UNIVERSITY
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Report of the Presidential Task Force on Universitywide Policing
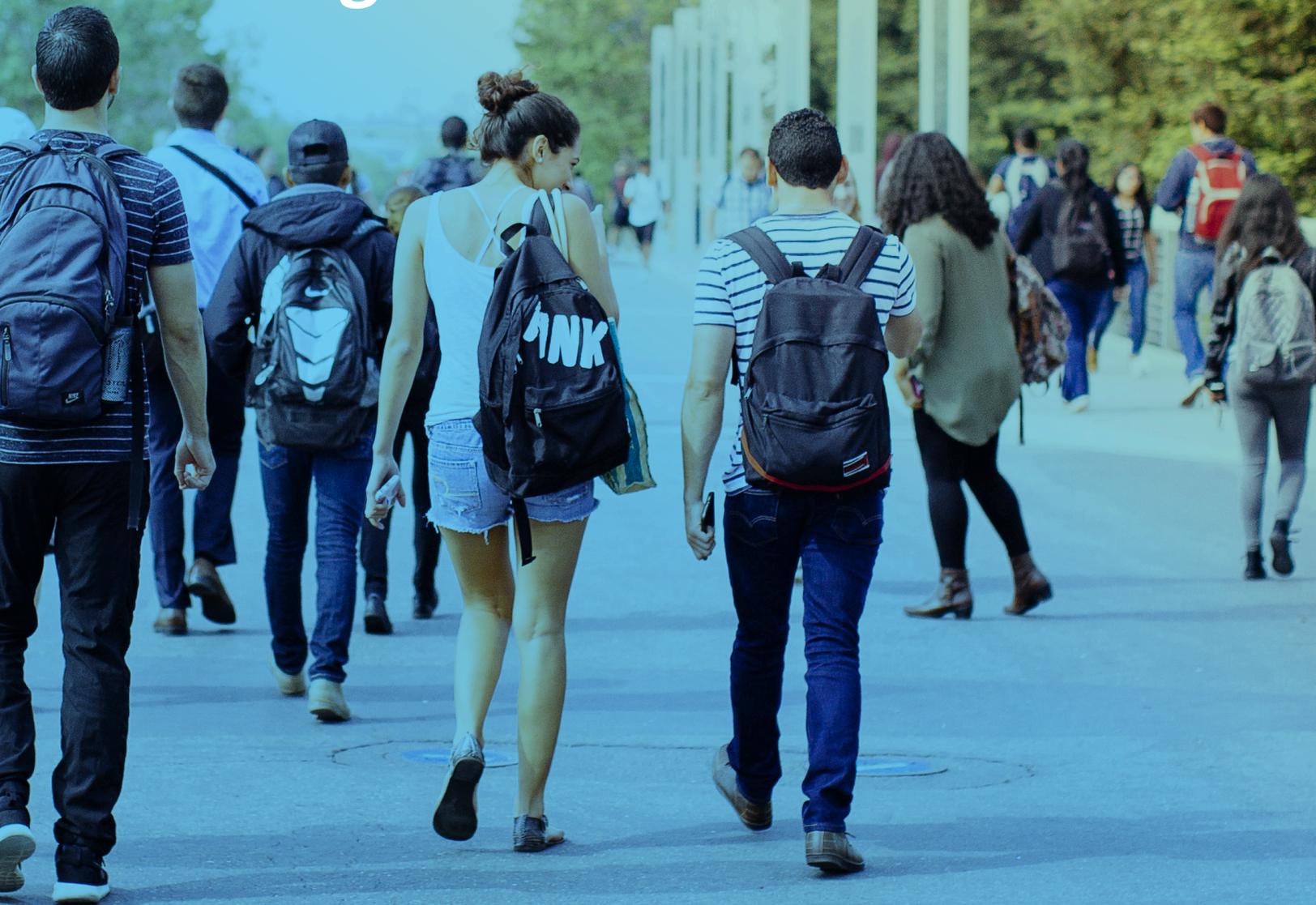
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INTRODUCTION

In early 2018, 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. Specifically, 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.

There have been prior reports and task forces, generally hastily convened in the wake of specific events. The physical conflict between police and protesters during demonstrations at UC Berkeley and UC Davis in November 2011 prompted then-President Yudof to ask Vice President and General Counsel Charles Robinson and Berkeley Law School Dean Christopher Edley, Jr. to review existing policies and practices regarding the University's response to demonstrations and civil disobedience. The Robinson-Edley Report was completed in 2012. Many changes to UC policing have occurred in the aftermath of these incidents; many others were self-initiated by campus administrators or UC chiefs of police themselves.

One distinguishing element of this Task Force is that it was commissioned by the President at a time of relative calm across the campuses.[1] While national mainstream news and social media frequently report tensions in communities regarding law enforcement, overall satisfaction with the UC Police Department ("UCPD") appears to be quite high. Proactively assessing the state of policing systemwide without the influence of a single lightning-rod event allowed the Task Force to engage all stakeholders fully, systematically review existing practices, and engage in thoughtful and deliberative dialogue.

Another significant factor in the quality of this more deliberative process was the involvement of students from across the University, not only through their direct named representatives on the Task Force, but in town-hall style meetings and ad-hoc and scheduled discussions with Task Force representatives over the course of several months.

The Task Force examined the investigative practices, use of force-related policies, and training of the 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 exhaustive review of existing practices, examined national best practices, and discussed and debated proposed changes to develop the recommendations within this report.

Campus law enforcement, in its approach to community policing, balances a unique combination of stakeholders and performs different public safety roles when compared to municipal law enforcement. These important differences and the unique nature of campus policing were carefully considered by the Task Force and played a prominent role in its review.

UC Presidential Task Force on Universitywide Policing

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 a broad spectrum 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 Chancellor for Student Affairs
- Deans of Students
- Vice Chancellors for Administration
- Campus Chief Human Resource Officers
- Students
- Faculty experts
- Staff
- Risk Services
- Office of General Counsel
- Union Representatives

This report represents the culmination of nine months of research, fieldwork, group discussions, stakeholder engagement and discussions by the Task Force. Initially, the Task Force convened in early April 2018 and met as a group five times between April and December 2018.

The Task Force agreed upon a series of draft recommendations that were provided to the University community for comment. When finalizing this report, those comments were considered and ultimately helped shape the following recommendations. This report is submitted to the President for her consideration.

METHODOLOGY

To fulfill its charge from the President, the Task Force engaged in a series of robust meetings and assemblies, systemwide outreach efforts and small working group discussions. The Task Force was provided material and resources regarding national best practices and benefited from presentations by and interactions with recognized third-party experts in the following subjects:

- UC Police Departments History, Authority, and Organization; Staffing and Relevant Data
- Best Practices in Police Complaint Processes
- Use of Force Case Law and Best Practices
- Implicit Bias
- Police Review Boards and Community Engagement Best Practices

The work of the Task Force also included a series of focused subcommittee meetings that met virtually, in between the in-person meetings, to further examine and discuss particular areas of the charge.

The Task Force surveyed the UC community for additional information related to UCPD operations, practices and outreach. To that end, the Task Force also created an online collaboration forum using a UC San Diego platform called IdeaWave to engage UC representatives from campus staff associations, the Academic Senate, student associations, Police Departments and Police Advisory Boards. The Task Force Chair personally spoke with UC Student Association ("UCSA") leadership on several occasions — as individuals and as a group — offering to engage with students directly, go to campuses to talk with larger groups, or otherwise take information, data or research back to the Task Force. The Task Force Chair also presented at UCSA's monthly meeting in September 2018 and visited campuses across the UC system to gather more information and insights directly from each specific campus community. All campuses were represented among the Task Force Members.

The Task Force chose to engage with the UC community frequently and intentionally asked for their feedback and input. This report, in draft form, was posted to benefit from the full review and feedback of the entire UC community before finalizing the recommendations and report.

BACKGROUND: UNIVERSITYWIDE POLICING

The University traces its origins to 1868. In 1915, the first police officer appeared on the UC Berkeley campus. The State of California vested peace officer status to UCPD officers in 1947 and reaffirmed their status again in 1972.[2] Since that time, the system has evolved into a world-renowned institution comprising ten campuses, five medical centers and three national laboratories. UCPD developed along with the campuses it serves and protects, to its current form.

The primary purpose of UCPD is to support the UC's core mission of teaching, research and public service by ensuring the safety and security of its community.[3]

UCPD officers are granted peace officer status under the law and undergo much of the same training as other police officers.[4] Their mission and, many times, their approach, however, are influenced by factors that are different from municipal police departments in a number of significant ways.

There are currently over 270,000 students enrolled in undergraduate and graduate programs and over 200,000 staff and faculty on campuses.[5] Safeguarding the entire system and its close to 500,000 occupants poses significant challenges for UCPD and its 439 officers.[6] These officers are spread across the entire system to provide police services to the ten campuses and five medical centers.[7] UCPD staffing on campus varies in size from 17 officers on a campus of 8,000 students to 64 officers on a campus of 45,000 students. These relatively small numbers of officers coupled with requirements for round-the-clock coverage mean the numbers of officers present on any campus at any particular moment are significantly lower than these overall totals, as shown below.

The University of California Police Department is constituted under statutory authority granted by the state of California to The Regents of the University of California. Under this authority, the University appoints police officers with full peace officer status for the enforcement of law and the maintenance of security in and about areas controlled or administered by the Regents.

Similar to other police chiefs across the state, under the law UC chiefs of police are responsible for and have the authority to command, direct, and organize a police department on a UC campus. This includes establishing objectives for the department; developing department policies and procedures; preparing the budget; and selecting, appointing, training, disciplining and promoting officers and employees in the department. The UC system also has a Systemwide Council of Chiefs, which is a formal body composed of chiefs of police from all ten campuses. The Council of Chiefs meets regularly to review UC policing issues and promotes policies and procedures for improving policing across the system.

Many of the improvements and changes in UC policing have stemmed from analyzing recent critical events. In 2011, two controversial incidents that occurred at UC Davis and UC Berkeley were catalysts for several reforms.[8] Separate and apart from these incidents, the UCPD chiefs of police initiated several improvements on their own for strengthening UCPD's training, policies and community outreach efforts. For example, UCPD has sought to modify its use of force policy to include de-escalation and other guidance designed to reduce overall use of force incidents. In an effort to improve

Sworn Police Officers at UC Police Departments by Campus and Rank

Campus	Total	Officers	Sergeants	Lieutenants	Captain/ Assistant Chief	Chief of Police	2017 Fall Students	Per 1,000 Students
UCB	56	40	10	4	1	1	41,910	1.48
UCD	48	33	11	3	0	1	37,380	1.28
UCI	41	29	8	2	1	1	35,242	1.16
UCLA	64	46	10	5	2	1	45,428	1.41
UCM	17	13	2	1	0	1	7,967	2.13
UCR	35	25	6	2	1	1	23,278	1.50
UCSD	47	32	11	2	1	1	36,624	1.28
UCSF	58	44	6	5	2	1	3,121	18.58
UCSB	46	35	7	2	1	1	25,057	1.84
UCSC	21	14	5	1	0	1	19,457	1.08

the analysis and review of officer-involved incidents, the chiefs have also led efforts to obtain body cameras for their officers. This Task Force is yet another mechanism to ensure continual improvement of policing throughout the University of California.

The Task Force analyzed the complaint and use of force data for UCPD as part of its in-depth review of current practices across the system. UCPD provided the Task Force with complaint data; examination of this data for the last two years shows the number of complaints was very low, collectively, and at each individual campus. Complaints also decreased 24 percent between 2016 and 2017. An examination of UCPD's use of force over the last two years shows force used by UC police officers was minor and related to large-scale events. Serious uses of force were extremely rare; deadly force was used only twice in the last three years and both times involved an active shooter situation.

The Task Force also reviewed available formal campus surveys related to UCPD. According to recent satisfaction surveys administered at three UC campuses in 2017 and 2018, the percentage of respondents who reported being "extremely satisfied," "very satisfied" or "somewhat satisfied" with their local UC police department in the last 12 months ranged from 93 percent to 96 percent.[9]

Notwithstanding this data, there are individuals who believe UCPD has not done enough to improve relations across the campus, increase transparency regarding their operations and improve their interactions with students.

There have also been requests for UCPD to be disbanded or disarmed. Similar calls were made during the Robinson-Edley review.[10] This Task Force recognized the critical importance of having UCPD, which is trained to provide services in a campus environment to UC employees, and to provide security and safety for the students, staff, faculty, patients and visitors to University facilities throughout the system.

This recognition is further underscored by increases in threats to individuals on campuses throughout the country and the University specifically.[11] Each campus trains for active threat/shooter scenarios and UCPD's role as an immediate first responder is critical to campus security.[12] Additionally, the California Supreme Court recently found that UC owes its students a heightened standard of care for any threats to their safety that are reasonably foreseeable.[13]

UC campuses, like all college and university campuses across the United States, will at some time face emergencies or threats requiring an immediate police response. Dedicated campus police are at the core of each university's ability to meet and respond to these emergencies quickly, safely and always with the goal of protecting the lives of students, faculty, staff, police officers and the community.

UCPD and the community must be strong partners that fully understand the mission and values of the organization and also appreciate the unique responsibilities of policing in a campus environment. In furtherance of this recognition, the Task Force made the following recommendations to strengthen the ties between the community and UCPD and to continually improve UCPD operations.

ANALYSIS AND DISCUSSION

A. Introduction

The University puts the highest priority on the safety and security of its students, faculty, staff and surrounding communities and therefore constantly evaluates and reassesses the myriad issues that may impact the University's overall mission and priorities. The Task Force was consistent with those efforts, and was charged with examining the investigative practices related to complaints, use of force-related policies, and training of the UC police departments in an effort to strengthen the departments' practices and their relationships and interactions with the community.

The work of the Task Force focused specifically on UCPD and it carefully examined UCPD's processes, training and use of force and complaint data. A critical part of this examination included numerous robust discussions internally amongst the Task Force members and externally with stakeholders throughout the system. Through this deliberative process, the Task Force identified a number of areas of improvement and therefore recommended structural improvements in these areas consistent with best practices in policing. The University and UCPD have been working toward many of these recommendations.

The University is not immune from the national dialogue on policing. During the Task Force's outreach and deliberation, many national concerns permeated its discussions. Issues were examined as to their relevance to the University of California specifically. Some were found to be absent on UC campuses or concerns discordant with available data. Discussions also included some degree of the national debate regarding disbanding or disarming the police departments and opposing the militarization of police forces, or objecting to budget decisions for law enforcement and safety. Other concerns expressed related to improving existing infrastructure and increasing police outreach efforts, such as improving training in use of force and sensitivity. The Task Force also discussed how to strengthen the accountability systems within UCPD and how best to ensure that they are structured appropriately and routinely audited. Ultimately, the Task Force considered all of these concerns in formulating its recommendations.

The Task Force focused its recommendations in six core areas:

- The complaint process
- Police use of force
- Police officer training
- Transparency
- Community engagement
- Independent advisory boards

The Task Force's findings, conclusions and recommendations to President Napolitano are set forth more fully below.

B. The Complaint Process

UCPD is charged with providing safety and security for the more than 500,000 students, staff and faculty throughout the University's ten campuses and five medical centers. Throughout the year, UCPD officers have hundreds of contacts with various individuals across the system. Some of these interactions may result in complaints of misconduct or unprofessional behavior.

Though governed by a systemwide policy, each campus has its own separate police department and each one has its own process for receiving and investigating complaints of officer misconduct. The Task Force did not identify shortcomings with any of the intake or investigative processes but did note each campus' process varied and awareness of the complaint process across campuses may be limited. The lack of awareness became more apparent during discussions with the campus student, staff and faculty representatives. Several individuals did not know how to make a complaint or were unwilling to go directly to the police department to make one. Others did not understand how their case would be investigated or what communication they should expect to receive regarding the process. These and other concerns are addressed in the recommendations below.

Complaint processes are vitally important mechanisms for individuals to report misconduct and for departments to determine whether officers are behaving consistently with policies and the law. In order to function appropriately, the complaint processes must be highly visible and easily accessed. 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. Individuals should be able to file a complaint throughout the system in a variety of ways. There should also be mechanisms for individuals to make complaints in other languages. 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.

The Task Force determined that routine outside audits of the complaint process was a best practice. The Task Force also believed the complaint processes across the system should 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. These data-driven evaluations of policies, procedures and practices go beyond examining internal investigations and are some of the most effective at contributing to organizational change.

For the foregoing reasons, the Task Force proposed the following recommendations to improve, support and implement more effective complaint policies and procedures:

- **RECOMMENDATION 1:** UCPD Council of Chiefs should 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 should have a systemwide phone number and web-based intake system for reporting complaints of alleged officer misconduct and commendations.

- **RECOMMENDATION 3:** This system should enable individuals to communicate anonymously and offer foreign language support. UC's Office of Ethics, Compliance and Audit Services ("ECAS") should explore whether the existing complaint hotline that allows foreign language support and anonymous communications can be an additional intake point for complaints.

- **RECOMMENDATION 4:** Except when complaints are submitted anonymously, UCPD should provide a written (or email) acknowledgement of a complaint to the complainant promptly.

- **RECOMMENDATION 5:** UCPD and all campuses should create a frequently asked questions (FAQs) webpage 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 the information available regarding the complaint.

- **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 should conduct audits to verify complaints are being taken properly and to ensure all employees are adhering to UC policies and procedures and individual departments' standards.

- **RECOMMENDATION 8:** UCPD and all campuses should identify review criteria for complex complaint cases and determine the 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.

C. UCPD Use of Force

The Task Force received feedback from various constituencies on the campuses that incidents involving use of force, at student and other gatherings, create a lasting impact on the campus and that information related to such incidents should be better communicated to the campus community, to the extent possible. Some students also raised concerns about the frequency of uses of force in general and excessive force in particular. The circumstances under which an officer can expressly use force is identified in State law.[15] The force must always be reasonable under the circumstances. Both federal and state law have defined what constitutes reasonableness when analyzing police use of force.[16] Data demonstrate that the level and frequency of force used by police officers across the University is extremely low with few exceptions.[14] Although data show that use of force incidents are relatively low, the Task Force agreed strongly that each use of force, no matter how infrequent or severe, should always be reviewed to determine whether it was objectively reasonable under the circumstances and in compliance with policy and applicable law.

Based upon the Task Force's review, UCPD has an effective structure for evaluating its officers' uses of force. When an officer uses any force, UCPD policies require the officer to document the incident (e.g., circumstances, force used, and any injuries) and immediately notify a supervisor. A supervisor is then required to respond to the scene and investigate the use of force. The supervisor completes their own report and then assesses whether the force was in compliance with policy and applicable law. The completed use of force investigation, including all relevant reports and documentation, are then forwarded to the chief of police for review and action, if necessary.

Notwithstanding this structure for reviewing uses of force, the Task Force believes the process would benefit from additional independent reviews of these incidents and therefore recommends that use of force incidents along with complaints be routinely audited.

The Task Force also reviewed available UCPD policies related to use of force to ensure that they were consistent with best practices. UCPD's current policies appropriately address these concerns. Additionally, some of the changes proposed by the UCPD chiefs of police would significantly strengthen them. The Task Force also wanted to ensure any changes to the policies were reflected in officer training. The Task Force determined that UCPD has comprehensive and state-regulated training systems related to use of force but wanted to ensure that concepts, like de-escalation, were appropriately emphasized within the training.[17]

During several of the forums utilized in the Task Force's process, some individuals objected generally to the militarization of police. Others expressed concerns that UCPD may have received excess military equipment from the federal government under the 1033 Program and requested an inventory of UCPD's equipment and weapons. The Task Force determined that UCPD is not participating in this program.[18]

The Task Force believed the apprehension related to the inventory did not address the principal concern with law enforcement and their equipment: accountability. The Task Force agreed there should be a process for evaluating whether there is a legitimate need for certain equipment. Officers should be properly trained on all equipment and weapon systems before ever fielding them. Most importantly, and as noted above, any use of force should be documented and reviewed by several individuals. The Task Force focused on these fundamental concerns when crafting its recommendations.

The following recommendations from the Task Force offer ways to improve upon UCPD's current comprehensive efforts to minimize, investigate and manage police use of force:

- **RECOMMENDATION 10:** UCPD shall continue to develop systemwide policies and procedures governing the use of force by officers that are 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 should ensure officers are trained in de-escalation techniques and effective communication.

- **RECOMMENDATION 14:** UCPD should 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.

D. Independent Advisory Boards
The Task Force spent significant time discussing the role and composition of police advisory boards on campuses. The Task Force consulted national experts on review and advisory boards and methods of engagement. The Task Force also surveyed material and spoke with various members of the University community on the subject.

The Task Force believed 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 students, staff and faculty. These independent advisory boards can be helpful in identifying needed changes in police practices and training and providing an important forum to bring stakeholders together. In order carry out their work, these independent advisory boards should have access to all publicly available reports, audits or data involving their respective police departments and their operations and should meet regularly with their campus community. This information, coupled with their outreach and education efforts, will inform many of their discussions with the police department and campus leadership.

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. This structural independence will enhance their credibility with the community and underscore their role as an independent advisor to campus leadership and law enforcement. Although independent from the departments, these boards should assist departments with improving relationships and communications with the campus community.

Once each campus has established an independent, advisory board, the boards should communicate with each other in an effort to share best practices and improve their respective operations.

Given the important role these advisory boards play in supporting dialogue and police-community relations, the Task Force recommended the following:

- **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 to facilitate engagement between the campus community and their corresponding police departments.
- Board members shall receive an initial briefing as well as continuous education on the relevant laws and issues related to policing including the existing training standards and policies.
- The boards should collaborate with UCPD in creating shared learning environments where officers and members of the campus community interact and learn together.
- The boards should 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.

E. Community Engagement

The men and women of UCPD are charged with the important task of safeguarding the University's students, faculty and staff, and UCPD and its officers must be able to effectively engage with the diverse and ever-changing campus community. It is equally important for the campus community to support collaboration and encourage trust with UCPD. The Task Force therefore viewed the idea of community engagement in the broadest of terms.

The Task Force learned each of the ten campuses have been engaging their communities in a variety of ways to reach a broad and diverse group of stakeholders. Each of these interactions is vitally important in developing trust and understanding between police and the communities they serve. While gathering input from various campus representatives, the Task Force learned that at times there has been some disconnect in communication with members of the student community. During townhalls and various other meetings, students recommended reimagining engagements so they reach a more diverse student population and encourage more productive interactions between students and officers. Many of these same students suggested police develop a mechanism for receiving regular feedback on their community engagement efforts, including how their training, interactions, or meetings were received or could be improved. The chiefs of police also desired assistance from students, staff and faculty in improving their departments' outreach efforts.

The sustained success of UCPD's community engagement efforts will depend largely on both campus communities and the police departments working together to improve discourse. The Task Force therefore agreed upon the following community engagement recommendations:

- **RECOMMENDATION 17:** Each campus should work with UCPD 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, and campus diversity officers and other campus leaders should be involved.

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

- **RECOMMENDATION 19:** The campuses and their police departments should strengthen relationships with local government and their police departments to ensure that campus concerns are appropriately communicated.

F. Training

The Task Force reviewed UCPD training standards for its officers. Officers receive regular training throughout their career on a variety of issues ranging from tactics to rendering first aid. California Peace Officer Standards and Training (POST) sets minimum training requirements for officers statewide.[19] These requirements are ongoing throughout an officer's career. UCPD chiefs of police also require additional training on a variety of topics, like implicit bias, to supplement POST requirements. The Task Force determined UCPD's training requirements for its officers are quite progressive.

During their discussion with students, Task Force members heard the desire for additional, specific training designed to improve communications between students and officers. It is not controversial to state that UCPD officers need to understand and appreciate the diversity that exists within the University, and training can assist in that endeavor. The Task Force agreed with this thinking but recognized that meaningful relationships require both sides to make efforts to understand the other. The Task Force therefore recommended students, staff and faculty make efforts to understand the laws governing policing, officers' responsibilities, and concerns in general and attempt to meet and engage with UCPD personnel. Likewise, UCPD officers and staff are encouraged to continue a productive dialogue with the UC community.

UCPD has also made a commendable commitment to on-going training and review. The Task Force recommended that UCPD should 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.

The Task Force recommended as follows:

- **RECOMMENDATION 20:** UCPD should expand existing training on effective communication through specialized instruction on procedural justice, implicit bias, mental health, de-escalation, cultural sensitivity, sexual orientation and trauma-informed interviewing. UCPD should create mechanisms for continually evaluating and improving the effectiveness of these trainings.

- **RECOMMENDATION 21:** UCPD should offer educational and awareness presentations or classes for students, staff and faculty. UCPD should create mechanisms for continually evaluating and improving the effectiveness of these classes.

G. Transparency

Police departments across the country are being called on to provide greater openness and transparency to communities they serve. It is generally believed that increased openness and transparency will result in better relationships with the community and improve accountability. Until recently, state law prevented law enforcement agencies from providing the community greater access to certain information. Over the last few years, the state Legislature has passed several bills designed to increase transparency of policing and police operations. Collectively, these laws demonstrate a dramatic increase in access to information residing in police departments. Some statutes require departments to report extensive data to the California Department of Justice, which will then be distributed to the public in an "open data" format. Others allow individuals to make requests for information directly to the departments. Most recently, California

Governor Jerry Brown signed two bills into law increasing public access to law enforcement records in cases where a firearm is discharged, on-the-job sexual assault occurs or dishonesty in a report, investigation or prosecution of a crime is discovered, and body camera footage of critical incidents.

The Task Force therefore recommended UCPD build the infrastructure necessary to comply with these recent laws recognizing that enhancing its transparency and accountability mechanisms will strengthen trust in its policies and practices and help to ensure its decision-making is understood and remains consistent with the UC's mission and values. The Task Force recommended the following:

- **RECOMMENDATION 22:** ECAS should audit UCPD complaint investigations and use of force reports.

- **RECOMMENDATION 23:** UCPD should 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 24:** UCPD should explore ways to publicly post relevant standards, policies, practices, education and training material. UCPD should implement and explore ways to publicly post relevant standards, policies, as permitted by law.

- **RECOMMENDATION 25:** UCPD shall explore ways to release certain video evidence as required to comply with state law.

- **RECOMMENDATION 26:** Consistent with state law, UCPD shall develop ways to release records upon request.

- **RECOMMENDATION 27:** Each UCPD department shall produce and publish an annual report on its website 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.

IMPLEMENTATION

The above recommendations represent the consensus of the Task Force. For each recommendation, an analysis should be performed to determine what funding and resources are necessary to accomplish the objectives. In addition to the more specific recommendations, the Task Force believes each campus and police department should create a statement of shared values that describe the collective purpose and vision for campus safety and security.

As the campuses begin to implement the Task Force's recommendations, additional work will need to be completed to determine specific fiscal impacts and potential unique challenges for each campus.

- **RECOMMENDATION 28:** Each campus shall create an implementation plan to ensure that recommendations from this Report that are accepted by the President are completed in a timely manner.

ENDNOTES

[1]Campuses refers to all University locations including medical centers and research facilities.

[2]The peace officer authority of UC police officers, like most police officers throughout the state, comes from section 830.2(b) of the California Penal Code. Under the California Education Code, however, the jurisdiction of UCPD extends to the campuses and properties owned by the Regents of the University of California, as well as land within a one-mile radius of those campuses.

[3]See **http://www.universityofcalifornia.edu/aboutuc/mission.html**.

[4]The state of California Commission on Peace Officers Standards and Training (POST) was established in 1959 to set minimum selection and training standards for California law enforcement. See **https://post.ca.gov**.

[5]See **https://www.ucop.edu/institutional-research-academic-planning/_files/UC.AAG.Feb.2018.pdf**.

[6]This number does not account for a number of vacancies at the various departments.

[7]In comparison to the 439 officers in the UC system, the Los Angeles Police Department has approximately 10,000 officers; the San Francisco Police Department has approximately 2,100 officers; the San Diego Police Department

[8]See **http://demonstrationreviews.ucdavis.edu/local_resources/pdf_documents/reynoso-report.pdf** and **http://campusprotestreport.universityofcalifornia.edu/documents/protest-report-091312.pdf**.

[9]The remaining campuses did not conduct formal surveys related to their campus police departments. The Task Force believes that such surveys are instrumental for gauging problems or concerns on campuses and also a valuable tool in benchmarking and examining the impact of changes in policies and engagement upon the campus community.

[10]See **http://campusprotestreport.universityofcalifornia.edu/documents/protest-report-091312.pdf**, pages 15-16.

[11]See **http://www.nycrimecommission.org/pdfs/CCC-Aiming-At-Students-College-Shootings-Oct2016.pdf**.

[12]See, e.g., **https://ucpd.berkeley.edu/administration/case-emergency/tools-survive-targeted-violence**; **https://www.oem.ucla.edu/emergency-procedures/active-shooter**; **https://police.ucsd.edu/services/shooter.html**; **http://police.uci.edu/police/safety_brochures/Active_Shooter.pdf**; **https://police.ucdavis.edu/sites/g/files/dgvnsk3476/files/inline-files/new_active_shooter_poster_1.pdf**

[13]See **https://www.courthousenews.com/wp-content/uploads/2018/03/CollegeSafety.pdf**

[14]There were two incidents in the past three years where police officers used deadly force against suspects who had attacked and seriously injured students.

[15]"Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use reasonable force to effect the arrest, to prevent escape or to overcome resistance."

[16]See, e.g., *Graham v. Connor*, 490 U.S. 386, 396 (1989) (citations omitted). "Determining whether the force used to effect a particular seizure is 'reasonable' under the Fourth Amendment requires a careful balancing of the nature and quality of the intrusion on the individual's Fourth Amendment interests' against the countervailing governmental interests at stake. Our Fourth Amendment jurisprudence has long recognized that the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it. Because '[t]he test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application,' however, its proper application requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight. The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight."

[17]In California, the Commission on Peace Officer Standards and Training ("POST"), which was established by the state Legislature, sets minimum training standards and requirements for California law enforcement.

[18]In the National Defense Authorization Act for Fiscal Years 1997, Congress authorized the transfer of excess Department of Defense personal property to federal and state agencies for bona fide law enforcement purposes.

[19]POST was established by the California Legislature in 1959. See **https://post.ca.gov**.