually had a comment to go with everything. However, there were times, in several articles, where it simply stated that Ball State did not return phone calls asking for comments. It is possible that Ball State had nothing new to say, after being covered so extensively. However, the university should never miss an opportunity to reinforce its key messages.

In a crisis situation, it is important for the spokesperson to be well groomed, to know what is going on, and to be able to speak about it effectively.
Ball State had several different spokespersons throughout the ordeal. The primary spokesperson was Heather Shupp, the executive director of University Communications. Other people who spoke on Ball State's behalf included Gene Burton, Chief of University Police, Douglas McConkey, Ball State vice president for student affairs, and Blaine Brownell, the university president at that time. It was apparent through these spokespersons' comments that they had been well prepared for their interviews. They tried to reinforce their key messages. They were all uniform in what they said and with the messages they relayed to the media.

Public relations students are told that it is a good idea to have one primary spokesperson. It seemed that the secondary spokespersons commented on this situation a lot. However, with the magnitude of this situation and because of all of the different parties involved, it was appropriate that more university officials be involved. It showed that Ball State was sending out uniform messages and that the administration was united with the University Police Department. As Shupp is usually the key spokesperson for the university, it was important that she be very involved with speaking to the media. Additionally, because the situation directly involved the University Police Department, Burton was an important figure. The contribution by other university officials was important in reinforcing these messages to the target publics.

One problem that Ball State had with this situation is the amount of information that they released. Generally, it is best to provide as much information as possible at that particular time. However, there were several
occasions when Ball State released information to the media without first informing the more important publics, such as Michael McKinney's family. When the coroner first attempted to determine McKinney's blood alcohol level at the time of death, he concluded that it was indeterminable. However, the next day he came back saying that he was in error and released the true number. The first that McKinney's family heard about this development was when a member of the media called them for comment. Throughout the ordeal, his family voiced that they felt as if the university was not keeping them informed. In this situation, the family is one of the most important publics. The university should have been directly contacting them with up to date information as soon as possible, before releasing anything to the media.

In this modern age, utilizing technology is very important. A quick, efficient way to disseminate information is by using the Internet. Ball State recognized this and took advantage of it. Students were caught in the middle of this situation and wanted to know what was going on. President Blaine Brownell (and later, acting president Beverly Pitts) sent out several all-campus e-mails to students, reassuring them, updating them, and issuing them information about the new campaign.

It is important to remember that a crisis is a management problem first. Communications is one crucial strategic activity within crisis management. In this situation, it is important to identify the key publics that needed to be addressed. These included the McKinney family, Officer Duplain, Ball State students and faculty, the Muncie community, as well as the media.
After a situation like this occurs, it is necessary for an organization to regain public credibility. The organization needed to alleviate the community's anguish by restoring confidence, rebuilding relationships, and refocusing media coverage. Ball State attempted to do all of these things. Ball State recognized that those close to McKinney were hurting right now, as well as other students who felt for him and his family. Ball State employed additional counselors to be on hand in an attempt to field any extra need that students had to talk to someone about the situation. In President Brownell's letter to students, he urged them to lean on each other in this time of crisis. He recognized that the university was in a state of anguish, but empowered students to work through it together. By doing this, he was attempting to restore confidence with the student body and to rebuild the strong relationship between students and the administration.

It was important for Ball State to show that procedures and policies would be changed because of what happened to Michael McKinney. Even though the Muncie Police Department's investigation showed that Officer Duplaine committed no crime, Ball State still went to great lengths to change their current policies. This was part of a declaration made by Ball State when they made these changes. This also shows that although the university is not accepting the blame for McKinney's death, they are doing what they can to prevent anything like this from happening to any other student. These policy changes were then e-mailed to students so that they were aware of them immediately.
The University Police Department consulted another agency to conduct the investigation into the shooting. The Muncie Police Department conducted the investigation. This was important in helping their publics to believe and understand their findings. However, some people, including Michael McKinney’s family, are still doubtful regarding their findings because of the Muncie Police Department’s close ties with the University Police. Perhaps it would have looked better if the police department would have consulted an even further outside source to investigate.

In an attempt of restitution, Ball State has offered to possibly award Michael McKinney with a posthumous degree. He was one semester away from graduating. This act will not make up for what his family has gone through. However, it is a small deed that Ball State can do to offer comfort and condolences to the family.

Ball State has done what they can to make up for this unfortunate incident. Unfortunately, the ordeal is far from over. The family of Michael McKinney could keep Ball State tied up in the court system for several years before a settlement is finally decided. Ball State must continue to be open with its publics, to keep them informed of what is going on. Even though the media coverage has died down, the crisis is far from over. Since it is such a drawn out process, Ball State has the opportunity to more adequately prepare for what could occur with this impending lawsuit. It is necessary for the crisis management team to be prepared for whatever outcome could arise from this situation. They must be prepared to deal with anything that happens.
From this case, we can learn that it is impossible to predict any and every crisis that could possibly occur. However, when met with an unexpected situation, it is necessary to be as open and honest with the publics as possible, while remembering that your publics should be prioritized, and certain publics have the right to hear information first. Also, it is important to offer restitution to the victim or victim’s family of a crisis, even if it is something small.

Ball State may not have done everything right in this situation. They made a few mistakes. However, they have managed to come out well so far. They have accomplished this by remaining unified on the situation, keeping in contact with their publics, and by communicating their key messages.
Research Materials
Ball State student dead after police shooting

UPD officer was responding to burglary call

November 08, 2003

A Ball State student was shot and killed by a University Police Officer late Friday night or early Saturday morning.

Junior Michael S. McKinney, 21, was killed when officer Robert Duplain shot him while responding to a burglary call at 1325 W. North St., Chief of University Police Gene Burton said.

Burton said he asked the Muncie Police Department to handle the investigation because of the involvement of his officer.

"It really is a terrible tragedy," Heather Shupp, executive director of University Communications, said. "We're making sure that Muncie Police has all the information that they need."

Watch for updates at www.bsudailynews.com or pick up Monday's edition of The Ball State Daily News for more information.

Ball State student dead after police shooting

Post your feedback on this topic here

11/11/2003 How can this happen? First of all... kyle bell
11/11/2003 It shocks and amazes me that the Ball... Auston Yoder
11/11/2003 This is an outrage! Law enforcement... Jennifer
11/11/2003 This officer should not have been... Janice
11/11/2003 As a close friend of the victim... Tyler Greathouse
11/11/2003 University Police made me nervous 20... Dan
11/11/2003 I think this tragedy is a true... Dustin Baker
11/11/2003 I feel that this was nothing but a... Paula Redding
11/11/2003 As an alumni of BSU I am outraged... Jamie
11/11/2003 In response to the shooting death of... Pamela Gard
11/11/2003 Does banging on someone's door... Rob
11/11/2003 I don't know all the facts but seems... Rob
11/11/2003 Mikey McKinney was not a burglar. He... Shel
11/11/2003 I believe the campus police are... Rebekka
11/11/2003 I just want to say that Mikey was a... Stacy Baker-Gilmore
11/11/2003 you don't know what you have till its... your D-Chi brothers
11/11/2003 The man killed is a suspect not a... Craig
11/11/2003 I have read all the comments before... rock
11/11/2003  My daughter Jessica "Smitty" and...  Shelley Smith
11/12/2003  One, how do we know he was unarmed? I...  Concerned BSU Student
11/12/2003  This is a great tragedy. I feel...  John
11/13/2003  Police officers have to walk a fine...  BSU ALUMNI
11/13/2003  My thoughts and prayers go out to the...  Jason Chambers
11/13/2003  Now, I agree that this kid shouldn't...  Bedford resident
11/13/2003  To "Concerned BSU Student." Wouldn't...  Kyle Hayes
11/13/2003  I would just like to say that police...  Mahogany
11/14/2003  To Bedford resident, I truly hope...  Kimbal
11/14/2003  To the BSU-Trooper, I think the...  BSU Alum
11/14/2003  To Bedford Resident... ARE YOU...  Anne
11/14/2003  To "Bedford Resident": Your tone...  Bedford Student
11/15/2003  There are two sides to every story so...  KC
11/15/2003  As a friend of Mikey, it is very hard...  Friend of Mikey
11/15/2003  Given that those of you posting are...  Steve
11/15/2003  I've never lost anyone before and I...  Bishop's Dad
11/18/2003  Tyler, the victim in this horrendous...  Alum
11/19/2003  Alum, you are exactly right. This is...  Ian
11/19/2003  Hearing the story of what happened at...  Stefanie
11/19/2003  The exact happening of the night that...  Grant
11/20/2003  So Grant, what your saying is that as...  Ian
11/20/2003  Well, what I'm going to say has...  Dave
11/21/2003  Reading the thoughts of the general...  BSU ALUMN/Police Officer
11/22/2003  First of all family and friends lost...  bedford friend
(Feedback requires a Javascript-compatible browser)
Investigation continues into Ball St. shooting

Julia Moffitt/Eyewitness News

Muncie, Nov. 10 - When students return to class at Ball State University Monday, many will hear for the first time about the fatal shooting over the weekend.

Investigators say a BSU police officer shot 21-year-old Michael McKinney around 3:30 Saturday morning as he was pounding on a stranger's door just off campus.

The officer, 24-year-old Robert DuPlain, has been on the job for just seven months. He said he told the student to "get down" several times, but he says McKinney lunged at him. Officer DuPlain fired four shots into McKinney. He died at the hospital.

Police thought McKinney might be a burglar.

McKinney had said he was staying in the area with friends and just went to the wrong house.

Visitation is Tuesday from three to eight p.m. at the Ferguson and Lee Funeral Home in Bedford, McKinney's hometown. The funeral is Wednesday morning at ten o'clock.

HEADLINES
Three charged in fake ID scheme
Weather, one extreme to the other
Sniper suspect gets death sentence
Suspect says he wanted police to kill him
Ruth Lilly's family members raise concerns about National City Bank
Colts comeback
Police in Muncie are continuing their investigation into a fatal shooting at Ball State University. It happened around 3:30 Saturday morning.

Police say the campus officer was investigating a possible break in at a house. He then reportedly saw 21-year-old Michael McKinney, a student on the school, pounding at the back door.

Reports say McKinney lunged at the officer after he was told to get away from the house. He was shot four times and pronounced dead an hour later.

Right now, police are trying to figure out if McKinney had been drinking or knew someone else in the neighborhood and was just at the wrong home.

The Muncie Police Department is investigating the shooting. Delaware County Coroner Jim Clevenger said the process will take weeks, as forensic experts try to piece together what happened.

The officer involved was placed on administrative leave with pay pending the investigation.
Rich Van Wyk/Eyewitness News

Indianapolis, November 10 - The Ball State University police officer who responded to a resident's frantic emergency call, then shot and killed Michael McKinney, completed only the minimum of 40 hours of formal training required by Indiana law.

Officer Robert Duplain was also trained by a veteran officer, university officials say, for 14 weeks before patrolling on his own.

"Our training is on standard with other departments in the state," said Ball State spokesperson Heather Schupp.

Within a year of joining a police department, officers must enroll in the Indiana Law Enforcement Academy or another accredited training program.

During that year, they may work as full fledged, fully armed officers, providing they complete 40 hours of training.

"Somewhere between 60 percent and 75 percent of the officers who come here have worked the street in some capacity," said Scott Mellinger of the Indiana Law Enforcement Academy.

Michael McKinney's friends say he was likely drunk, disoriented and mistakenly tried to enter a stranger's home.

Although a witness says he ran at the police officer, McKinney's family
questions whether the rookie policeman could have avoided shooting him.

"We certainly can't let Mike's spirit go unrecognized and not hold some people accountable for some pretty awful things," said Katie McKinney, the victim's sister.

Indianapolis Public School police never work alone and are not issued a gun until they graduate from the academy.

Indiana University police have a more stringent policy, officers must graduate from the academy before even putting on a uniform or given any police powers.
Ball State student shot and killed by rookie university officer

Bedford native shot 4 times early Saturday morning

By Brian Janosch & Brandon Morley

Published Monday, November 10, 2003

MUNCIE -- A 21-year-old Ball State University student from Bedford, Ind., was shot and killed by university police early Saturday morning.

Junior Michael S. McKinney was banging on the back door and window of an off-campus house when the police were called around 3 a.m., Ball State spokesperson Heather Shupp said.

The Indianapolis Star reported that Ball State Police Officer Robert Duplain, 24, arrived at the scene and asked the student to come down from the back porch. From there, the student lunged off the porch toward the officer, when Duplain shot and killed McKinney with four shots to the torso.

"It is a terrible tragedy for the university and community," Shupp said. "Our focus is on the family and getting support for them and any friends of the student's. We are also making sure that the officer and his co-workers receive all the support they need as well."

The university had several counselors on duty over the weekend to provide the help they needed.
McKinney had been a member of the Delta Chi fraternity, whose house had closed down last year due to financial troubles. The university was not aware of McKinney's current residence.

Duplain has been on the Ball State police force for just seven months, and had completed his basic firearms and law course from the Indiana Law Enforcement Training Board, which allowed him to carry a weapon while on duty, The Indianapolis Star reported.

He had also completed 14 weeks of field training with the university and is scheduled to train at the Indiana Law Enforcement Academy in January 2004. Duplain is currently on administrative leave awaiting an investigation of the shooting, The Indianapolis Star reported.

"Case law in Indiana says a jury has to determine what was in the officer's mind at the time of the shooting," said Marc Lansky, an IU graduate and former Allen County prosecutor. "If the officer has hollered at someone and the guy charges him, the officer has to assume in a second or two whether or not the guy has a weapon."

Two IU Police Department administrators, including Lt. Jerry Minger, said they cannot remember a time in the last 30 years where an officer fired his weapon on campus.

Lansky said Indiana police officers have the right to use any appropriate force to make an arrest or stop a crime, which includes deadly force if the officer feels it necessary.

Many Ball State students were already aware of the death just one day after the shooting, and several students questioned the the officer's decision.

"I just think that (the officer) shouldn't have shot him so quick," Ball State Student Ryan Dye said. "They didn't even know if he was armed. I don't see any reason why they thought he was going to be violent. Or they also didn't have to shoot him four times, they could have just shot him in the leg or something so he
couldn't attack them."

The Indianapolis Star reported McKinney had been previously charged with public intoxication, possession of stolen property and criminal mischief in May 2002 when he and other members of his fraternity were caught stealing street signs. Information has not yet been released as to whether or not McKinney was intoxicated at the time of his death.

-- Contact staff writer Brian Janosch at bjanosch@indiana.edu. Staff writer Brandon Morley contributed to this report.
UPD OFFICER KILLS STUDENT
Michael McKinney, 21, pronounced dead at Ball Memorial

A University Police officer with seven months of experience shot and killed a Ball State student early Saturday morning.

Michael S. McKinney, 21, a fourth-year student, was pronounced dead on arrival at Ball Memorial Hospital, Terry Winters, deputy chief of Muncie Police, said.

The officer who shot him, Robert Duplain, 24, is now on administrative leave, University Police Chief Gene Burton said. Burton said UPD is conducting an internal investigation to determine if Duplain acted appropriately, and the Muncie Police Department is handling the criminal aspect of the investigation. No timetable has been set for completion of the investigations.

Winters said UPD officers responded to a report of a burglary at 1325 North St. early Saturday morning. He said Duplain found McKinney in the backyard and yelled for him to freeze. McKinney ran toward the officer with his arms out and wouldn't stop, so Duplain opened fire. Burton said Duplain had identified himself as a police officer.

Burton did not say how many shots were fired or how many times McKinney had been shot, pending the results of this weekend's autopsy. Witnesses say they heard three or four shots.

Burton said this is Duplain's first law-enforcement job. Heather Shupp, executive director of University Communications, said Duplain has completed a 40-hour pre-basic-training course. That includes 24 hours of classroom instruction, eight hours of firearm training and eight hours of physical defensive tactics. Duplain has also completed 14 hours of field training. He is planning to begin attending a police academy in January. Shupp said it is common for young officers to begin work before attending the police academy.

Duplain did not return messages seeking comment.

McKinney's friends gathered together Saturday night and watched the TV news reports. Rich Lentz, McKinney's Delta Chi fraternity brother, said he and others were offended by reports that McKinney -- who Lentz said was about 5-foot-7 -- was aggressive toward the officer.

"That doesn't sound like Mike McKinney," Lentz said. "I don't buy it. He's not an intimidating person by any means."

A suspect's intimidating manner is one of many factors that go into a police officer's decision to use force, Burton said. He said the University Police's Use-of-
Force Policy takes into account all sorts of variables that could come together at a crime scene.

"Any variable you could think of would be involved in that," Burton said.

Senior Scott Clark, who has known McKinney — a marketing major — since McKinney was a freshman, said McKinney spent his weekends at a house at the corner of Dicks and North streets. McKinney had been out drinking Friday night in the Village, Clark said, and he and his friends believe McKinney may have been drunk enough to think he was trying to get into his friend’s house, not a stranger’s.

Toxicology reports will not be available for a few weeks, Winters said.

"We think it was a huge misunderstanding," Clark said.

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<th>Date</th>
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<td>11/11/2003</td>
<td>I am absolutely outraged at the fact...</td>
<td>Stephanie Buchner</td>
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<td>There is a typical police response...</td>
<td>John Prince</td>
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<td>This is a terrible tragedy, I feel...</td>
<td>C Long</td>
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<td>What a joke, people defending a...</td>
<td>Rebecca Feldman</td>
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<td>I just can't understand why you would...</td>
<td>Collin Brown</td>
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<td>From all appearances, this appears to...</td>
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<td>Can this officer explain how it can...</td>
<td>Jason MacDonald</td>
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<td>I've heard a lot of students ask why...</td>
<td>Jay Kenworthy</td>
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<td>While the death of this young man is...</td>
<td>Michael W.</td>
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<td>I am the mother of a 22 year old boy...</td>
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<td>Hearing of this news made me sick,...</td>
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<td>There are a few pieces of information...</td>
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<td>Grant Wilson</td>
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<td>In response to rick. This entire...</td>
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<td>Tim Shea</td>
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<td>11/11/2003</td>
<td>To those of you that knew and loved...</td>
<td>Rick Locke</td>
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<tr>
<td>11/11/2003</td>
<td>Well... from an outsider looking...</td>
<td>Chet</td>
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<td>11/11/2003</td>
<td>I wish I could just hug all of you...</td>
<td>Jewels</td>
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<td>11/11/2003</td>
<td>Officers are not trained to shoot...</td>
<td>CCM</td>
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<td>11/11/2003</td>
<td>In regards to Rebecca Feldman's...</td>
<td>Ball State Student</td>
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<td>11/11/2003</td>
<td>CCM, Since when is Ball State campus...</td>
<td>BSU STUDENT</td>
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<td>11/11/2003</td>
<td>To Rebecca Feldman,... I just want...</td>
<td>Ande</td>
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<td>11/11/2003</td>
<td>I wasn't going to respond until one...</td>
<td>David Eldred</td>
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<td>11/11/2003</td>
<td>So much for waiting for all the facts...</td>
<td>Bill V.</td>
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<td>11/11/2003</td>
<td>For Ms. Feldman, it takes a lot of...</td>
<td>Erin Johnston-BSU Alum</td>
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Preliminary facts make it hard to fathom Ball State shooting

November 11, 2003

A Ball State University student is dead, shot at 3:26 a.m. Saturday after he wandered from a bar to the porch of a nearby neighborhood home. Apparently thinking he had arrived at his buddy's place, 21-year-old Michael McKinney -- a frat boy described as a fun-loving clown by friends -- began banging loudly on a back door, panicking the woman resident, who called police.

The tragedy of his death is compounded by two factors, at least. When parents send their children to college, it is with an expectation that they will be safe, or at least safe from being gunned down. And McKinney was killed by the very forces established to protect him. A young, rookie campus policeman, Robert Duplain, 24, responded to the 911 call. Duplain said he verbally ordered McKinney to "stop" and "get down," then fired not once but four times after, he said, the 5-foot-7-inch McKinney lunged at him from the porch.

While authorities are still collecting information about what happened, and while we should all suspend absolute judgment until all the facts are in, what we do know as of Monday raises concerns and questions.

Here is what is most troubling:

• Duplain was armed with a 9 mm semi-automatic double action Smith and Wesson gun. That's a standard police-issue weapon, but critics such as Don Davis of Don's Guns -- no gun foe, he -- maintain that a semi-automatic is too much firepower. "The thing that is wrong with that gun, is after you pull the trigger back, like you would a revolver, the hammer stays back and the gun stays cocked. All you have to do is barely touch the trigger and it goes bang-bang-bang-bang -- almost like a machine gun," he says, adding that police "absolutely don't need" semi-automatics to do their job. "They are not like the .357 revolvers police used to have -- they all want these guns that shoot 15 times."

• Duplain's gun was issued by the Ball State University police, who
provided him with 40 hours of academic work and 14 weeks of field training, including qualifying with the weapon. Yet he was carrying no Taser (a low-voltage stun weapon) or chemical pepper spray or Mace -- Ball State University spokeswoman Heather Shupp says he was not Mace-trained. Now, what kind of a campus force dispatches a seven-month rookie with a lethal weapon, yet doesn't supplement it with a less-deadly alternative? Why isn't Mace training part of field work?

- According to Shupp, Duplain was carrying a baton, which is designed to subdue a crazed or drunken individual. Why wasn't it used?

- Duplain had not yet attended the Indiana Law Enforcement Academy in Plainfield. Hired in April, he was set to go there in January. Should he have been on the streets without that extra 15 weeks of specialized schooling?

Scott Mellinger, executive director of the academy, notes that the training received by Ball State's campus police is "significantly more" than most police agencies around the state get.

Doug Cox is director of campus security at DePauw University in Greencastle. Officers on that campus attend the law enforcement academy before they are sent out in field situations. Also, DePauw police are schooled in a "use of force continuum," he says. "When you are approaching someone who is disorderly, the first use would not be drawing a weapon. It would be verbal. Next would be some sort of physical restraint. Next is use of pepper spray or Mace."

Ball State incorporates that training into its field study, says Shupp. So what went wrong?

Ruth Holladay's column appears Sunday, Tuesday and Thursday. You can reach her at 1-317-444-6405 or via e-mail at ruth.holladay@indystar.com
The Ball State University police officer involved in a fatal shooting over the weekend was adequately trained to carry out his responsibilities, university officials said Monday.

The school's investigation into the circumstances surrounding the confrontation between rookie officer Robert Duplain, 24, and student Michael S. McKinney, 21, outside a house in Muncie is continuing.

But speaking through a school spokeswoman, university Chief of Police Gene Burton defended the level of training Duplain and other officers receive before beginning patrols.

"The chief has expressed that the training (Duplain) received is consistent with what other law enforcement officers receive in other places," said the spokeswoman, Heather Shupp. "There's nothing inconsistent. If somebody were to really look at the training, they'd find it is adequate and sufficient for an officer to begin working on his own or her own."

Duplain, with seven months on the job, hadn't attended a full training course similar to the 600 hours offered by the Indiana Law Enforcement Academy in Plainfield. The popular sessions typically have waiting lists, and Duplain was scheduled to begin classes in January.

About 30 percent to 35 percent of police departments in Indiana are able to immediately send new hires to an academy, said Scott C. Mellinger, executive director of the academy in Plainfield. He said smaller departments with staffing shortages often don't have the ability to leave a position vacant for three months while a rookie takes those classes.

Indianapolis police put all their new hires through the department's own academy at 10th Street and Post Road before they start patrols. The Marion County Sheriff's Department requires the same training certification for its new recruits.

After Duplain was hired April 28, he participated in 14 weeks of field
training with the university police, Shupp said. He also had completed a 40-hour basic firearms and law course offered by the Indiana Law Enforcement Training Board, which allowed him to serve as an armed officer under state law.

That course included eight hours of firearms training, with some "shoot/don't shoot" practice scenarios, and eight hours of defensive tactics.

University officials acknowledged that Duplain wasn't equipped with a chemical spray commonly used to subdue suspects. Shupp said he didn't have the spray because he wasn't trained in its use.

That was one of many facets of the shooting that has bothered McKinney's father, Tim.

"I know veterans who never pulled their weapon," he said during a phone interview from his home near Bedford. "There are other means -- pepper spray, billy clubs, even a fistfight. Pulling a firearm is not the only answer."

Adam Ittenbach, a senior at Ball State and the Student Government Association vice president, said many of the university's 18,000 students are wondering about the "sense of force brought on to a student who was unarmed."

Ball State Police did not return phone calls seeking comment.

The Muncie Police Department, which is separate from the university police, is expected to submit its report on the shooting to the county prosecutor sometime next week. But it will take four to six weeks before toxicology results from McKinney's autopsy are complete.

A Ball State police report released Monday revealed few new details about the shooting, which occurred at 3:26 a.m. Saturday.

Witnesses said McKinney, a junior marketing major, pounded on the back door of a home in the 1300 block of West North Street, in a well-kept neighborhood about four blocks southeast of campus. Friends told the Ball State Daily News, the campus newspaper, that McKinney had been at a bar and might have been disoriented. His dad has said he had been staying in the neighborhood, a few houses away.

When Duplain came across McKinney behind the home, according to the police report, he yelled repeatedly at the student to "Stop! Get down!"

Police say that's when McKinney lunged at Duplain from the wooden back deck of the home and Duplain fired four shots from his police-issued 9 mm semiautomatic into the front of McKinney's torso.

Many colleges in Indiana, including Butler and the University of Indianapolis, rely on armed police forces instead of just security guards. Campus police can find themselves investigating sex crimes and burglaries just like their peers at municipal police forces.

"Whether it's students or anybody else, you have to realize the same rule applies to anybody," said Chief John Mulvey, whose 34 armed officers patrol the IUPUI campus.

 Shootings involving a campus police officer and a student are extremely rare, said Daniel Carter, a senior vice president for Pennsylvania-based Security On Campus Inc. A search by The Star found no evidence in decades of an active college student being fatally shot by either campus or city police.
Carter's group is a nonprofit watchdog organization that assists victims of crime on college campuses.

"Campus police do need to be armed to respond to threats in the community," said Carter, who lives in Knoxville, Tenn. "But they need to make sure they receive proper training -- including training to deal with this type of situation. That is critical."

Duplain, a graduate of Taylor University in Upland, is one of 31 sworn officers at Ball State.

Personnel records show no disciplinary actions against him, the university said.

Call Star reporter Tom Spalding at 1-317-444-2761.
Two days after a University Police officer killed a student, people on campus had more questions than answers.

Most notably, they asked how an officer with seven months of experience and pre-basic police academy training was allowed to confront a suspect alone.

"That's a question I'm not going to answer," Gene Burton, chief of University Police, said.

Burton and other university officials spent the day answering what questions they said they could, but Muncie Police is investigating Saturday morning's shooting, and Burton said he did not want to interfere.

"I want that investigation to be thought of as complete and above the board," Burton said.

Michael S. McKinney, 21, a fourth-year student, was shot and killed by University Police officer Robert Duplain, 24, when Duplain responded to a burglary call at 1325 North St. Saturday morning. Duplain said McKinney ran at him and wouldn't stop, so Duplain fired.

Duplain has not returned messages seeking comment.

Terry Winters, deputy chief of Muncie Police, said he expects his investigation will be complete and forwarded to the Delaware County prosecutor sometime next week.

Winters said investigators have been speaking with McKinney's friends, who have maintained that McKinney was likely confused and thought he was trying to get into a friend's house at the corners of North and Dicks streets seven houses away.

Toxicology reports that might indicate the use of any drugs or alcohol will be returned in about three weeks, Winters said.

Winters also released more details of how the events unfolded. He said that when Duplain and a second officer arrived at the scene, they decided to approach the backyard from both sides. The other officer approached from the east, which is blocked by a white fence. Duplain approached the west side of the yard, which is accessible from the front.

By the time the second officer made his way back to the west side of the yard, Winters said, McKinney had already been shot.

Burton said the University Police's use-of-force policy -- the procedures officers adhere to when dealing with an aggressive suspect -- includes any variable that could come into play when an officer confronts a suspect. That policy will be available no later than "first thing" Tuesday morning, Burton said.

Duplain has worked at the University Police Department for seven months. Heather Shupp, executive director of University Communications, said Duplain has completed a 40-hour pre-basic-training course and was scheduled to attend the police academy in January.

Burton said this is Duplain's first law-enforcement job.

Burton said Duplain is one of two officers employed by the University Police Department who has not attended the police academy.
Shupp said it is common for law-enforcement agencies to employ officers after they have received pre-basic training but before they have attended the police academy.

Indiana University's police force has one officer who is waiting to go to the police academy. Purdue University's police force employs none but has employed them in the past. IUPUI's police has none, and Indiana State University's police has one who just left the police academy.

Winters said the Muncie Police Department employs a few officers who have not attended the police academy. Winters, however, said any officer who has been with the force for less than a year works with a training officer regardless of whether or not they have attended the academy.

Shupp said Duplain had been working alone Saturday morning.

During his field training he was described as extremely competent by his supervisors.

"He's been a model officer," Burton said. "He's an extremely conscientious young man."

Burton said officers at the University Police Department, which the Indiana State Police investigated two years ago, are dealing with the situation the best they can.

"It's a trying time for everyone in the Ball State community," Burton said.

Meanwhile, in Bedford, McKinney's hometown, his family is preparing for today's viewing and Wednesday's funeral.

"I'm sure Michael's friends from Ball State will have the chance to come down," Timothy McKinney, Michael McKinney's father, said. "I know they'll turn out for him."

Timothy McKinney said he was appalled when he heard the details of what happened to his son. He expects, though, that any wrongdoing will be brought out through the Muncie Police's investigation.

Any legal action that McKinney's family might take, he said, will have to wait.

"I have no time to think about that," Timothy McKinney said. "I need to put him in his resting place."
Drunken students have harassed neighborhood before

Erica Pluff | Chief Reporter
November 11, 2003

When a drunk student threatened to break down her door, Rai Peterson called the University Police Department.

"He was shaking my door, carrying on and screaming," Peterson, an associate professor of English, said. "I was very scared."

When campus police arrived, the student told them that he lived there. It was a very similar situation to Michael McKinney's, Peterson said. Only it was three years ago, and the student received two citations.

Parties and the students that attend them create nuisances for residents, ranging from beer cans in the yard to intoxicated students at the door. Like Peterson, two other North St. residents said that police removed students from their porches.

"I don't think that we can forget the fundamental thought that people can't go around breaking into people's houses," Peterson said. "It's definitely illegal and a very threatening thing to do."

However, Peterson said that the neighborhood is not overrun by parties or drunk students.

"A lot of good activity comes from The Village and the neighborhood," Peterson said. "There's a lot of faculty and a lot of kids."

Peterson described walking to The Mt Cup for coffee in the mornings, and sitting outside to read the newspaper. She said that living close to campus is convenient.

Her house is up for sale, Peterson said, because she enjoys renovating older homes. The buyer, however, backed out Saturday.

"They don't have to say why (they backed out), but it had nothing to do with this," Peterson said, referring to the shooting of Michael McKinney.

The gunshots woke up BSU alumnus Terry Young Saturday.

"I heard the police officer yell. Then, I heard the shots," Young said.

When he moved to North St. eight years ago, Young said that he knew The Village was the place to party. It had been since he was a student, he said.

This year, though, the vandalism increased, Young said.
"There's been more vandalism, more intoxication," Young said. "More reckless driving up and down the street. There has to be some kind of reason for it."

It's not just college students' fault, 18-year resident Jane Segedy said.

"I don't like to jump to conclusions and say it's the college students," Segedy said.

However, their parties keep her awake, Segedy said.

"It's really loud. When we have problems, we just call the police," Segedy said. "Either the city or the campus police come out and tell them to be quiet."

Though some discouraged families have moved, Segedy said that she plans to stay in the neighborhood.

"It's wonderful to walk to campus," Segedy said. "We're going to stay as long as we feel safe."

Drunken students have harassed neighborhood before

Post your feedback on this topic here

11/11/2003  The lede on this story is misleading...  Jonathan Sanders
11/11/2003  I understand that the decision was...  Student
11/11/2003  Where is the story about the...  Charlie Cardinal
11/11/2003  As a 25 year law enforcement veteran...  Another Police View
11/12/2003  Barney Fife was only given one bullet...  Former Student
11/12/2003  in response to "Another Police View...  Jay Kenworthy
11/12/2003  Wasn't this student shot FOUR times?...  Gregory Twiford
11/12/2003  I have been a long time friend of...  BigToe
11/16/2003  This is in response for the man...  Rosie McKinney

(Feedback requires a Javascript-compatible browser)
OBITUARY: Michael S. "Mikey" McKinney

Staff Reports
November 11, 2003

Michael S. "Mikey" McKinney, 21, of 363 Shawswick Station Road, Bedford, died Saturday in Muncie.

Born April 23, 1982, in Madison, he was the son of Timothy and Lisa (Locke) McKinney.

He attended Ball State University, and he was a member of St. Vincent DePaul Catholic Church in Bedford.

Survivors include his parents; one brother, Ryan McKinney of Bedford; two sisters, Katie McKinney of Cincinnati, Ohio, and Rosie McKinney of Bedford; his paternal grandparents, Tom and Helene McKinney of Madison; seven uncles; three aunts; one nephew; and one niece.

He was preceded in death by his maternal grandparents, Rosemary and Robert Locke.

Funeral services will be conducted at 10 a.m. on Wednesday at St. Vincent DePaul Catholic Church of Bedford with Father Bernie Cox officiating. Burial will be in Green Hill Cemetery in Bedford. Friends may call from 3 p.m. to 8 p.m. on Tuesday at Ferguson-Lee Funeral Home of Bedford. The rosary service will be conducted at 7:30 p.m. Tuesday at the funeral home.

Memorial contributions may be made to Special Olympics or the charity of the donor's choice.

OBITUARY: Michael S. "Mikey" McKinney
Post your feedback on this topic here
No feedback has been posted yet. Please post yours!
(Feedback requires a Javascript-compatible browser)
November 24, 2003

LIFESTYLE: Holiday Helper | House & Home | Money | Pets | Recipes | Relationships | Travel | Weddings

All Four Shots Fired By Officer Hit Ball State Student

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:: Ask an Interior Designer

(MUNCIE, Ind., November 12th, 2003, 3:30 p.m.) -- The coroner says a Ball State University student killed over the weekend by a campus police officer was hit by all four bullets the officer fired at him.

Delaware County Coroner Jim Clevenger says one of the shots hit 21-year-old Michael McKinney in the face.

The other three shots hit him in the chest, but Clevenger says the autopsy did not immediately determine which was fatal.

Officer Robert Duplain encountered McKinney about 3:30 Saturday morning after arriving at a home near the campus to investigate the report of a stranger pounding on a back door.

Police and witnesses say McKinney lunged at Duplain, who then shot him.

Before the shooting, McKinney had spent several hours at three bars.

The Muncie Police Department's investigation of the shooting should be given to the county prosecutor's office by the end of the week.

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All Four Shots Fired By Officer Hit Ball State Student
Different Pictures Emerging in Ball State Student Shooting

On the day that his family buried Ball State senior Mike McKinney in Bedford, police reports are painting two different pictures of the people and events leading to the police action shooting.

Not until toxicology reports are back will police know if McKinney was drunk when he was pounding on a family's back door. They may never know if he was trying to burglarize the home. He has been in trouble with Ball State police before, and the officer who did the shooting also has been investigated before.

A Muncie woman does not know why McKinney was trying to get into her home early Saturday morning, but it's clear from a 911 dispatch tape that she was scared.

Across the street, Maria Puzzullo says she is grateful no one was killed in her yard in September when a similar scenario unfolded. At 1:30 that September morning, a different Ball State student tried to get in her house. "Nothing on except his pants. Out of his mind and I mean sweat pouring off of him and in a rage trying to get in the house and I called the police," she said.

Mrs. Puzzullo says since students have moved into her block, police runs are frequent.

Meanwhile, University Police Chief Gene Burton provided News 8 with two police documents Wednesday. One shows that Ball State police arrested McKinney a year ago on theft and public intoxication charges. It indicates he may have been trying to steal a street sign.
Another document shows that Officer Robert DuPlain, who shot McKinney, had a previous complaint of excessive force filed against him. But that case was closed, says the chief, when the alleged victim refused to give a deposition. "The family made allegations there were witnesses to the incident and those names were not provided when asked," said Burton.

Chief Burton also explained why officer DuPlain, with only seven months' experience, was carrying a semi-automatic handgun when he shot McKinney but was not armed with mace. "Officer DuPlain did not have mace or pepper spray because he hadn't received training from our department yet in the use of those items," he said.

Learning to use mace and other tools is not a part of the firearms training and costs Chief Burton's small department more money, he said. He admits he had not scheduled that extra training.

The Muncie Police Department says it expects to turn over the contents of its investigation to the Delaware County prosecutor next week. The case could then go to a grand jury.
Officer 'wanted to make a difference' in the line of duty

Erica Pluff | Chief Reporter
November 12, 2003

After two years of working campus security at Taylor University, Robert Duplain traded in his radio for a gun.

He talked about becoming a police officer, Steven Bird, a sociology professor and Duplain's college adviser, said.

"He was interested in being a police officer for years," Bird said. "He wanted to make a difference. He liked doing things for people."

Seven months ago, Duplain, a sociology major, became a police officer at the University Police Department. He responded to a burglary call Saturday on North street, where he shot and killed student Michael McKinney. The Muncie police department is investigating the shooting.

Duplain and his parents, Lynette and Thomas, did not return phone calls. Several UPD officers declined to comment.

As a campus security officer at Taylor, Duplain worked security at basketball games and watched over campus buildings. Because he did not attend the police academy, he could not carry a gun, Jim Garringer, director of news and services at Taylor, said. He carried a radio in case he needed back-up, Garringer said.

"He was trusted with the campus master key," Garringer said.

He worked long hours in security, because that was the campus job closest to police work, classmate Adam Sparks said.

"That was what he wanted to do? no doubt," Sparks said.

His freshman year, Duplain was known for his Eagle Scouting, Sparks said. To earn the title, Duplain upgraded the nature study and walking area of Stinson Elementary School in his hometown of Canal Fulton, Ohio.

"He was really into Eagle Scouts," Sparks said. "He was diehard with that freshman year."

His senior year, Duplain became a leader on the football team, Sparks said. Because of his size, Duplain played offensive line and tight end, Sparks said.

"He was a football player, so he was a pretty big guy," Sparks said. "He worked his tail off all the time."
Duplain graduated from Taylor last August with a B.A. in sociology. He would have studied criminal justice, but that major wasn't offered at Taylor, Bird said.

"He was a really good guy," Sparks said. "He went to a Christian school, and they try to get good people in here. He fit that prescription pretty well."

Bird said that Duplain was the kind of student he didn't mind seeing in his office. Most of their hour-long conversations, however, took place in the hallway.

"You can talk with people you find admirable and interesting for a long time," Bird said. "He was the kind of person that you could talk with and never check your watch."

Bird also described Duplain as patient and calm.

"Rob isn't going to take this lightly, knowing that he killed a man," Bird said.

Officer 'wanted to make a difference' in the line of duty

Post your feedback on this topic here

11/13/2003 As the days go on, from the first... BSUReader
11/13/2003 He was very big, why would he be... Kimball
11/14/2003 If officer Duplain was a big guy why... John Doe

(Feedback requires a Javascript-compatible browser)
McKinney shot 'within feet'; 1 bullet hit face, 3 in chest

Use of force policy gives officers several defensive techniques

Tara Clifton | Chief Reporter
November 12, 2003

Although he was equipped with a police baton and physical defense skills, Officer Robert Duplain was not required to use them before resorting to deadly force, according to documents and police officials.

The University Police Department's Use of Force Policy, which was released Tuesday morning, outlines the types and levels of force a law-enforcement officer can use.

Duplain, 24, shot and killed Ball State student Michael S. McKinney, 21, early Saturday morning after responding to a 911 call on North Street. He is currently on administrative leave while the Muncie Police conduct an investigation.

According to the Use of Force Continuum listed in the policy, an officer can use three levels of force to control a suspect:

- Deadly force. This includes using firearms, motor vehicles and impact weapons.

- Less-than-deadly force. This includes using impact weapons, such as a baton, chemical spray, pressure-point control tactics and striking the suspect with a fist.

- No force tactics. This includes verbal commands, body language and a defensive stance or posture.

According to the policy, deadly force can be used when the officer believes it is necessary and appropriate for the situation or if the life of the officer or others are threatened.

"The level of force applied must match the level used (by the suspect)," Burton said.

The policy also states that the officer is not required to start low on the continuum.

"The force continuum should not be considered a "ladder" in that the officer must start at the lowest force option and progress or climb to the higher force options," the policy states. "Depending on the circumstances, the officer might have to begin at or progress rapidly to a higher level of force."

On the night of the shooting, Burton said Duplain was carrying a baton and a firearm, but he was not carrying a taser or chemical spray. Burton said he could not confirm if Duplain wore a bullet-proof vest.
Force can also be used depending upon the characteristics of the suspect, according to the force policy.

To use force, the suspect must be aggressive. The policy lists verbal threats, hostile body language and physical assault as several cues that allow an officer to use force.

A suspect's physical appearance and size is also a factor when determining to use force, according to the policy. Strength, size, skill level, age and more than one suspect attacking an officer must be considered.

Until the results of the MPD investigation are disclosed, UPD will not comment about whether McKinney's behavior that night met the criteria for the use of force. Terry Winters, deputy chief of Muncie Police, said Saturday that McKinney ran toward Duplain with his arms out and wouldn't respond to verbal commands to stop.

The DAILY NEWS filed a Freedom of Information Act request to obtain a copy of the "Use of Force Form" Duplain filed the night of the shooting. The form, required of all officers, must be filed any time an officer uses a firearm. The request will be denied because the report is considered evidence for the MPD's investigation, according to Heather Shupp, executive director of University Communications.

Police officers can also use hand-to-hand combat to deter a suspect. Burton said Duplain completed eight hours of "physical tactics training" as part of the pre-basic course at the Indiana Law Enforcement Academy in Plainfield. These tactics included using pressure points and joint manipulation, Burton said.

Firearms training is an important component of the academy's pre-basic training for new law officers, Andy Anderson, staff instructor at the academy, said. Anderson said the main focus of the course is to teach marksmanship, but students are also taught how to handle the weapon and gun safety.

Anderson said students are taught the best place to shoot a suspect -- the center of mass, which minimizes the chance of missing. Anderson said this usually means shooting the chest, but the center of mass can change depending upon the line of sight.

For example, if all an officer can see is a person's head peeking over a fence, then an officer should aim for the middle of the face, Anderson said.

Anderson said deciding when to shoot mainly depends on the judgment of the officer and an officer is allowed to shoot a suspect "until the aggressive behavior stops," he said.

"Unless you're actually there, it's really difficult to say what was good and what was bad (in a situation)," Anderson said. "Until you've felt the fear, you just can't quantify."

Click here for a break down of the BSU Use of Force policy

McKinney shot 'within feet'; 1 bullet hit face, 3 in chest

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11/12/2003 This is an unfortunate situation and... Joe
11/13/2003 This is a feedback to Joe Beering's... Jen
11/13/2003 and so will MIKEYS family Joe...... friend
11/13/2003 If 4 shots were all fatal. why... Jason
11/13/2003 "Bad things happen in life. Deal with... Sabrina
11/13/2003 I haven't heard a more insensitive... Kimball
11/13/2003 WTHR reports that 2 reports of... Jason Chambers
McKinney remembered by friends, family amid questions of ‘why?’

BEDFORD -- When Michael S. McKinney was 3 years old, he set everyone straight. "My name," he said, "is Mikey."

Ever since, he refused to answer to anyone that did not address him the right way until he got to Ball State. That's when it became "Mike" or "Lil' Mac."

But people who knew Michael McKinney as he was growing up in Bedford will always know him as "Mikey."

The McKinney family will bury him today, four days after the fourth-year student was killed by a University Police officer. The funeral will be held at Vincent DePaul Catholic Church of Bedford. Hundreds already showed for his viewing Tuesday.

They waited in the rain at Ferguson-Lee Funeral Home.

The ones who talked about him there talked about his humor and how happy he made them.

They also demanded to know why he was taken from them.

THE MCKINNEY FAMILY

Katie McKinney said her family has a disease. It's called Karaoke. Michael McKinney and his brother, Ryan McKinney, were convinced they had a gift. They thought they could sing like Axl Rose.

Katie McKinney said her brothers used to fight over who could do the better impression.

"He loved his older brother Ryan so much," Katie McKinney said. "He tried to follow everything that Ryan did."

The climax of that rivalry came at Ryan McKinney's wedding, when Ryan and Michael -- "dueling Axis" -- used a Karaoke machine to battle it out in front of everyone.
"He did some fantastic impressions," Katie McKinney said of Michael.

Later Michael told a friend he wanted the Guns 'N' Roses song "Knockin' on Heaven's Door" played at his funeral.

Katie McKinney has been telling stories like this one to reporters ever since she found out about her brother's death. It is part of her mission to make sure the public understands Michael McKinney was not a criminal and never would have been trying to break into a woman's house.

"It's easier for people to stomach this story if Mikey was a bad character," Katie McKinney said. "He pushed everybody to look at life like it was something to be appreciated."

Reports that McKinney was trying to burglarize a home are the ones that especially offend the McKinneys, since no one knows if that is true. More likely, Katie McKinney said, is that Michael McKinney was drunk and confused and thought he was trying to get into a friend's house. The friend lived at the corner of Dicks and North streets - seven houses away. He had told that friend that he was coming over that night.

"People can draw their own conclusions," Katie McKinney said.

THE NETWORK

Michael McKinney's friend Justin Gilbert has his own room at the McKinney house.

"It's the coat closet," Katie McKinney said.

Gilbert was the first person McKinney would call when he came home from Ball State. From there the network of friends would be activated, and everyone would get together.

"He was real loyal to his friends," Katie McKinney said.

Gilbert said his head was still spinning Tuesday as he prepared to go to his friend's viewing.

"I still really don't believe it," Gilbert said.

Gilbert said he finds himself pulled in two directions as his friend's death is explored. The officer who shot and killed McKinney has had seven months of experience.

Gilbert is also training to be an officer, and McKinney was his biggest supporter.

"He was always proud of the fact that I was going to be a police officer," Gilbert said.

Gilbert said he feels sorry for the officer, but he has trouble believing his friend would attack a cop.

Friends of McKinney's, who have been with Gilbert since hearing the news, say Gilbert's support of McKinney remains unwavering.

"He'd give it all up for Mikey," Brian Mickish said.

Mickish, a junior at Purdue University who played football in high school with
McKinney, said he always organized group events when the friends would gather.

"We'd all go to Mikey," Mickish said. "He didn't like not doing anything."

Amber Query, a fourth-year student at Indiana State University who went to kindergarten and high school with McKinney, has family in law enforcement. She said the incidents as she has heard them don't make any sense.

"Your gun is the last thing you pull," Query said.

Jennifer Flinn, a friend of McKinney's who stood in the rain next to Query, emphasized how wonderful her friend was.

"Never in my life have I ever known anybody as carefree," Flinn said.

Justin Hobson knew McKinney for about the past 10 years, and he said he would always remember his friend's love of Notre Dame football.

At the viewing, McKinney was dressed in a Notre Dame football sweatshirt.

HIGH SCHOOL

Dennis Martin, a teacher at Bedford North Lawrence High School, planned on teaching his psychology students about fear, death and dying this week.

The lesson went on as planned, but the students also discussed Michael McKinney, who graduated from their school four years before.

Martin had coached the freshman football team McKinney played on. He was also one of McKinney's assistant coaches during McKinney's sophomore and junior year. Martin said even though most students didn't go to school with him, almost half of them knew who he was.

"You can sense the mood of a school real quick," Martin said. "It's been pretty somber."

Martin said McKinney was a happy, go-lucky kid in high school who never had any problems. He said he was especially helpful on the football team.

"He was one of our leaders in a lot of ways," Martin said. "I have nothing but good memories of him."

Teachers at the school have been talking about the situation ever since news hit, he said.

"Tragedy on all sides," Martin said. "That's something that can't be forgotten."

Martin said he let his class talk about McKinney's death to help them cope with and understand the town's loss.

"He could make the most sour person on Earth laugh," Martin said. "Mikey made you happy you had chosen coaching and teaching as a profession."

Staff Reporter Melissa Skopelja contributed to this report. D D

Three years ago, when a drunken student threatened to break down her door, Rai Peterson called the University Police Department.
"He was shaking my door, carrying on and screaming," Peterson, an associate professor of English

McKinney remembered by friends, family amid questions of 'why?'

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Two worlds, one loss
Ball State, Bedford says goodbye to Michael McKinney

Jon Seidel | Managing Editor
November 13, 2003

BEDFORD -- On a tree branch near a lake hidden somewhere in Lawrence County, a fishing line hangs in a bunch.

The line hanging there belongs to Michael S. McKinney. He left it one of the many times he went fishing there. His friends noticed it Wednesday as they stood by the lake and talked about old times, drinking beers and smoking cigarettes deep in the woods. They had just come from his funeral.

"This is purely Mikey," his best friend Justin Gilbert said. "With a cooler of beer and some nightcrawlers."

Nearby, Brian Mickish chimed in. "You don't even need the nightcrawlers."

Four days ago, McKinney's family called Gilbert and told them everything they knew: McKinney had been killed and a police officer was somehow involved. Gilbert started making phone calls himself. Later, as he stood by the lake, he had just finished burying his best friend. Mickish and about 10 others -- members of the old high school gang -- joined him there. It had been a while since they all had gotten together, they said.

McKinney's death brought them all back this week -- back from their jobs and back from school. They came back from the things that had drawn them apart since graduation because suddenly there was one of them they would never see again.

After the funeral, they all met at Gilbert's house and trekked out in a caravan to the old stomping grounds.

To remember Mikey.

LOOKING BACK

McKinney moved to Bedford two years ago. Before that, he lived in the neighboring town of Oolitic. That's where Gilbert and many of the others live.

That's where they say it all began, in the basement of the house where McKinney lived for 14 years. On any given holiday or weekend, the yard would be lined with cars.
Wednesday evening, the cars came back. The new owners let them see it again.

"I haven't been here since," Gilbert said.

The gang knocked on the door. The owner sent them around the back of the tan house -- it used to be red -- and let them in.

Gilbert looked around.

"Wow, that's really different."

There was new carpet. There were new pictures on the wall -- a soldier instead of IU and Notre Dame memorabilia. Holiday decorating was in progress, but it was still cleaner than it had ever been before.

"The door even works," Jeff Tillett said. "That's bull."

The gang used to try to hit golf balls into the pool. One time McKinney accidentally broke a window.

"Sometimes he wasn't the greatest golfer," Alex Luchauer said.

The house was always the meeting point for the gang, even McKinney wasn't home.

"His parents kept his door unlocked," Luchauer said.

They talked about all of this as they stood outside thinking about McKinney.

"We're going to start spending more time together," Tillett said. "It's going to bring us closer."

FINDING EACH OTHER

Gilbert looked up.

"Time to face my fear."

He was about to climb a 13-story fire tower. The last time he was there it was at night -- when you can't see the ground beneath you.

And he was with his friend -- who started shaking it.

"He knew I was scared of heights," Gilbert said. "It took me 10 minutes to get up the damn thing."

The top of the steel tower is an eight-by-eight room. The gang could see all of Lawrence County from there.

And the sign at the bottom prohibiting alcohol didn't deter them.

"We got really drunk," Gilbert said.

Usually, they would go up there just to talk. Wednesday after the funeral, they talked about McKinney.

"Mikey always knew when it was time to be serious or when to be fun," Tillett said.
"He was always there to ease the moment. That was Mikey."

The gang would go to places like the fire tower because there was nothing else to do in town.

"All of our stuff was just to be friends and hang out," Mickish said. "We just found each other and hung out. We didn't even need alcohol."

**TIME TO GET TO FISHIN'**

McKinney couldn't stand to eat fish.

"I always thought that was funny," Gilbert said.

That's because McKinney loved to go fishing. Of all the media reports that talked about how McKinney only got upset when he was watching sports, Gilbert said something was left out.

"They failed to mention if he got a little fish," Gilbert said. "It was always a contest."

McKinney liked to compete, but he also enjoyed the surroundings. He'd skip school to go fishing sometimes, his friends said, coming back the next day with tan lines where his sunglasses had been. McKinney loved everything about the woods -- almost.

"He was terrified of snakes," Gilbert said, pointing next to him. "He ran from that spot up the hill in five seconds."

For some people, it was the first time they had been to that lake. Not all of McKinney's friends were fishers, but Gilbert intends to make sure they start.

"We're gonna get to fishin'," Gilbert said.

They'll do it one man short. But, like the fishing line bundled up in the tree, there is plenty to remind them of him.

"He's probably got some lures hanging around here."

**LAST BASH**

At the end of the day, a few of them stopped at a spot near McKinney's old home. They used to go camping there. Not with tents and campfires -- more like with trucks and beers.

It was where Gilbert and McKinney were first taught to shoot guns. There were a lot of good times there.

McKinney brought them all out there once right before they graduated from high school. They were all about to leave for college. He was about to pledge Delta Chi.

"Everybody was getting ready to go in completely different directions," Luchauer said. "He just wanted to make sure that we knew that he cared."

After that, they left together.

Two worlds, one loss

Post your feedback on this topic here

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