

– Task Force on Universitywide Policing – DRAFT Executive Summary –

In early 2018, University of California President Janet Napolitano established the Presidential Task Force on Universitywide Policing to review existing policing practices throughout the system to determine areas in need of improvement and ensure their alignment with national best practices.

The University is a diverse community with an array of perspectives and views on almost every issue. The role of policing on campus is no exception. Recognizing that, President Napolitano named individuals to the Task Force to represent not only their own views, but also the broad spectrum of campus communities they represent to enrich the Task Force’s discussions and deliberations. The Task Force was chaired by Senior Vice President and Chief Compliance and Audit Officer Alexander Bustamante. The Task Force membership comprised various experts and constituencies across the University, including:

- Police Chiefs
- Vice Chancellors for Student Affairs
- Deans of Students
- Vice Chancellors for Administration
- Campus Chief Human Resource Officers
- Students
- Faculty Experts
- Staff
- Risk Services Personnel
- Office of General Counsel Personnel
- Union Representatives

The Task Force was charged with reviewing current practices and providing recommendations to the President regarding best practices and guidance in the following areas:

- The process for how complaints are received, processed and investigated at UC police departments and provide recommendations related to quality and consistency throughout the system;
- Training, protocols and policies regarding use of force, to examine their quality and consistency throughout the system. Protocols and procedures for examining use of force incidents to determine the appropriateness of the force;
- Departments’ post-incident review processes for use of force and other significant events; and
- Departments’ engagement with and training related to the community, including police advisory boards, to determine how to strengthen communication with students, faculty and leadership.

The Task Force initially convened in early April 2018 and met as a group five times between April and December 31, 2018. During that time, the Task Force examined the investigative practices, use of force-related policies and training of UC police departments. Through fact finding, testimony from subject matter experts both within and outside of the University of

California community, and stakeholder engagement, the Task Force conducted an extensive review of existing practices, examined national best practices, and discussed and debated proposed changes to develop the recommendations within this report.

Based on feedback from students, faculty and staff, through this deliberative process, the Task Force identified a number of areas needing improvement and recommended changes consistent with best practices in policing. The recommendations detailed below are posted in draft form to enable and encourage comment and productive debate, after which they will be finalized and submitted to the President for her consideration.

A. The Complaint Process

A standardized and visible complaint process, to the extent possible under the law, can build trust and ensure those officers that do not live up to a department’s high standards are held accountable. Students, staff, faculty and visitors to campus should be able to easily determine what the complaint process is, how to make a complaint and what the process will entail. The complaint processes across the system should also be routinely reviewed to ensure the investigations are thorough, complete and fair; to evaluate the effectiveness of policies, practices or training; and to inform recommendations for organizational improvement.

RECOMMENDATION 1: The University of California Police Departments (“UCPD”) shall collaboratively create a uniform complaint process for all UC locations and ensure that complaints regarding police officers can be submitted in writing, by email, in person, online or by telephone and that those complaints are appropriately investigated.

- RECOMMENDATION 2: UC shall have a single systemwide phone number and web-based intake system for reporting complaints of alleged officer misconduct and commendations. This system should enable individuals to communicate anonymously and offer foreign language support. The UC’s Office of Ethics, Compliance and Audit Services (“ECAS”) should explore whether the existing whistleblower hotline that allows foreign language support and anonymous communications can be an additional intake point for complaints.
- RECOMMENDATION 3: Individuals should be able to make anonymous complaints.
- RECOMMENDATION 4: To the extent possible, UCPD shall provide a written (or email) acknowledgement of a complaint to the complainant promptly.
- RECOMMENDATION 5: UCPD shall create a frequently asked questions (FAQs) link for the complaint process that details, among other things, the manner in which complaints can be made, the process for investigating complaints, the notification process and any other relevant information available regarding the complaint process.

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- RECOMMENDATION 6: Every complaint should be tracked from intake through final disposition. The tracking system should be capable of capturing information regarding the complaint sufficient to perform trend analysis.
- RECOMMENDATION 7: ECAS shall conduct audits to verify that complaints are being taken properly and to ensure that all employees are adhering to the University's, and each department's, own policies and procedures.
- RECOMMENDATION 8: UCPD shall identify high-profile or complex complaint cases and determine an appropriate investigative entity to handle such cases.
- RECOMMENDATION 9: No individual UC police department should be permitted to investigate allegations of misconduct directed at its chief of police.

B. UCPD Use of Force

Each use of force, no matter how infrequent or severe, should be reviewed to determine whether it was objectively reasonable under the circumstances and in compliance with policy and applicable law. The Task Force wanted to ensure that concepts like de-escalation were appropriately emphasized within training, and felt strongly that officers should also be properly trained on all equipment and weapon systems before ever fielding them.

- RECOMMENDATION 10: UCPD shall continue to develop systemwide policies and procedures governing the use of force by officers that is consistent with state and federal laws and ensure officers are trained to those standards.
- RECOMMENDATION 11: UCPD shall ensure officers are provided training prior to the deployment or use of any force or relevant equipment.
- RECOMMENDATION 12: Departments shall document and review each use of force to determine whether the force used was in compliance with applicable policy and law.
- RECOMMENDATION 13: UCPD shall ensure officers are trained in de-escalation techniques and effective communication.
- RECOMMENDATION 14: UCPD shall capture all use of force data and report it to the California Department of Justice for analysis and release to the general public, subject to applicable policies and laws.

C. Independent Advisory Boards

Each campus should convene an independent body to work cooperatively with its police department in identifying and addressing issues involving the safety and quality of life of the

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students, staff and faculty. These boards must be structurally independent from the police departments, meaning they cannot report directly to the chiefs of police but instead must report to a senior administration official. These independent advisory boards should also have access to all publicly available reports, audits or data involving their respective police department and should meet regularly with their campus community.

- RECOMMENDATION 15: Campuses shall create independent advisory boards with representatives from the campus who can facilitate and enhance communication between the police department and the greater campus community as well as work collaboratively with the departments on issues involving campus safety and security.
 - Each independent advisory board will report to a chancellor’s designee and will have access to publicly available reports, data and campus surveys related to the police departments.
 - The boards will include, at a minimum, faculty, staff and student representatives and will also include at least one ex officio member from the police department.
 - The boards will serve as campus liaisons with police departments and will routinely organize engagements between campus communities and their respective departments.
 - Each board member will continuously educate themselves on the relevant laws and issues related to policing, including existing training, protocols and policies.
 - The boards will assist UCPD in creating shared learning environments where officers and members of the campus community interact and learn together.
 - The boards will prepare annual reports of their activities.
- RECOMMENDATION 16: Those campuses with existing advisory boards that differ from the independent advisory boards described above will transition to the recommended model within 2 years.

D. Community Engagement

The Task Force recommended reimagining engagements so they reach a more diverse student population and encourage more productive interactions between students and officers. There must also be a mechanism for receiving regular feedback on each campus’ community engagement efforts, including how their training, interactions or meetings were received or could be improved.

- RECOMMENDATION 17: Each campus shall work with their police department to identify ways to improve outreach, focusing on principles of engagement, open and

responsive dialogues, and education. There should be a feedback mechanism for consistently evaluating and improving these efforts. Campus diversity officers and other campus leaders should be involved.

- RECOMMENDATION 18: Each campus shall perform a campus satisfaction survey no less than annually, and include questions regarding interactions with and perceptions of the police department and their activities.

E. Training

The Task Force members recommended additional, specific training designed to improve communications between students and officers. The Task Force also recommended that UCPD continue to create a progressive training regimen related to strengthening their understanding of, and interactions with, students, staff and faculty. Any training should be constantly evaluated for effectiveness and adapted to the changing issues and environments on campus.

- RECOMMENDATION 19: UCPD shall conduct training on effective communication through specialized training on procedural justice, implicit bias, cultural sensitivity, sexual orientation and trauma-informed interviewing. UCPD should create mechanisms for continually evaluating and improving these trainings.
- RECOMMENDATION 20: UCPD shall offer educational and awareness presentations or classes for students, staff and faculty. The effectiveness of these presentations or classes should be evaluated.

F. Transparency

Individuals at various campuses expressed a desire for greater openness and transparency on the part of UCPD. These individuals believed increased transparency would result in better relationships with the community and improve accountability. The Task Force recommended the following:

- RECOMMENDATION 21: ECAS shall audit UCPD complaint investigations and use of force reports.
- RECOMMENDATION 22: UCPD shall create a framework for tracking and reporting the characteristics of each pedestrian and vehicle stop, detention, and arrest and ensure that information is communicated to the California Department of Justice for analysis and release to the general public.
- RECOMMENDATION 23: UCPD shall explore ways to publicly post relevant standards, policies, practices, education and training material, as permitted by law.

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- RECOMMENDATION 24: Consistent with state law, UCPD shall explore ways to release certain video evidence.
- RECOMMENDATION 25: Consistent with state law, UCPD shall explore ways to release certain records upon request.
- RECOMMENDATION 26: Each UCPD department shall produce and publish online an annual report that includes the number of complaints received, investigated, and closed during the year, the general category of those complaints, the complainant's relationship to the campus (if known) and the disposition.

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