

# Executive Board

## (Systemwide Senate Review) Universitywide Police Policies and Administrative Procedures

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Chair of the Assembly of the Academic Senate  
Faculty Representative to the Regents  
University of California  
1111 Franklin Street, 12th Floor  
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May 7, 2021

**MICHAEL DRAKE, PRESIDENT**  
**UNIVERSITY OF CALIFORNIA**

**Re: Systemwide Review of Proposed Revisions to Universitywide Police Policies and Administrative Procedures (the “*Gold Book*”)**

Dear President Drake,

As requested, I distributed for systemwide Senate review the proposed revisions to the Universitywide Police Policies and Administrative Procedures (the “*Gold Book*”). All ten Academic Senate divisions and three systemwide committees (UCFW, UCEP, and UCAADE) submitted comments. These comments were discussed at Academic Council’s April 28 meeting and are attached for your reference.

We understand that the review was intended to focus on revisions to the policies and procedures described in the *Gold Book*, including changes to the chapter on “Use of Force” and several new chapters on the topics of bodycams, response teams, and concealed weapons. Our comments on these chapters are included, but they are not our main concern, which is with the information in the *Gold Book* as a whole.

The Senate strongly opposes the proposed *Gold Book* policies. We consider them to be inappropriate for a university environment and inconsistent with current national conversations about policing and UC’s own internal discussions about campus safety. Following the killing of George Floyd and many others in spring of 2020, UC faculty, students, and staff have called for changes to UC policing and public safety policies and practices. In June 2020, the Academic Council sent recommendations to the UC President<sup>1</sup> calling on the University to substantially reduce the presence of campus police and redistribute the resources that currently go to policing to the development and implementation of alternative modes of campus safety and to campus services that promote the mental and physical well-being of the campus community at large. Council also recommended banning firearms as standard equipment for campus police, dissolving existing partnerships or cooperation agreements with non-UC law enforcement agencies, and assembling groups to discuss the recommendations and their implementation within three years.

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<sup>1</sup> [https://senate.universityofcalifornia.edu/\\_files/reports/kkb-jn-recommendations-uc-policing.pdf](https://senate.universityofcalifornia.edu/_files/reports/kkb-jn-recommendations-uc-policing.pdf)

That statement was not the first time the Academic Senate took issue with UC policies and procedures about policing. In 2018, a Systemwide Public Safety Task Force<sup>2</sup> recommended changes to the *Gold Book* that would better align UC policing policies and procedures with public safety best practices suitable to a university environment. That Task Force also recommended the creation of strong, independent Public Advisory Boards on each UC campus to provide oversight and accountability.

In brief, the current revisions to the *Gold Book* fail to address Council's 2020 and 2018 recommendations. Moreover, they overlook the many other voices in the UC community calling for change and a reimagining of policing and public safety on UC campuses. Finally, they leave the University sharply out of step with contemporary conversations about policing.

Below is a summary of some of the faculty comments about the *Gold Book* chapters on Use of Force, Body Worn Video, and Systemwide Response Teams. We encourage you to study the numerous detailed letters and comments from faculty in the attached packet. However, I stress that the many suggestions contained herein should not be interpreted to mean that the problems identified can be fixed. What is needed is a fundamental and comprehensive rethinking of campus safety at the University of California. The Academic Senate joins with our student and staff colleagues at the University in requesting a serious examination of the links between policing and systemic racial injustice, and the establishment of policies and procedures that prohibit racial profiling and unconscious bias, support free speech and assembly rights, and find alternative approaches to mental health-related incidents.

### **Use of Force and De-escalation**

We received many comments about the proposed “use of force” policy. While we were encouraged by the specific directives banning the use of particular techniques and the emphasis on de-escalation practices and the use of verbal and visual warnings preceding the use of force, reviewers agree that the policy does not provide meaningful guidance on de-escalation, gives individual police officers too much discretion to use force, and grants them too much latitude to determine “active resistance.” Many reviewers were particularly concerned by the characterization of “tensed muscles and interlocked arms” as evidence of “active resistance,” noting that these forms of resistance are commonly employed during passive civil disobedience actions. Moreover, the de-escalation policy does not require officers to de-escalate whenever “reasonable and practicable,” but only to “consider” doing so. We find this unacceptable. In addition, the policy permits officers to consider many factors when using force that have been shown to be inherently biased against people of color, which could lead to more racially profiled incidents. University policy should be clearer about requiring campus police officers to de-escalate, use non-force-based techniques, and seek the least intrusive response feasible in the circumstances. It should exclude the use of force against protestors and others who merely fail to comply with an order to disperse; and restrict the use of batons to strike or push protestors who fail to disperse.

### **Body Worn Video (BWV)**

The Senate welcomes a new policy requiring the use of body-worn video cameras by UC Police as an effective deterrent against police misconduct and abuse. However, many agreed that the proposed policy is inadequate to ensure proper accountability, and provides too many

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<sup>2</sup> [https://senate.universityofcalifornia.edu/\\_files/reports/SNW-JN-gold-book-task-force-report.pdf](https://senate.universityofcalifornia.edu/_files/reports/SNW-JN-gold-book-task-force-report.pdf)

opportunities for officers to stop their video recording. As presented, the policy would allow cameras to be turned off under the direction of a supervisor, and it articulates no clear consequence for failure to activate or deactivate cameras, losing or erasing camera footage, or using the camera for surveillance. Any BWV policy should address these gaps in accountability, explicitly prohibit the use of cameras for surveillance, and clarify that body-worn camera footage will be available to a faculty member or student if a disciplinary action is brought against them after an interaction with a campus police officer.

### **Systemwide Response Teams (SRT)**

The Senate does not support the creation of Systemwide Response Teams, proposed as an additional specialized police force for “unique situations and incidents.” This policy would clearly expand the power and personnel of the existing UC police departments and their budgets. Military-style body armor and lethal, projectile, or chemical weapons should not be available to or used by any UC police unit. The further militarization of the UCPD will increase the likelihood that violent tactics and equipment will be used against protestors. Should SRT’s be created, against Senate recommendations, SRT members must meet a very high bar in training and performance standards.

### **Concealed Carry Weapons**

We understand that the new policy language allowing retired officers to carry concealed weapons is the result of federal law that allows any retired officers to get a permit for concealed carry. The changes to the *Gold Book* are designed to standardize that policy around the University. It is unclear, however, why the University should retain retired officers. Furthermore, the policy does not mention modern training requirements for the recertification of retired officers. Moreover, our concern about concealed firearms, or any firearms for that matter, is not limited to retired officers, and we ask the University again to consider Council’s recommendation to ban firearms as standard equipment for campus police.

### **Diversity, Equity, and Inclusion Training**

The *Gold Book* does not include training requirements regarding diversity, implicit bias, cultural awareness, and other topics. It is important for University policy to require regular diversity, equity and inclusion training for all officers that describes bias, profiling, and how bias can be counteracted. Diversity awareness and implicit bias training are especially imperative for police.

### **Data Collection**

The University should implement a comprehensive and transparent data collection system about all campus policing incidents, most especially for those involving use of force. These data need to include demographic characteristics, and they should be subject to regular review and analysis by designated campus groups and independent bodies. This information is crucial for understanding the ways in which campus police interact with the community, as well community feelings and experiences with campus police. The data must also include information useful for examining race-based disparities in policing practices on a campus. It is important that these data are reviewed on a regular basis to determine if patterns of discriminatory behavior by officers exist. The University should issue regular reports to the community, and the data should be regularly reviewed by an advisory board.

## Next Steps

In sum, many elements of the *Gold Book* policy revisions directly contradict the new model of public safety envisioned by many at the University, and they seem antithetical to UC values. We understand that the proposed revisions are part of an established process of revising UC policing practices and procedures. However, reading them at this point in our nation's history, we were struck with how implementation of many of the policies and procedures described therein would be a step backward, not an improvement, for campus safety. As a result, we cannot and do not support them.

President Drake, we hope this feedback is useful to you as you consider next steps for the public safety and policing reforms you want to make. We greatly appreciate your efforts to engage the University community on this issue, particularly the two symposia you sponsored this winter and spring on social justice, policing, and public safety. These gatherings helped advance the dialogue by allowing many different voices to be heard. Many speakers presented ideas for a model of campus policing that is vastly different from what is being presented in the proposed revisions to the *Gold Book*. The Senate looks forward to discussing the next steps regarding campus safety that emerge from the symposia and we are hopeful for policies that make our campus communities safer, more respectful, and more welcoming.

The topic of police and community safety is of major societal concern. The University can and must create policies and practices that reflect what UC values and what UC community members want on our campuses. To this end, we encourage the University to create policies that focus on de-escalation tactics and the demilitarization of people charged with protecting the campus and its members, alternative strategies to deadly force, training in implicit bias and cultural competency, and mental health training and partnerships with mental health professionals. We encourage the administration to continue to engage the UC community in a broad discussion about a new model of policing that ensures both public safety and respect for all members of the UC community.

Please do not hesitate to contact me if you have additional questions.

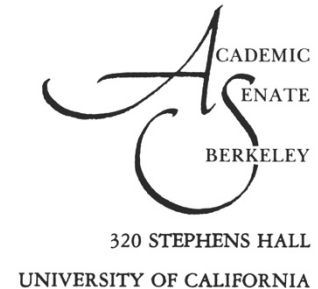
Sincerely,



Mary Gauvain, Chair  
Academic Council

Cc: Provost Brown  
Interim Vice President Lloyd  
Policy Manager Carr  
Chief of Staff Kao  
Chief Policy Advisor McAuliffe  
Academic Council  
Senate Directors  
Senate Executive Director Baxter

Encl.



April 21, 2021

MARY GAUVAIN  
Chair, Academic Council

*Subject: Systemwide Review of Proposed Revisions to Universitywide Police Policies and Administrative Procedures (the “Gold Book”)*

Dear Chair Gauvain;

On April 5 2021, the Council of the Berkeley Division (DIVCO) discussed the proposed revisions to the *Universitywide Police Policies and Administrative Procedures*, which is known as the *Gold Book*, informed by comments from the Committee on Diversity, Equity, and Campus Climate (DECC); and Committee on Demonstrations and Student Actions (DSA). DIVCO endorses both letters.

The committee letters and the meeting discussion took place without our fully understanding the context of these proposed revisions. We thought that they were intended as long-term plans, and as such, the Berkeley Division does not support them.

Since the meeting, however, we have come to understand that these proposed revisions represent only one step in a longer process of revising our policing practices and procedures, bringing the Gold Book into accordance with current on-the-ground practices, and that they will be superseded within a year or two. As an interim step, the Berkeley Divisional Council can accept them.

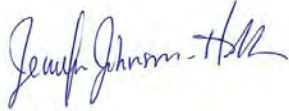
In 2019, the [Presidential Task Force on Universitywide Policing](#) recommended that each campus establish an Independent Advisory Board on Policing that would work with campus leadership, the campus community, and the campus police department to identify, make recommendations, and address issues involving the safety and quality of life of students, staff and faculty. On the Berkeley campus, our advisory board has written a serious and detailed report, advocating for a new vision of community policing. We presume that the parallel committees on other campuses have done the same. In addition, the June 2020 Academic Council recommendations to the UC President advocate for a much more progressive approach to campus policing, consistent with the vision that our committees DSA and DECC have called for, and that DIVCO supports. In our view, it is essential that our policing practices going forward respond to these important and



forward-looking documents, and that the currently proposed revisions be accepted only as temporary steps toward a very different future.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in blue ink, reading "Jennifer Johnson-Hanks". The signature is fluid and cursive, with the first name "Jennifer" being more prominent.

Jennifer Johnson-Hanks  
Professor of Demography and Sociology  
Chair, Berkeley Division of the Academic Senate

Enclosures

cc: Ronald Cohen, Vice Chair, Berkeley Division of the Academic Senate  
Lok Siu, Chair, Committee on Diversity, Equity, and Campus Climate  
Kristina Hill, Chair, Committee on Demonstrations and Student Actions  
Jocelyn Surla Banaria, Executive Director, Berkeley Division of the Academic Senate  
Linda Corley, Senate Analyst, Committee on Diversity, Equity, and Campus Climate



March 29, 2021

PROFESSOR JENNIFER JOHNSON-HANKS  
Chair, 2020-2021 Berkeley Division of the Academic Senate

*RE: DECC comments on the University Police Policies and Administrative Procedures*

Following a careful review of the proposed changes to the University Police Policies and Administrative Procedures, the Committee on Diversity, Equity, and Campus Climate (DECC) has decided to abstain from offering comment on the proposal's substance. DECC disagrees with the proposal's underlying assumption that the University of California necessarily requires an armed police force to ensure community safety. Moreover, the proposal, with its narrow focus on the technocratic use-of-force regulations and modest oversight of retired officers carrying firearms, seems outdated and misaligned with current campus and systemwide initiatives to re-examine policing and community safety.

In its June 29, 2020 letter to then-UC President Janet Napolitano on ["Recommendations for UC Policing"](#), the Systemwide Academic Council presented the following recommendations:

- 1) Substantially defund general campus police and redistribute those resources to the study and development of alternative modes of campus safety that minimize and/or abolish the reliance on policing and other criminalizing responses.*
- 2) Invest in resources that promote mental and physical wellbeing of the campus community, specifically support services for Black students as well as for other marginalized student groups who have been historically targeted by police violence.*
- 3) Ban firearms as standard equipment for police on the general campus.*
- 4) Dissolve any existing partnership or cooperation agreements with non-UC law enforcement agencies and terminate any agreements to allow non-UC law enforcement agencies access to campus facilities or property.*

*5) Assemble groups at both the campus and systemwide level to discuss these recommendations and how to begin implementing them within a three-year period. In doing so, these groups should prioritize the participation of those who have traditionally experienced violence and mistreatment at the hands of police. Similar steps should also be considered at the health campuses to address the policing issues identified above, recognizing the higher security needs in these environments.*

The proposed changes to the Universitywide Police Policies and Administrative Procedures seems to ignore and, at times, even contradict the Academic Council's recommendations. DECC asserts the importance of policy realignment with academic senate recommendations. Any proposed changes to Universitywide police policies must include a thorough update on the status of the Academic Council's 2020 recommendations.

Furthermore, DECC strongly recommends that the [Chancellor's Independent Advisory Board on Police Accountability and Community Safety \(IAB\)](#) be included in any review of systemwide police policies and procedures. UC Berkeley's IAB was formed in 2019, when the [Presidential Task Force on Universitywide Policing](#) recommended that each campus convene an independent advisory board on policing. IABs on other campuses should also be included as part of the systemwide review process. Along these lines, DECC also recommends that DIVCO and Academic Council take a closer examination of the [inaugural June 2020 IAB report](#), which provides clear and detailed recommendations in several areas, including "Alternative Approaches to Community Safety."

Finally, DECC notes that the efforts to re-examine systemwide police policies and to increase transparency and accountability in policing on and near UC campuses are a result of more than two decades of organizing and advocacy by UC Berkeley student organizations and faculty-staff working groups collaborating with partners on other UC campuses. These key constituencies ought to remain actively consulted in the task of rethinking community safety.

Thank you for the opportunity to respond to the proposed changes on Universitywide Police Policies and Administrative Procedures.

Sincerely,



Lok Siu  
Chair, Committee on Diversity, Equity, and Campus Climate

LS/lc

# MEMO

To: Prof. Jennifer Johnson-Hanks, President  
UC Berkeley Academic Senate

From: Assoc. Prof. Kristina Hill, Chair  
Committee on Demonstrations and Student Actions

Date: March 30, 2021

Re: Proposed changes to UC-wide Police Policies and Administrative Procedures

Dear Dr. Johnson-Hanks,

You charged us, the Academic Senate's Committee on Demonstrations and Student Actions, to review the proposed suite of changes to several UC-wide police policy documents. These included (A) the Use of Force policy, (B) a proposed Systemwide Response Team for specialized policing activities, (C) a policy regarding body cameras worn by sworn officers, and (D) a policy regarding permits to carry concealed weapons for retired officers. Our Committee reviewed these documents, and I write to offer the following comments with unanimous support of the committee, with the acknowledgment that we are not experts in policing. We also realize that many of the issues we address may be covered by other policies or constrained by other rules and agreements.

## **A. Revisions to the Use of Force policy**

I'd like to recognize the extensive contributions of Prof. Christopher Kutz from the Law School faculty to this section of our review. Without his expertise, we would not have been able to provide as thorough a response to the proposed Use of Force policy. In general, we approached our review of the policies by bearing in mind several notorious UC events that generated local, national, and international concerns about excessive use of force in crowd control, as well as in the policing of university residential areas.

These are:

The November 2009 Wheeler Hall protests, where, among other things, a number of UCB students suffered serious injury when their hands were smashed with batons against police barricades.

The October 2011 UC Davis pepper spray incident, where police used pepper spray on non-violent protestors, and where orders by Chancellor Katehi not to use force were either poorly articulated, poorly understood, or poorly applied, according to the 2012 Reynoso review.

The November 2011 UCB Occupy Sproul protests, where a number of Berkeley faculty and students were injured by police batons used at crowd barriers.

The September 2017 UCB Ben Shapiro speech, where a massive and heavily armed police presence alarmed many members of the campus community; but where the speech itself was able to take place without serious trouble.

The June 2019 handcuffing of an 11-year-old Black boy (the son of a student) at University Village, after a White woman accused him of theft, prompting protests by student residents at the Village.

These are situations that, in our judgment, are likely to recur under current policies. The background question we raise is whether the new policies are likely to mitigate the concerns that arose from them. We are mindful of the 2014 Edley/Robinson report, which addressed many of these issues. The policy under review appears to be in compliance with that report. But the questions we raise here suggest that it may be important for the Berkeley Faculty Senate to pursue higher standards for UC-wide policies for crowd control and the interactions of campus police with minors, in order to keep these policies in line with our community's values. We take the position that our shared values include the safe expression of free speech, and the highest degree of protection from harm for the most vulnerable members of our community.

### **Concerns:**

(1). A general concern is whether and how these Use of Force standards will govern decisions by other personnel present under mutual aid agreements. If these standards only govern UC police, and are ignored by County or State police forces, they may not be meaningful in likely crowd control situations. We therefore seek clarity on this question, and a policy that restricts the presence on campus of personnel not bound by these regulations.

(2). Sec. 802: "Active resistance" is defined to include "bracing, tensed muscles, and interlocked arms."

This definition is critical, because different levels of force are authorized in the face of active resistance. These particular forms of resistance are, however, what students and other lay people commonly understand as passive, civil disobedience, and indeed as a central part of a Berkeley

tradition of free expression, and of legitimate (if not formally legal) protest. While we realize that police action in the face of such tactics is constrained by “objective reasonableness” standards, the UC Davis incident reveals that in-action judgments of what is reasonable may vary widely, even if they later become the basis of disciplinary action. We would prefer that this category of protest activity be treated separately and specially, rather than grouped in with more active forms of resistance, such as dismantling of barricades or throwing objects. We also suggest that more specific wording be added to restrict the use of elevated levels of force in response to such tactics. The [Kroll and Reynose reports](#), commissioned by UCD, specifically noted concerns about the permissive scope created by defining the linking of arms as “active resistance.”

(3a). Sec. 803: Use of Force. “The reasonableness of force will be judged from the perspective of an objectively reasonable officer in the same situation, based on the totality of circumstances [sic] known to or perceived by the officer at the time.”

We are concerned that this standard limits review to only those judgments made on the basis of what actual personnel knew or perceived at the time. This is potentially unclear and could shield from review any judgments made on the basis of culpably incomplete information – for example use of force based on a careless subjective assessment that protestors constituted a threat (as in the UC Davis case). We suggest that the standard should be clarified by referring instead to “what a reasonable officer, in that context, would have known or perceived.”

(3b). Sec. 803. “While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to find the least intrusive or optimal response or to retreat or be exposed to possible physical injury before applying reasonable force.”

We believe that the police **should require** an officer to use the least intrusive response that they judge to be feasible in the circumstances, subject to the limitation that this requirement does not require an officer to be exposed to significant risk of physical injury. We also believe that the policy should provide guidance on when officers might be expected to retreat rather than apply force, if retreat would not lead to a significant risk of injury or other irreparable harm.

(4). Sec. 804: Duty to Intercede. We wonder whether an officer should be required to report action by another that exceeds the standards of this policy, as well as action that exceeds the standards of law.

(5). Sec. 805: De-escalation. The language of this section says that officers should “consider” using non-force-based techniques, and the help of non-police personnel. We suggest more directive language, requiring the use of non-force-based techniques and personnel unless

circumstances clearly do not permit their use. We specifically urge language directing officers to de-escalate, to use non-force-based techniques, and to avoid the use of restraints when interacting with children unless they are at imminent risk of harming themselves or others.

(6). Sec. 808.b: Factors to Determine Reasonableness: Per our discussion of Sec. 802, we suggest a special treatment of reasonableness concerning the use of force in the face of what would ordinarily be considered peaceful civil disobedience (including linked arms). We further suggest that officers be trained in minimal-force techniques for dealing with these typical forms of civil disobedience, in order to minimize risk of injury to protestors.

(7). Sec. 810: Intermediate Force. The policy appropriately suggests at first that such force should only be used against subjects manifesting “assaultive resistance.” But the policy then goes on to describe intermediate force use against subjects who “refuse to submit to lawful authority.” We suggest clarification to exclude the use of such force against subjects who merely fail to comply with an order to disperse.

(8). Sec. 817: Documentation. We suggest requiring documentation not just for displays of weapons but also for situations where officers wear military-style body armor. The decision to display body armor can escalate a confrontation and can be adopted as a strategy for intimidation. We recommend that the decision to wear military-style body armor should be documented so that it will be possible to reflect on the impact it may have had in a specific event.

(9). Sec. 830.1: Drawing firearms. The policy seems appropriate. But it prompts the larger question of whether UC policy should require officers to be unarmed in ordinary circumstances, so that a situation-specific judgement is required before an officer presents him or herself bearing a lethal weapon (even if the weapon is not brandished). Such a policy might lessen apprehension by members of the campus community who are understandably concerned by the approach of an armed officer, especially in the context of free speech activity.

(10). Sec. 834.5: Use of Control Devices. The policy requires authorization by the Chief of Police after “consultation” with the Chancellor. In light of the UC Davis incident, we suggest language that will more strictly limit the authority of the Police Chief in light of the Chancellor’s orders. And although it falls outside the bounds of this document, we suggest attention to the form and content of this consultation, including that the Chancellor also, whenever feasible, consult with Campus Counsel before making a judgment, and that least intrusive means be reviewed and evaluated. The 2012 Reynoso Report makes clear that a central cause of the situation was chaotic and informal civilian decision-making, as well as failure to gather reliable information and legal advice.

(11). Sec. 836.2: Baton Use. In light of the 2009 Wheeler Hall incidents, as well as the 2011 Sproul Hall Occupy protests, we suggest more restrictive language governing the use of batons to strike or “push” protestors who are failing to disperse.

## **B. Systemwide Response Team policy and procedures**

We note that this proposed policy emerged from the Robinson/Edley report in 2014, and has already been reviewed by the UCFW (University Committee on Faculty Welfare). Our understanding is that a final review and comment period was delayed pending the final recommendations of the President’s Police Task Force, which was formally released in June 2020. Marc Fisher served as the “responsible administrator” for the UC Berkeley campus in the development of that report. The President’s Police Task Force reviewed complaint reporting systems, audits and oversight of campus police departments, and did not recommend any policies or changes regarding a Systemwide Response Team (SRT).

### **Concerns:**

- (1) Our primary concern about the proposed SRT is that its actions would be guided by the new Use of Force policy, described in the previous section. The SRT proposal recommends that officers in SRT units should be issued body armor and may be armed with batons, firearms, chemical agents, and projectile weapons. We question whether military-style body armor and lethal, projectile or chemical weapons should be used by this special unit. If their role is to de-escalate confrontations, safely escort visitors to campus, and engage with faculty and students in crowd control, then the use of this equipment and armor by default seems inappropriate. Their special training should offer alternatives.
- (2) Sec.1604. Selection of SRT officers requires only “satisfactory” performance in prior work evaluations. We think the qualification for officers joining this unit should be a higher performance standard than “satisfactory,” since they will play a very important role in supporting free speech and safety in stressful situations on UC campuses.
- (3) Sec. 1605.5. Training requirements for SRT officers are described, but no performance standard is established aside from mandatory attendance. Again, we think the standard for officers in these units should be higher and require them to receive evaluation in the training they receive, rather than simply attend. Officers who do not pass a post-training evaluation should be required to retake that training until they pass, and not serve on the SRT until they have received a passing evaluation in this critical training.



- (4) Sec. 1606.1-2. The equipment that will be issued to the SRT officers is proposed to include helmets, 36” batons, kinetic energy projectiles, and chemical agents, in addition to the lethal and non-lethal weapons that sworn officers already carry. We think that these weapons require the community to have very high confidence in SRT officers, and that the performance and training standards (noted in points 2 and 3 above) do not clearly warrant this confidence.
- (5) Finally, we are concerned that the SRT does not refer to the campus-level Protest Response Team (PRT). This administrative committee directs the police response to major events. The PRT is made up of key administrative staff, a few members of the faculty and the UC Police Chief, among others. The SRT proposal recognizes the campus Chief of Police as the commander of on-campus operations for the SRT. While we understand that a single point of command is needed for a police unit, we think this could be clarified by noting that the campus PRT’s role – as we understand it - is to direct and advise the Police Chief’s response to major events as they unfold.

### **C. Body-Worn Cameras**

Our only recommendation with regard to this policy is that the Senate should ask whether body-worn camera footage will be available to students and faculty if a disciplinary action is brought against them after an interaction with a campus police officer. We think body-worn camera footage should be available to a faculty member or student in those circumstances.

### **D. Concealed Carry Weapons (CCW) permit for retired officers**

We learned from the UC Berkeley Police Chief, Margo Bennett, that this policy update is necessary in order to clarify which sworn officers are qualified to receive an endorsement to carry a concealed weapon. It stipulates that officers who are on permanent disability are not retired, and therefore are not entitled to a CCW endorsement. We understand the need for this clarification and support it.

In summary, **the majority of our concerns are with the Use of Force Policy**. That policy will have significant impacts on our campus community’s ability to exercise freedom of expression without intimidation or injury. Although some recent changes are positive steps in the right direction (such as removal of the carotid hold from accepted methods of restraint), **we wish to advise the Senate that this updated policy does not go far enough in eleven instances, as we have noted above.**

We are also concerned that **the new Systemwide Response Team (SRT) will be issued weapons and other gear that are modeled after an armed “special forces” team**, with the effect of increasing the level of intimidation and provocation during speech events. Instead, our view is that **the SRT should be a specially trained team with a high level of skill in de-escalation and crowd safety**. This training is called for in the proposed SRT Policy, but so are a suite of weapons and body armor. In situations where students, staff and faculty may be engaged in peaceful demonstrations, the deployment of lethal weapons, chemical weapons, projectile weapons and body armor seems unlikely to promote de-escalation or safety. **We advise the Senate to support the creation of a specially trained SRT, but to advocate for tightly restricting the use of weapons and body armor by the SRT.**

With the appropriate revisions suggested above, we believe that these updated policies will make substantial progress in addressing faculty concerns about policing on the Berkeley campus. Without these revisions, we are very concerned that these new policies are a missed opportunity for much-needed reforms. Please let us know if you or other DIVCO members would like to speak with our Committee about this assessment of proposed policy changes, and we will arrange that quickly.

Sincerely,

A handwritten signature in black ink, appearing to read "Kristina Hill", written in a cursive style.

Kristina Hill, PhD

Associate Professor and Chair, Committee on Demonstrations and Student Actions



DAVIS DIVISION OF THE ACADEMIC SENATE  
ONE SHIELDS AVENUE  
DAVIS, CALIFORNIA 95616-8502  
(530) 752-2220  
academicsenate.ucdavis.edu

April 22, 2021

**Mary Gauvain**  
Chair, Academic Council

**RE:** Proposed Revisions to Universitywide Police Policies and Administrative Procedures

Dear Mary,

The proposed revisions to Universitywide Police Policies and Procedures were forwarded to all standing committees of the Davis Division of the Academic Senate. Two committees responded: Affirmative Action and Diversity (AA&D) and Faculty Welfare (FW).

Overall, committees support the revisions, with FW noting issues that should be resolved in Systemwide Response Team (SRT) policy, firearm training, and use of force sections. FW's full comments are both enclosed and relayed here:

- The SRT policy, Appendix A, does not specify conditions warranting the summoning of SRTs, which makes the policy too abstract and they (SRTs) may end up being used in any situation.
- Section 834.2, on firearm training, mentions that members must satisfactorily complete training, but it does not clarify how often a refresher course should be taken.
- Two items in Chapter 8, Use of Force, lack clarity:
  - How to judge "reasonableness of force" (page 3, last paragraph): The policy indicates that reasonableness of force "will be judged from the perspective of an objectively reasonable officer in the same situation," which makes sense. However, it also says that this is to be "based on the totality of the circumstances known to or perceived by the officer at the time." This extends the initial sentence of section 803, going beyond knowledge of the totality of the circumstances to include the perceptions of the officer who actually used the force. Specifically, as written, it does not require that the perceptions of the officer also be deemed or evaluated as reasonable (in contrast to, e.g., section 808, item (b)). It may be that this wording was assumed to require reasonableness on the part of the officer using force, but it seems unclear. Adding the adjective "reasonable" would serve to clarify the interpretation (as in the section 808 reference).
  - Section 805 on de-escalation: The policy statement, as written, does not literally require officers to de-escalate whenever "reasonable and practicable," but only to "consider" doing so. It is unclear exactly what meaning the inclusion of the word "consider" is intended to convey, but its presence does remove any requirement to actually de-escalate. The requirement to de-escalate should be made clearer.

- The policy under review does not include any mention of police dogs and their use, even though [UC campuses have K9 units]. If K9 policy is addressed elsewhere, a link to it should be provided in this policy. Otherwise, we suggest adding to this policy a section on the use of K9 units in policing.

The Davis Division appreciates the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Tucker", with a stylized flourish at the end.

Richard P. Tucker, Ph.D.  
Chair, Davis Division of the Academic Senate  
University of California, Davis

Enclosed: Davis Division Committee Responses

c: Hilary Baxter, Executive Director, Systemwide Academic Senate  
Michael LaBriola, Assistant Director, Systemwide Academic Senate  
Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate

April 13, 2021

**Richard Tucker**

Chair, Davis Division of the Academic Senate

**RE:** Request for Consultation – Proposed Revisions to Universitywide Police Policies and Administrative Procedures

Dear Richard:

The Committee on Affirmative Action and Diversity has reviewed the RFC – Proposed Revisions to Universitywide Police Policies and Administrative Procedures and did not have any comments regarding the proposed revisions.

Sincerely,

A handwritten signature in dark ink, appearing to read "JV Torres", is positioned above the typed name.

Jose V. Torres

Chair, Committee on Affirmative Action and Diversity

c: Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate

April 8, 2021

Richard Tucker, Chair  
Davis Division of the Academic Senate

RE: Proposed changes to Universitywide Police Policies and Administrative Procedures

Dear Professor Tucker,

The Faculty Welfare Committee reviewed and discussed the proposed changes to the Universitywide Police Policies and Administrative Procedures. We found the whole policy mostly appropriately detailed, while leaving some discretion and decision making ability to everyone in the chain of command. The committee noted issues with insufficient details, omissions, and lack of clarity in some parts, as follows.

1) We felt there were insufficient details given in two sections of the policy under review:

- the SRT policy, Appendix A, does not specify conditions warranting the summoning of SRTs, which makes the policy too abstract and they (SRTs) may end up being used in any situation;
- section 834.2, on firearm training, mentions that members must satisfactorily complete training, but it does not clarify how often a refresher course should be taken.

2) The committee found that two items in Chapter 8 (Use of Force) lack clarity:

- How to judge “reasonableness of force” (page 3, last paragraph). The policy indicates that reasonableness of force “will be judged from the perspective of an objectively reasonable officer in the same situation,” which makes sense. However, it also says that this is to be “based on the totality of the circumstances known to or perceived by the officer at the time.” This extends the initial sentence of section 803, going beyond knowledge of the totality of the circumstances to include the perceptions of the officer who actually used the force. Specifically, as written, it does not require that the perceptions of the officer also be deemed or evaluated as reasonable (in contrast to, e.g., section 808, item (b)). It may be that this wording was assumed to require reasonableness on the part of the officer using force, but it seems unclear. Adding the adjective “reasonable” would serve to clarify the interpretation (as in the section 808 reference).
- Section 805 on de-escalation. The policy statement, as written, does not literally require officers to de-escalate whenever “reasonable and practicable,” but only to “consider” doing so. It is unclear exactly what meaning the inclusion of the word “consider” is intended to convey, but its presence does remove any requirement to actually de-escalate. The requirement to de-escalate should be made clearer.

3) The policy under review does not include any mention of police dogs and their use, even though the UC Davis police has a K9 unit. If K9 policy is addressed elsewhere, a link to it should be provided in this policy. Otherwise, we suggest adding to this policy a section on the use of K9 units in policing.

Sincerely,

Vladimir Filkov

Chair, FWC

April 21, 2021

Mary Gauvain, Chair  
Academic Council

**Re: Systemwide Review of Universitywide Police Policies and Administrative Procedures**

Dear Chair Gauvain,

The Irvine Division Senate Cabinet discussed the proposed revisions to Universitywide Police Policies and Administrative Procedures (i.e. the Gold Book) at its April 20, 2020 meeting. The proposed revisions were also reviewed by the Council on Faculty Welfare, Diversity, and Academic Freedom, the Council on Equity and Inclusion, and the Council on Teaching, Learning, and Student Experience. The Councils' memos are attached, and a summary of the Cabinet discussion is provided below. Senate leadership also received several emails from individual faculty members expressing strong opposition to the updated use of force policy and new body worn audio, systemwide response team, and concealed carry weapons policies.

Members noted that the policies and procedures fail to engage with current debates regarding the link between policing and systemic racial injustice, fail to recognize different needs across campuses, and provide individual officers with too much discretion regarding the use of force and body-worn cameras. The proposed changes do not address several issues that are important to our campus community, including free speech and assembly rights, racial profiling, unconscious bias, and alternative approaches to mental health-related incidents.


Members felt that the creation of a systemwide response team, in particular, was deeply problematic. While campus police departments should certainly share best practices, creating an armed SWAT team-style UC response team is antithetical to the UCI Public Safety Advisory Committee's [recommendations for the transformation of public safety at UCI](#).

Members noted that some of these revisions began in response to the Robinson/Edley Report (2012), which seems particularly outdated in light of nationwide attention to protest and policing in recent years. Cabinet members feel that the proposed revisions are a step backward, rather than an improvement.

The Irvine Division understands that these policies were updated in consultation with UC Chiefs of Police and UC Office of General Counsel, and revised based on conversations with the Federated University Police Officers Association. The Cabinet believes that other members of the community who have a stake in campus policing, such as student organizations, the Public Safety Advisory Committee or equivalent, Staff Assembly, and faculty via the Academic Senate, should have been included in these conversations before the current employee consultation period.

Thank you for the opportunity to comment.

Sincerely,



Jeffrey Barrett, Chair  
Academic Senate, Irvine Division





Cc: Joanna Ho, Chair Elect-Secretary  
Terry Dalton, CFW Chair  
Louis DeSipio, CEI Chair  
Andrea Henderson, CTLSE Chair  
Kate Brigman, Executive Director  
Gina Anzivino, Associate Director and CEI Analyst  
Julie Kennedy, CFW and CLTSE Analyst  
Brandon Haskey-Valerius, Cabinet Analyst



April 8, 2021

**JEFFREY BARRETT, CHAIR  
ACADEMIC SENATE – IRVINE DIVISION**

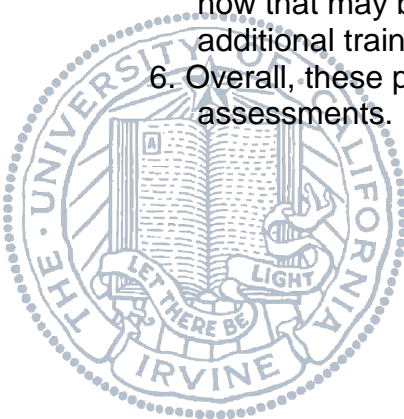
**Re: Systemwide Review of the Gold Book**

Systemwide Senate Chair Gauvain has forwarded for review proposed changes to Universitywide Police Policies and Administrative Procedures, which are applicable to UC Peace Officers.

The Council on Faculty Welfare, Diversity, and Academic Freedom (CFW) discussed this issue at its meeting on March 9, 2021 and members had the following comments:

1. The “Systemwide Response Teams” policy was drafted based on recommendation by the Robinson/Edley report to create specialized response teams to respond to **crown management** situations. [sic]. Paragraph 4:1 cover memo from Cheryl Lloyd dated 5 February 2021, emphasis added. Presumably, Lloyd meant "crowd management."
2. “When reasonable and practicable, officers should consider attempts to de-escalate situations in their interactions with subjects through the use of advisements, warnings, verbal persuasion, and other tactics and alternatives to higher levels of force.” This should be mandatory, not simply something to “consider.”
3. “Active Resistance” is defined as: “The subject is intentionally and unlawfully opposing the lawful order of a peace officer in a physical manner; Examples may include bracing, tensed muscles, interlocked arms/legs, pushing, kicking, breaching police lines, pushing over police barricades, running away or other actions to evade or escape etc.” It is entirely unclear how a reasonable individual may be able to interpret “tensed muscles” in a situation.
4. Members expressed concern that this document did not address a requirement for implicit bias and de-escalation training.
5. A member questioned what may be considered a “medical emergency,” and how that may be assessed by first responders. This should also require additional training.
6. Overall, these proposed changes do not seem to reflect any recent policing assessments.

Sincerely,



A handwritten signature in black ink, appearing to read 'T. Dalton', with a large, stylized loop at the top.

Terry Dalton, Chair  
Council on Faculty Welfare, Diversity, and Academic Freedom

C: Kate Brigman, Executive Director  
Academic Senate

Gina Anzivino, Associate Director  
Academic Senate

April 7, 2021

**JEFFREY BARRETT, CHAIR  
ACADEMIC SENATE, IRVINE DIVISION**

**RE: Systemwide Review of Universitywide Police Policies and Administrative Procedures**

The Council on Equity and Inclusion (CEI) discussed the proposed changes to Universitywide Police Policies and Administrative Procedures at its meeting on April 5. Although members felt they were not necessarily qualified to comment on the details of the policy changes, they expressed several broad concerns.

At a high level, members were concerned that the proposed changes do not address several issues that have been problematic and that are important to students and the campus community. These include free speech and assembly rights, racial profiling, unconscious bias, and alternative approaches to mental health-related incidents. Members noted that some of the revisions began in response to the [Robinson/Edley Report](#) (2012), which seems particularly outdated in light of nationwide attention to protest and policing in the last couple of years.

The Council also noted that the policies were updated in consultation with UC Chiefs of Police and UC Legal, and revised based on conversations with the Federated University Police Officers Association. Members feel that others in the community who have a stake in campus policing, such as student organizations, the Public Safety Advisory Committee or equivalent, and faculty via the Academic Senate, should have been included in these conversations before the current employee consultation period.

The Council on Equity and Inclusion appreciates the opportunity to comment.

Sincerely,



Louis DeSipio, Chair  
Council on Equity and Inclusion

C: Joanna Ho, Chair Elect  
Kate Brigman, Executive Director  
Gina Anzivino, Associate Director and CEI Analyst  
Brandon Haskey-Valerius, Cabinet Analyst



April 12, 2021

**JEFFREY BARRETT, CHAIR  
ACADEMIC SENATE – IRVINE DIVISION**

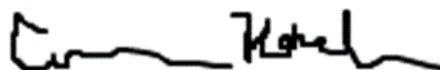
**Re: Systemwide Review of the Gold Book**

Systemwide Senate Chair Gauvain has forwarded for review proposed changes to Universitywide Police Policies and Administrative Procedures, which are applicable to UC Peace Officers. The Council on Teaching, Learning, and Student Experience (CTLSE) discussed this issue at its meeting on April 5, 2021 and members had the following comments.

Members stated unequivocally that these policies and procedures are fundamentally flawed: they seem out of sync with current UCI policing practices and, more basically, do not reflect—or even mention--current debates regarding the link between policing and systemic racial injustice.

More specifically, members expressed concern that officers are given considerable latitude regarding the use of body-worn cameras. Members were also deeply troubled by the language around the “appropriate” use of force, which, again, seemed to allow too much room for officer discretion and to be insufficiently attuned to the real health implications of the techniques described. Members questioned, in fact, whether campus police should be permitted to use force at all.

Sincerely,



Andrea Henderson, Chair  
Council on Teaching, Learning, and Student Experience

C: Kate Brigman, Executive Director  
Academic Senate

C: Gina Anzivino, Associate Director  
Academic Senate



April 23, 2021

Mary Gauvain  
UC Academic Senate Chair

**Re: Universitywide Police Policies and Administrative Procedures**

Dear Chair Gauvain,

As always, the UCLA Division appreciates the opportunity to review and evaluate proposed systemwide policies. At its April 15, 2021, meeting the UCLA Executive Board had an extensive discussion based upon the committee responses (attached) to OP's proposed Police Policies and Administrative Procedures. Although we have some specific comments below, the Executive Board concurs with the position of the Committee on Diversity, Equity, and Inclusion (CODEI) that responding in a normal fashion to the proposals would:

be tacitly to validate the process through which these documents were generated and also to deflect attention from the larger context in which campus policing issues can most fruitfully be considered. With regard to the process, it appears that most University of California stakeholders were not represented in the deliberations that led to these proposals. Of particular relevance to the Academic Senate, what was the extent of faculty input? Presenting these proposals without an open and thorough discussion by the diverse members of the UC community who will be directly affected by them will likely reinforce anxieties held by many regarding a lack of transparency, openness, and willingness to collaborate on the part of UC policing policymakers. Indeed, the extent to which feedback from the Academic Senate can have any impact whatsoever on these proposals at this point is unclear.

Indeed, it strikes us as remarkable that at a moment of widespread, and overdue, debate on the nature of policing that the University would consider a set of proposals that promises to increase the militarized nature of UCPD. As you know, for at least the last year faculty and students throughout the System have called for a serious rethinking of the practices and tools of public safety. Here at UCLA the Divest/Invest Faculty Coalition has forcefully called for a redirection of university funds towards alternative investments in community safety, public health, and forms of mutual support. In addition, UCLA is embarking on a process to examine ways to transform the means we deploy to ensure public safety. And of course, in June of 2020 the Academic Council itself, called for a process that would redirect funding from the UCPD and substantially reduce its use of force. All of these efforts have been seemingly ignored in the proposed revisions to the "Gold Book." We have in addition heard expressions of outrage from faculty about both the process and the substance of the proposal. We can hardly blame them.

Although we hesitate to comment in a way that might be taken to grant legitimacy to the proposal, we do think that it necessary to highlight particular aspects as **examples** of the overall flawed nature of the proposal:

1. As the Council on Planning and Budget (CPB) pointed out, the proposed policy provides a wide range of options for the use of “pain compliance” techniques. Given the likelihood that these could be applied to peaceful protestors, the Executive Board seconds CPB’s concern that “these techniques could be applied based on very broad definitions of non-compliance (verbal non-compliance included ‘pleading’ or ‘physical gestures, stances, and observable mannerisms’ (2) or ‘subjects who remain in a sitting, standing, or limp or prone positions without holding on to fixed objects or other persons in an attempt to delay or resist arrest’).” In fact, as we will discuss below the entire document intensifies the possibility of militarized responses to student and faculty protest.
2. We were equally concerned by the many opportunities provided for officers to stop their video recording. The opportunity for an officer or officers who acted in violation of policy to choose to shut off their cameras at crucial moments is enabled by a wide range of cutouts. (Section 1506).
3. We also strongly object to the establishment of the **Systemwide Response Team (SRT)** (Chapter 16). The SRT runs counter to all of the University’s promises to seek new paths towards public safety as well as statements by the President and others about their concerns over police violence. Instead, the SRT will deepen the military characteristics of the UCPD, increase the likelihood that violence will be used against protestors, and violate the civil liberties and rights of members of the UC and California communities.

We mention these three points not to indicate that they are the only problematic aspect of the proposal. Instead, they are merely three symptoms of a larger failure on the part of the University to take seriously the arguments and concerns expressed by last year’s Academic Council, as well as by faculty, staff, and students across the system. We are disappointed that the Administration did not distribute their proposal to all employees and students. We strongly urge the Academic Council to reject the proposed Police Policies and Administrative Procedures and to call on the Office of the President to engage in a serious process of reimagining policing and public safety on UC campuses.

Sincerely,



Shane White  
Chair, UCLA Academic Senate

Encl.

Cc: Jody Kreiman, Vice Chair/Chair-Elect, UCLA Academic Senate  
Michael Meranze, Immediate Past Chair, UCLA Academic Senate  
April de Stefano, Executive Director, UCLA Academic Senate

April 20, 2021

To: Shane White, Chair  
Academic Senate

Re: **Systemwide Review: Police Policies and Administrative Procedures**

The Committee on Diversity, Equity and Inclusion has chosen not to comment on specific aspects of the Police Policies and Administrative Procedures proposals. To do so, the Committee members feel, would be tacitly to validate the process through which these documents were generated and also to deflect attention from the larger context in which campus policing issues can most fruitfully be considered. With regard to the process, it appears that most University of California stakeholders were not represented in the deliberations that led to these proposals. Of particular relevance to the Academic Senate, what was the extent of faculty input? Presenting these proposals without an open and thorough discussion by the diverse members of the UC community who will be directly affected by them will likely reinforce anxieties held by many regarding a lack of transparency, openness, and willingness to collaborate on the part of UC policing policymakers. Indeed, the extent to which feedback from the Academic Senate can have any impact whatsoever on these proposals at this point is unclear.

Furthermore, as currently framed, these proposals appear to be founded on assumptions about security, the role of police on campus, and the viability of alternative ways to ensure campus safety that have been called into serious question, particularly over the past few years. CODEI believes that it would be unfortunate if the Academic Senate failed to take this opportunity to emphasize the need to address the issue of campus policing not in terms of specific, micro-level practices regarding force, body cameras, response teams, concealed-carry weapons, and the like but rather through a wide-ranging and inevitably difficult series of conversations about the security needs of the UC community at large. Such exchanges would engage topics such as anti-bias training for UC police, the relationship of UC Police to the Los Angeles Police Department and to the Department of Homeland Security, the use of de-escalation techniques, and even the very need for armed police officers on UC campuses.

As does the Graduate Council in its response, we would call attention to the recent announcement issued by Chancellor Block titled “Charting a New Course for Public Safety at UCLA.” The “community conversations” that the just-created University task force will sponsor and the fact-finding research that it will conduct can constitute crucial steps that must be taken before we would be in a position to evaluate responsibly the type of policing policy proposals on which the Academic Senate has been invited to comment.



We appreciate being given the opportunity to comment on this issue at this time and look forward to extensive engagement with the issue over the coming months and years. If you have any questions, please do not hesitate to contact me at [yarborou@humnet.ucla.edu](mailto:yarborou@humnet.ucla.edu) or the Interim Committee on Diversity, Equity and Inclusion Analyst, Taylor Lane Daymude at [tlanedaymude@senate.ucla.edu](mailto:tlanedaymude@senate.ucla.edu).

Sincerely,

A handwritten signature in black ink, reading "Richard Yarborough". The signature is written in a cursive, flowing style.

Professor Richard Yarborough, Chair  
Committee on Diversity, Equity and Inclusion

April 9, 2021

Shane White, Chair  
Academic Senate

**Re: Systemwide Review: Universitywide Police Policies and Administrative Procedures**

Dear Chair White,

At its meeting on March 29, 2021, the Council on Planning and Budget (CPB) had an opportunity to review and discuss the Universitywide Police Policies and Administrative Procedures.

Some members expressed concern over the statement that retired officers can carry concealed and loaded weapons on campus, especially since justification for such action is provided. While some members recommended getting rid of this privilege, others argued that the policy was to bring university police in compliance with the Law Enforcement Officers Safety Act of 2004—a federal law that allows a “qualified retired law enforcement officer” meeting certain criteria to carry a concealed firearm anywhere in the nation. A few members recommended diversity training for those assigned to work together.

Members noted section 809 (page 7), on the use of “**Pain Compliance Techniques**,” [“Stimulation of nerves or manipulation of joints to elicit a sense of unease in a subject...(3)”] which “may be very effective in controlling a non-compliant or actively resisting individual.” Because peaceful protests and nonviolent resistance techniques are common on university campuses, members were concerned that these techniques could be applied based on very broad definitions of non-compliance [verbal non-compliance included “pleading” or “physical gestures, stances, and observable mannerisms”(2) or “subjects who remain in a sitting, standing, or limp or prone positions without holding on to fixed objects or other persons in an attempt to delay or resist arrest” (3)].

Thank you for the opportunity to review. If you have any questions for us, please do not hesitate to contact me at [groeling@comm.ucla.edu](mailto:groeling@comm.ucla.edu) or via the Council’s analyst, Elizabeth Feller, at [efeller@senate.ucla.edu](mailto:efeller@senate.ucla.edu).

Sincerely,



Tim Groeling, Chair  
Council on Planning and Budget

cc: Jody Kreiman, Vice Chair/Chair-Elect, Academic Senate  
Michael Meranze, Immediate Past Chair, Academic Senate  
April de Stefano, Executive Director, Academic Senate  
Elizabeth Feller, Principal Policy Analyst, Council on Planning and Budget  
Members of the Council on Planning and Budget

3125 Murphy Hall  
410 Charles E. Young Drive East  
Los Angeles, California 90095

April 12, 2021

To: Shane White, Chair, UCLA Academic Senate

From: Andrea Kasko, Chair, Graduate Council

**Re: Systemwide Senate Review: Universitywide Police Policies and Administrative Procedures  
(The “Gold Book”)**

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At its meeting on April 9, 2021, the Graduate Council discussed the proposed revisions to the Universitywide Police Policies and Administrative Procedures (the “Gold Book”).

Members generally endorsed the Undergraduate Council’s comments in their memo dated April 7, 2021, particularly the call to study campus safety more holistically. Members noted that a good first step is the Chancellor and the Executive Vice Chancellor and Provost’s announcement, on April 9, 2021, that they are “commissioning an independent fact-finding review and assessment of our campus safety policies and procedures,” co-chaired by UCLA Professor Tyrone Howard and Rasha Gerges Shields, in order to “help identify policies and practices that support public safety and a sense of belonging for the entire Bruin community” ([Charting a New Course for Public Safety at UCLA](#)).

One member expressed support for rethinking surveillance, which law enforcement seeks to expand. One student representative shared that a good number of graduate students, particularly men of color, do not feel safe with police on campus.

Thank you for the opportunity to opine. If you have any questions, please contact us via the Graduate Council’s interim analyst, Aileen Liu, at [aliu@senate.ucla.edu](mailto:aliu@senate.ucla.edu).

cc: Estrella Arciba, Interim Committee Analyst, Graduate Council  
April de Stefano, Executive Director, Academic Senate  
Jody Kreiman, Vice Chair/Chair Elect, Academic Senate  
Aileen Liu, Interim Committee Analyst, Graduate Council  
Michael Meranze, Immediate Past Chair, Academic Senate

3125 Murphy Hall  
410 Charles E. Young Drive East  
Los Angeles, California 90095

April 7, 2021

To: Shane White, Chair, UCLA Academic Senate

From: Megan McEvoy, Chair, Undergraduate Council

**Re: Systemwide Senate Review: Universitywide Police Policies and Administrative Procedures  
(The “Gold Book”)**

---

At its meetings on March 5, 2021, and April 2, 2021, the Undergraduate Council discussed the proposed revisions to the Universitywide Police Policies and Administrative Procedures (the “Gold Book”). Though several members noted that they lack expertise on these policies, members offered the following comments about campus safety for consideration.

Members expressed support for studying appropriate mechanisms to make our campus safer, and for engaging in a broader, more holistic discussion of how to equally and justly promote a safe campus for all students, faculty, and staff. One student representative noted that some groups feel more protected by police than others.

Many members expressed concern about the proposed revision to allow Qualified Retired Peace Officers to carry concealed weapons on campus, and felt that such an allowance was unnecessary.

Some members were supportive of investing more in other forms of safety for our campus community, and divesting from policing on campus. These members expressed concern about the University’s increased investment in policing structures—body cameras, surveillance—that are suggested by the proposed revisions, and did not feel convinced that such mechanisms were the best way forward to promoting campus safety. One student representative noted that there is ongoing work to decriminalize crisis response on campus, such as involving mental health professionals, and not police, when responding to mental health crises. Several members expressed support for this work.

One member suggested that UCPD officers should complete cultural diversity and sensitivity training, a recommendation made in response to the Moreno Report of 2013.

Thank you for the opportunity to opine. If you have any questions, please contact us via the Undergraduate Council’s analyst, Aileen Liu, at [aliu@senate.ucla.edu](mailto:aliu@senate.ucla.edu).

cc: April de Stefano, Executive Director, Academic Senate  
Jody Kreiman, Vice Chair/Chair Elect, Academic Senate  
Aileen Liu, Committee Analyst, Undergraduate Council  
Michael Meranze, Immediate Past Chair, Academic Senate



OFFICE OF THE ACADEMIC SENATE  
ROBIN DELUGAN, CHAIR, ACADEMIC SENATE  
[senatechair@ucmerced.edu](mailto:senatechair@ucmerced.edu)

UNIVERSITY OF CALIFORNIA, MERCED  
5200 NORTH LAKE ROAD  
MERCED, CA 95343

**April 19, 2021**

**To: Mary Gauvain, Chair, Academic Council**

**Re: Proposed Revisions to Universitywide Police Policies and Administrative Procedures**

The proposed revisions to the Universitywide Police Policies and Administrative Procedures were distributed for comment to the Merced Division Senate Committees and the Schools Executive Committees. Members of Divisional Council discussed this item at their March 29 meeting. The following committees offered comments for consideration.

- Committee on Research (CoR)
- Committee for Diversity and Equity (D&E)
- Committee on Faculty Welfare and Academic Freedom (FWAF)
- School of Engineering Executive Committee (SOE EC)
- School of Social Sciences Humanities and Arts Executive Committee <sup>1</sup>

CoR raised several questions about the policy. They are provided on pages 3-4.

D&E noted that the policies do not align with the larger national and UC-wide discussions that have been taking place in the last year. The committee recommended that the administration revisit the 2018 Report of the Systemwide Public Safety Task Force<sup>2</sup>. In its report, the task force recommended that the policies in the Gold Book be more transparent, consistent, and aligned with policing policies and practices with public safety best practices that are appropriate to a university environment.

FWAF expressed support for the intent of the revision as described in the second paragraph of the letter from Interim Vice President of Human Resources Lloyd (page 10). FWAF found it concerning that the policies lack concrete language that prioritizes de-escalation over the use of force. Rather, it appears that the policies were written with a focus on protecting the University against lawsuits.

The SOE EC reiterated its concerns about the existing gaps between the University policies and practices, the implementation of the Gold Book policies, and the disproportionate use of police force against people and communities of color.

<sup>1</sup> Received after the March 29 Divisional Council Meeting

<sup>2</sup> <https://senate.universityofcalifornia.edu/files/reports/SNDSN-gold-book-task-force-report.pdf>

The SSHA Executive Committee's comments were not discussed at the March 29 Divisional Council but are appended to this memo.

The Merced Division thanks you for the opportunity to comment on these proposed revisions.

Sincerely,

A handwritten signature in cursive script, reading "Robin M. DeLugan".

Robin DeLugan  
Chair, Divisional Council  
UC Merced

CC: Divisional Council  
Hilary Baxter, Executive Director, Systemwide Academic Senate  
Michael LaBriola, Assistant Director, Systemwide Academic Senate  
Senate Office

Encl (6)



ACADEMIC SENATE, MERCED DIVISION  
COMMITTEE ON RESEARCH  
KARA MCCLOSKEY, CHAIR  
kmcloskey@ucmerced.edu

UNIVERSITY OF CALIFORNIA, MERCED  
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**March 11, 2021**

**To:** Robin DeLugan, Chair, Division Council

**From:** Kara McCloskey, Chair, Committee on Research (COR)

A handwritten signature in black ink, appearing to read "Kara McCloskey".

**Re:** Proposed changes to the Universitywide Police Policies and Administrative Procedures

Comments for the document, "Chapter 8: Use of force"

(1) The definition of "Non-Compliant" (see page 3) includes passive resistance. How about "active resistance"? The definition clearly discusses passive resistance, but not active resistance, which gives people the impression that the active resistance is not considered.

(2) The definition of "De-escalation". There is a typo in "through the use advisement, warnings, ...". It should be "through the use of advisement, warnings,...".

Comments for the document, "Chapter 15: Body Worn Audio/Video Systems"

(1) The document says on page 1 that "body worn cameras provide a limited perspective of any encounter and must be considered with all available facts and evidence, such as officer perception, witness statements, officer interviews, other available video documentation, forensic and/or expert analysis, and documentary evidence".

CoR agrees with the above statement. With the current image-processing techniques, the video records can be altered. Is there any mechanism to check the validity of the record?

(2) The document discusses when to activate body worn video (BWV) systems on page 2 and mentions that the activation of BWV should balance the respect for privacy and other University values with legal, policy, and administrative obligations.

The document advises that the BWV is deactivated, when, in the officer's judgment, privacy concerns outweigh any legitimate law enforcement interest in recording.

CoR's concern is that the officer, when working in the field or handling an event, may not have good judgement. CoR suggests that the officer's supervisor determine if the video has privacy concerns.



(3) The document mentioned that "the security of the BWV data must be in compliance with University policy, regulations, and law".

Will the university policy, regulations, and law be enough to ensure the security of the BWV data?

Comments for the document, "Chapter 16: SYSTEMWIDE RESPONSE TEAM POLICY"

(1) The document mentions that the minimum qualifications of sergeants and officers include three years of sworn experience with one of those years at a UC campus police department.

CoR suggests that if one has no experience at a UC campus, but has rich experiences at other university campuses, she/he could also be qualified.

We appreciate the opportunity to opine.

cc: Senate Office



ACADEMIC SENATE, MERCED DIVISION  
COMMITTEE FOR DIVERSITY AND EQUITY

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**March 19, 2021**

**To: Robin DeLugan, Senate Chair**

**From: Committee for Diversity and Equity (D&E)**

**Re: Universitywide Police Policies and Administrative Procedures**

D&E welcomes the opportunity to opine on [the proposed revisions to the Universitywide Police Policies and Administrative Procedures](#) (“Gold Book”). Reading these documents, however, it is striking how little they seem to reflect the larger national and UC-wide discussions around policing that have been taking place in the last year. Communities around the country have begun to reevaluate the nature of policing and whether many of the public safety and welfare functions routinely assigned to police could be better served by redirecting funds and efforts to mental health services and other nonviolent responses. The UC can and should be a national leader in these changing conversations about policing. Instead, we have a series of documents that often appears to view the university community as an enemy force to tamed. For example, in the new policy on the Systemwide Response Team (SRT), it is *mandated* (section 1606.1) that SRT members be equipped in the following way:

- (1) Helmet with face shield and 36” baton;
- (2) Gas mask with extra filter and mask carrier;
- (3) Soft riot armor;
- (4) Flex cuffs with officer’s badge number on the cuffs;
- (5) Peltor headset
- (6) Additional equipment as deemed necessary by the Council of Chiefs.

Additionally, they are mandated (1606.2) to carry:

- (1) Kinetic energy projectiles;
- (2) Chemical agents.

This is only one example of a set of guidelines that seem both unnecessary and antithetical to our values as a university community. In 2018, the Academic Senate’s [Systemwide Public Safety Task Force](#) made a number of recommendations for bringing the “Gold Book” more in line with the kind of policing we should expect and demand on a university campus. While some of these recommendations have been adopted in the new draft policies, many have not and we suggest that the administration revisit that report and recast these policies in light of the recommendations. More broadly, we encourage a much broader discussion of ways to ensure public safety at the UC without the need for a traditional policing model that has long produced systematic violence against people of color who make up the majority of our community at UCM.

The Committee for Diversity and Equity appreciates the opportunity to opine.

cc: D&E Members  
Fatima Paul, Executive Director, Senate Office  
Senate Office



ACADEMIC SENATE, MERCED DIVISION  
COMMITTEE ON FACULTY WELFARE AND ACADEMIC FREEDOM  
CAROLIN FRANK, CHAIR  
cfrank3@ucmerced.edu

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**March 19, 2021**

**To:** Robin DeLugan, Chair, Divisional Council

**From:** Carolin Frank, Chair, Committee on Faculty Welfare and Academic Freedom (FWAF)

**Re: Universitywide Police Policies and Administrative Procedures**

FWAF has reviewed the [proposed revisions to the Use of Force policy](#), and the newly proposed [Body Worn Audio/Video policy](#), [Systemwide Response Team policy](#), and [Concealed Carry Weapons policy](#). FWAF strongly supports the intent of the revision, as stipulated in the second paragraph of the [cover letter](#), to emphasize de-escalation. In the proposed policies themselves, however, FWAF found it concerning that they lack concrete language that prioritizes de-escalation over the use of force. Some examples are given below.

**The Use of Force policy Section 805** (p.4) states: *"When reasonable and practicable, officers should consider attempts to de-escalate situations in their interactions with subjects"* (italics added), which indicates that officers are *not required* to attempt de-escalation. **Section 803** specifies it is the law enforcement officers who make the assessment of "reasonableness" of the force used. Considering that the calls for de-escalation have originated largely from the "subjects," i.e., the public, and not the law enforcement officers, it is unclear how these provisions would help emphasize de-escalation. On the contrary, the final sentence in this section states: "nothing in this policy requires an officer to find the least intrusive or optimal response," effectively nullifying the purported "ultimate objective" of law enforcement encounters to "avoid or minimize injury."

FWAF also found some of the definitions in **Section 802** (pp.2-3) to deviate from the overall purpose of the policy revisions to emphasize de-escalation. For example, the definition of "non-verbal and verbal non-compliance" includes "pleading" and "observable mannerisms." Examples of "active resistance" include "tensed muscles, interlocked arms/legs" and even "running away or other actions to evade or escape etc.".

In the newly proposed **Systemwide Response Team (SRT) policy**, it is stated that the campus chief of police can request SRT deployment, with no reference to consultation with the rest of the campus leadership. FWAF believes that the police and the police oversight committee should be jointly responsible for the deployment of SRT.

As campus committees and workgroups actively discuss the campus climate and the need for de-escalation, FWAF urges that the discrepancy between these discussions, on one hand, and the proposed police policies and procedures, on the other, be recognized, and that efforts be made to minimize it.

FWAF appreciates the opportunity to opine.

cc: Senate office



## SCHOOL OF ENGINEERING

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March 20, 2021

To: UC-M Academic Senate  
From: Catherine Keske, Chair, School of Engineering Executive Committee (SoE ExComm)  
Re: Gold Book

Dear Senate Chair DeLugan:

The SoE ExComm didn't receive specific comments from Senate Faculty or have time to discuss specific details of the Gold Book review during its regularly scheduled meetings.

However, over the past year we've expressed frustration about gaps between the University policies and practices.

These same concerns apply to implementation of the Gold Book policies.

We remain concerned about the disproportionate use of police power and weapons against people and communities of color. As the tragic events of the past year (and as recently as the last week) have shown, policing and weapons policies must be critically examined, along with the "reality check" about racial injustices that are often perpetuated by law enforcement.



SCHOOL OF SOCIAL SCIENCES, HUMANITIES AND ARTS

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To: Robin DeLugan

From: Susan Amussen

Re: SSHA EC Comments on Draft Revisions to Gold Book

SSHA Executive Committee appreciates the opportunity to comment on the proposed revisions to the Universitywide Police Policies and Administrative Procedures (“Gold Book”). It is impossible to review these documents without reflecting on the larger national conversation about policing that was reignited by the police murder of George Floyd in May 2020. Within the UC system, this has in part taken the form of a [UC Campus Safety Symposium](#) convened by President Drake to explore the larger question of how to ensure the safety of our community while acknowledging the harms often associated with traditional policing models. In reading the attached documents for review, it is striking how the language used, for example associating “tensed muscles” as a threat that might justify the use of force by UC PD officers, is so strikingly different from that we use in every other aspect of the operation of our university community. While undoubtedly shaped in part by state law and union contracts, the language in these documents, particularly around the use of force, is in many ways discordant with our notions of university community. We encourage a continuing conversation – and real action – that would allow us to ensure we protect our community safety in ways that are in accordance with our university values.

On the more narrow question of the proposed revisions to the Gold Book, we call attention to the July 2018 report of the Academic Senate [Systemwide Public Safety Task Force](#). The task force, which included a variety of Senate experts on policing, offered a series of line-by-line revisions for the Gold Book. While we are pleased to see that some of these suggestions have been followed in the most recent iteration of these policies, there remains work to be done based on this original recommendations and encourage the administration to revisit the task force report and consider further revisions in light of the recommendations.

**836.2 Baton Use in Crowd Control Situations.** During crowd control situations, subjects may be encountered who refuse to disperse or respond to verbal directions. When this type of behavior confronts officers, the baton may be used as a pushing instrument to gain compliance. It may also be used as an impact weapon depending on the degree of active resistance or assaultive resistance demonstrated by the subject. In both circumstances, officers shall use only that amount of force that is objectively reasonable, and verbalization of commands should continue throughout this situation.

## **CONTROL DEVICES - CONDUCTED ENERGY DEVICES (CED's)**

**837. Use of CED:** The appropriate use of such a device is intended to result in fewer serious injuries to officers and suspects.

**837.1 Authorization and Training.** Only members who have successfully completed department-approved training may be issued and carry the CED. Officers shall only use the CED and cartridges that have been issued by the Department.

**837.2 Carrying of CED.** Uniformed officers who have been issued the CED shall wear the device in an approved holster on their person. When in uniform, officers shall carry the CED device in a weak-side holster on the side opposite the duty weapon.

**837.3 Additional CED Policies.** For those UC Police Departments who authorize their officers to carry CED's, there may be additional policies and procedures that apply. Refer to the respective UC Police Department's policies regarding the ~~carrying and use of a~~ CED, if applicable.

## **CONTROL DEVICES - PROJECTILE DEVICES**

**838.** Projectile devices may de-escalate a dangerous or potentially deadly situation, and may compel an individual to cease their actions when such projectile devices present a reasonable option, as described below.

**838.1 Approval.** Only approved impact projectile devices shall be carried and deployed.

**838.2 Use of Projectile Devices.** Officers are not required or compelled to use projectile devices in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for proper application of approved munitions;
- (b) The suspect has made credible threats to harm themselves or others;

- (c) The suspect is engaged in aggressive or violent behavior, or is throwing rocks, bottles or other dangerous projectiles at people and/or officers;
- (d) In crowd control situations when the Chief of Police, Incident Commander or designee authorizes the delivery and use of the device.

**838.3 Pre-Deployment Inspection.** Officers will inspect the delivery system and impact projectiles assigned to them before use to ensure that the device is in proper working order, and that the impact projectiles are of the approved type and appear to be free from defects.

**838.4 Storage.** When it is not deployed, the delivery system and impact projectiles will be unloaded and securely stored.

## **CAROTID CONTROL HOLD**

**839.** The carotid control hold is not authorized.

**839.1 Post-Application Assistance.** Although the carotid hold is not authorized by this policy, there may be situations where another agency or person has applied a carotid hold, or other similar technique, to an individual. When any UCPD officer is involved in such an incident, that officer shall ensure that the person promptly receives medical attention, and ensure that the person is monitored until that takes place. The use of the carotid control hold, or similar technique, by another agency or person shall be thoroughly documented by the officer in any related reports.

## **840. Training**

Officers, investigators, and supervisors will receive periodic training on this policy and demonstrate their knowledge and understanding (Government Code § 7286(b)). Subject to available resources, the Training Officer should ensure that officers receive periodic training on de-escalation tactics, including alternatives to force. Training should also include: (a) guidelines regarding vulnerable populations, including but not limited to children, elderly persons, pregnant individuals, and individuals with physical, mental, and developmental disabilities. (b) Training courses required by and consistent with POST guidelines set forth in Penal Code § 13519.10.

**841. Regular Review** The Council of Chiefs or designee shall [regularly review and update this policy to reflect developing practices and procedures.](#)

At least annually, the Chief of Police shall designate a member to prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include: (a) the identification of any trends in the use of force by members. (b) training needs recommendations. (c) equipment needs recommendations. (d) policy revision recommendations.

## **842. Posting of Policy**

Each UC police department shall make this policy accessible to the public.



**843. Public Records**

Public records shall be released in accordance with Penal Code §832.7.

**844. Complaints Regarding Use of Force**

Procedures for the filing, investigation, and reporting of citizen complaints regarding use of force incidents are contained in Chapter [Personnel Complaints – pending Chapter No.] of these Policies.

DRAFT



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April 21, 2021

MARY GAUVAIN, Chair  
Academic Council

**Re: Universitywide Police Policies and Administrative Procedures**

Dear Mary,

The Santa Cruz Division of the Academic Senate has completed its review of the proposed Universitywide Police Policies and Administrative Procedures (Policy), inclusive of an updated "Use of Force" policy and new policy documents regarding "Body Worn Audio/Video Systems," a "Systemwide Response Team," and "Carry Concealed Weapons" for retired officers. The Committees on Academic Freedom (CAF), Affirmative Action and Diversity (CAAD), Planning and Budget (CPB) and the Graduate Council (GC) provided substantive comments. The overarching tone of the responses was one of concern over the vagueness and poor draftsmanship of specific sections and how University has missed the opportunity to become an exemplar of meaningful change in the fundamental nature of policing.

It is of no little moment that we find ourselves as a country embroiled in difficult conversations with regard to policing. In the wake of George Floyd and the recent killings of Daunte Wright and Adam Toledo, it is a moment that must be seized upon by the University of California to chart a new course forward with regard to how police interact the constituents they are meant to serve and protect. With that said, what follows is an overview of the issues the Division had with the proposed policies. The responses are also attached for your reference.

**Chapter 8: Use of Force**

This chapter presented the most fundamental example of a missed opportunity for meaningful change to the University's policing practices. While some effort is present to define what constitutes force, when force can be used, and how the use and display of force should be reported, little is provided in the way of clarity as to the decision-making process itself. As an example, while the use of techniques that prevent the flow of blood to the head are banned, far too much latitude is granted to police in what they may deem as "active resistance," a situation where "pain compliance" techniques may be used. The problem here is "tensing muscles" counts as "active resistance" and thus legitimizes increased force response, such as the use of a baton. Relatedly, it is unclear under which circumstances a Conducted Energy Device may be deployed.

These vagaries in policy are made more alarming by the inclusion of such language as “it is not necessary for an officer to exhaust verbal and non-verbal dialogue or commands before using physical force” and “nothing in this policy requires an officer to find the least intrusive or optimal response” and the exclusion of specific language on when intermediate force application can occur. This reinforces the concerns of the Division regarding the absence of meaningful guidance on de-escalation. It is mentioned, but little is provided in the way of specifics. Members noted that this policy takes a top down approach and pays little attention to the prospect of community-based policing, which could help to avoid conflict in the first instance. This lack of public interface manifests an “us vs. them” approach, heightened by a policy that would have police misconduct addressed through an internal administrative process rather than a public criminal inquiry. This is particularly tone deaf given the fact that Congress is visiting the issue of “qualified immunity” which limits an officer’s liability, and thus culpability, should they violate the rights of those they come into contact with. As members note, these contacts are more devastating for persons of color and will remain so if more is not done to specifically address implicit bias, another issue glossed over by the policy.

Finally, section 841 provides “At least annually, the Chief of Police shall designate a member to prepare an analysis report on use of force incidents.” Further, that this report shall not include the names of individual officers, which leads us to ask: how will the overuse of force by a specific officer be tracked? To whom does this responsibility fall? This needs to be explicated with far more rigor and clarity.

### **Chapter 15: Body Worn Video (BWV)**

Aspects of the BWV policy are problematic and present genuine issues bearing on oversight. As presented, the new policy would allow BWV to be turned off under the direction of a supervisor. As well, the policy states specifically “It shall be a violation of this policy for supervisors to review recordings for the sole purpose of looking for violations of Department policy or law not related to a specific complaint or incident.” As noted by the Division, “the BWV policy is inadequate to describe the specific responsibilities for supervisors, watch commanders, etc. In the case of a complaint, failure to outline these responsibilities makes it difficult, if not impossible, to hold the appropriate party responsible in case of derelict of duty.” This, in addition to the vague circumstances under which a BWV may be turned off, does little to reassure us of police accountability. Moreover, with the details of the review process left for us to guess at, the lacuna in accountability measures only deepens.

### **Chapter 16: Systemwide Response Team (SRT)**

It is unclear to us when and under what circumstances an SRT might be deployed and with whom University police might partner to effectuate an efficient response. The Division finds it encouraging that participation in the SRT will be predicated on the completion of required training in de-escalation, crisis intervention, mental health, and knowledge of the 1st Amendment. However, these are issues that should, ostensibly, be required of *all* University police officers. We believe such a team *should* be comprehensive, and include trained non-law enforcement professionals such as legal and Constitutional rights experts, mental health experts, community liaisons, arbitrators, and university staff. Without these essential components, the SRT policy lacks compulsory external oversight to gain campus trust.

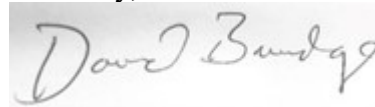
### **Concealed Carry Weapons (CCW)**

Members recognized that this policy is in accordance with the current California Penal Code but are unconvinced of its utility or necessity. Why would a retired police officer need to carry a concealed fire arm on a UC campus? What situation does this policy contemplate? More information needs to be provided related to the rationale behind this policy.

In conclusion, these are policies that appear to value the safety of police officers over that of the people they are charged to serve. As such, these proposed policies would only entrench the types of practices that are being challenged across this nation. The University of California can do better and must do better in creating policies that reflect its value for the lives of those in the University community.

On behalf of the Santa Cruz Division, I thank you for the opportunity to comment on these significant policies.

Sincerely,

A handwritten signature in dark ink, appearing to read "David Brundage", is centered below the word "Sincerely,".

David Brundage, Chair  
Santa Cruz Division of the Academic Senate

encl. Senate Committee Response Bundle

Cc: Minghui Hu, Chair, Committee on Academic Freedom  
Sylvanna Falcon, Chair, Committee on Affirmative Action and Diversity  
Tracy Larrabee, Chair, committee on Educational Policy  
Nico Orlandi, Chair, Committee on Faculty Welfare  
Dard Neuman, Chair, Committee on Planning and Budget  
Don Smith, Chair, Graduate Council  
Maureen Callanan, Chair, Committee on Teaching

April 12, 2021

David Brundage, Chair  
Academic Senate, Santa Cruz Division

**Re: Universitywide Police Policies and Administrative Procedures**

Dear David,

The Committee on Affirmative Action and Diversity (CAAD) has reviewed the proposed UC Police Policy and Administrative Procedures, acknowledging it has received the approval of the UC Chief of Police and Federated University Police Officers' Association (FUPOA). We also note the distressing timing of reviewing these procedures in the midst of the current Derek Chauvin trial in which the entire world bears witness, again, to the horrific acts of police violence that led to the murder of George Floyd.

As a Senate committee charged with advising on campus climate, we note the disproportionate impact of arbitrary searches and seizures, arrests, incarceration, assault, and murder at the hands of the police for Black, Indigenous, Latinx, and other marginalized groups. Therefore, CAAD believes that these proposed reforms and procedures are problematic, especially when serious conversations are happening throughout the UC system and the country to reimagine community security. These proposals are particularly salient to our campus since UC Santa Cruz experienced a militarized police presence and response during the 2020 graduate student wildcat strike that was chilling; the [UC Academic Council also condemned those actions](#) on our campus.

**Use of Force Policy**

CAAD believes the proposed "use of force" policies are too broadly defined, will lead to more racially profiled abuse, and contribute to a culture of impunity for UC police officers. We find that the factors used to determine reasonable force are ambiguous, flawed, and indefinite. Use of Force by police has too often led to systemic police brutality, which is often racialized and has a long history dating back to the 1800s. Given the experience on our campus in the spring of 2020, the police use of force to respond to peaceful student protesters resulted in lasting harm to our campus community. Therefore, CAAD strongly believes priority should be given to de-escalation trainings, especially with students engaged in protest, since "use of force" tactics can cause bodily harm or death to a subject (such as "pain compliance," "intermediate force application," or "deadly force application" as noted in the proposed policy).

**Body-Worn Video (BMV) Policy**

The Body-Worn Video (BMV) policy for UC Police is long overdue as many police departments in California implement BMV. Though not perfect nor entirely preventative to stop police abuse, CAAD believes the use of body-worn video cameras by UC Police could deter police misconduct and abuse. [As noted on the website of the ACLU of Southern California](#), body camera video can "deter police misconduct and uses of force, provide evidence to hold officers accountable when misconduct does occur and exonerate wrongly accused officers, and help the public understand how police operate." This policy should be to ensure accountability, protect privacy, and advance transparency and community trust. We do not support the use of BMV policy for surveillance and CAAD would like the updated BMV policies to acknowledge this point.

CAAD does not agree with policy 1506 "Exceptions to Required Activation or Continued Recording" points (a) and (b) which offers exemptions to required BWV policies "in the officer's

judgment.” Officers should not be able to deactivate, change, and/or discontinue/continue BWV cameras to protect the integrity of all law enforcement-civilian interactions. Only limited exceptions for sensitive situations – as outlined in sections (c) and (d) – should be permitted, with explicit, on-camera permission to stop recording. We would also like to see UC Police departments enforce recording policies by auditing officers’ compliance and imposing meaningful consequences for failure to activate cameras or tampering with equipment.

### **Systemwide Response Teams (SRT) Policy**

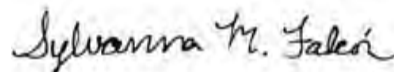
Overall CAAD sees limited value in establishing a Systemwide Response Team (SRT) unless it is used in rare and emergency situations. We believe such a team should be comprehensive, and include trained non-law enforcement professionals such as legal and Constitutional rights experts, mental health experts, community liaisons, arbitrators, and university staff. Otherwise, the SRT policy lacks compulsory external oversight to gain campus trust.

### **Concealed Carry Weapons (CCW) Policy**

Although the proposed CCW policy is in accordance with California Penal Code, we find this policy unsettling and not in UC communities’ interest. The draft does not offer valid or convincing reasons for how the UC would benefit from this policy and CAAD questions the essential principle of establishing CCW policy at the University of California.

In closing, CAAD recognizes the crises in policing on UC campuses and nationwide is a complicated discussion given the various stakeholders and competing objectives, including from police unions, and the problematic practice of “qualified immunity,” which many U.S. cities are now overturning. This moment though calls for a bold and visionary plan to reimagine community security at the University of California in which police are not centrally involved. We continue to support the ongoing systemwide efforts that recognize a militarized police force on our campuses is not in the long-term interest of the University of California system.

Sincerely,



Sylvanna Falcón, Chair  
Committee on Affirmative Action and Diversity

cc: Nico Orlandi, Chair, Committee on Faculty Welfare  
Don Smith, Chair, Graduate Council  
Minghui Hu, Chair, Committee on Academic Freedom  
Tracy Larrabee, Chair, Committee on Educational Policy  
Dard Neuman, Chair, Committee on Planning and Budget  
Maureen Callanan, Chair, Committee on Teaching

April 15, 2021

DAVID BRUNDAGE, Chair  
Academic Senate, Santa Cruz Division

**Re: Systemwide Review of Universitywide Police Policies and Administrative Procedures**

Dear David,

The Committee on Academic Freedom has reviewed the proposed revisions to the Universitywide Policing Policies and has the following observations to share. Our undergraduate students will be the targets of most of the policy revisions. We should be mindful that our students are voters of our democracy, citizens with constitutional rights, and most importantly, the University of California students with the protection of academic freedom. We want to acknowledge our undergraduate student representative, Ross Piscitello, who brought most of the issues in this memo to the attention of CAF.

In chapter 15: Body Worn Audio/video systems, we find troubling issues in the following sections.

In section 1505:

1. It leaves out “Code 3 responses (including vehicle pursuits) regardless of whether the vehicle is equipped with In-Car Video equipment.”
2. The subsection (h) should include “even when the in-car video system is recording.”
3. The subsection (n) should be: “Crowd management and control involving the enforcement or investigative contacts.”
4. The subsection should include all crowd management events, not merely events deemed to be recorded by the incident commander.

In section 1506:

1. Subsection (i) adds that any peace officer may cease BWV (body-worn, video) “when ordered to stop recording by a supervisor.” We think it will give too much leeway and flexibility to the supervising officer.

In section 1527:

1. The policy states: “It shall be a violation of this policy for supervisors to review recordings for the sole purpose of looking for violations of Department policy or law not related to a specific complaint or incident. This section is not intended to restrict Command staff from performing monthly viewings of an officer’s recordings pursuant to Section 1525(e) of this Chapter.” We understand the rationale by which the policy language is written. However, we are concerned if we should allow certain independent reviewers to check the recordings and ensure no policy breaches. Could this be revised?

The BWV policy is inadequate to describe the specific responsibilities for supervisors, watch commanders, etc. In the case of a complaint, failure to outline these responsibilities makes it difficult, if not impossible, to hold the appropriate party responsible in case of derelict of duty.

Sincerely,

/s/

Minghui Hu, Chair  
Committee on Academic Freedom

cc: Sylvanna Falcon, Chair, Committee on Affirmative Action and Diversity  
Tracy Larrabee, Chair, committee on Educational Policy  
Nico Orlandi, Chair, Committee on Faculty Welfare  
Dard Neuman, Chair, Committee on Planning and Budget  
Don Smith, Chair, Graduate Council  
Maureen Callanan, Chair, Committee on Teaching



April 6, 2021

David Brundage, Chair  
Academic Senate

**Re: Proposed Revisions to University-wide Police Policies and Administrative Procedures**

Dear David,

On February 25, 2021 the Committee on Planning and Budget (CPB) reviewed the proposed revisions to the University-wide police policies and administrative procedures. This included an updated “Use of Force” policy, and new policy documents regarding “Body Worn Audio/Video Systems”, a “Systemwide Response Team,” and “Carry Concealed Weapons” for retired officers. CPB appreciates the opportunity to respond to the proposed changes to policy.

CPB members are encouraged that UC is taking active steps to define and limit the conditions under which officers may use force within our campus communities, and are taking steps to instill a culture of police accountability across the system. While these changes are welcome, members felt that the proposed changes were decontextualized and relatively tone deaf to the unfolding national conversation about police violence that have unfolded in the wake of the killing of George Floyd and the Black Lives Matter protests of last summer. Members opined that the proposed policies do not go far enough in rethinking the fundamental nature of policing on our campus. They undermine the spirit of accountability the policies purport to espouse, ignore the critically important issue of diversity and implicit bias in law enforcement, and provide top down solutions to problems needing greater community engagement. As one of the largest public university systems in the world, the University of California has an important role to play in charting a new path forward and we believe we can do better.

First, CPB members felt that the proposed changes were presented largely out of context. Members asked, why do we need an updated UC wide policy on policing? What factors, either local or national, demand we rethink the way law enforcement operates on campuses across the UC system? Essentially, members wondered what UCPD’s key concerns these policies would resolve. Understanding why UC has embarked on police reform on our campuses would allow us to better evaluate the degree to which these solutions respond to real problems. Put another way, in the absence of that context, it is difficult to assess the degree to which the new policies and practices will achieve their goals. Additionally, while three of the documents are new, the use of force policy is a revision to previous policy, the original language of which we were not provided (nor a ‘redline’). Thus some CPB members asked why we were being asked to review policy documents for which neither context, nor previous policy history, had been provided?

Second, CPB was particularly interested in UCPD’s proposed approaches to ensuring officer accountability in contexts where force has been inflicted. The “Use of Force” policy document goes to great lengths to define what constitutes force, when force can be used, and how the use and display of force should be reported. CPB members were encouraged by the proposed duty to intercede policy, de-escalation practices, the use of verbal and visual warnings preceding the use of force. We were also encouraged by specific directives banning the use of particular techniques, such as those that restrict blood flow to the head. Such practices, as well as the proposed policy on body cameras in general, suggests a general concern with ensuring the accountability of the police officers sworn to protect our communities. We were troubled, however, that throughout this document the rights of the officer appear to supersede those of potential victims of police violence. Indeed, the document qualifies that violators of the proposed practices shall not be subject to criminal action, but such cases will be handled internally as a departmental disciplinary matter. In a moment when Congress itself is discussing the merits of Qualified Immunity in policing practices, this approach seems out of step with the national conversation.

Third, CPB members were discouraged by the lack of discussion of the role of diversity and implicit bias in policing practices. Whereas the “Use of Force” proposal states explicitly that “Officers are expected to carry out their duties, including the use of force, in a manner that is fair and unbiased,” there is not a single mention of ways to disrupt the confluence of factors that shape officer bias in conflict settings. For example, section 808 details numerous factors that may be considered to determine the reasonableness of the use of force, including such factors as age, size, relative strength, skill level, etc. Research has shown, however, that police officers’ interpretations of those very same factors are acutely affected by the race and gender of the perceived assailant. People of color are disproportionately perceived as larger, stronger, and more aggressive than their white counterparts. Similarly, children of color are perceived as older and more threatening than white children. In the absence of a concerted approach to disrupting implicit bias in our police force, the proposed policies leave no confidence that officers will have the requisite training to engage members of our community in a way that is “fair and unbiased”.

Fourth, CPB members expressed concern that the proposed policies presented top-down solutions to problems that could be more fruitfully resolved with a greater emphasis on community engagement. Nowhere is this approach more evident than in the proposed “Systemwide Response Team”. The factors that necessitate such a response team are not fully explained. However, the fact that this proposal has made its way to our desks in the wake of the graduate student protests of last year, is not lost on us. CPB members are under the impression that such a team would be used to respond more efficiently to campus demonstrations that require the rapid deployment of law enforcement from multiple campuses. It is encouraging that participation in the SRT will be predicated on the completion of required training in de-escalation, crisis intervention, mental health, and knowledge of the 1st Amendment (although at least one CPB member wondered why this was not already required of ALL police officers in the system). However, the document misses the opportunity to imagine how the adoption of policing practices rooted in community engagement could help avoid conflict in the first place.

Overall, CPB members indicated that the revised policy documents fail to engage adequately with the rapidly evolving national conversation on policing. At a moment when communities are demanding various forms of “defunding”, and at a moment when Congress itself is rethinking “Qualified Immunity” for police officers, CPB believes UC can, and should, play a leading role in shaping this conversation by proposing more strident change to the structure and manner of policing on our campuses.

Sincerely,



Dard Neuman, Chair  
Committee on Planning and Budget

cc: CAAD Chair Falcón  
CFW Chair Orlandi  
CEP Chair Larrabee  
GC Chair Smith  
COT Chair Callanan  
CAF Chair Hu

April 7, 2021

David Brundage, Chair  
Academic Senate

**Re: Proposed Revisions to University-wide Police Policies and Administrative Procedures**

Dear David,

At its meeting of February 25, 2021, Graduate Council reviewed the proposed revisions to the University-wide Police Policies and Administrative Procedures, applicable to UC Peace Officers. Proposed revisions include an updated “use of force” policy, a new “body work audio” policy, a new “System-wide Response Team” policy, and a new “Concealed Carry Weapons” policy.

Graduate Council reviewed these proposed revisions within the context of recent campus protests and police response, as well as the larger national context of police brutality and police response to protest action. This context is strikingly absent in the transmitted documents. Members found problematic the lack of context and the consistent vagueness in the language of the policy, which left wide latitude and discretion to police officers at a level which the Council found inappropriate and not in the best interests of the campus community. Council was left wondering what feedback, as a faculty body without training in police procedures, would be most appropriate in deliberating a response, and ultimately decided to respond by raising the issues with attention to how they affect ongoing concerns about the interactions between Campus Police, system wide response teams, and students on campus involved in lawful protests or students who are in a mental health crisis (which is almost absent from the documentation). Council’s concerns are summarized below, followed by a more detailed description of specific points/areas of concern.

General concerns/comments:

- 1) Council remains concerned about the lack of focus on de-escalation as a fundamental strategy and priority for policing on UC campuses. In fact, much of the document is overly vague about the circumstances in which a police officer may use extreme (even deadly) force, pain, or restraint, despite the assertion that Chapter 8 on use of force was rewritten specifically to emphasize de-escalation. The categories under which a police officer may use extreme measures are never fully articulated, leaving much to the discretion of the officer in question with very little sense of meaningful oversight.
- 2) Chapters 15, 16, and 17 were generally quite clearly written and complete. However, Chapter 8 needs a significant amount of editing for grammar, punctuation, and form (see some examples below). This chapter had numerous sentences where the meaning was either obscured or likely different from that intended because of grammatical issues - this is no trivial matter because the chapter relates to potentially life or death situations.
- 3) There is inadequate attention to policing practices in cases of students or other university community members suffering from mental health crisis, or engaging in lawful protest. These are especially important scenarios that should be specifically and explicitly considered with the safety and well-being of students and the broader campus community considered.
- 4) It is not clear whether outside (i.e., non-UC) police entities with whom UC may partner with or call upon for support on a UC campus will be held to the same guidelines and expectations outlined in these revised policies. This should be clarified.

Other, more specific concerns/comments by chapter:

## Chapter 8: Use of force.

- Section 802, nonverbal and verbal noncompliance: the last sentence indicates that "physical gestures, stances, and observable mannerisms" can be considered non-compliance. Section 809 says that "pain compliance techniques may be very effective in controlling a non-compliant individual". Does this suggest that an officer may employ painful force in response to a perceived stance or mannerism? The descriptions and limitations here are very vague. In particular, Council is disturbed that "tensing muscles" counts as "active resistance" and thus legitimizes increased force response.
- Section 802, serious bodily injury: the description of what is included does not include things like concussions. Why not? Also, regarding "it is not necessary for an officer to exhaust verbal and non-verbal dialogue or commands before using physical force." Why is this not necessary?
- Section 803, last paragraph of introduction: text says that "nothing in this policy requires an officer to find the least intrusive or optimal response." Why not? Shouldn't use of force only follow efforts to find least intrusive and optimal responses? This is very disturbing when one is thinking about the welfare of our students, particularly if they are engaged in non-violent protesting.
- Section 805, De-escalation. A mitigating circumstance in application of de-escalating techniques seems to be the absence of "properly trained personnel." Who are these personnel, and why are not all police officers properly trained in de-escalation?
- Section 809, Pain Compliance Techniques. "The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved." Note that behavior as innocuous as "tensing muscles" may be considered not just non-compliant but "actively resisting"; does that then call for the use of these techniques? A positive list, i.e., "when it is okay to use Pain Compliance Techniques" would be most welcome.
- Section 810, Intermediate Force Application. Here again, the policy should accurately describe situations in which force is justified.
- Section 830.2 shooting at or from moving vehicles. The text as written appears internally contradictory, saying at one point that an officer can discharge a firearm at a moving vehicle (to avert the threat of the vehicle), and then later that the officer shall not shoot at any part of the vehicle in an attempt to disable it. This seeming contradiction should be clarified.
- Section 832. Inappropriate Use of Firearms Disciplinary Action. E.2. What is an "Unjustified display of authority?" Please clarify.
- Section 834.5 Use of control devices in crowd control situations. This section notes that unless exigent circumstances exist, the use of force in crowd control should be authorized by the chief of police after consultation with the chancellor. Please clarify what is meant by "exigent circumstances". Does it, for example, involve non-violent protesting?
- Section 836.2 Baton use in crowd control situations. This section indicates "it may also be used as an impact weapon depending on the degree of active resistance". Active resistance is defined to include things like "tensed muscles". Hitting with a baton for someone with tense muscles seems to allow its use in almost any situation.
- Section 837 Conducted Energy Devices. There is no description of conditions under which CEDs are acceptable for use. Also, in section 837.3 additional CED policies - the section has words crossed out ("caring and use of a"), but the remaining sentence then does not make sense.
- Section 841. Regular review: is there a mechanism for review of patterns of force by individual officers? How may a pattern be detected re: a single officer if the review information is stripped of identifying marks?
- Assorted minor issues: 801, pg 6: grammar is problematic, currently suggesting that firearms are trained; 801, pg 8: Suggests that crowd management is in chapter 15, but chapter 15 is currently about body worn A/V systems; 802, chemical agents: please write out the names of each of the acronyms; 813. Medical emergencies: this section has a subsection (a) without any other subsections; 832(d): the grammatical structure of this point does not follow those of the other points in the list or the structure of this section.

Chapter 15: body worn A/V systems

- There is inconsistency throughout in the use of terminology and acronyms BWV, BWC, and others. It would be clearer if the definitions at the beginning were used consistently throughout.
- The various exceptions to using body cameras seems rather vaguely defined, including 1506A, when it would jeopardize the safety of the public, or when outweighed by issues of dignity. It would be helpful to clarify these exceptions further.

Chapter 16: system-wide response team (SRT) policy

- Section 1602 describes protecting lawful behavior. Can there be some attention paid to the use of force (as per Chapter 8) in the context of policing non-violent lawful activities such as protests?
- 1604 (c) completion of probation appears both in the minimum process and minimum qualifications sections audio video system.

Graduate Council appreciates the opportunity to comment on the proposed revisions, particularly given the far reaching impacts of the policy on students, faculty, staff, and the surrounding communities.

Sincerely,



Donald Smith, Chair  
Graduate Council

cc: CAAD Chair Falcón  
CFW Chair Orlandi  
CEP Chair Larrabee  
CPB Chair Neuman  
COT Chair Callanan  
CAF Chair Hu



OFFICE OF THE ACADEMIC SENATE

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April 20, 2021

Professor Mary Gauvain  
Chair, Academic Senate  
University of California  
VIA EMAIL

Re: Divisional Review of UC Police Policies and Administrative Procedures

Dear Professor Gauvain,

The UC Police Policies and Administrative Procedures proposal was distributed to San Diego Divisional Senate standing committees and discussed at the April 19, 2021 Divisional Senate Council meeting. Senate Council unanimously opposed the proposed revisions as well as the overall policy itself. Instead, Council members suggested creating a new policy that focuses on de-escalation tactics, partnerships with mental health professionals, bias and cultural competency training, mental health training, and alternative strategies to deadly force. Now is the time to engage in meaningful reform to create institutions that are resilient to bias, committed to nonviolence and peaceful problem solving, and accountable to those they serve.

The responses from the Divisional Committee on Campus and Community Environment, Committee on Diversity and Equity, Committee on Faculty Welfare, and Dr. Eric Watkins and Dr. Peter Cowhey are attached.

Sincerely,

A handwritten signature in black ink that reads "Steven Constable".

Steven Constable  
Chair  
San Diego Divisional Academic Senate

Attachments

cc: Tara Javidi, Vice Chair, San Diego Divisional Academic Senate  
Ray Rodriguez, Director, San Diego Divisional Academic Senate  
Hilary Baxter, Executive Director, UC Systemwide Academic Senate

April 5, 2021

STEVEN CONSTABLE, CHAIR  
Academic Senate, San Diego Division

SUBJECT: UC Police Policy and Administrative Procedures Proposed Revisions

The Committee on Campus & Community Environment (CCCE) discussed the UC Police Policy & Administrative Procedures proposed revisions at its March meeting. Below we list key points of our discussion that we wish to convey regarding the proposed revisions:

It must be recognized that the charge for our committee to provide substantive comment upon the UC Police Policy and Administrative Procedures is rendered significantly difficult, if not impossible, in the absence of accompanying reports/enclosures for actual data for police practices that have transpired on UC campuses that could then be considered in relation to existing and proposed policy and procedures. We were not provided the data we need to provide an ideally more informed and substantive comment.

Specifically, we request data on incidents, practices, and procedures - as these have actually transpired over the past five years (UC San Diego data would be most helpful) - to render our comments of use. We also note multiple places in the document where training for police procedure is mentioned in the absence of what the training actually is. We therefore also request information regarding training for how policy and procedures have been utilized and the outcomes of such use.

Given the constraints listed above, review of the report leads us to strongly recommend that UC police policy and procedures be considered, reviewed, and carried out in close partnership with campus community mental health professionals. This recommendation is provided with empirical knowledge of the ways in which mental health professionals can vastly improve the assessment of situations in which police are called to a scene and also to improve outcomes of any interventions deemed necessary (in close consultation with an on-call campus mental health professional). The presence of a mental health professional ideally would occur promptly through arrival on the scene where police are called. In situations where it is not possible to physically arrive on the scene at the same time when police officers are present, we suggest the use of easily accessed technology (zoom or other camera viewing and audio communication) to communicate with an on-call mental health professional to provide their assessment, recommendations, and cautionary actions to protect all persons involved.

The committee was particularly interested in Section 808 (items a-t) with respect to "Factors Used to Determine the Reasonableness of Force." The list is extensive and notably fraught with difficulties in making such determination of multiple (listed) factors. We note that item "t" lists "individuals with physical, mental health, developmental, or intellectual disabilities who may be limited in their abilities to understand and comply with officer commands." What is the training for recognition of this considerably complex range of conditions?

The committee would like to see that the policy and procedures which precludes the use of chokeholds by campus police be extended to outside agencies and their officers when they are called to intervene in campus incidents. While it may be that the "carotid hold" (chokehold) is not allowed by campus police, it is critical that this practice be in sync with external agency officers when they are called to assist with campus incidents.

Sincerely,

Janis H. Jenkins, Chair  
Committee on Campus Community and Environment

cc: T. Javidi

April 5, 2021

STEVEN CONSTABLE, CHAIR  
Academic Senate, San Diego Division

SUBJECT: UC Police Policy and Administrative Procedures

The Committee on Diversity and Equity (CDE) reviewed the proposed UC Police Policy and Administrative Procedures reforms at our March 19th meeting.

On behalf of this committee, let me begin with a general note: given both the historic and recent role of the police in civilian -- particularly BIPOC civilian -- deaths, it was painful to read proposed policing policies that appear to give infinite latitude to peace officers for use of force and fail to seriously acknowledge the role that racial, ethnic, and other biases have played in creating police forces that do not protect and defend all lives equally.

CDE found the proposed revisions sorely lacking in two key dimensions. First, the proposed revisions provide insufficient accountability to the constituencies that campus police serve; and second, the proposed revisions provide insufficient peace officer training from a DEI perspective.

CDE appreciates that, if the choice is between a UC-wide approach to campus safety and security and the assorted county and municipal police jurisdictions in which the UC campuses sit, there are merits to the UC-wide approach. But we must have loftier goals than simply mimicking local militarized police forces that provide minimal relevant training but broad benefit of the doubt and deadly equipment to officers. The proposed policy revisions fail to do that.

We have provided more detailed commentary on each of the four proposed sections below:

• **Use of Force Policy**

Bluntly, this section reads as qualified immunity, institutionalized. The proposed revisions are but small tweaks for compliance and nothing more. The very documents that this Use of Force Policy is being revised to comply with ([AB 392](#) and [SB 230](#)) read as fundamentally more compassionate and thorough documents; it is not clear that the stated revisions actually achieve compliance with these bills. In particular, Section 3 of SB230 describes extensive training that *must* be provided to peace officers, including de-escalation, bias and cultural competency training, mental health training, alternatives to deadly force, etc. However, the proposed UC manual revisions only include the following:

“Subject to available resources, the Training Officer should ensure that officers receive periodic training on de-escalation tactics, including alternatives to force. Training should also include: (a) guidelines regarding vulnerable populations, including but not limited to children, elderly persons, pregnant individuals, and individuals with physical, mental, and developmental disabilities. (b) Training courses required by and consistent with POST guidelines set forth in Penal Code § 13519.10.”

The proposed revisions make no reference to bias and cultural competency training, and are predicated on “available resources”. These recommendations are also far less developed and detailed than, e.g. training on specific weaponry. Training on the critical issues laid out in AB 392 and SB30 must be *mandatory* and a priority expenditure by police forces; they cannot be relegated to leftover resources. *It is not possible to*



*have a police force that defers excessively to police officer judgment without ensuring that every officer's judgment is impeccable and unbiased.*

While this is an incomplete list, several notable sections in the proposed policies gave us pause:

1. The category of active resistance includes “tensed muscles”, and the policy lumps this natural fear response with actual direct acts of aggression. These types of broad-swath un-nuanced policies provide institutional cover for a peace officer to justify use of force in almost any circumstance.

2. This policy allows peace officers to shoot someone in the back. The very phrasing -- this act is justifiable if, versus this act is forbidden except in extreme circumstances -- similarly provides cover and lack of accountability.

Finally, state law notes that officer fear is not enough of a reason to justify use of force. *This must also be clearly stated in UC policy, and backed by training in alternative strategies.*

• **New: Body Worn Video (BMV) Policy**

We agree with the need for common policy across campuses. In general, the language surrounding how and when BWV must be used is fairly comprehensive. However, the guidelines for BWV use is not paired with a seriousness about how video and data must be safeguarded for both individual investigations and transparency to the public.

• **New: Systemwide Response Teams (SRT) Policy**

The committee appreciates the organization of SRTs for extraordinary circumstances. However, since much of this is geared at large crowd events (protests, demonstrations), we fail to understand how regular first amendment training and de-escalation training are not part of SRT Policy. The foundational principles of education, free discourse, and critical analysis at the University of California is a national symbol for the first amendment; our peace officers must actively share in that mission through regular continuing education.

• **New: Concealed Carry Weapons (CCW) Policy**

The transmittal stated that the granting of CCW permits to qualified retired police officers is required by statute, but we find it troubling and not in the UC's interest to have retired officers granted CCW permits without being required to continue training.

The CDE does not support or endorse the proposed revisions. This is a missed opportunity to actually engage in meaningful reform, to reflect on what a secure campus community looks and feels like, and to imagine better ways to achieve those ends -- institutions that are resilient to bias, committed to nonviolence and peaceful problem solving, and accountable to those they serve. The Implementation Report for the President's Policing Task Force makes it very clear that campus units will do what they are told, but not more. As such, it is up to us to reform our core guiding documents to produce the type of campus security that actually matches our values.

Sincerely,

Jennifer Burney, Chair  
Committee on Diversity & Equity

cc: T. Javidi

April 6, 2021

STEVEN CONSTABLE, CHAIR  
Academic Senate, San Diego Division

SUBJECT: UC Police Policy and Administrative Procedures Proposed Revisions

The Committee on Faculty Welfare (CFW) reviewed the UC Police Policy and Administrative Procedures proposed revisions at our March meeting. The committee identified a few important concerns. We provide our comments below:

First, we would like to make a general comment regarding policing in the US. Ideally, it is more desirable that the police force in this country emulate the practices of police forces of democratic and developed nations around the world when dealing with offending subjects, and most particularly do not, simply put, shoot the subject to death. Ideally, as in England, this would necessitate that the police do not carry firearms. Unfortunately, given the prevalence of guns in the general population in various cities in which UC campuses reside, this may not be possible. However, we cannot emphasize enough the desperate need to train the police to stop shooting the subject, or at least avoid doing so, except in the absolute extreme such as the subject pointing a gun back at the police. For example, definitely excluded from such situations would be choking the life out of a hand-cuffed, prone on the ground, non-resisting subject by kneeling on his neck for nine minutes, or shooting a subject that is running away, or innocently sleeping in her bed. We know it may be futile to ask for such considerations, but given the status of the UC as one of the most humane and progressive university systems in the nation, we would like to ask that these views be put on the record as a request that we brought to your attention.

Comments on the Proposed Revisions:

The definition of “active resistance” is broad, and could potentially cause problems with implementation regarding many mental health cases. We strongly encourage the campus police to call in mental health professionals to de-escalate these types of situations when possible.

Particularly, under Definitions.802. Active Resistance, including examples such as “bracing, tensed muscles” seems to be extremely unfair and just asking for possible over-reach on the part of the police. Please understand this is after consultation with minority faculty/students who have been subjected to such misinterpretations of their, or their family members, responses when being stopped by the police. Speaking as one myself, I know my reaction to what I believe to be a wrongful “hauling over” by the police, would, at the least, be “bracing, tensed muscles”, and possibly more explicit reactions. We must appreciate that these terms can be easily misinterpreted, resulting in terrible and tragic results, as shown in the recent past. We believe these terms should be deleted from this set of examples.

Similarly, “running away” should not be included with “pushing, kicking” and other more active and harmful manifestations of active resistance. The reason attention to this particular action is being brought up, is because recently police officers in this country have shot subjects who had been “running away” from them. The shooting of a suspect who is running away and therefore not offering any resistance, cannot possibly pose any immediate danger to the police and therefore can under no circumstance be shot – we believe the majority of police forces around the world and even the Geneva Conventions do not allow this. This action is thoroughly despised and unequivocally condemned for all autocratic and dictatorial police and governmental structures around the world, and should be equally and forcefully condemned in this country. It seems we have allowed ourselves to become more and more numb to such barbarism.

The “carotid hold” (chokehold) is not allowed by UC campus police. If it is possible, we recommend the campus police not allow external agency officers from using the chokehold when they are called to assist our campus police officers.

Finally, there was a question about why retired police officers need to keep their permits for concealed and carry weapons. Please clarify this policy.

Sincerely,

Shantanu Sinha, Chair  
Committee on Faculty Welfare

cc: T. Javidi

**From:** Eric Watkins <[ewatkins@ucsd.edu](mailto:ewatkins@ucsd.edu)>  
**Sent:** Monday, March 29, 2021 4:49 PM  
**To:** Academic Senate Office <[academicsenateoffice@ucsd.edu](mailto:academicsenateoffice@ucsd.edu)>  
**Subject:** Comments on UC Police Policies and Procedures

Dear Academic Senate,

I am writing to offer comments on the UC Police Policies and Procedures notice that went out recently.

1. Definition of 'active resistance': how can "tensed muscles" be considered a form of active resistance?
2. Definition of 'non-verbal and verbal non-compliance': how can "pleading" and "physical gestures, stances, and observable mannerisms" be considered non-compliance?
3. Definition of non-compliant: "includes passive resistance where subject uses dead weight to prevent being taken into custody" -- not to prevent arrest, rather this is a practice used throughout the Civil Rights Movement to simply not participate in one's own arrest
4. Definition of 'verbal and non-verbal communications': it *should* be necessary for an officer to exhaust verbal and non-verbal dialogue or commands before using physical force
5. 803.1 is this for misdemeanors as well??
6. 806 "unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances" makes this effectively optional
7. 810 I disagree that intermediate force application is not "likely" to cause death, especially for patients of the medical center (see: The University of Cincinnati campus police)
8. 823 under what circumstances would an armed plainclothes officer not carry his badge?
9. 832 any inappropriate use of firearms should result in dismissal, not the opportunity for corrective action instead
10. 833.8 the chief should not be able to make exceptions to this policy
11. 836.2 batons should not be used as crowd control!!! And certainly not as an impact weapon towards anyone displaying "active resistance"
12. 838.2 why should a projectile device be used against someone who is attempting to harm themselves?? And why should they be used in crowd control situations?
13. 839.1 if a CP officer sees another agency or person using a carotid control hold, they should intervene in the same way that they are required to if they see another CP officer doing so

Sincerely,  
Eric Watkins

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Professor Eric Watkins  
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April 18, 2021

To: Steve Constable, Chair, Academic Senate

From: Peter Cowhey, Dean, School of Global Policy and Strategy

Re: Revision of UC Police Manual

A number of the GPS faculty have raised the issue of whether the planned revisions in the manual governing UC Police lives up to the University's goals for improving equity, diversity, and inclusion. Particularly, in light of the long string of deeply troubling incidents about policing and Black Americans in the past year, it is an important moment to ask how policing procedures and norms must change. My faculty has asked me to express my thoughts on the situation to you. I write in my capacity as a faculty member (soon to be emeritus), not as a Dean, because I have not been involved in this matter in my administrative role.

It is my understanding that the UC system is treating the revisions in question as operational issues under the authority of the Regents and the Office of the UC President. There is no specified role for the Academic Senate.

I know that UC President Drake and UC Provost Brown have deep commitments on matters involving EDI, as does the leadership of UCSD. They all seek to advance our goals for EDI. However, the task of reforming and updating policing policies for the university is a doubly difficult task. To begin, there are legitimate debates over which mix of changes would best advance our common goals. The academic literature has many insights and important evidence but offers no gold standard as a blueprint. There are also many complicated constraints on the options for change. Just as importantly, the process of how we engage the stakeholders in the UC system will have a significant impact on the perceived legitimacy of any changes (or decisions to adhere to certain status quo policies).

In light of these complexities, it makes sense for the UCSD Academic Senate to join with its counterparts around the system in requesting a pause for further consultation before authorizing the new manual. At a minimum, such a pause could provide UCSD leadership with an opportunity to make a case for any changes that would fine-tune the system policies to fit our campus better. The UC system is a complex entity and local operational realities often vary in important ways. I can offer no counsel on how long a pause should be. Decisional paralysis has its own considerable costs. However, there is surely a window for some period of further discussion.

CC: Chancellor Khosla, EVC Simmons



April 26, 2020

To: Mary Gauvain, Chair  
Academic Senate

From: Susannah Scott, Chair  
Santa Barbara Division 

Re: Systemwide Review of Universitywide Police Policies and Administrative Procedures

The Santa Barbara Division distributed the Proposed Revisions to the Universitywide Police Policies and Administrative Procedures to the Committee on Diversity and Equity (CDE), the Committee on International Education (CIE), the Council on Faculty Welfare, Academic Freedom, and Awards (CFW), the Graduate Council (GC), the Undergraduate Council (UgC), the Council on Planning and Budget (CPB), and the Faculty Executive Committees (FECs) of the College of Letters and Science (L&S), College of Engineering (ENGR), College of Creative Studies (CCS), Bren School (BREN), and Gevirtz Graduate School of Education (GGSE). CCS and BREN opted not to opine. Each response is attached for your consideration.

The Santa Barbara Division finds it striking that the review package does not include an explanation of the motivation behind the current changes in the context of public safety reform at the University of California (UC). The proposed policy changes seem incongruous with the national outcry regarding policing and systemic racism, and previous discussions regarding the role and objectives of police at the UC. As such, the review elicited very strong feelings from our councils and committees.

The Santa Barbara Division does not support the proposed revised policies as presented. The reviewing groups characterize them as "deeply flawed" and "severely out of alignment with current best practices and general public expectations around policing" (CFW, L&S). They voice concern about the expanded police presence and the "lack of transparency and explanation of police tactics, approaches, and procedures" (CDE). Multiple groups express support for an emphasis on de-escalation tactics, and question whether the use of force is consistent with nationwide best practices. They also question the significant discretion of officers in the use of Body Worn Video (BWV) systems, with CFW declaring that the policy gives "too much leniency for exactly the judgement calls that BWV are used to balance."

Another significant theme common to the responses is training for UC police officers. Several groups emphasize the importance of specific training on topics of diversity, implicit bias,

cultural awareness, and communication with members of the campus community who might have language barriers, or physical, mental, and developmental disabilities. There is little mention of training requirements in the revised policies, which, by design, help to ensure effective and equitable application.

The reviewing groups raise numerous questions and concerns about related aspects of the policies. They question the focus on civil protests, identifying campuses as a “safe atmosphere for public expression” (CFW), and call for civilian oversight. GC specifically calls attention to the concern that higher-level approval is not required for the use of oleoresin capsicum, which has been employed in response to student protests on several campuses. Further, they express concerns about the presence of guns on campus and oppose the allowance of concealed carry for retired officers. Several groups question the establishment of a Systemwide Response Team (SRT), and the potential harm that could be inflicted upon our community members with the equipment to be supplied to the SRT. The requirement for concealed carry and the rationale for the establishment of an SRT were not adequately addressed in the review documents.

Several reviewing groups called attention to the disconnect between the current review and previous Academic Council recommendations and statements by former UC President Napolitano, and questioned the transparency of the process by which the policies were revised. They also acknowledge discussions underway regionally and nationally, in terms of reformist and abolitionist approaches to public safety.

There was widespread agreement on the need to revisit the draft revisions before any formal action; comments ranged from a complete restart from scratch with broader input, to a discussion of key issues and revisions designed to address divisional questions and concerns. The University of California has the opportunity to stand out as a leader in its approach to public safety.

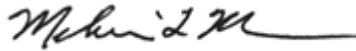
We thank you for the opportunity to opine.

**Academic Senate  
Santa Barbara Division**

April 14, 2021

To: Susannah Scott, Divisional Chair  
Academic Senate

From: Melissa L. Morgan, Chair  
Committee on Diversity and Equity



**Re: Universitywide Police Policies and Administrative Procedures**

The Committee on Diversity and Equity appreciates the attempt at transparency taken by sharing these procedures broadly. However, the Committee's review of the University Police Policies and Administrative Procedures raised several concerns that need to be addressed before any resolution, vote, or action are carried out in light of the findings and/or recommendations of these policies and procedures.

First, we are alarmed about the lack of a broader discussion of the history, purpose, and objectives of UC police, particularly given statements by Past UC President Napolitano (see below). An understanding of the greater context of the police force at UC (and individual campuses) would greatly help in understanding its role and future on campus.

Second, we are concerned about the lack of transparency and explanation of police tactics, approaches, and procedures. That is, the language needs to be modified so that the campus communities as well as the general public can understand the policies and procedures. In short, we questioned the audience of this report, if indeed transparency is the goal.

Third, as noted in Chapter 15: Body Worn Audio/Visual Systems, section 1506 (see below in bold), ultimately, it is the decision of the officer -- not others or another entity -- to decide whether to turn on the body camera, in a tense situation that might or might not escalate. This is concerning as there is no mention of the training which might prepare the officer to make this decision. Research on implicit bias indicates that it surfaces most in tense and hurried situations, which is likely always when police officers would be making such decisions.

The following section will comment on the following excerpts from *Universitywide Police Policies and Administrative Procedures*:

"Exceptions to required activation or continuation of the body worn video recording are:

(a)When, **in the officer's judgment**, activation, continuing to record, or changing the BWV functions **would jeopardize their safety or the safety of the public**. However, the officer shall activate or re-activate their BWV as soon as it is safe and practicable to do so unless other exceptional circumstances exist;

(b)When, **in the officer's judgment**, a recording would interfere with their ability to conduct an investigation;



(c)When recording could risk the safety of a confidential informant, citizen informant, victim, or undercover officer;

(d)In patient care areas of a hospital, clinic, rape treatment center, or other healthcare facility (including mental health) unless enforcement action or evaluation by the officer under W&I §5150 et seq. is being taken in these areas. If recording is necessary, officers shall make reasonable efforts to avoid recording individuals other than the subject;

(e)Once a crime scene is secured and the officer no longer has an investigative role, and where the chance of encountering a suspect is unlikely;

(f)Prior to or while discussing a case on scene with other officers or during on-scene tactical planning;

(g)When, **in the officer's judgment, privacy concerns outweigh any legitimate law enforcement interest in recording;**

(h)When a call for service is a phone call or phone report only;

(i)When ordered to stop recording by a supervisor;

(j)When the recording of a person is in violation of the law."

In light of these recommendations that give officers the benefit of the doubt and rely on their "judgement," point three above, we are alarmed that the policies and procedures does not include a discussion of the kind of training -- diversity, implicit bias, cultural understanding, campus settings, or otherwise -- that is so crucial and critical in this line of work. What kind of training do they receive? What does it involve? How long does it last? Who or what body of authors conceives the training? There are multiple studies in existence showing effectiveness of implicit bias training with police. This should be referenced, required, and accessed.

Fourth, we are alarmed, as are our colleagues at UC Berkeley and other UC campus Diversity and Equity Committees, that in light of Former UC President Janet Napolitano's recommendation of "substantially defund[ing]" the police at UC, the policies and procedures (i.e. Gold Book) do not address those recommendations. As you know, this has been a huge demand on our campuses, and will continue to be so in the future. Lack of attention to this issue in this document, or at least in a prologue or introduction to the document, will be seen as "ignoring" the issue.

CC: Shasta Delp, Executive Director, Academic Senate

April 15, 2021

To: Susannah Scott  
Divisional Chair, Academic Senate

From: Erika Felix, Chair  
Committee on International Education



Re: Universitywide Police Policies and Administrative Procedures

The Committee on International Education (CIE) has reviewed the Universitywide Police Policies and Administrative Procedures. Per the 52-page report, CIE discussed each of the six sections: Body Worn Audio/Video Systems, Retired Officers - Carry Concealed Weapons, Systemwide Response Team policy, Use of Force 2021, Letter from UCOP Human Resources, and the Systemwide Senate Review - Request for Comment, as the components pertain to international students.

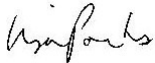
In response to the memo, the committee noted that cultural awareness and language barriers were not among the subjects discussed in any section of the report. With an ever-increasing population of international students on campus, the committee highly encourages UCPD to consider training and policies that address the needs of international students. In particular, the section "Use of Force" did not discuss language barriers, which could impede an international student's ability to understand verbal warnings. Further, visual warnings may not be culturally understood by international students who may have different forms of policing in their home country. Under stress, international students tend to revert to their native language as it is the language they feel most comfortable which could cause further stress and misunderstanding to interactions with UCPD. CIE hopes that as the draft becomes finalized the consideration of these language barriers and cultural differences in the student body be included.

Please do not hesitate to contact the committee if you have additional questions.

Cc: Shasta Delp, Executive Director, Academic Senate

April 20, 2021

To: Susannah Scott, Divisional Chair  
Academic Senate

From: Lisa Parks, Chair   
Council on Faculty Welfare, Academic Freedom, and Awards

**Re: Universitywide Police Policies and Administrative Procedures**

The Council on Faculty Welfare, Academic Freedom, and Awards met on April 7, 2021 to discuss the proposed revisions to Universitywide Police Policies and Administrative Procedures.

While the Council acknowledges the difficult role that UC police officers play, members found these proposed policy amendments deeply flawed. Members noted the intensity of reading this proposal during the ongoing trial of Minneapolis police officer Derek Chauvin, whose intentional use of deadly force on George Floyd produced three months of global uprisings about institutional racism and structural violence, and relaunched a conversation about abolition or profound rethinking of what are the proper functions and roles of police in our society.

These revised policies are noted as having been developed with consultation in 2017, and then “put on hold, pending recommendations of the President’s Police Task Force.” We are concerned that this consultation process was not inclusive or transparent. Key stakeholders were unaware that any consultation process occurred. Those Task Force recommendations are not qualified in the materials and should be included along with more substantive comments about the rationale for these policy revisions. CFW finds that this set of proposals does not reflect the trend nationwide to consider using non-armed, non-police services to address issues of safety and security whenever possible and practicable. CFW members strongly urge policing policies that emphasize de-escalation as opposed to discretionary police powers and/or militarization. Some members favor abolishing UC police and support the growing DIVEST/INVEST movement.

There are disturbing elements to the four policies being proposed or altered here that imminently impact faculty welfare along with civilian, student, and activist voices. Civil protesters appear to be the objects of policing envisioned by most of these policy changes. These policy changes have the potential to lead to a campus environment where the safe atmosphere for public expression, which is essential to the university, is replaced by one of armament and militarization.

The Body Worn Video Camera policy has many weaknesses, including a long list of exceptions and discretionary windows. Historically, efforts to implement police reform and control have been consistently gutted and rendered meaningless by precisely these types of clauses that permit discretion/exception for police behavior. These policies allow too much leniency for exactly the judgment calls that BMV are used to balance. The Council also questions the rationale for restricting the

recording of conversations between police officers as well as internal decisions to delete or otherwise keep information from the public. Clearer provisions regarding public access to BMV data should be added. Moreover, the policy seems heavy handed in its downplaying of the utility of BMV data, and its emphasis that officer safety comes before (and is separate from) public safety.

The Council opposes the permitting of retired officers to continue to carry concealed weapons. The state of California by default does not allow for Carry Concealed Weapons and the Council does not see the rationale for retired UCPD to do so. Many civilian communities do not agree that private security guards and private citizens with concealed guns provide enhanced security. Thus, the university does not need to participate in the expansion of access to weapons in our communities.

The Council patently opposes the existence of a UC police Systemwide Response Team (SRT) to respond to crowd assemblies and/or protest activities. The UC does not need its own version of a National Guard to respond to “riots” and to “protect the Constitutional Rights of all persons. . . and protect life and property.” Council also questions the expense of the long list of military-style equipment issued to these teams for use against, presumably, members of the UC community, as well as the high-cost of training SRTs. In section 1602.5 the policy describes how the SRT will be constituted as a military-style entity “deployed in team/squad formations.” The equipment issued to these SRTs will include “helmet with face shield and 36-inch baton, gas mask with extra filter and mask carrier, soft riot armor, flex cuffs with officer’s badge number on the cuffs, peltor headset, kinetic energy projectiles, chemical agents.” Section 1606.3 notes “use of SRT weapons will remain at the discretion of the host campus Chief.” This is very concerning. In the subsequent Chapter 8 on Use of Force, Intermediate Force Application includes the use of “Conducted Energy Devices [tasers], oleoresin capicum (OC) spray [pepper spray], other undefined and unspecified “chemical agents” [tear gas] other unspecified projectile devices, and kinetic energy projectiles (KE) [these include the infamous rubber-coated munitions and plastic ammunition]. This disturbing list includes the kind of devices that have killed many protesters, projectiles that have blown out eyeballs and mutilated bodies, and chemical agents that have suffocated asthmatics, triggered respiratory distress and cardiac incidents.

The proposed Use of Force policy is quite complex and urgently relevant to today’s crisis in policing. While it notes that the carotid control hold that killed George Floyd is not authorized, its emphasis is not that which reflects a non-violent approach to peace keeping.

The national discourse on policing has significantly changed in the last year. The Council finds these policy proposals to be out of step with the current landscape and recommends they be rejected.

We also insist, in light of the productive and paradigm-shifting national debates that have opened up around policing in the past months, that this conversation around policing policy be restarted from scratch, and be broadened to include all stakeholders – faculty, students, staff -- in our UC community.

CC: Shasta Delp, Executive Director, Academic Senate

**Academic Senate  
Santa Barbara Division**

April 15, 2021

To: Susannah Scott, Divisional Chair  
Academic Senate

From: Tamara Afifi, Chair  
Graduate Council



**Re: Universitywide Police Policies and Administrative Procedures**

Graduate Council (GC) discussed the University Police Policies and Administrative Procedures documents. GC appreciates the spirit of transparency in distributing these proposed changes widely. While the Council did not have much context in which to review these policies, the following questions and concerns were raised:

- There is no mention of the relationship between UC Police and county and city law enforcement agencies. An organizational chart with information about reporting authority, as well as who responds to what incidents, would provide much needed clarification.
- What training do UC Police undertake?
- Oleoresin capsicum, or “pepper spray”, is the only chemical agent that does not need higher level approval for officers to use. This is concerning given the use of pepper spray in response to student protests that has occurred on some UC campuses.

CC: Shasta Delp, Executive Director, Academic Senate

April 15, 2021

To: Susannah Scott, Chair  
Academic Senate

From: Mary Betsy Brenner, Chair  
Undergraduate Council

**Re: Universitywide Police Policies and Administrative Procedures**

Undergraduate Council has reviewed the draft University-wide Police Policies and Administrative Procedures. We affirm that UC campuses should be safe environments for all students, faculty, staff, and visitors. In addition to having clear protocols for routine and nonroutine police actions, policies should also ensure that people on campus have confidence that there are safeguards in place that curb excessive and mistaken use of force by police. With this in mind, the Undergraduate Council would like to raise the following questions and concerns:

1. How will data storage be handled, particularly given recent security breaches in cloud-based storage of information? For instance, the Council expressed privacy concerns about body worn camera footage and a situation where video footage could be used or exposed to the detriment of an undergraduate student or other member of the campus community.
2. Are UC Police Department Use of Force policies up to date with nationwide police practices? Due to many incidents in the past year, national attention has focused on whether certain restraint practices such as kneeling on suspects should be curtailed or prohibited. There is student concern about safety during demonstrations, such as the graduate student strike last year.
3. The report cites that, "Officers are expected to carry out their duties, including the use of force, in a manner that is fair and unbiased." However, the Council would like to know how Use of Force policies consider the role of implicit bias. Section 808 of the proposed policy outlines factors that should be considered when use of force is contemplated. Many of these factors have been linked to inherent bias against people of color.
4. The Council expressed general concerns about the use and presence of guns on campus. One specific concern was about the policy allowing retired police officers to carry concealed weapons: how does this conform to state and federal law and who would own these concealed weapons? Some Council members expressed skepticism about the need for guns on campus as a general practice.

CC: Shasta Delp, Executive Director, Academic Senate

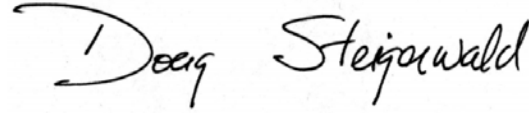
UNIVERSITY OF CALIFORNIA  
**ACADEMIC SENATE**  
**SANTA BARBARA DIVISION**  
Council on Planning & Budget

April 7, 2021

To: Susannah Scott, Divisional Chair  
UCSB Academic Senate

From: Douglas Steigerwald, Chair  
Council on Planning & Budget

Re: Proposed Police Policies & Administrative Procedures



The UC Systemwide Academic Senate has asked the Council on Planning and Budget to review proposed revisions to the Universitywide Police Policies and Administrative Procedures (The “Gold Book”). Specifically, CPB was asked to review four revisions:

1. The “Use of Force” policy (to adopt legislative-required language about the use of deadly force and additions/clarifications that would emphasize “de-escalation” and use of “less lethal” weapons)
2. The “Body Worn Video” policy (to provide systemwide consistency in the use of body worn cameras)
3. The “Systemwide Response Teams” policy (to create specialized response teams for crowd control)
4. The “Concealed Carry Weapons” policy (to adopt a systemwide policy on issuing concealed carry weapons to qualified retired police officers and to clarify that “medically retired” officers are not entitled to CCW’s)

However, this does not seem like an appropriate time for CPB to weigh in on planning and budgetary matters related to UC policing that are this Council’s purview. Within UC and nationally, the institution of policing is being fundamentally challenged, with a view toward radically reorganizing “public safety” to create new community safety institutions that would involve physical and mental healthcare, housing, and sustainable wages. This profound restructuring of “policing” would be informed by the principles of transformative justice and reparative public goods that would keep campuses and their surrounding communities safe.

CPB could more usefully comment in the near future on proposals for redistributing campus policing funds to those new institutions of public safety. Both reformist and abolitionist discussions to reimagine public safety are currently taking place across California and the nation. UC President Michael Drake has organized the University of California Public Safety Symposium, which debates largely incremental measures such as establishing task forces and citizens review boards. Almost all of the campuses are investigating their own police departments and the history of UCPD and policing nationally. The Academic Council approved a set of recommendations that included “substantially” defunding the UCPD, banning UCPD officers from carrying firearms, and dissolving any partnerships with non-UC law enforcement agencies. The UC Student Association issued a statement calling for the UCPD to be “disarmed and dismantled.” Whether it is UCOP or the “Cops Off Campus” coalition calling for changes, whether

those changes are reformist or radical, we are now in the middle of it. CPB cannot now reasonably respond to minor or major tweaks to UCPD policies as currently conceived.

cc: Shasta Delp, Academic Senate Executive Director



April 13, 2021

To: Susannah Scott  
Chair, Divisional Academic Senate

From: Sabine Frühstück  
Chair, L&S Faculty Executive Committee 

Re: Proposed Systemwide Revision of Universitywide Police Policies and Administrative Procedures

At its meeting on April 1, 2021, the Faculty Executive Committee of the College of Letters and Science (FEC) reviewed the proposed revisions and new policy drafts for the Universitywide Police Policies and Administrative Procedures. The changes broadly address use of force, use of body camera equipment, the establishment of Systemwide Response Teams, and policies covering retired officers carrying concealed firearms.

The committee observed that the report lacks any incorporation of civilian oversight. Policy language frequently defers to the Chief of Police for a final interpretation of what is appropriate, without external oversight or consultation. Although the committee understands that such consultation may take place informally between police and university representatives in practice, the committee felt strongly that civilian oversight should be a formal component of any new campus policing policy – in particular, policies addressing use of force, crowd management, and body cameras.

In addition, there appears to be a general lack of awareness in the proposal of larger questions currently circulating in our society regarding the appropriate conduct and role of police. While municipalities across the United States are considering alternatives to traditional police intervention, such as a greater emphasis on social work responders, the present policies appear to expand police presence on campus and give significant discretion toward the use of force and body camera equipment. This may partly be explained by the policy's age (original inception in 2017), but this does not lessen the negative impact adoption may have if severely out of alignment with current best practices and general public expectations around policing.

The committee feels strongly that the above issues should be addressed before any final policy is endorsed or adopted.


Thank you for the opportunity to comment.

cc: Pierre Wiltzius, Executive Dean of the College and Dean of Science  
Jeffrey Stoppel, Associate Vice Chancellor and Dean of Undergraduate Education  
Mary Hancock, Acting Dean of Humanities and Fine Arts  
Charlie Hale, Dean of Social Sciences

April 6, 2021

TO: Susannah Scott  
Divisional Chair, Academic Senate

FROM: Pradeep Sen, Chair  
College of Engineering, Faculty Executive Committee

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RE: Universitywide Police Policies and Administrative  
Procedures

The College of Engineering FEC met on Tuesday, April 6, 2021 and reviewed the policy and the proposal. The policy implications discussed in this proposal are complex and current events have pressed the need for discussion and need for revisions beyond the policies proposed. The committee supports the inclusion and emphasis on de-escalation tactics. The committee recommends the UC follow the lead of other national, state, and local entities in revising policies to meet updated practices and guidelines.

April 8, 2021

**SUSANNAH SCOTT, CHAIR  
ACADEMIC SENATE — SANTA BARBARA DIVISION**

**Re: Universitywide Police Policies and Administrative Procedures**

The Faculty Executive Committee - Bren School does not wish to opine on this issue.

Sincerely,

, Chair  
Faculty Executive Committee - Bren School

c: Shasta Delp, Executive Director  
Academic Senate

March 22, 2021

To: Susannah Scott, Chair  
Academic Senate

From: Carolyn Sattin-Bajaj, Vice Chair  
Faculty Executive Committee, GGSE

Re: Universitywide Police Policies and Administrative Procedures

The Faculty Executive Committee of the Gevirtz Graduate School of Education has reviewed the proposed changes to the Police Policies and Administrative Procedures. We recommend that the policies incorporate greater consideration of the needs of individuals with physical, mental, or developmental disabilities and increased training—especially in regards to determining use of force. These considerations must be included throughout the policies.

We also recommend that periodic reports on police activities be made available to the public and to the campus community including data on arrests disaggregated by individuals' demographic characteristics. We are concerned that, as written, the policy allows retired officers to be issued concealed carry permits. In particular, we are concerned that retirees will not have participated in the most current departmental trainings. Finally, the proposed policy does not mention implicit bias training nor how diversity impacts recruitment or retention of officers. We would like further information to that effect included in a revised version of the policy.

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Sharmila Majumdar, PhD, Chair  
Steven Cheung, MD, Vice Chair  
Pamela Ling, MD, Secretary  
Jae Woo Lee, MD, Parliamentarian

April 21, 2021

Mary Gauvain, PhD  
Chair, Academic Council  
Systemwide Academic Senate  
University of California Office of the President  
1111 Franklin St., 12<sup>th</sup> Floor  
Oakland, CA 94607-5200

**Re: Gold Book Comments**

Dear Mary:

A major 2020-21 focus of the San Francisco Division of the Academic Senate has concerned combatting institutional racism and increasing racial equity. With that in mind, our Committee on Faculty Welfare (CFW) has thoughtfully considered the latest revisions to the Universitywide Police Policies and Administrative Procedures, otherwise known as the "Gold Book". Our comments follow the same order as the components laid out in the Gold Book, including (1) Body Worn Audio/Video Systems (pdf p. 3), (2) Systemwide Response Team Policy (pdf p. 15), (3) Retired Officers – Carry Concealed Weapons (pdf p. 24), and (4) Use of Force (pdf p. 29):

*Body Worn Audio/Video Systems:* CFW supports adding a chapter to the Gold Book about these important devices, their use, and the use and retention of recordings. That said, CFW has concerns about the exceptions to when recording devices should be used. In particular, Exception (b) allows an officer to not record events "[w]hen, in the officer's judgment, a recording would interfere with their ability to conduct an investigation[.]" CFW believes this exception is so broad that an officer would be able to turn off a camera or recording device whenever the officer wanted to. In addition, CFW also questions exception (f) that allows officers to turn off recording equipment "[p]rior to or while discussing a case on scene with other officers or during on-scene tactical planning[.]" It is unclear to CFW why these discussions should be exempt from recording requirements.

CFW raises the following concerns about the proposed *Systemwide Response Team (SRT) Policy*.

1. Activation: The policy does not specify under what circumstances the SRT should be activated. CFW believes the policy should not leave the decision to the complete discretion of the campus chiefs, and that these teams should be used sparingly.
2. Training: CFW believes the policy should include more detail about what training SRT members will receive. The list of "areas of training" in section 1605.2 (pdf p. 19) does not include diversity/equity/inclusion or de-escalation; CFW believes that both diversity/equity/inclusion and de-escalation should be included in the SRT training areas.
3. CFW understands that SRT training is intended to be consistent systemwide. Section 1605.6 states this, but section 1605.2 states that SRT Commanders are "responsible for developing training guidelines" in the listed areas of training. CFW found this to be inconsistent.
4. Equipment: CFW is concerned about giving campus chiefs full discretion regarding SRT use of weapons. CFW believes there should be a written policy about whether weapons should be used, and the decision of whether to use weapons should be made by more than one person.

*Retired Officers and Concealed Weapons:* With respect to the proposed policies on retired officers and concealed weapons, CFW questions why the University gives Carry Concealed Weapons endorsements or certificates to retired officers. If authorizing retired officers to carry weapons can be justified, CFW believes there should be ongoing required training for retired

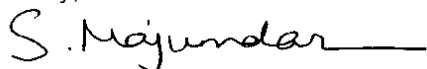
officers. That training should include annual de-escalation training and unconscious bias training.

*Use of Force:* Finally, CFW has a number of concerns and comments about the 'use of force' contained in the Gold Book:

- *De-escalation:* CFW believes the proposed use of force policy has a critical omission. De-escalation training is barely mentioned, and de-escalation should be at the heart of any use of force policy. The policy should include a description of de-escalation training and how often it is required.
- *Alternate First Responders and Trauma-Informed Teams:* The proposed use of force policy does not discuss establishing trauma-informed de-escalation teams. CFW believes the use of force policy would benefit from a detailed description of psychiatric emergencies and explanations of when psychiatric services should be involved.
- *Data Collection & Reporting:* CFW advocates for the creation of a comprehensive data collection system about all incidents involving use of force. These data should be reviewed on a regular basis to look for patterns/discriminatory behavior by officers.
- *Weapons:* CFW believes the University should reconsider whether these weapons should be routinely carried by UC officers. CFW also has concerns about how the proposed policy describes when use of force is allowed. For example, the policy allows for use of force if someone is running away or "bracing or has tense muscles." Tense muscles seem like an especially vague category that could easily be abused to justify use of force.

Thank you for the opportunity to provide feedback on the latest revision(s) to the Gold Book. Please consult CFW's letter for additional specificity on UCSF's comments, which is naturally more detailed. If you have any questions, please let me know.

Sincerely,



Sharmila Majumdar, PhD, 2019-21 Chair  
UCSF Academic Senate

Enclosures (1)

Cc: Jill Hollenbach, Chair, UCSF Committee on Faculty Welfare

**Committee on Faculty Welfare****Jill Hollenbach, PhD, MPH, Chair**

April 14, 2021

Sharmila Majumdar, PhD  
Division Chair  
UCSF Academic Senate

**Re: Gold Book Systemwide Review**

Dear Chair Majumdar:

The Committee on Faculty Welfare (CFW) writes to comment on proposed revisions to University Police Policies and Administrative Procedures (the “Gold Book”) that is currently under systemwide review. The proposed revisions are divided into four sections: (1) Body Worn Audio/Video Systems (pdf p. 3), (2) Systemwide Response Team Policy (pdf p. 15), (3) Retired Officers – Carry Concealed Weapons (pdf p. 24), and (4) Use of Force (pdf p. 29). CFW has organized its comments the same way, and CFW uses “pdf p. x” citations to refer to relevant pages in the systemwide review PDF provided to CFW and available online at <https://senate.universityofcalifornia.edu/files/underreview/gold-book-systemwide-review.pdf>.

**Body Worn Audio/Video Systems**

The proposed revisions to the Gold Book include adding a new chapter to the book entitled “Body Worn Audio/Video Systems” that establishes a policy for the use of these devices for the UC police force. CFW supports adding a chapter to the Gold Book about these important devices, their use, and the use and retention of recordings. CFW has concerns about the exceptions to when recording devices should be used. These exceptions are set forth in section 1506 of the proposed policy (pdf p. 5).

Exception (b) allows an officer to not record events “[w]hen, in the officer’s judgment, a recording would interfere with their ability to conduct an investigation[.]” CFW believes this exception is so broad that an officer would be able to turn off a camera or recording device whenever the officer wanted to. The officer could almost always claim that the officer believed recording would interfere with their ability to conduct an investigation. CFW urges the University to limit this exception.

CFW also questions exception (f) that allows officers to turn off recording equipment “[p]rior to or while discussing a case on scene with other officers or during on-scene tactical planning[.]” It is unclear to CFW why these discussions should be exempt from recording requirements.

## **Systemwide Response Team Policy**

The proposed revisions add another new chapter to the Gold Book, this one on a “Systemwide Response Team Policy” (pdf p. 15). The Systemwide Response Team Policy outlines procedures for situations and incidents that require resources beyond those available at one campus.

CFW raises the following concerns about the proposed Systemwide Response Team (SRT) Policy.

1. **Activation:** The policy does not specify under what circumstances the SRT should be activated. CFW believes the policy should not leave the decision to the complete discretion of the campus chiefs. CFW believes these teams should be used sparingly, and the should policy explain when these teams can and should be called.
2. **Training:** CFW believes the policy should include more detail about what training SRT members will receive. The list of “areas of training” in section 1605.2 (pdf p. 19) does not include diversity/equity/inclusion or de-escalation. CFW notes that SRT sergeants and officers must have training in de-escalation (section 1604.3.2, pdf p. 18), but the SRT training areas do not include de-escalation. CFW believes both diversity/equity/inclusion training and de-escalation training should be included in the SRT training areas.

CFW understands that SRT training is intended to be consistent systemwide. Section 1605.6 states this, but section 1605.2 states that SRT Commanders are “responsible for developing training guidelines” in the listed areas of training. CFW found this to be inconsistent. SRT Commanders should not be responsible for developing training guidelines if trainings are set at the systemwide level and are consistent for all campuses.

3. **Equipment:** CFW is concerned about giving campus chiefs full discretion regarding SRT use of weapons. CFW believes there should be a written policy about whether weapons should be used, and the decision of whether to use weapons should be made by more than one person.

CFW also has concerns about the language in Section 1606.3 that states, “SRT personnel will not be prevented from carrying and/or using non-SRT weapons that have been issued or approved by their home campus.” CFW believes this language invites law enforcement personnel to bring weapons to SRT incidents that may not be appropriate.

The SRT equipment section does not discuss audio or video recording devices. CFW believes that SRT teams should have body worn audio/video systems.

## **Retired Officers and Concealed Weapons**

With respect to the proposed policies on retired officers and concealed weapons, CFW questions why the University gives Carry Concealed Weapons endorsements or certificates to retired officers. CFW doubts whether all active officers need to carry guns and does not understand why retired officers would need to carry concealed weapons.



If authorizing retired officers to carry weapons can be justified, CFW believes there should be ongoing required training for retired officers. That training should include annual de-escalation training and unconscious bias training.

The proposed policy states that renewal is required every five years by the institution. CFW would like to know what is required for renewal. Is there cognitive/psychological testing, review of past criminal activity, ongoing de-escalation training? CFW believes there should be a policy in place to ensure retired officers with CCW endorsements or certificates are appropriately evaluated and trained.

### **Use of Force**

The final section of the proposed revisions to the Gold Book is on the use of force. Unlike the other sections, which add new chapters to the Gold Book, the proposed changes to the use of force policies are revisions. The review packet does not include a red-line version, so it is not easy to do a side-by-side comparison of the existing policy and the proposed policy. CFW recommends that future proposals include a red-line version or explain why there isn't one to facilitate review.

***De-escalation:*** CFW believes the proposed use of force policy has a critical omission. De-escalation training is barely mentioned, and de-escalation should be at the heart of any use of force policy. The policy should include a description of de-escalation training and how often it is required.

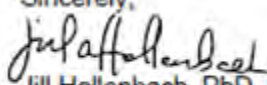
***Alternate First Responders and Trauma-Informed Teams:*** The proposed use of force policy does not discuss establishing trauma-informed de-escalation teams. UCSF is working on this, and CFW believes it should be done systemwide. Police officers should not be the first call or the first responders for every incident. The University should consider forming trauma-informed de-escalation teams that can be called 24 hours a day.

CFW believes the use of force policy would benefit from a detailed description of psychiatric emergencies and explanations of when psychiatric services should be involved. The University should give serious consideration to using psychiatric services as first responders rather than officers when calls involve a psychiatric emergency.

***Data Collection and Reporting:*** CFW advocates for the creation of a comprehensive data collection system about all incidents involving use of force. These data should be reviewed on a regular basis to look for patterns/discriminatory behavior by officers. The University should issue regular reports to the community, and the data should be regularly reviewed by an advisory board. UCSF is beginning to collect more comprehensive data about use of force, and CFW would like there to be a similar effort systemwide.

***Weapons:*** At the end of the use of force policy, there is discussion of weapons: guns, police batons, conducted energy devices, and projectile devices. CFW believes the University should reconsider whether these weapons should be routinely carried by UC officers. CFW also has concerns about how the proposed policy describes when use of force is allowed. For example, the policy allows for use of force if someone is running away or "bracing or has tense muscles." Tense muscles seems like an especially vague category that could easily be abused to justify use of force. CFW believes the policy should not allow the use of force under such vague circumstances.

***Diversity, Equity, and Inclusion Training:*** Finally, CFW is concerned that the Gold Book contains no mention of diversity, equity, and inclusion (DEI) training or policies. CFW believes there should be ongoing DEI training that is renewed regularly that explains bias, profiling, and how bias can be counteracted. There should be DEI training for all officers to help limit use of force.

Sincerely,  
  
Jill Hollenbach, PhD, MPH  
Committee on Faculty Welfare Chair



UNIVERSITY COMMITTEE ON FACULTY WELFARE (UCFW)  
Shelley Halpain, Chair  
[Shalpain@ucsd.edu](mailto:Shalpain@ucsd.edu)

Assembly of the Academic Senate  
1111 Franklin Street, 12<sup>th</sup>  
Oakland, CA 94607-5200

April 21, 2021

**MARY GAUVAIN, CHAIR  
ACADEMIC COUNCIL**

**RE: Proposed Revisions to Universitywide Police Policies and Administrative Procedures (the “Gold Book”)**

Dear Mary,

The University Committee on Faculty Welfare (UCFW) has reviewed the proposed revisions to Universitywide Police Policies and Administrative Procedures (the “Gold Book”), and we have several comments.

While we recognize that the current proposed revisions are the product of a process begun in 2018 under then-President Napolitano, we find the proposed revisions highly out of step with current nationwide discussions and realities. As recent events have shown, a paradigmatic shift in society’s attitude and approach to safety is long overdue. The University must not only keep pace with this discussion, but should be at its forefront. Unfortunately, the revisions proposed here represent incremental, marginal change, at best. In a majority of communities throughout the country, these types of incremental changes have failed to counter the systemic problems intrinsic to current policing practices. Moreover, the cover memo notes that the Council of Chiefs and the Federated University Police Officers Association (FUPOA) have already approved the proposed revisions; this fact raises several questions: Will feedback be taken seriously? If so, how will it be incorporated in time for fall re-opening – or for consideration in time for the next round of FUPOA contract negotiations? Why is this sequence of review being followed if Senate input is truly valued? Given that further revisions are likely after the Safety Symposia, UCFW worries that a series of new policies and multiple changes could lead to more inconsistency in policy administration and to less procedural compliance, exacerbating latent tensions. We appreciate that UC wants to reassure students, staff, and faculty that the campuses will be safe when they reopen, but continued overt reliance on surveillance and traditional policing is unlikely to accomplish that goal, especially for vulnerable populations.

Even if we evaluate the proposed revisions as a product of the process begun in 2018, they do not satisfy the critiques offered by UCFW at that time.<sup>1</sup> Specifically, that report recommended that policing within the UC system should “better tailor police operations to the unique needs of a university environment,” and urged that this include “an increased emphasis (and training) on de-escalation.” Our current UCFW agrees and augments that position from the perspective of April 2021, when police violence toward members of ethnic minorities dominate the news on a daily basis. UCFW members have observed that foreign students and scholars often express shock and fear over U.S.

<sup>1</sup> <https://senate.universityofcalifornia.edu/files/reports/SNW-JN-gold-book-task-force-report.pdf>

police practices, and that students and scholars from vulnerable domestic groups are, at best, constantly ill-at-ease around the police, even on our campuses.

Currently we are being asked to evaluate proposed revisions to only three of the “Gold Book’s” 14 chapters. We highlight the following central concerns:

- The overall lack of “de-escalation” throughout the text is a significant problem.
  - “De-escalation” should be the first step of “Use of Force” guidance.
  - The creation of safety ambassadors, trauma teams or (psychiatric) crisis teams should be considered as an alternative to the deployment of uniformed, armed officers.
- Justification for the presence of lethal weapons (e.g., conceal carry weapons and, often, tasers) is absent.
- Why body cameras should be toggled on and off is unclear. For example, how a body camera would interfere with an investigation requires explanation since the purpose of body cameras is to aid in investigations.
- The concept of the Systemwide Response Team (SRT) remains problematic on many fronts. No specialized diversity, anti-bias, civil rights, or UC Principles of Community training is mentioned; body cameras are not mentioned; local control of weapons can lead to inconsistent practices and unfortunate consequences; contradictory language regarding officer “use of” versus officer “carrying of” weapons seems unwise; decision-making procedures should include more than the chief and chancellor; examples of when SRT deployment might be necessary could strengthen the request; if SRTs are allowed in the policy, systemwide guidelines are needed.
- The necessity of retaining retired officers and arming them with concealed weapons is unclear. Nor are modern training requirements mentioned for any aspect of recertification.
- That “tensed muscles” and “running away”, among others, are cited as examples of “active resistance” to an officer, and therefore as justifications for the use of force, is concerning, as these are common responses to fear, not only resistance.
- Time windows for reporting incidents, such as observed excessive force by fellow officers, equipment malfunctions, etc, should be specified and defined narrowly (e.g., <24 hrs.).
- Data collecting and reporting processes must be specified in advance, and collected data must be fully transparent to and accessible by the entire UC community.
- A reliance upon “officer’s discretion” throughout the proposed revisions is problematic.

We look forward to meaningful transformative outcomes in the area of campus safety. Thank you for your leadership in this important area.

Sincerely,

Shelley Halpain, UCFW Chair

Copy: UCFW  
Hilary Baxter, Executive Director, Academic Senate  
Robert Horwitz, Academic Council Vice Chair



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April 20, 2021

**MARY GAUVAIN, CHAIR  
ACADEMIC COUNCIL**

**RE: PROPOSED REVISIONS TO THE UNIVERSITYWIDE POLICE POLICIES AND  
ADMINISTRATIVE PROCEDURES**

Dear Mary,

On April 5, 2021, UCEP discussed the proposed revisions to the University of California Policing Policy. We are grateful to the several members of our committee who have thoroughly investigated the relevant issues such as body cameras, use of force, closed/open carry of firearms, and other policing practices, and who took the lead on guiding our discussion and drafting this response.

We begin by expressing gratitude for the many officers who have dedicated their careers to following the policies of the UC police toward the goal of keeping our thriving communities safe. Nonetheless, we have concerns about several aspects of the policy, as detailed below.

Members noted a conspicuous absence of policing practices that either (a) directly address inequities in policing practices and/or (b) strategies to mitigate the harmfully inequitable practices of existing policies. For example, in the “Use of Force 2021 Full Review” document, we note many pages describing all the various ways in which officers may use force. In contrast, there is a small, vague description of when it is appropriate to use force followed by section 808 which contains a bullet-point list of “factors that may be considered when using force.” The members note that of the 27 “factors listed,” 20 of them are inherently biased against people of color—especially black and brown men. There is over 40 years of social science demonstrating repeatedly the stereotypes about and biases against people of color that are not grounded in true base-rates of behavior—in other words, these are irrational stereotypes with no basis in reality.

The strongest biases are held against African American and/or black men; however all black Americans—including children—suffer from the same negative stereotypes. Research shows repeatedly that people of color are perceived (by police officers and ordinary people alike) as more dangerous/hostile/aggressive/threatening (e.g. Hugenberg & Bodenhausen, 2003). For example, as far back as Duncan (1976) research

has shown that ambiguous behavior is interpreted more negatively when performed by a black person than when performed by a white person. Sagar and Schofield (1980) found that ambiguously hostile behaviors were rated as more hostile when performed by a black rather than white person. More recent research shows that black people are perceived as more hostile in general and this effect is exacerbated when black people are in groups of two or more as compared to perceptions of white people (Cooley & Payne, 2019). Black and/or African Americans are thought to have a stronger propensity for violence (for a systematic review, see e.g., Johnson & Chopik, 2019), are seen to be (or erroneously perceived to be) holding a weapon even if they are not (e.g., Correll, Park, Judd, & Wittenbrink, 2002; Payne, 2001; Payne, 2006; Payne, Shimizu, & Jacoby, 2003), and are dehumanized to the point that people think of black people (vs. white) as “less human” (Goff, Jackson, Di Leone, Culotta, & DiTomasso, 2014). Black people (vs. white) are perceived as less able to feel pain (e.g., Mende-Siedlecki, Lin, Ferron, Gibbons, Drain, & Goharзад, 2021; Vallerand, Hasenau, Templin, & Collins-Bohler, 2005) and are inaccurately perceived to be more likely to be on drugs or alcohol (e.g., Bass & Williams, 1993). **We note that ALL of these attributes are listed in section 808 as justification to use force.** This is unacceptable and we strongly urge the policing task force to take seriously the harm that these policies can cause. It is a tricky balance to keep our campuses safe without disproportionately affecting people of color because of our stereotypes and biases. But we must strive to do better. The list of reasons to use force is wrought with openings to use force disproportionately with our community of color.

Members hope that the systematic review also includes: *collecting and analyzing data related to apprehension and charging of various social groups, the way in which campus police interact with the community, and community feelings and experiences with campus police with a specific focus on the possible disparity between our campus community members of color as compared to others.* Members also hope and assume such a report would be made accessible to all UC campus leadership so that an ongoing conversation may prove useful toward the goal of iterating to a place of safety, officer peace of mind, and equal treatment for all.


We expect and hope that the review and reform of the University of California Policing Policy will be taken as seriously as the issue of police reform is being taken in the United States more broadly. We also hope our more qualified colleagues will not hesitate to dismantle and rebuild the scaffolding and procedures used by campus police entities if this is, in fact, what needs to happen in the best interest of safety, equity, and community trust.

Members recognize that this is a critical topic for social justice and citizen welfare: no member of the University of California community can teach, learn, or work effectively if they feel unsafe or if they feel persecuted. Members cited a long history of disproportionate policing of black and brown sectors of the community as compared to other sectors. Other members opined that increased funding for social services, such as mental health support, together with modifications such as having mental health professionals respond instead of police in appropriate situations, is very much worth considering. Members emphasized this point repeatedly—that there are many circumstances that are a mental health issue, not a policing issue. We urge that our campus police be trained to know the difference, and that the University consider information campaigns so that our campus communities know the difference and can contact the appropriate agencies when the need arises.

Members also note the very different needs across UC campuses—with some campuses requiring more or less police presence, and with populations who may have varying experience with and vulnerability to inequities. UCEP members are optimistic that positive change is in our future and we hope that police transformation and reform happening on a national level may be a resource for the University of California.

The committee appreciates the opportunity to comment on this matter.

Sincerely,



Daniel Potter, Chair  
UCEP

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UNIVERSITY COMMITTEE ON AFFIRMATIVE ACTION, DIVERSITY,  
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Oakland, California 94607-5200

04/22/2021

**MARY GAUVAIN**  
**CHAIR, ACADEMIC COUNCIL**

RE: UCAADE Comments on “Gold Book” revision

Dear Mary,

I am writing with the full support of the University Committee on Affirmative Action, Diversity, and Equity (UCAADE). UCAADE reviewed the revisions to the “Gold Book” document and discussed it during their last meeting on April 2<sup>nd</sup>, 2021.

UCAADE will not endorse this document and urges the Academic Senate and campuses to pursue a broader review of the role of and methods used by the police at the UC campuses. Members of the committee were disturbed by the contents of the document and greatly concerned by its lack of transparency and inclusiveness. Diversity and Inclusion committees in the different campuses have raised concerns and made recommendations to changes in the “Gold Book” and UCAADE shares those concerns and endorses those recommendations. The following are key concerns and recommendations highlighted by UCAADE.

At present, the changes considered fall well short of the fundamental re-imagining demanded by multiple campus communities. In place of the cautious and minor revisions laid out in the proposed policy alterations to the “Gold Book”, we wish to see dramatic and unmistakable changes such as the ones enumerated below.

- (1) Demilitarizing and disarming our campus police for routine patrol duties. Campus police and police departments across the nation have seen an increase in militarization techniques and use of violence (Delehanty et al. 2017). UCAADE considers this militaristic and violent culture, as illustrated in the “Gold Book”, is out of place in the UC campuses and should be only considered in extreme situations. There is a history of violent behavior of the police against UC students. More specifically, the University of California regularly sees strong student protests. Police response to demonstrations such as the Vietnam War, apartheid, racial justice and the occupy movement have, in all of these cases, involved violence against students. Interestingly, in these cases the vast majority of campus stakeholders would come to agree with the demands put forth by students deeming police actions unnecessary.
- (2) Setting a higher educational threshold for campus police. It appears that current practices do not require the highest standards of educational attainment, or even a common level of educational attainment across the divisions of the University. The “Gold Book” illustrates the violent nature of the police training. According to their webpage, candidates to police officer



at UC Berkeley are required to have a “bachelor’s degree, excellent verbal and written skills and ability to use weapons and tools employed by police agencies” (<https://ucpd.berkeley.edu/ucpd-careers>). No reference exists to training in non-violent conflict de-escalation or in explicit or implicit biases in police response.

- (3) Creating campus systems of community oversight. The members of the committee were also concerned with the lack of consultation in the drafting of the “Gold Book” (or its modifications) with different stakeholders such as faculty, staff or students. UC police webpages announce their commitment to a “philosophy of partnership”, however the “Gold Book” shows otherwise. Involvement of Public Safety Advisory Committees in the drafting and modifications of the “Gold Book” are strongly recommended by UCAADE.

UCAADE believes that we have a generational opportunity to ensure that the future of policing in the University of California is safer for everybody and completely different than it has in the past. This opportunity should not be squandered.

Sincerely,

A handwritten signature in black ink, appearing to read 'Javier Arsuaga', with a stylized flourish at the end.

Javier Arsuaga  
Chair, UCAADE

cc. UCAADE

Delehanty, C., Mewhirter, J., Welch, R., & Wilks, J. (2017). Militarization and police violence: The case of the 1033 program. *Research & Politics*, 4(2), 2053168017712885.



CHAIR, ACADEMIC SENATE  
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April 21, 2021

Mary Gauvain, Chair, Academic Council  
1111 Franklin Street, 12th Floor  
Oakland, CA 94607-5200

**RE: Proposed Revisions to the Universitywide Police Policies and Administrative Procedures**

Dear Chair Gauvain,

The Riverside Division discussed the Proposed Revisions to the Universitywide Police Policies and Administrative Procedures, and I transmit the comment memos provided by the divisional Committee on Diversity, Equity, and Inclusion and the Committee on Faculty Welfare .

Additionally, the Executive Council discussed the proposed revision and is vehemently against this proposal.

Finally, I have also attached email messages I have received from individual Riverside faculty and students as well as a letter from the Riverside Faculty Association regarding this proposal.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Jason Stajich".

Jason Stajich  
Professor of Microbiology & Plant Pathology and Chair of the Riverside Division

CC: Michael LaBriola, Assistant Director of the Academic Senate  
Hilary Baxter, Executive Director of the Academic Senate  
Cherysa Cortez, Executive Director of UCR Academic Senate

**COMMITTEE ON DIVERSITY, EQUITY, & INCLUSION**

March 9, 2021

To: Jason Stajich, Chair  
Riverside Division Academic Senate

From: Xuan Liu, Chair  
Committee on Diversity, Equity, & Inclusion

Re: Proposed Revisions to Universitywide Police Policies & Administrative Procedures

The Committee on Diversity, Equity, and Inclusion reviewed Proposed Revisions to the Universitywide Police Policies and Administrative Procedures.

The committee notes the entire document is written in a way, in legal language, in order to allow the most possible wiggle room to protect officers. The term “objectively reasonable” is used dozens of times throughout which of course, is up for interpretation and we know, if history is our guide, that the word of the officers and their interpretation of events, and their internal systems of comradely offer them a disproportionate and likely unfair amount of protection in ‘grey areas’.

In addition, the committee was unanimous in its concern over a glossing over of the issue of de-escalation in the document. There is very little discussion on de-escalation techniques. Whenever the term is invoked, there are never examples or specifics involved. We would prefer to see more of an emphasis on specific training for de-escalation.

However, the committee lacks particular expertise in the areas of “use of force”, “body worn cameras”, “response teams”, or “concealed carry weapons” so it would be presumptuous to offer criticism of these policies and procedures.



## *Academic Senate*

### **COMMITTEE ON FACULTY WELFARE**

April 5, 2021

To: Jason Stajich  
Riverside Division Academic Senate

From: Patricia Morton, Chair  
Committee on Faculty Welfare

Re: [Systemwide Review] Proposed Revisions to Policy: Proposed Revisions to the  
Universitywide Police Policies and Administrative Procedures

The Committee on Faculty Welfare met on March 16, 2020 to consider the Proposed Revisions to Universitywide Police Policies and Administrative Procedures. The committee felt that it is largely outside its expertise to comment on the specific guidelines in certain aspects. However, members questioned the timing of promulgating a systemwide response team (SRT) while UCOP and UC campuses are revisiting policies on campus safety. In specific, it is not clear when the SRT will be called upon, and the policy needs to specify actual circumstances when the SRT would be invoked since it sounds like a SWAT team. CFW suggests that the revised policies be folded into reviews of campus safety already ongoing.

On-campus expertise in policing and the use of force should also become part of the review process. CFW suggested that anyone employed with the University should be able to intervene if the situation on the use of force demands. The committee would like to know whether these documents will be routed to relevant student/faculty of color organizations.

April 21, 2021

Responses received from UC Riverside individual faculty, students, and the Riverside Faculty Association as transmitted to Riverside Division Chair Jason Stajich

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Just writing to share the concern raised by the Riverside Faculty Association regarding the proposed systemwide SWAT-style response team. I think adoption of those policies sounds undemocratic and harmful to our campus community and its safety and well-being.

Best,  
Ellen Reese  
Department of Sociology  
UC-Riverside

---

My name is Kimberly Umanzor a current student at the University of California, Riverside and I reject the following: "Use of Force", "Body Worn Audio", the "Systemwide Response Team" policy, and the "Concealed Carry Weapons" policy proposals.

When police officers guard the school entrances and patrol the hallways, students of color internalize the message: you are not allowed here, and the institution where you learn assumes you will participate in disruptive and criminal activity. This causes anxiety and hypervigilance in adolescents, as well as mistrust in the educational institution that is supposed to help them develop. That is completely incompatible with providing a welcoming, healthy learning atmosphere in which students can excel. Perhaps more harmful, the presence of police re-traumatizes many students of color, who have had negative encounters with law enforcement in their neighborhoods and communities.

I urge the University of California system, Academic Senate to recognize that true public safety will reconnect college campuses to their surrounding communities rather than nervously policing their privatized boundaries.

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On Body Worn Cameras:

Officers are simultaneously granted extraordinarily wide latitude to exercise "discretionary activation," meaning they are given enough room for subjective interpretation of situations

that they can essentially activate or deactivate their BWC's anytime they feel like it! Further, there is no clear consequence for failure to activate (or unjustifiably deactivating) BWC's, nor is there a clear consequence for losing/erasing the BWC footage itself. For example, "1520. Modification, Alteration, or Deletion" states "No employee shall modify, alter, or delete video or audio once recorded by the BWV camera, except as authorized by Department policy," yet there is no accompanying clarification of consequences if this policy is violated.

### Systemwide Response Teams (SRTs)

The "MISSION STATEMENT" of SRTs states,

1602. The mission of the University of California SRT is to maintain a trained team of sworn personnel with the skills and equipment readily available to assist local campuses to:

- (a) Facilitate and protect the Constitutional Rights of all persons;
- (b) Keep the peace and protect life and property;
- (c) Protect lawful activity while identifying and isolating unlawful behavior;
- (d) Provide dignitary protection; and
- (e) Provide training and other assistance when requested and appropriate.

It is a shock to the conscience and ethical sensibility that the UC administration, in the midst of what has been unfolding across the US and the world, is proposing the creation of an ADDITIONAL specialized police force that expands the power and personnel of the existing UCPD. The Systemwide Response Team apparatus seems clearly designed to facilitate multicampus police mobilizations to control and suppress mass demonstrations on and near UC campuses, especially when they involve the presence of the UC Regents and ambassadors of nations that people want to hold accountable for apartheid policies and human rights violations (esp. Israel's treatment of Palestinians).

The objectionable nature of the SRTs is well illustrated in the proposed policy's provision for the assignment of special personnel "to meet operational needs," including "grenadiers." According to the US Army Field Manual, a grenadier is a soldier equipped with an rifle that has a grenade launcher for the purpose of "providing limited high-angle fire over 'dead space'." According to the University of Wisconsin police, "grenadier" refers to an officer who has been trained in the use of Chemical Agents/Munitions and their delivery systems.

### Use of Force Policy:

The definitions of 'active resistance' and 'assaultive resistance' are fantastically broad and are open for generous interpretation to justify police force, including deadly force: for example, "bracing, tensed muscles" are seen as "active resistance," and the definition of "extreme agitation" could literally describe me when i am attending one of my son's high school baseball games! (p. 30) Similarly, the definition of "non-compliance" includes "physical gestures, stances, and observable mannerisms."

Thus, the Use of Force policy remains almost entirely determined and justified by the subjective perceptions of police officers themselves: for example, Sec. 803 states "reasonableness of force will be judged from the perspective of an objectively reasonable officer in the same situation, based on the circumstances \*perceived\* by the officer at the time." (p. 31)

The Gold Book needs to be completely rethought, as does the very presence and existence of the UCPD.

Dylan Rodríguez  
 2020 Freedom Scholar  
 President, American Studies Association (2020-2021)  
 Professor, Dept. of Media and Cultural Studies  
 University of California, Riverside  
 Riverside, CA 92521

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Dear Jason,

I would like to urge the Academic Senate to emphatically reject this effort to strengthen anti-riot UC campus police, especially their arming and the creation of a special unit that can be called on to violently suppress protests across the UCs. At this time, campus communities are discussing alternative options for justice in a climate that is largely favorable to peaceful solutions and even contemplating the total defunding of campus police.

I am concerned about the way that these provisions are tucked into the middle of a lengthy document and I believe this matter warrants much more public and broader discussion (an Academic Senate meeting among other forums) and the proposal itself needs to be rejected at this time.

Thank you,  
 Freya

Freya Schiwy, Ph.D. (she, her)  
 Professor  
 Media and Cultural Studies Department  
 Collaborating Faculty, Hispanic Studies Department  
 University of California, Riverside

Editor, Journal of Latin American Cultural Studies  
<https://www.tandfonline.com/toc/cjla20/current>  
<http://jlacs-travesia.online/en/>  
 Comité Internacional Aisthesis. Revista Chilena de Investigaciones Estéticas  
<http://ojs.uc.cl/index.php/RAIT/index>  
 Comité Científico Signo y Pensamiento  
<https://revistas.javeriana.edu.co/index.php/index>  
 Comité Científico Revista FAIA Filosofía Afro-Indo-Abiyalense

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Dr. Stajich:

As a Black woman who is also Senate faculty, and whose students are in large part people of colour, I'm beyond alarmed at the proposed changes to system-wide police policies. The most disturbing and insidious of these proposed policies is the creation of a "Systemwide Response Team" made up of UCPD officers from all campuses: a tactical team with specialized equipment and weaponry intended to suppress demonstrations and other forms of civil action. The rationale for its creation and its deployment is not clearly described in the proposal, which opens the question of why it is being formed at all and at this time.

Yesterday I finished teaching my class and when I signed off Zoom, it was to texts and emails from Black colleagues, friends and family from all over the world who've been watching the Derek Chauvin trial. I spent most of the rest of the day in tears; a complicated relief at the jury findings in a precedent-setting case that does nothing to address the reform that needs to happen. I did so while doing my best to continue the work of teaching, research and service that the university requires of me. This morning I learned that on the same day that a jury was finding Derek Chauvin guilty of the murder of George Floyd, a Columbus police officer shot and killed a young Black girl in what appears to be another uncalled-for use of deadly force. There were probably more; she just happened to make the news. The creation of a new SWAT-style police force, the establishment of policies that endorse the use of force with specialized equipment by UC police are utterly unacceptable reinforcements of police departments' long record of gendered racist and antiblack violence and harassment. There is no question that systemic, frequently deadly hostility and violence are enacted daily by police forces across this country upon communities to which the greater proportion of our students, faculty and staff belong. We are being hunted and killed out here. My university, my place of employment, my place of intellectual discovery and discourse should not be the place that is perpetuating the violence, fear and trauma.

None of these policies should be enacted while the University undergoes a review and transformation of campus safety and security, including symposia organized by the UC Office of the President, and while UC faculty, students and staff participate in a growing, national movement to transform campus and public safety. I submit to you that that is the appropriate direction for us to be taking our policies. Not this. Not this.

I call on these policies to be withdrawn immediately.

Sincerely,

Nalo Hopkinson  
Department of Creative Writing



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Dear Jason,

I'm writing to express dismay at the new policing policies outlined in the communication to campuses. The measure creating SRTs (Systemwide Response Teams) is especially terrifying. Nothing in this proposal should be going forward in the current climate.

Every line of this document was obviously written by cops seeking to seize more power. Even the repeated insistence that video camera footage is not evidence in and of itself is suspect, given what \*just happened yesterday\* when a cop was finally brought to justice for executing a Black civilian on the strength of incontrovertible video evidence.

The document repeats like a mantra that "The University is committed to officer safety and public safety." Notice the way these two things are conceived separately, with officer safety coming first. We need to abolish the UCPD now, on every campus.

Thanks for collecting our input.

All the best,  
Susan

Susan Zieger she/her/hers  
Professor of English  
University of California, Riverside

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Good morning Jason,

I would like to submit a comment indicating my strong concern for the formation of a Systemwide response team at the UCs. I do not believe that formation of a "response team" like this is inline with the changing views on and policies towards policing on our campus' - changes that so many faculty and students support. These proposed changes seem to me like the wrong path... I oppose them, particularly when there is no clear guidelines for their creation or future use.

Jaimie Van Norman

*Jaimie M. Van Norman, Ph.D. ▪ Assistant Professor ▪ Center for Plant Cell Biology ▪  
Department of Botany & Plant Sciences ▪ University of California, Riverside ▪ 4202A  
Genomics ▪ Lab: (951) 827-2133, Office: (951) 827-2134 ▪ FAX: (951) 827-5155*

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Dear Dr. Stajich

I am writing you to provide comments on the upcoming proposal of the addition of a SRT team to the UC Police. I am firmly opposed to this and believe that the UC leadership has not thought through the ramifications of such an action. Research has demonstrated that there is a link between the militarization of police and increased killings by police (Delehanty C, Mewhirter J, Welch R, Wilks J. Militarization and police violence: The case of the 1033 program. *Research & Politics*. April 2017. doi:[10.1177/2053168017712885](https://doi.org/10.1177/2053168017712885)). Many of the UCs are minority serving institutions and police disproportionately kill minorities. This militarization of the UC police is antithetical to the mission of the UC. As a veteran of the US Army Infantry, I have experience with many of the tactics and weapons employed by SRT(SWAT), these have no place on campus and will only make our campus more dangerous for the students we are supposed to serve.

Cheers,  
Marko

Marko J. Spasojevic  
Assistant Professor  
3338 Spieth Hall  
Department of Evolution, Ecology, and Organismal Biology  
University of California Riverside  
Riverside, CA 92521  
Phone: (office) 951-827-5941; (lab) 951-827-5930  
[traitecology.com](http://traitecology.com)  
He/Him/His

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Dear Jason,

What follows below are my direct comments to the Proposed revisions to the UCPD policies currently under review by the Academic Senate.

Thank you,

Keith Miyake

Assistant Professor  
Department of Ethnic Studies  
University of California, Riverside  
<https://keithmiyake.info>

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## **Chapter 15: Body Worn Audio/Video Systems**

I strongly oppose the implementation of body cameras by UCPD. Equipping UCPD officers with cameras will require additional funding out of the UC budget. Body

cameras do not increase individuals' safety since they don't do anything to change policing policies, and they reinforce the notion that as long as police "follow the rules" that they increase safety. Police do not increase safety, and body cameras do not change that. Officers can also turn off their cameras, "forget" to turn them on, or sabotage them so that they do not function as intended, cumulatively limiting their usefulness in holding officers accountable for their actions. Even when footage is available from incidents of "bad" policing, that footage rarely provides any real community accountability or sense of safety. Furthermore, body cameras increase the ways in which police are able to surveil people and potentially criminalize people who pose no threats to public safety.

From <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2020/01/14/body-cameras-may-not-be-the-easy-answer-everyone-was-looking-for>:

"Although both officers and the public generally support body-worn cameras, or BWCs, the impacts may have been overestimated, according to a study published in March by George Mason University's Center for Evidence-Based Crime Policy. The study, which looked at 70 other body-worn camera studies published through June 2018, found the cameras have not had statistically significant effects on most measures of officer and citizen behavior or citizens' views of police.

The authors noted that studies have found mixed results on body cameras leading to reductions in use of force by police — one of the primary reasons supporters pushed for the cameras. Five studies and experiments showed that officers wearing cameras used force less often than officers not wearing cameras, but eight others showed no statistically significant difference in use of force.

The George Mason study also described an unanticipated result of the cameras: Officers increasingly value them as a tool for evidence collection and protection.

"Officers and citizens both seem to believe that BWCs can protect them from each other," the study said."

## **Chapter 16: Systemwide Response Team**

I strongly oppose the implementation of a Systemwide Response Team (SRT). The proposed SRT would increase the UCPD budget and personnel while not increasing community safety, but rather, creating new threats of militarized force and violence against UC and surrounding community members. It represents a significant increase in the militarization of UCPD that further shifts its focus away from its purported role in community safety to fascist means of coercion. The SRT is tasked with (1605.2) use of force, crowd management, intervention strategies, arrest techniques, and use of authorized equipment and tools. All of these duties can be used to intimidate, coerce, terrorize, criminalize, and quell public gatherings, protests, and other expressions of dissent. The equipment and weapons issued to the SRT by no means increase community safety or serve to ensure the safety of protestors, but rather are designed to harm and escalate violence through means such as chemical agents, high-energy projectiles, LRAD, and "specialized equipment for defeating protestor devices." The

objective is not to facilitate peaceful protest but to protect private property through coercive means. It is unconscionable that the UCPD would implement such a heavily militarized and imminently violent terror squad, particularly when the potential targets of such violence are the very students whose safety the UC system is designed to protect. Furthermore, amidst systemwide and nationwide calls to reduce the scale and budgets or eliminate altogether policing forces, the implementation of an SRT is a completely egregious act that emphasizes the fact that the UCPD, UCOP, and the UC Regents stand in direct opposition to, and don't believe in the messages of, the proliferating movements underscoring that Black life matters.

### **Chapter 17: Retired Officers—Carry Concealed Weapons**

I strongly oppose the terms of the Carry Concealed Weapons policy for retired UCPD officers. There is no reasonable justification for a retired, let alone active, UCPD officer to bring lethal weapons onto a UC campus so long as weapons are otherwise banned on campus for the general population. Such a policy in no way contributes to the safety of the campus community. It only introduces new opportunities for the accidental discharge of guns, and the unwarranted use of excessive force. No safety officers, let alone retired ones, should be using or carrying potentially lethal weapons on campus since all situations of imminent danger can be handled without the use of lethal force.

### **Chapter 8: Use of Force**

I strongly oppose all use of force by UCPD. Officers are expected to use their best judgment as to when and how much use of force to apply, but officers are not judges, juries, or even prosecutors well versed in the laws they are supposed to enforce. An invitation to use force based on an officer's individual judgment is an invitation for murder, especially for Black, Indigenous, and other people of color most frequently criminalized and feared by police officers. Moreover, many of the laws they attempt to enforce are inherently designed to be racist and classist, so enforcing them with potentially lethal force only exacerbates the notion that the lives of those most heavily policed populations don't matter in the eyes of the law. New tactics and authorizations of use of force do not make communities safer, they only increase the ways through which people can be harmed by police.

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Dear Senate Chair Stajich:

As faculty at UCR, I would like to offer comments regarding the potential development of a UC "systemwide response team." Especially in light of all that is happening-- across the UCs and this country-- I am utterly disappointed and alarmed (to say the least) by this suggestion.

Given the ample feedback, criticisms, and well-documented experiences that highlight how police and security forces amplify rather than quell violence, it is imperative that UCR and the UC system as a whole divest from carceral surveillance and policing. We

must listen to and join growing calls to seriously reflect on how the systemic reliance on policing and related methods reproduce harm and precarity, especially for students of color. This is also an invaluable opportunity for UCR to collectively pause, then enact-- through imaginative and transformative means-- a present *and* future anchored in racial justice, genuine safety, and true healing. Simply put: investing more energy, resources, and money into policing and carceral security **will not keep us safe.**

Thank you for reading and considering my comment.

Sincerely,

Crystal Mun-hye Baik/백문혜

[crystal.baik@ucr.edu](mailto:crystal.baik@ucr.edu)

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Crystal Mun-hye Baik 백문혜

Associate Professor, Department of Gender & Sexuality Studies (GSST)

University of California, Riverside

Author of [Reencounters: On the Korean War and Diasporic Memory Critique](#) (Temple University Press, 2019)

Pronouns: She | Her | Hers

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Dear Jason,

I'm writing to express that portions of the proposal for University-wide Policing policies have extreme measures that are not designed for the welfare of people on campus. In particular, it would be necessary to include in the proposal justifications for all of the proposed actions especially by pointing out:

1. Which riot on our campus has led students and faculty to request these measures? How many faculty and students were included in the design of these proposed actions? Have these changes been demonstrated to keep our students feeling safe?
2. Can there be an entire campus-wide discussion on these proposed changes before they are enacted considering some of the negative experiences our students have experienced with the police on UCR's campus (e.g. see transformative justice discussions that have been held on campus). Furthermore, all of these changes require spending part of a budget that we are being constantly told is extremely slim. Have there been any proposals toward alternative and transformative justice measures that are preventative rather than policing?

Thank you for your time and consideration.

sam

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Sam Ying (ze/zir/any)  
Assistant Professor

The Dirty Group  
Soil Biogeochemistry@UCR  
ucrsoils.weebly.com  
University of California, Riverside

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Dear Senate Chair Stajich,

In reviewing the [proposed revisions to the “Gold Book](#), I note with utter dismay the proposal of the formation of a roving UC “systemwide response team” composed of “commanders” who would be issued equipment listed on pages 20-21.

As far as I can tell, such a team would be trained and deployed primarily to intimidate individual and collective members of our university community; instigate and/or escalate violence; and continue to militarize spaces of learning and teaching in ways that recreate and potentially intensify rather than depart from the University of California’s documented history of the brutal punishment of university members—particularly but not limited to students of color—engaged in actions and movements that in turn make up a long history of struggles for desegregation, anti-apartheid, and abolitionism here in California, nationwide and internationally.

I note that several of these struggles and movements for justice by often the most vulnerable of our university community have been vindicated many years after administration-backed UC police attempted to contain and destroy these collectivities, most prominently, the struggle on UC campuses in the 1980s for solidarity with the anti-apartheid movement in South Africa. I hardly can imagine that UC administration and faculty who were around in the 1980s would confess today to their abiding opposition to their students’ call for anti-apartheid solidarity in South Africa and for the recognition of concurrent apartheid conditions here in the United States. Years from now, I imagine that the same will be said of UC administration and faculty today who oppose their students’ call for anti-apartheid solidarity with the Movement for Black Lives and with Palestinians.

But I hope that both you and I will heed our students’ call for solidarity today, rather than prepare to tell a future lie that we did indeed stand on the side of justice.

Thank you for considering my comment, and I look forward to hearing your response.

Respectfully yours,  
Sarita Echavez See

Sarita See  
Professor of Media and Cultural Studies

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 CHASS INTS Building Room 3147  
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 Riverside, CA 92521

Tel: (951) 827-1050  
 Fax: (951) 827-2237  
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Dear Dr. Stajich,

My name is Jared Huxley and I'm a 4th year PhD candidate in Marko Spasojevic's lab. I just received a very troubling email from Dr. Helen Regan of the Riverside Faculty Association outlining proposed changes to University-wide Police Policies and Administrative Procedures. I can't express strongly enough how opposed I am to these proposed changes, particularly the plan to form a UC system wide SWAT team and to allow retired UC police to carry concealed firearms. Police departments use lethal force and the threat of lethal force to terrorize communities (particularly Black communities) throughout this country. How can the UC possibly propose these changes while claiming to be committed to the safety of it's students? We got a taste of what the UC will do with specialized police personnel last year, when Santa Cruz UCPD collaborated with the National Guard and FBI to [intimidate and spy](#) on graduate students striking for a living wage. I would appreciate it if you could relay this comment to the Academic Senate before the close of the comment period.

Thank you,  
 Jared

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Dear Prof. Stajich,

I am upset that the campus is considering a change to our policing policies that would put our community in danger and violate our most deeply held principles. The proposed Systemwide Response Team seems to be composed in a way to guarantee violence against (and possibly murder of) our most vulnerable students. I hope that the Academic Senate strongly condemns this proposed change in particular, and in general the use of military tactics to assault our community.

Sincerely,  
 Joseph Genereux

Joseph Genereux, PhD (he/him)  
 Assistant Professor in Chemistry  
 320 Chemical Sciences Building

501 Big Springs Road  
 University of California at Riverside  
 Riverside, CA 92521  
 E-mail: josephg@ucr.edu  
 Tel: (951) 827-3759

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Dear Jason,

Hope this message finds you well! I'm writing in strong opposition to the proposed UC systemwide changes to Police Policies and Administrative Procedures. It's really disturbing and disheartening and, frankly obscene, that, in the wake of the murders of Breanna Taylor, George Floyd, Ma'khia Bryant (a child who was killed just yesterday, the same day a verdict was released in the trial for the murder of George Floyd), Adam Toledo and many other unarmed BIPOC people by the police; calls for police defunding and removal from our campuses; increased lethal hate crimes against Asian Americans; and protests in support of Black Lives Matter, the UC system is choosing to take heightened steps to curtail demonstrations and free speech on our campuses.

I concur with the Riverside Faculty Association's statement that "the creation of a new SWAT-style police force, the establishment of policies that endorse the use of force with specialized equipment by UC police are utterly unacceptable reinforcements of police departments' long record of gendered racist and antiblack violence and harassment." These new proposals should be rejected immediately.

During the fee hikes several years ago, I witnessed first hand the shameful ways in which police were mobilized on our campus and other UC campuses to violently suppress students demonstrating against fee increases that would severely decrease their ability to attend and pay for their education. There were snipers posted on the roofs of buildings on campus and armed police in full SWAT-team gear and students, faculty and staff felt very unsafe. It was a response that was absolutely at odds with the non-violent concerns of our students. The UC system was severely criticized for this and other responses to peaceful student demonstrations (I recall the appalling image of police pepper spraying unarmed UCI seated students in the face during an Occupy Movement event), so the renewed proposal to further step up policing and surveillance on our campus is incredibly worrisome.

In particular, the proposal to include and step up the use of potentially deadly "kinetic energy projectiles" and "chemical agents" against students; "specialized equipment for defeating protestor devices"; and a systemwide response team is absolutely unacceptable. The student, faculty and staff-organized anti-policing, transformative justice, and anti-racist organizations and symposia on our





Given that this comment is due today, my specific comments will focus on the proposed creation of the "Systemwide Response Team" (SRT).

The creation of the SRT is the most obvious form of UC police empowerment. Moreover, it seems clear that its main purpose will be to suppress on-campus organizing efforts and demonstrations, peaceful and otherwise. I write this for many reasons, but two are obvious to me:

(1) This is what police do across the country. We've seen this at essentially every large Black Lives Matter protest over the last many years, but this function of the police goes back generations. See, also, the UC police suppression of the peaceful union organization efforts at UC Santa Cruz. To assume that this won't be the purpose, e.g. to protect property and not protestors, would be to ignore all historical evidence.

(2) The logistics are clear. As stated in the proposal, the SRT will be comprised of police officers from across the UC system, which is significantly geographically spreadout. As such, the ability for the SRT to react to an unforeseen event will necessarily involve a significant time delay.

What they will be able to do in a timely fashion, however, is preemptively gather on a campus to meet publicly planned peaceful organizing efforts. And be authorized to do so with violence.

Indeed, per the proposal, they can (and will) be explicitly authorized to use force to protect property (1602b). This includes using bullets and chemical weapons (1602.2 a1, a2), and potentially other weapons, as the document provides flexibility here.

We have already seen, on various UC campuses, the use of police violence to suppress peaceful organizing efforts, such as the graduate student union organizing efforts on UC Santa Cruz, mentioned above.

It seems clear to me that the creation of the SRT would institutionalize a special force to suppress such efforts---with violence---on a system wide basis.

Personally, I find this horrific. As a faculty member, I want nothing to do with this entire proposal, especially the SRT. If the SRT is created and deployed to UCR's campus, I and many of my colleagues will rightfully view them as a violent invading force.

Please, abandon this entire proposal.

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Hello, Jason.

I write to you today to provide my comments regarding the quite terrifying new proposal for a systemwide response team at the UCs that would entail lethal weapons and tactics

on our campus. There is, quite simply, no reason for an armed police force on campus. Any excuses that include UCR's location as a justification for violence is misplaced, to put it mildly. As the extremely popular Netflix documentary WHY DID YOU KILL ME? makes clear, policing in Riverside is already extremely hostile to the community. To have a SWAT-like campus police force would exacerbate the danger experienced by everyone in the community. University of Minnesota campus police [were called upon to suppress the justified outrage](#) that followed the killing of Daunte Wright during a traffic stop, in the midst of the Derek Chauvin trial. Officers physically assaulted members of the community in order to protect private property—specifically, the police precinct. Moreover, as I write, [a child lies dead because the police she called to protect her instead shot her without warning](#).

Regarding the specifics of the proposal:

The term “less lethal” should appease no one. Daunte Wright was shot to death by a veteran officer who somehow managed to mistake her firearm for a taser gun. Tear gas has been outlawed [by the Geneva Convention since 1928](#). The NIH has concluded that pepper spray—such as that used by a UC Davis officer on a student in 2011—[can cause permanent eye damage](#).

Body-cams do not stop violent escalations by police. The video of 13 year old Chicago boy Adam Toledo remains contest, even though he is seen empty handed in the final frames before being shot to death. Body-cams were on and did not save Philando Castile, Daunte Wright, Sandra Bland, Eric Garner, or Alton Sterling.

The expansion of a concealed carry clause in the midst of not only police murders, but also an investigation of the January 6th attack on the capital that included members of the military and law enforcement is simply absurd and offensive.

Dr. Courtney R. Baker  
Associate Professor | Department of English  
Pronouns: she/her  
College of Humanities, Arts and Social Sciences  
Riverside, CA 92521  
<http://english.ucr.edu> | <http://courtneyrbaker.com>

Author of [Humane Insight: Looking at Images of African American Suffering and Death \(Illinois, 2015\)](#)

Co-editor of [Cultures of Resistance series at University of South Carolina Press](#)

*We at UCR would like to respectfully acknowledge and recognize our responsibility to the original and current caretakers of this land, water, and air: the Cahuilla, Tongva, Luiseño, and Serrano peoples and all of their ancestors and descendants, past, present, and future. Today this meeting place is home to many Indigenous peoples from*

*all over the world, including UCR faculty, students, and staff, and we are grateful to have the opportunity to live and work on these homelands.*

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Dear Jason,

I want to echo the opinion of many of my colleagues. I trust that you as the Chair of our Academic Senate will communicate to UCOP in the strongest terms possible that faculty are alarmed by and oppose the new proposed UC policies on policing.

Police violence against Black, Brown, Indigenous, undocumented, and gender non-conforming communities is an epidemic in this nation and we call for the defunding and eventual elimination of UCPD, not greater investments.

I would like to ask that the Academic Senate hold a meeting on this issue at its next division meeting.

Best,

Setsu

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Setsu Shigematsu

Associate Professor, Department of Media and Cultural Studies

University of California, Riverside

Riverside, CA 92521

<http://guardianprincesses.org/>

S.T.R.O.N.G. Edutainment 501c3

[Scream from the Shadows: the Women's Liberation Movement in Japan](#)  
[Militarized Currents: Towards a Decolonized Asia and the Pacific](#)

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Dear Jason,

It was with great alarm that I was alerted this morning to the proposed University Wide Police Policies and Administrative Procedures and I hasten to add my comments.

At a time when many of us are calling for an in-depth review of the police presence on campus and whether it could be replaced by support services that would aid rather than police our community, this clear extension and consolidation of police powers across the UC system is, to say the least, disturbingly retrograde. Having witnessed in my long experience as a faculty member in the UC system the egregious unleashing of police violence on uniformly nonviolent protesters on numerous occasions, from the anti-apartheid divestment sit-ins at Berkeley, to the pepper-spray incident at UC Davis, to the budget protests of the past decade, I am all too aware of the excesses our own police forces have indulged in on every occasion, ironically against students and faculty whose “crime” was to demand justice for oppressed peoples. Our former Senate Chair, Dylan Rodriguez, has written eloquently about the ways in which police actions on campus affect students of color to an especially high degree and particularly impact our own diverse community—as very recent memory attests. The kind of bitter lesson in

state violence that UC police have given over the years is surely not the best way to train our students in the pursuit of justice, ethical conduct or nonviolence.

I am particularly alarmed by the section that addresses the UC proposal for a Systemwide Response Team to contain on-campus protests and to be deployed system-wide. We know what that would mean for UCR from past experience during the fee-hike protests. The SRT is to be equipped with the following:

Deployment of SRT equipment includes, but is not limited to:

(a) Weapons:

(1) Kinetic energy projectiles; (2) Chemical agents.

(b) Non-Weapons:

(1) Backpack with first aid equipment;

(2) Arrest kits;

(3) Specialized equipment for defeating protestor devices; (4) Bullhorns/LRAD;

(5) Gloves.

Re a.1: [Kinetic energy projectiles](#) Recent police actions against BLM protests using the euphemistically named “foam rounds” or “rubber bullets” highlighted the fact that these are steel projectiles covered in foam or rubber that inflict serious injury and are frequently abused by direct fire at the upper body. Even when used according to policy, they can inflict serious physical harm and traumatic distress. Having spent formative years in Belfast during the Troubles, I am all too aware of the damage they can inflict, up to lethal outcomes.

The coming decade is one in which it is easy to predict that there will be many issues about which our faculty, staff and students will have justifiable reason to protest—from continuing police violence itself to UC’s investment in carbon energy, to solidarity with Indigenous peoples and with the Palestinians, to white supremacy’s increasingly militant targeting of BIPOC people. The UC cannot respond by inflicting yet more police interventions, crowd controls, arrests and “kinetic projectiles” upon us.

At a moment like this, the day after Derek Chauvin was convicted of 2nd degree murder of George Floyd even as yet another 16-year old Black child, Ma’Khia Bryant, was murdered by police in Ohio, this is hardly the moment for the UC system to be ramping up police powers throughout the system, and UCR above all should protest this with the utmost force.

Thank you for your time and attention to this matter.

David

David Lloyd  
 Distinguished Professor and Chair  
 Department of English  
 University of California  
 Riverside  
 Riverside, CA 92521  
 (951) 827-1459 (office)

Beckett's Thing: Painting and Theatre  
<https://edinburghuniversitypress.com/book-beckett-039-s-thing-hb.html>

Under Representation: The Racial Regime of Aesthetics  
<https://www.fordhampress.com/9780823282371/under-representation/>

Editor: Alfred Arteaga, Xicanuicatl: Collected Poems  
<https://www.hfsbooks.com/books/xicanuicatl-arteaga-lloyd-moraga/>  
<https://www.amazon.com/-/e/B001H6NHJC>

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Dear Dr. Stajich,

Below are my comments, which I share with many other campus community members, on the proposed police policies.

Sincerely,  
 Mark Minch-de Leon

#### Chapter 15: Body Worn Audio/Video Systems

I strongly oppose the implementation of body cameras by UCPD. Equipping UCPD officers with cameras will require additional funding out of the UC budget. Body cameras do not increase individuals' safety since they don't do anything to change policing policies, and they reinforce the notion that as long as police "follow the rules" that they increase safety. Police do not increase safety, and body cameras do not change that. Officers can also turn off their cameras, "forget" to turn them on, or sabotage them so that they do not function as intended, cumulatively limiting their usefulness in holding officers accountable for their actions. Even when footage is available from incidents of "bad" policing, that footage rarely provides any real community accountability or sense of safety. Furthermore, body cameras increase the ways in which police are able to surveil people and potentially criminalize people who pose no threats to public safety.

#### Chapter 16: Systemwide Response Team

I strongly oppose the implementation of a Systemwide Response Team (SRT). The proposed SRT would increase the UCPD budget and personnel while not increasing community safety, but rather, creating new threats of militarized force and violence against UC and surrounding community members. It represents a significant increase in the militarization of UCPD that further shifts its focus away from its purported role in community safety to fascist means of coercion. The SRT is tasked with (1605.2) use of force, crowd management, intervention strategies, arrest techniques, and use of authorized equipment and tools. All of these duties can be used to intimidate, coerce, terrorize, criminalize, and quell public gatherings, protests, and other expressions of dissent. The equipment and weapons issued to the SRT by no means increase community safety or serve to ensure the safety of protestors, but rather are designed to harm and escalate violence through means such as chemical agents, high-energy projectiles, LRAD, and “specialized equipment for defeating protestor devices.” The objective is not to facilitate peaceful protest but to protect private property through coercive means. It is unconscionable that the UCPD would implement such a heavily militarized and imminently violent terror squad, particularly when the potential targets of such violence are the very students whose safety the UC system is designed to protect. Furthermore, amidst systemwide and nationwide calls to reduce the scale and budgets or eliminate altogether policing forces, the implementation of an SRT is a completely egregious act that emphasizes the fact that the UCPD, UCOP, and the UC Regents stand in direct opposition to, and don’t believe in the messages of, the proliferating movements underscoring that Black life matters.

#### Chapter 17: Retired Officers—Carry Concealed Weapons

I strongly oppose the terms of the Carry Concealed Weapons policy for retired UCPD officers. There is no reasonable justification for any, let alone retired, UCPD officer to bring lethal weapons onto a UC campus so long as weapons are otherwise banned on campus for the general population. Such a policy in no way contributes to the safety of the campus community. It only introduces new opportunities for the accidental discharge of guns, and the unwarranted use of excessive force. No safety officers, let alone retired ones, should be using or carrying potentially lethal weapons on campus since all situations of imminent danger can be handled without the use of lethal force.

#### Chapter 8: Use of Force

I strongly oppose all use of force by UCPD. Officers are expected to use their best judgment as to when and how much use of force to apply, but officers are not judges, juries, or even prosecutors well versed in the laws they are supposed to enforce. An invitation to use force based on an officer’s individual judgment is an invitation for murder, especially for Black, Indigenous, and other people of color most frequently criminalized and feared by police officers. Moreover, many of the laws they attempt to enforce are inherently designed to be racist and classist, so enforcing them with potentially lethal force only exacerbates the notion that the lives of those most heavily policed populations don’t matter in the eyes of the law. New tactics and authorizations

of use of force do not make communities safer, they only increase the ways through which people can be harmed by police.

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Assistant Professor of Indigenous Studies  
Department of English  
University of California, Riverside

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Hi Jason,

I am emailing to echo my alignment of support with the Riverside Faculty Association response against implementing these new policies. I strongly oppose such policies as creating a "Systemwide Response Team" comprised of UCPD officers among other disturbing pro-police, pro-violence policies.

UCR has an opportunity to push for activism and change on this issue. These current propositions do not do so.

Thank you.  
Best,  
Annika

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Dear Jason,

I write to reject any and all proposals to increase the UC police force, its budget, and presence on UC campuses. I vehemently oppose the proposal to create a SWAT-style Systemwide Response Team (SRT). In these times, the very idea of creating a quasi militaristic unit is absurd. It would almost certainly be perilous to UC students, faculty and staff in both body and spirit. I still have images in my mind of the pepper spray atrocity at UC Davis and the rubber bullets used against UCR students. A SWAT-style UC force will institutionalize and sanctify coercive violence. NO MORE!

Thank you,  
Jason

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Jason Weems (he/they), Chair  
History of Art Department  
University of California  
Riverside, California 92521-0319

tele: 951 827 5922



[www.arthistory.ucr.edu](http://www.arthistory.ucr.edu)

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Dear Jason,

It has recently come to my attention that a number of policies related to policing in the UC system are currently under review by the Academic Senate, including the development of a concerning "Systemwide Response Team" to "respond to crowd management situations".

The presence of these proposed changes to (and in some cases apparent increases in) police powers seems at odds with current efforts to re-examine what, if any, role the police have within the UC system.

I would ask that the faculty senate to strongly consider this broader debate when reviewing these proposals.

Many thanks,

Natalie

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Dr Natalie Holt  
 Assistant Professor  
 Evolution, Ecology, and Organismal Biology  
 University of California  
 Riverside, CA 92521  
 USA  
 Office #: 3352 Spieth Hall  
 she/her or they/them

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Dear Academic Senate Chair,

I'm an international Ph.D. candidate and I write to express how strongly I oppose the following policy changes which will not make UC campuses any safer for students and will only result in harm, trauma, and possibly death for those subject to such violence.

Chapter 15: Body Worn Audio/Video Systems

I strongly oppose the implementation of body cameras by UCPD. Equipping UCPD officers with cameras will require additional funding out of the UC budget. Body cameras do not increase individuals' safety since they don't do anything to change policing policies, and they reinforce the notion that as long as police "follow the rules"

that they increase safety. Police do not increase safety, and body cameras do not change that. Officers can also turn off their cameras, “forget” to turn them on, or sabotage them so that they do not function as intended, cumulatively limiting their usefulness in holding officers accountable for their actions. Even when footage is available from incidents of “bad” policing, that footage rarely provides any real community accountability or sense of safety. Furthermore, body cameras increase the ways in which police are able to surveil people and potentially criminalize people who pose no threats to public safety.

#### Chapter 16: Systemwide Response Team

I strongly oppose the implementation of a Systemwide Response Team (SRT). The proposed SRT would increase the UCPD budget and personnel while not increasing community safety, but rather, creating new threats of militarized force and violence against UC and surrounding community members. It represents a significant increase in the militarization of UCPD that further shifts its focus away from its purported role in community safety to fascist means of coercion. The SRT is tasked with (1605.2) use of force, crowd management, intervention strategies, arrest techniques, and use of authorized equipment and tools. All of these duties can be used to intimidate, coerce, terrorize, criminalize, and quell public gatherings, protests, and other expressions of dissent. The equipment and weapons issued to the SRT by no means increase community safety or serve to ensure the safety of protestors, but rather are designed to harm and escalate violence through means such as chemical agents, high-energy projectiles, LRAD, and “specialized equipment for defeating protestor devices.” The objective is not to facilitate peaceful protest but to protect private property through coercive means. It is unconscionable that the UCPD would implement such a heavily militarized and imminently violent terror squad, particularly when the potential targets of such violence are the very students whose safety the UC system is designed to protect. Furthermore, amidst systemwide and nationwide calls to reduce the scale and budgets or eliminate altogether policing forces, the implementation of an SRT is a completely egregious act that emphasizes the fact that the UCPD, UCOP, and the UC Regents stand in direct opposition to, and don’t believe in the messages of, the proliferating movements underscoring that Black life matters.

#### Chapter 17: Retired Officers—Carry Concealed Weapons

I strongly oppose the terms of the Carry Concealed Weapons policy for retired UCPD officers. There is no reasonable justification for a retired, let alone active, UCPD officer to bring lethal weapons onto a UC campus so long as weapons are otherwise banned on campus for the general population. Such a policy in no way contributes to the safety of the campus community. It only introduces new opportunities for the accidental discharge of guns, and the unwarranted use of excessive force. No safety officers, let alone retired ones, should be using or carrying potentially lethal weapons on campus since all situations of imminent danger can be handled without the use of lethal force.

#### Chapter 8: Use of Force

I strongly oppose all use of force by UCPD. Officers are expected to use their best judgment as to when and how much use of force to apply, but officers are not judges,

juries, or even prosecutors well versed in the laws they are supposed to enforce. An invitation to use force based on an officer's individual judgment is an invitation for murder, especially for Black, Indigenous, and other people of color most frequently criminalized and feared by police officers. Moreover, many of the laws they attempt to enforce are inherently designed to be racist and classist, so enforcing them with potentially lethal force only exacerbates the notion that the lives of those most heavily policed populations don't matter in the eyes of the law. New tactics and authorizations of use of force do not make communities safer, they only increase the ways through which people can be harmed by police.

I urge you to strongly oppose these policy changes on account of the documented evidence of how use of force impacts students and communities on and off campus.

Soraya Zarook, MA  
 Ph.D. Candidate and Instructor  
 Department of English  
 University of California, Riverside  
 Pronouns: she/her  
 Research Coordinator, [Women's Rights After War Project](#)  
 Collective Member, [SWANA Region Radio](#)

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Dear Jason,

I'm writing to weigh in on the proposed changes to the University-wide Police Policies and Administrative Procedures. I am **STRONGLY** opposed to several of the proposed policies.

Regarding Chapter 15: Body Worn Audio/Video Systems, I strongly oppose the implementation of body cameras by UCPD, which would require additional funding **that the current UCR budget cannot support**. Body cameras have not been proven to be effective, and this is an expense we can not afford.

Regarding Chapter 16: Systemwide Response Team, I strongly oppose the implementation of a Systemwide Response Team (SRT), which would **not only require funds that the UCR budget cannot support** but would also **create new threats of militarized violence against the UCR and surrounding community**.

Regarding Chapter 17: Retired Officers—Carry Concealed Weapons, I strongly oppose the terms of the Carry Concealed Weapons policy for retired UCPD officers, which **threatens rather than protects the safety** of the UCR community.

Many thanks,  
 Anthea

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Anthea Kraut, PhD (she/her/hers)  
 Professor and Graduate Advisor  
 Department of Dance  
 University of California, Riverside

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Dear Mr. Stajich,

I hope you feel safe and are doing well. Unfortunately that feeling of safety and security you feel isn't the feeling students of color on UC campus will feel if UC policing efforts increase. Before you make any decision to further this request please consider the current stances concerning people of color and policing. After considering that, think about the diversity within the UC system and how students would feel on campus with officers everywhere. The UC system and campuses are supposed to be safe areas for students to receive a high quality education, but they can not expect to feel safe with the same people who attack them are roaming around campus claiming to make them feel "safe." We have students of color situated on every UC campus and it's disappointing to not see the UC board consider their sentiments towards this decision. In addition students of color in all UC systems have faced some sort of racial issues with their UCPD, once again I can not stress how harmful your decision will be to the student population. If the UC administration/board truly wants to do what's right and "protect" students, then please retract this motion.

Best,  
 A Student from the University of California, Riverside

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Dear Jason,

I'm writing because I am very concerned about the adoption of these policies. In particular, the use of our budget for increasing anti-rioter equipment is alarming. I respectfully request providing more information about these plans to students and faculty so that informed decisions can be made.

Thank you for your time,

-Pete

Peter M. Homyak, Ph.D. (he/him)  
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 Ecosystem and Soil Microbial Processes  
 Associate Editor: [Elementa](#)  
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 University of California, Riverside  
 900 University Ave  
 Riverside, CA 92521  
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(951) 827-2358 | 312 Sci Lab I  
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Dear Professor Jason Stajich,

#### Chapter 15: Body Worn Audio/Video Systems

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These policies threaten public safety, and I urge you to oppose them. Thank you for your consideration.

Sincerely,

Nolan Goetzinger  
PhD Student  
UCR English Department

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Dear Jason,

Thank you for fielding comments on the Proposed Revisions to Universitywide Police Policies and Administrative Procedures (the "Gold Book"). I am mortified at the thought of an armed task force with the carte blanche implied by this document.

The shadiness of this enterprise naturally produces leaky policy. Attached please find some notes.

Tim Labor  
Professor

College of Humanities, Arts and Social Sciences,  
UC Riverside

## **Proposed Revisions to Universitywide Police Policies (Gold Book)**

Comments by Tim Labor ([timlabor@ucr.edu](mailto:timlabor@ucr.edu)) 4/21/2021

### **811. Deadly Force Applications**

“An officer may only use the level of force that they reasonably believe is proportional to the seriousness of the suspected offense...”

Officers should not use force on suspected offenses. Word “suspected” should be removed. See other comments about lack of differentiation regarding “investigation” and “enforcement.”

### **844. Complaints regarding use of force**

Personnel Complaints chapter number is missing. Section on Personnel Complaints is missing. Section 1311 from the 2011 original has been omitted and not replaced. Where's the stick?

### **1501 Body Worn Audio/Video Systems**

“The University has equipped its police departments with body worn audio-visual cameras (“BWV’s”, “devices” or “cameras”) for use as part of the officer’s uniform for the recording of field activity in the course of official police duties.”

“for use as part of the officer’s uniform” should read “for use as part of \*every\* officer’s uniform.”

If multiple recorders are available for any incident, recordings can be compared, and the fraud inherent in this system is minimized.

“Persons reviewing recordings must be cautious before conclusions are reached about what the video shows, or when evaluating the appropriateness of an officer’s actions in a particular situation. Evaluating an officer’s actions must take into account a variety of factors and other circumstances.”

Sentence is completely unnecessary. Either put some policy here or leave it out.

### **1510. Documentation of Recordings**

“If an officer does not activate the BWV prior to initiating an enforcement or investigative contact, fails to record the entire contact, or interrupts the recording for any reason, the officer shall notify their supervisor of the reason(s) and document the reason in the appropriate report.”

“Supervisors” should be the Chief of Police (as in 1521). If not, please specify how the Chief of Police will be responsible and timely in dealing with fraud on the part of supervisors. Perhaps “Office of the Chief of Police” is a better choice here.

### **1503 Department Issued Equipment Only**

“Officers assigned a BWV camera must not use any other non-Department issued video or audio equipment, such as personally owned video or audio equipment, mobile devices or cell phones, to record enforcement or investigative activities involving members of the public unless authorized by the Chief of Police or designee.”

This section is weak. At the very least define the separation between enforcement and investigative activities. Furthermore, there is more ‘recording’ that personal devices do (like GPS location information), that is not under control of the Police Chief. I understand why people want this section, but in its current stated it is neither technologically current nor carefully considered and invites gaming of the system (police arranging for public recordings they can doctor) that should be handled with redundancy in police recording (making other recording policy unnecessary).

#### **1505. Required Activation of Body-Worn camera**

Camera activation should not just apply to the officers initiating activity but to all officers present.

Any public access to recordings should not omit any the \*set\* of recordings made of a single event (which should ideally match the number of officers).

Therefore, any situation in which an officer has activated their camera should contain an order to other officers that recording begins, plus a recorded confirmation.

#### **1526. Use of Recordings for Training**

“A BWV recording may be used for training, as long as the recording will not be used for disciplinary purposes. Any person recommending a particular recording shall submit the recommendation through the chain of command.

The Chief of Police or designee must notify the recording officer and any depicted officer of the intent to use the recording for training. If any such officer objects to the review, they shall immediately notify the Chief of Police or designee of the objection orally or in writing. The Chief of Police or designee shall determine whether an officer’s objection outweighs the training value.”

Entire section is wishy washy.

Training is a completely secondary issue to the real purpose of these recordings, and nothing should dilute it.

If a reason to discipline an officer arises during training, any reason for finding this disciplinary problem would be acceptable. Using a recording for training does not whitewash the recordings value for discipline and finding a problem during a training session is not an “inadmissible search.”

If this section cannot be written without damaging the risk to the accountability procedure, it should not be in this document (and recordings should not be used for training).

#### **1527. Restriction on Use for Monitoring for Violations of Policy/Law**



“It shall be a violation of this policy for supervisors to review recordings for the sole purpose of looking for violations of Department policy or law not related to a specific complaint or incident.”

Completely wrong direction. Police compliance will be easier if everyone records together and is accountable as a group. As such, the following is better:

“It shall be the responsibility of supervisors to review recordings monthly with the sole purpose of looking for violations of Department policy or law.”

#### **1601.**

“The Systemwide Response Team (SRT) will prepare for, and professionally respond to unique situations and incidents that demand trained, equipped, experienced, and organized teams of sworn UC Police personnel beyond those resources available at one campus, as determined by the campus Chief of Police.”

“Unique situations and incidents” is too vague for a policy document. All situations are arguably unique, and “professional” offers no specificity in terms of the type of response. In a document that synonymizes “investigation” and “enforcement” the lack of specification of situations is plainly designed to support capricious action.

#### **1604.3.2 Minimum Qualifications of Sergeants and Officers.**

“Minimum qualifications include:

- (a) Three years of sworn experience with one of those years at a UC campus police department;
- (b) Experience and training in crowd management and control tactics.
- (c) Completion of probation
- (d) No sustained findings of excessive/unreasonable use of force (e) Training in de-escalation, Crisis Intervention Training and Mental Health
- (f) Knowledge of the 1st Amendment
- (g) Current in all required certifications (for example: Mental Health, First Aid/CPR, De-Escalation and Crisis Intervention Training).”

Under **1606.1 Issuance of Equipment**, the equipment issued includes chemical weapons, but in **812.1 Chemical Agents** issuance is defined only to qualified personnel under Section 12403 of the California Penal Code. Therefore this requirement is a minimum requirement of all sergeants and officers (and should be in this list).

Under **1602** (Mission Statement), the goal is to facilitate and protect the constitutional rights of all persons. Therefore knowledge of the First Amendment is insufficient. They need to know it all. I suggest yearly tests of the knowledge of the constitution issued by the UC in order to provide for Sergeants and Officers to complete the mission. Police who don’t know the constitution well enough to literally teach it to bystanders, should not

be permitted SRT status (and the accompanying issuances and deployments). I think they shouldn't be police officers at all, but at least we should require it on campus.

## **1602**

There are two **1602s**.

Mission statement list should contain:

(f) Report to the University on any current deployment of 1606.2 on any UC owned property,

(g) report to the University on any inventory from 1602.1 and 1602.2 liquidated or lost on campus.

### **1606.1 Issuance of Equipment**

"SRT Sergeants and Officers will use their department issued equipment and its deployment will be authorized based on their particular assignment.

Replacement equipment or newly issued equipment is purchased by the individual member's department. Each SRT member will be issued:

- (1) Helmet with face shield and 36" baton;
- (2) Gas mask with extra filter and mask carrier;
- (3) Soft riot armor;
- (4) Flex cuffs with officer's badge number on the cuffs;
- (5) Peltor headset"

The sense behind "801. Professional Presence" is not adequately represented by 1606.1 Issuance of Equipment.

Flex cuffs are insufficient for documenting badge number. The wrist is the most mobile part of the body, and the one most likely to be obscured by tools. So:

Helmet should also have a badge number

Riot armor should also contain badge number

Customizing helmet and riot gear is completely possible under the situation presented in this document (everyone is issued it), and if this equipment is too generally used to be customized, the police need to figure this out. I would prefer that a badge number be readable from three orthogonal directions at 50 feet. Hiding it on a bracelet is a shameful dodge.

### **1606.2 Deployment of Equipment**

"Specialized equipment for defeating protestor devices."

In a list that is specific about "gloves" what specialized equipment exceeds that listed? Where are the SRT qualifications (as in **812**) for this mysterious equipment, and why are these qualifications not listed?

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Dear Jason,

I am writing to you to express my concern about the [newly proposed policing policies](#) from the Office of the President. In particular, I have major concerns about the proposed “Systemwide Response Team” made up of UCPD officers from all campuses: a tactical team with specialized equipment and weaponry intended to suppress demonstrations and other forms of civil action. A decade ago I was a UC graduate student and I clearly remember seeing peacefully protesting students at UC Davis pepper sprayed by UCPD. This image will never be wiped from my mind. We as a faculty senate need to do whatever we can to prevent these types of radical police actions against peaceful protesters from ever taking place. I hope that we as a UCR academic senate can stand up and object to this new policy proposal.

Thank you,

**Francesca M. Hopkins, Ph.D.**

Assistant Professor of Climate Change and Sustainability

Dept. of Environmental Sciences

University of California

Riverside, CA 92521

(951) 827-4781 (office)

(707) 328-3135 (cellular)

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Hello,

My name is Xochil Ramirez and I am a current undergraduate student at the University of California Riverside. I am also a Youth Program Organizer with the American Friends Service Committee based in South Los Angeles.

I am here to name that I wholeheartedly reject the new policy proposals including the “Use of Force” policy; a new “Body Worn Audio” policy; a new “Systemwide Response Team” policy; and a new “Concealed Carry Weapons” policy. These policies serve to further criminalize, target, impose violence, and harm Black and Brown students on campus.

Policing as an institution and culture is rooted in colonial violence, dating back to the era of slave patrols, Native American Boarding Schools, and xenophobic rhetoric at the nation's border. The movement to defund and even abolish police institutions is even more prevalent across the nation after the inhumane murders of Breonna Taylor, George Floyd, and more recently Daunte Wright and Adam Toledo, unarmed and killed for solely existing in a non-white body.

Students have organized across all campuses to hold the UC accountable for defunding police, especially considering the violence protestors were met with during the Cost of Living Adjustment movement led by graduate students of color. For decades, we see that police reform does not work, and more and more Black and Brown students deal with the repercussions of a university system that disproportionately racially profiles and fails to acknowledge our humanity. Historically, Chancellors like Timothy P. White have ordered UCPD to use excessive force to harm students using their voice to call for justice. If the Academic Senate approves these proposals, you will be seen as an accomplice of the overt militarization of UCPD that creates more violence and trauma among students of color.

I urge the Academic Senate to reject these proposals and center the voices that for centuries have gone disregarded. With the rejection of these proposals, we approach a more ethical embodiment of a University that funds tangible resources and programs that help students of color thrive beyond survival.

Warm regards,

**Xochil Ramirez** (*they/them*)  
*Youth Program Organizer*  
*American Friends Service Committee*  
*Roots for Peace, Los Angeles*

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Dear Dr. Stajich (or Jason if I may),

I have been alerted by the Riverside Faculty Association about recent proposed updates on University-wide Police Policies and Administrative Procedures. Since employees have been asked to weigh in, I hope the below will count towards that. Thank you for reading and communicating our input for UC wide administrators.

Best,  
 Emily Hue

## **Chapter 15: Body Worn Audio/Video Systems**

I strongly oppose the implementation of body cameras by UCPD. Equipping UCPD officers with cameras will require additional funding out of the UC budget. Body cameras do not increase individuals' safety since they don't do anything to change policing policies, and they reinforce the notion that as long as police "follow the rules" that they increase safety. Police do not increase safety, and body cameras do not change that. Officers can also turn off their cameras, "forget" to turn them on, or sabotage them so that they do not function as intended, cumulatively limiting their usefulness in holding officers accountable for their actions. Even when footage is available from incidents of "bad" policing, that footage rarely provides any real

community accountability or sense of safety. Furthermore, body cameras increase the ways in which police are able to surveil people and potentially criminalize people who pose no threats to public safety.

From <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2020/01/14/body-cameras-may-not-be-the-easy-answer-everyone-was-looking-for>:

“Although both officers and the public generally support body-worn cameras, or BWCs, the impacts may have been overestimated, according to a study published in March by George Mason University’s Center for Evidence-Based Crime Policy. The study, which looked at 70 other body-worn camera studies published through June 2018, found the cameras have not had statistically significant effects on most measures of officer and citizen behavior or citizens’ views of police.

The authors noted that studies have found mixed results on body cameras leading to reductions in use of force by police — one of the primary reasons supporters pushed for the cameras. Five studies and experiments showed that officers wearing cameras used force less often than officers not wearing cameras, but eight others showed no statistically significant difference in use of force.

The George Mason study also described an unanticipated result of the cameras: Officers increasingly value them as a tool for evidence collection and protection.

“Officers and citizens both seem to believe that BWCs can protect them from each other,” the study said.”

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I strongly oppose the terms of the Carry Concealed Weapons policy for retired UCPD officers. There is no reasonable justification for a retired, let alone active, UCPD officer to bring lethal weapons onto a UC campus so long as weapons are otherwise banned on campus for the general population. Such a policy in no way contributes to the safety of the campus community. It only introduces new opportunities for the accidental discharge of guns, and the unwarranted use of excessive force. No safety officers, let alone retired ones, should be using or carrying potentially lethal weapons on campus since all situations of imminent danger can be handled without the use of lethal force.

### **Chapter 8: Use of Force**

I strongly oppose all use of force by UCPD. Officers are expected to use their best judgment as to when and how much use of force to apply, but officers are not judges, juries, or even prosecutors well versed in the laws they are supposed to enforce. An invitation to use force based on an officer's individual judgment is an invitation for murder, especially for Black, Indigenous, and other people of color most frequently criminalized and feared by police officers. Moreover, many of the laws they attempt to enforce are inherently designed to be racist and classist, so enforcing them with potentially lethal force only exacerbates the notion that the lives of those most heavily policed populations don't matter in the eyes of the law. New tactics and authorizations of use of force do not make communities safer, they only increase the ways through which people can be harmed by police.

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Emily Hue, Ph.D.  
Assistant Professor  
Department of Ethnic Studies  
University of California, Riverside

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Dear Jason,

I'm writing to voice my staunch opposition to the proposal of new UC policies that purport to increase public safety but actually threatens it with further violence.

First, I reject the call for body cams, which studies have not conclusively found to lessen police brutality and which cost more money that could otherwise go to actually helping students with their immediate needs. A meta-study from George Mason University "looked at 70 other body-worn camera studies published through June 2018" and "found the cameras have not had statistically significant effects on most measures of officer

and citizen behavior or citizens' views of police" (<https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2020/01/14/body-cameras-may-not-be-the-easy-answer-everyone-was-looking-for>). Put another way, bodycams have not been proven to lessen police brutality or achieve justice for victims of police brutality. I would hope that the University of California would support evidence-based policies and not just throw more money at the police, who already have a bloated budget. At the same time, research suggests that crimes decrease when people like our students have their basic needs met from food to housing, so funding should be redistributed to them.

Next, I vociferously oppose creating a new SWAT-like UC force. We don't need another set of police terrorizing and harming student protestors, like when UCR cops shot rubber bullets at students and arrested a professor merely for filming the police's violent actions (<https://www.laweekly.com/video-uc-students-occupy-l-a-protesters-shot-with-rubber-bullets-at-out-of-control-regents-meeting/>).

Finally, no UC cops, retired or on active duty, should have concealed carry or frankly any lethal weapons at all. Having more guns around me makes me less safe, as research continually demonstrates (<https://www.hsph.harvard.edu/news/hsph-in-the-news/do-guns-make-us-safer-science-suggests-no/>). I'm mindful that most police in places like England don't carry guns, and they kill way fewer people, even accounting for different population sizes. Most universities around the world don't have campus police. I don't think it's a coincidence that UC suddenly started having their own police precisely when UC started admitting more students of color.

An institutionally racist force with no real accountability, UCPD should not be receiving more funding and more authority to exercise violence.

Regards,  
Donatella

--

Donatella Galella, PhD  
Associate Professor  
Theatre, Film, and Digital Production  
University of California, Riverside  
she/her

*America in the Round: Capital, Race, and Nation at Washington DC's Arena Stage*  
Honorable Mention, Barnard Hewitt Award, American Society for Theatre Research  
Finalist, Outstanding Book Award, Association for Theater in Higher Education  
<https://www.uipress.uiowa.edu/books/9781609386252/america-in-the-round>

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Hi Jason,

I'm writing to voice my concerns over some of the revisions currently [under review](#) related to campus policing and safety. In particular I'm very uncomfortable with the formation of the "Systemwide Response Team" as described, which appears to involve the formation of a militarized unit within the UC Police intended to handle "crowd control" responsibilities. Especially considering the events of the past year, I believe that increasing police presence on UC campuses and facilitating the deployment of so-called "less lethal" weapons such as kinetic energy projectiles and chemical agents by UC Police is inappropriate and counter productive for the goal of campus safety.

Please pass along my concerns, along with my recommendation for a deeper exploration of campus safety, a comprehensive audit of how police policies currently affect students and student perceptions of safety, a full evaluation of alternative approaches, and extensive justification for any potential use of university-sanctioned force against our students.

Sincerely,

Will Porter

-----  
 William C. Porter (*he/him*)  
 Assistant Professor  
 Department of Environmental Sciences  
 University of California, Riverside  
[porteratmosgroup.weebly.com](http://porteratmosgroup.weebly.com)  
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Dear Senate Chair Stajich,

I am writing to submit my comments on the [proposed revisions to the "Gold Book"](#), and to register my total displeasure with the proposed formation of a roving UC "systemwide response team" composed of "commanders" who would be issued equipment listed on pages 20-21.

In my opinion, this team would be trained and deployed to intimidate individual and collective members of our university community. The presence of such a force would undoubtedly instigate and/or escalate violence, while continuing to militarize our university. This move would contribute to the University of California's documented history of the brutal punishment and intimidation of our university community—especially students from historically marginalized communities—as they engage in constitutionally-protected actions, such as free speech and assembly. These are actions and movements that have been crucial for desegregation, anti-apartheid, and abolitionism here in California, nationwide and internationally.



I write the above as a concerned faculty member, but also as a scholar of state violence, in particular state violence at the university level. In fact, I directed a documentary about the militarization of universities in Guatemala during the counterinsurgency era and the deadly consequences of such policies. Such policies result in wrongful death, intimidation, and violence, while eroding our democratic institutions through militarization of civil society and by allowing the coercive forces of the state to kill and harm with impunity. We must prevent that these phenomena become the norm in California.

In closing, I urge us as faculty and administrators to heed our students' call for solidarity on this important matter. May we contribute to a university in which students can feel free to think and act without fear of intimidation and death.

Thank you, for your time, attention, and consideration of this matter.

Yours truly,  
María Regina Firmino-Castillo, PhD

María Regina Firmino-Castillo, PhD (*she, her, hers*)  
Assistant Professor, Department of Dance  
University of California-Riverside: <https://dance.ucr.edu/faculty/maria-firmino-castillo/>  
Co-organizer, Indigenous Choreographers at Riverside: <http://icr.ucr.edu/>  
Fellow, Institute for Citizens and Scholars (formerly Wilson Foundation)

***The University of California-Riverside is located on the unceded ancestral homelands of Cahuilla, Tongva, Luiseño, and Serrano peoples.***

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To the Chair of the Riverside Division of the Academic Senate,  
I am writing to strongly condemn the proposed revised police policies and procedures under review. These policies are regressive, focus on use of force, and do not address any of the fundamental issues facing students and faculty on campus related to safety and security.

We do not need a “use of force” policy, and no one, retired or active, should be carrying concealed weapons. We absolutely do not need a SWAT team to use force to quell protests. These are a horrific enhancement of the tactics that are resulting in deaths and injuries to Brown and Black people across the country. We are a college campus, we should be using these funds to find ways to address the root causes of threats or lack of safety for our students. The last thing we need is more force.

We need a safety division that is not based on policing, on violence, on force. That does not enter into situations prepared to harm or subdue people. We need officers who are trained to de-escalate, to talk, to find out what is going on and why.

Realistically, how common is force needed on the UCR campus? It is outrageous to be proposing these policies that are not only not necessary, but are counterproductive, and their mere existence designed to show lack of trust, fear, and embedded racism. Our students are scholars, not thugs; they need support and partnerships, not suspicion and adversaries.

Use the money to establish channels for discourse and to address problems of inequity and bias in our institution. Listen to the students. Find out what they want. Do not approve this document.

Amy Litt

Associate Professor, Botany and Plant Sciences

Graduate Advisor, Plant Biology

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Dear Professor Stajich:

I write to you in your capacity as Senate president with my comments about the University-wide Police Policies and Administrative Procedures.

With the ongoing effects of COVID, UCR faculty and staff are being asked to do more with less. As we think carefully about how to use our financial resources, it is crucial that we spend our collective resources appropriately. We should reject proposals for body cameras and a Systemwide Response Team (SRT) because each will increase costs in a way that is not likely to create a better environment for UCR students, faculty, and staff.

I write today just shortly after teenager Ma'Khia Bryant was shot and killed by police in Ohio. Bodycam footage was available very soon after the encounter. I bring this up because the presence of a bodycam did not, in this case, help with the desired outcome- the resolution of a situation with all parties safe at the end. Recent studies have shown that Bodycams have not had positive effects on the behavior of the public or on officers (see, for example, a report by George Mason University's Center for Evidence-Based Crime Policy).

The SRT, too, increases the budget of the Police Department at a time that resources are scarce. Troublingly, it would direct resources towards militarized equipment and personnel. Using our collective funds on an SRT is particularly ill-conceived because, given ongoing violence against Black and other non-White people, leadership from UCR Black student organizations is asking for fewer resources to be spent on policing.

While not specifically tied to financial resources, the following two proposals should also be rejected: retired UCPD officers do not have justifiable reasons to bring concealed weapons onto campus. Concealed weapons do not make our learning environment more safe. The Carry Concealed Weapons policy should not be amended to allow additional concealed weapons on campus.

Finally, the campus should do everything possible to minimize the risk that force will be used in our classrooms and community. As a community, we have the ability and responsibility to come up with standards for use of force, and a collective obligation to deescalate. Leaving use of force to the discretion of individual officers is inappropriate, particularly on the UCR campus, because it risks having disproportionately negative effects on Black, Indigenous, and Latinx students and other students of color.

I appreciate your attention to this important matter and look forward to hearing how the Senate will be responding to the proposed police policy changes.

Thanks,

Liz

Dr. Liz Przybylski

Assistant Professor of Ethnomusicology

University of California, Riverside

Author of [\*Hybrid Ethnography: Online, Offline, and In Between\*](#) (SAGE, 2020)

[liz.przybylski@ucr.edu](mailto:liz.przybylski@ucr.edu)

<https://drlp.hcommons.org/>

Dear Jason,

I want to personally express my outrage over the proposed UC systemwide policies that amount to doubling down on policing and violence toward black and brown communities on campus. I am most troubled by the following components:

An updated "Use of Force" policy

- A new "Body Worn Audio" policy
- A new "Systemwide Response Team" policy
- A new "Concealed Carry Weapons" policy

These actions are antithetical to the espoused mission and commitment of UCR to the IE, our local communities, and specifically racially minoritized students and communities. They also contribute to a hostile racial climate that's harm extends beyond students to also include faculty, staff, and administrators of color.

To be clear: this policy is racist. It goes against what the chancellor just sent out to the UCR community, claiming to support black and brown students. If it moves forward it represents hypocrisy, a lack of accountability to communities of color, and an explicit rejection of marginalized and minoritized voices to instead support the racial status quo. Many of us are watching to see what the UCR administration is really willing to do in support of communities of color who continue to experience dehumanization and death at the hands of the system of policing and those employed by it.

Best,

Uma Jayakumar

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Dear Chair Stajich,

I write to express my deep concern regarding the proposed changes to the Universitywide Police Policies and Administrative Procedures, which are applicable to UC Peace Officers (as outlined in [Cheryl Lloyd's February 5 memo](#)). In particular, I am extremely concerned - indeed, outraged - by the proposal to create a Systemwide Response Team. Given the urgent discussions in response to police violence over the past year, I find it mystifying that UC would revive this proposal, dating from prior to 2017, to create a systemwide strike force. This policy moves our university in the wrong direction at the wrong time.

Specifically, I would like to signal the inherent dangers to students, faculty and staff posed by the proposed Systemwide Response Team (SRT). The SRT is described as equipped to respond to situations of crisis and upheaval ("unique situations and incidents that demand trained, equipped, experienced, and organized teams of sworn UC Police personnel beyond those resources available at one campus.") What kind of incident might provoke an SRT response? An incident of mass violence would happen too quickly for an SRT to provide any support. Likewise, an SRT would be too slow to use in securing a campus following a natural disaster of some sort. By elimination, therefore, it appears clear that the "unique situations" to which this document refers must primarily involve activism and protest.

The command structure of the SRT lends to confusion, overreaction and complete lack of accountability. SRT coordinators would be "working with the Chief of Police or designee from the host UC campus to determine the appropriate deployment of SRT personnel." Who exactly would make the call, for example, whether to employ violent tactics? Would the SRT be responsible to campus leadership? The proposal assigns all responsibility for compliance to the SRT Coordinator, essentially asking the unit to police itself. This command structure leaves open the possibility that a police lieutenant from UC San Francisco could order SRT officers to fire tear gas or use batons on protesters at the UC Riverside campus, absent any consultation with local leadership. No provisions for accountability appear in this proposal.

Who in their right mind would think it proper to send police officers unfamiliar with a campus, its infrastructure and its social dynamics, to intervene in a mass protest? I can't imagine a situation more likely to result in unnecessary harm. An officer transported from elsewhere would not know the physical layout of the campus, would not be in a familiar territory and would not have any knowledge of the students, staff and faculty at that location. Unfamiliarity breeds defensiveness, which in turn increases the likelihood of a violent response.

I urge you to send a strong signal on behalf of the UCR Senate in opposition to this proposal.

Thank you for your time and your work on our behalf.

Sincerely,

Dana Simmons

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Dana Simmons  
Associate Professor, Department of History  
University of California, Riverside

[\*Vital Minimum: Need, Science and Politics in Modern France\*](#) (University of Chicago Press, 2015)

[@danajsimmons](#)

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900 University Avenue  
Riverside, CA 92521  
(951) 732-8091

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## Statement on Proposed Revisions to Universitywide Police Policies and Administrative Procedures

21 April 2021

### Addressed to:

Jason Stajich, Chair of the Riverside Division of the Academic Senate  
Kim A. Wilcox, Chancellor, Riverside Campus  
    Mariam Lam, Vice Chancellor, Diversity, Equity, & Inclusion, Riverside Campus  
    John Freese, Interim Chief of Police, Riverside Campus  
    Christine Bender, Director of Residential Life, Riverside Campus  
    Gerry Bomotti, Vice Chancellor, Planning, Budget, & Administration, Riverside Campus  
Board of Regents, University of California  
    John A. Pérez, Chair, Board of Regents, University of California  
Michael V. Drake, President, University of California  
    Cheryl A. Loyd, Interim Vice President, Systemwide Human Resources

### UC Students, Staff, Faculty, and Community Members:

Today, it has come to our attention that the UC Academic Senate is [considering revisions](#) published by the UCOP to the [Universitywide Police Policies and Administrative Procedures](#), affecting UCPD practices systemwide.

### **Oppositions to Proposed Revisions**

We, the undersigned as UC students and community members, comprehensively **object to these police revisions that expand the UCPD's use of force standards and that create new taskforces** without community oversight and stakeholder

inclusion. Specifically, we oppose the creation of a **specialized tactical team**--identified in Chapter 16 of the proposed revisions as a Systemwide Response Team (SRT)--that is trained in "crowd management and control tactics" (1604.3.2.b). While the proposal understands its creation as an intent to "emphasize de-escalation" and incorporate "less lethal" weapons," the proposal to create a specialized tactical team that would be deployed against any campus protestors implies a hostile campus climate that discourages student and community voices.

Additionally, the ambiguity of the SRT's responsibilities in section 1605.2 permits an unspecified group of UCPD officers to develop "training guidelines" in 11 broad response categories without any oversight. Again, new policies must not be developed by the UCPD, but by community stakeholders in collaboration with the UCPD, if it is to continue to exist. If we are to create a safer and more equitable UC climate, no longer may those affected by new policies be left out of these conversations. Furthermore, we reject the issuance of **specialized, military-style equipment** to the SRT that includes **chemical agents, helmets with face shields, 36" batons, kinetic energy projectiles, and riot gear** (sections 1606.1, 1606.2). We believe that this equipment discourages and undermines the de-escalation tactics that the UCPD supposedly seeks to expand. This equipment, which also includes **unspecified "[s]pecialized equipment for defeating protestor devices"** (1606.2) is specifically motivated by recent antiracist global protests against police brutality and further targets UC communities of color by both the intimidation and actualization of physical violence against protestors.

### **Current Campus Reality & Address to Police Practices**

The UC system does not exist outside of the ongoing pervasive realities of systemic racism and antiblackness: these structures are as endemic to our UC institutions as much as they are throughout higher education and the United States at large. Students of color have long been subject to racial profiling on UC campuses, including hostile UCPD responses to peacefully protesting students. Most notably, in 2011, a UCPD officer went viral for pepper-spraying seated students who were peacefully protesting and, in 2013, UCR officers implemented new policing policies to combat robberies that directly correlated to more frequent stops and harassment of Black students due to the latent racial profiling within policing.

**In line with principles of academic freedom, if the UC system encourages critical thinking at the intersection of social justice, students must be guaranteed the freedom to protest injustice without fear of academic, physical, or administrative retaliation.** The aforementioned UCPD revisions are antithetical to these espoused UC values. If UC espouses these principles, it is critical to address the ongoing practices of the UCPD. At our campus, UC Riverside, reform efforts include a comprehensive review of campus police practices by the Graduate Student Association, which is intentionally undermined by this proposal's expansion of the UCPD's use of force standards and the implementation of the SRT.

The UC system must capitalize on the momentum of recent nationwide protests against inequity and injustice to address its policies that deter safe and accessible campus

ecologies and that perpetuate systemic racism. We protest these proposed revisions that prevent the work of the larger UC community's efforts to transform our racial climate, and work to reinforce the oppressive systems that subjugate students of color.

In addition to our sponsorship of this letter, please see our petition at <http://chnng.it/GgD2HHV2Mp> (published 21 April 2021) for additional signatories to this letter. Please also note that our petition speaks directly to current police reform proposals, but does not discount the demand for police abolition.

Thank you for your attention to this troubling proposal and your ongoing actions in creating safer campuses for all students, staff, faculty, and community members.

Attentively,

Aubrey Lancaster  
M.Ed. Student, Higher Education Administration and Policy  
University of California, Riverside

Anna Acha, M.Ed.  
Ph.D. Student, Higher Education Administration and Policy  
University of California, Riverside

Briana Savage, M.Ed.  
Ph.D. Student, Higher Education Administration and Policy  
University of California, Riverside

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Dear Jason,

I hope this message finds you well. I just want to reach out to express my concern regarding the proposed changes in policy, specifically towards the implementation of a special police/task force "Systemwide Response Team", which I feel will add too the current stress between police and our communities.

Best wishes,

Martin I Garcia-Castro  
Associate Professor of Biomedical Sciences  
3401 Watkins Drive,  
203 School of Medicine Research Building,  
University of California Riverside  
Riverside, CA 92521  
[martin.garcia-castro@ucr.edu](mailto:martin.garcia-castro@ucr.edu)  
Office (951)-827-7251 Lab (951) 827-2378

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Good Evening,

As we facilitate through a year where we have finally brought to life the police brutality rippled through our communities and country. I urge you to stop and consider the parameters around the policing policies of UC campuses. We are allocating money and training to hiring new police officers while still have police officers employed currently that have not received adequate training. As a US community, it would behoove you to sit back and realize making minority students subject to an increase in police brutality is certainly not in the right direction. Students want to feel safe on campus not feel that they should be afraid to be on campus. With that being said it is with great urgency as a student in the UC system I do not support the policies looking to be passed and urge reexamination.

Sincerely,  
A concerned student.

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Dear Senate Chair Stajich:

My colleagues from Media & Cultural Studies have drafted detailed and forceful commentary on the proposed revisions to the "Gold Book." I wish therefore to state the following, for the record. I write here on my own behalf as a member of the faculty, not in my capacity as departmental chair.

### **I cannot fathom why the University of California needs a Systemwide Response Team.**

I am a newcomer to the UC system. But over the years from my previous seat at a small liberal arts college on the East Coast I, like most of the people in my extended network of academics, cultural workers, and activists, followed with interest and alarm incidences of UC police use of excessive force: *inter alia*, pepper spray at UC Davis, egregious and violent First Amendment violations at UC Riverside, brutal mass arrests at UC Berkeley, harassment of supporters of Palestinian autonomy at UC Irvine. Indeed, news reports indicate there have been well over 200 incidents involving police use of force within the UC system in recent years yet that only two use of force case files have been made public. Each of these incidents indicate not a need for more, or more coordinated, or more SWAT-like forces (or force). If anything, what these cases share is the excessive use of existing force as campus police deployed their sanctioned capacity for violence with extreme prejudice.

The proposed Systemwide Response Team is **a response to a non-existent need. It invites strangers with lethal weapons and with prejudice into existing communities**, and in the case of UCR, a community predominantly comprised of people who already are the targets of prejudicial policing for no other reason than the visible markers of class and culture.



It **removes individual campus autonomy** from the UC system.  
It **presumes a threat where none exists**.

That threat did not even exist in 1968. And it didn't exist in 1969, when students and community activists in Berkeley took over undeveloped UC property and dubbed it People's Park. In 1969, against the express wishes of the Berkeley Chancellor, then-Governor of California Ronald Reagan sent CHP and Berkeley PD officers into People's Park to "clear" the park of people and destroy fresh plantings of trees and other horticulture. As the confrontation escalated, Reagan's Chief of Staff, Ed Meese, sent in Alameda County Sheriff's deputies, in full riot gear and firing teargas and buckshot. 128 Berkeley residents were wounded by the police; one was permanently blinded; and one bystander was killed by a police-fired shotgun blast. Declaring an emergency, Reagan sent in 2,700 National Guard Troops—against the near-unanimous vote of the Berkeley City Council. This is a story of prejudice, of power seeking threat where threat doesn't exist, of initiating and then escalating violence via the sanctioned capacity for violence and with the protection of the "law," and of lethal outcomes and lifetime harms.

That's the scenario that the Systemwide Response Team evokes.

I object not just to the details of the proposal for a Systemwide Response Team, but to the whole.

Sincerely,

Judith Rodenbeck

Associate Professor, Media & Cultural Studies  
University of California, Riverside

*Mind is primarily a verb.* - John Dewey

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Dear Professor Jason,

I strongly support the modified Universitywide Police Policies and Administrative Procedures and believe these policies will better serve peaceful demonstrations. Any slogan-like arguments without any justifications are counter-productive to gain my support.

Weifeng Gu

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Dear Jason Stajich,

I am a Unit-18 Lecturer, not Senate faculty, but am writing to lodge my strong opposition to the proposed changes in the University-wide Police Policies and Administrative Procedures. Specifically:

#### Chapter 15: Body Worn Audio/Video Systems

I strongly oppose the implementation of body cameras by UCPD. Body cameras do not increase individuals' safety, but do increase the ways in which police are able to surveil people and criminalize activities that pose no threat to public safety. Body cameras also require substantial additional funding. I support investing these funds elsewhere.

From Pew Trusts' ["Body Cameras May Not Be the Easy Answer Everyone Was Looking For"](#):

"Although both officers and the public generally support body-worn cameras, or BWCs, the impacts may have been overestimated, according to a study published in March by George Mason University's Center for Evidence-Based Crime Policy. The study, which looked at 70 other body-worn camera studies published through June 2018, found the cameras have not had statistically significant effects on most measures of officer and citizen behavior or citizens' views of police.

"The authors noted that studies have found mixed results on body cameras leading to reductions in use of force by police — one of the primary reasons supporters pushed for the cameras. Five studies and experiments showed that officers wearing cameras used force less often than officers not wearing cameras, but eight others showed no statistically significant difference in use of force.

"The George Mason study also described an unanticipated result of the cameras: Officers increasingly value them as a tool for evidence collection and protection.

"Officers and citizens both seem to believe that BWCs can protect them from each other,' the study said."

#### Chapter 16: Systemwide Response Team

I strongly oppose the implementation of a Systemwide Response Team (SRT). The proposed SRT would greatly increase the UCPD budget and personnel without increasing community safety. Instead, it would create new threats of militarized force and violence against UC and surrounding community members. It represents a significant increase in the militarization of UCPD that will not decrease "crime" but will increase harm and escalate violence through means such as chemical agents, high-energy projectiles, LRAD, and "specialized equipment for defeating protestor devices."

Clearly, the objective is not to facilitate peaceful protest but to increase the use of coercive force. It is unconscionable that the UCPD would implement such a heavily

militarized and imminently violent force against the very students, faculty, and staff whose safety the UC system should protect.

Furthermore, amidst systemwide and nationwide calls to reduce the scale and budgets or eliminate altogether policing forces, the implementation of an SRT is an egregious, aggressive act of police expansion.

What exactly is the UC afraid of? Whom or what do they imagine such a force would protect?

#### Chapter 17: Retired Officers—Carry Concealed Weapons

I strongly oppose the terms of the Carry Concealed Weapons policy for retired UCPD officers. There is no reasonable justification for a retired, let alone active, UCPD officer to bring lethal weapons onto a UC campus. Such a policy in no way contributes to the safety of the campus community. It only introduces new opportunities for the accidental discharge of guns and the unwarranted use of force. No safety officers, let alone retired ones, should be using or carrying lethal weapons on campus.

#### Chapter 8: Use of Force

I strongly oppose all use of force by UCPD. New authorizations of the use of force do not make communities safer, they only increase the ways in which people can be harmed by police. The UCs own research and publications demonstrate that this harm disproportionately falls on Black, Indigenous, and other people of color. As countless examples, both recent and historical, show, an invitation to use force, especially lethal force, based on an officer's individual judgment will not make us safe but will result in more death, especially for Black, Indigenous and other people of color.

Sincerely,  
Madison Brookshire  
[he/him](#)  
Lecturer  
UC Riverside

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Just writing to share the concern raised by the Riverside Faculty Association regarding the proposed systemwide SWAT-style response team. I think adoption of those policies sounds undemocratic and harmful to our campus community and its safety and well-being.

Best,  
Ellen Reese  
Department of Sociology  
UC-Riverside

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My name is Kimberly Umanzor a current student at the University of California, Riverside and I reject the following: “Use of Force”, “Body Worn Audio”, the “Systemwide Response Team” policy, and the “Concealed Carry Weapons” policy proposals.

When police officers guard the school entrances and patrol the hallways, students of color internalize the message: you are not allowed here, and the institution where you learn assumes you will participate in disruptive and criminal activity. This causes anxiety and hypervigilance in adolescents, as well as mistrust in the educational institution that is supposed to help them develop. That is completely incompatible with providing a welcoming, healthy learning atmosphere in which students can excel. Perhaps more harmful, the presence of police re-traumatizes many students of color, who have had negative encounters with law enforcement in their neighborhoods and communities.

I urge the University of California system, Academic Senate to recognize that true public safety will reconnect college campuses to their surrounding communities rather than nervously policing their privatized boundaries.

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#### On Body Worn Cameras:

Officers are simultaneously granted extraordinarily wide latitude to exercise "discretionary activation," meaning they are given enough room for subjective interpretation of situations that they can essentially activate or deactivate their BWC's anytime they feel like it! Further, there is no clear consequence for failure to activate (or unjustifiably deactivating) BWC's, nor is there a clear consequence for losing/erasing the BWC footage itself. For example, “1520. Modification, Alteration, or Deletion” states “No employee shall modify, alter, or delete video or audio once recorded by the BWV camera, except as authorized by Department policy,” yet there is no accompanying clarification of consequences if this policy is violated.

#### Systemwide Response Teams (SRTs)

The “MISSION STATEMENT” of SRTs states,

1602. The mission of the University of California SRT is to maintain a trained team of sworn personnel with the skills and equipment readily available to assist local campuses to:

- (a) Facilitate and protect the Constitutional Rights of all persons;
- (b) Keep the peace and protect life and property;
- (c) Protect lawful activity while identifying and isolating unlawful behavior;
- (d) Provide dignitary protection; and
- (e) Provide training and other assistance when requested and appropriate.

It is a shock to the conscience and ethical sensibility that the UC administration, in the midst of what has been unfolding across the US and the world, is proposing the creation of an ADDITIONAL specialized police force that expands the power and personnel of the existing UCPD. The Systemwide Response Team apparatus seems clearly designed to facilitate multicampus police mobilizations to control and suppress mass demonstrations on and near UC campuses, especially when they involve the presence of the UC Regents and ambassadors of nations that people want to hold accountable for apartheid policies and human rights violations (esp. Israel's treatment of Palestinians).

The objectionable nature of the SRTs is well illustrated in the proposed policy's provision for the assignment of special personnel "to meet operational needs," including "grenadiers." According to the US Army Field Manual, a grenadier is a soldier equipped with an rifle that has a grenade launcher for the purpose of "providing limited high-angle fire over 'dead space'." According to the University of Wisconsin police, "grenadier" refers to an officer who has been trained in the use of Chemical Agents/Munitions and their delivery systems.

#### Use of Force Policy:

The definitions of 'active resistance' and 'assaultive resistance' are fantastically broad and are open for generous interpretation to justify police force, including deadly force: for example, "bracing, tensed muscles" are seen as "active resistance," and the definition of "extreme agitation" could literally describe me when i am attending one of my son's high school baseball games! (p. 30) Similarly, the definition of "non-compliance" includes "physical gestures, stances, and observable mannerisms." Thus, the Use of Force policy remains almost entirely determined and justified by the subjective perceptions of police officers themselves: for example, Sec. 803 states "reasonableness of force will be judged from the perspective of an objectively reasonable officer in the same situation, based on the circumstances \*perceived\* by the officer at the time." (p. 31)

The Gold Book needs to be completely rethought, as does the very presence and existence of the UCPD.

Dylan Rodríguez

[2020 Freedom Scholar](#)

President, American Studies Association (2020-2021)

Professor, Dept. of Media and Cultural Studies

University of California, Riverside

Riverside, CA 92521

April 23, 2021

Mary Gauvain  
UC Academic Senate Chair

**Re: Universitywide Police Policies and Administrative Procedures**

Dear Chair Gauvain,

As always, the UCLA Division appreciates the opportunity to review and evaluate proposed systemwide policies. At its April 15, 2021, meeting the UCLA Executive Board had an extensive discussion based upon the committee responses (attached) to OP's proposed Police Policies and Administrative Procedures. Although we have some specific comments below, the Executive Board concurs with the position of the Committee on Diversity, Equity, and Inclusion (CODEI) that responding in a normal fashion to the proposals would:

be tacitly to validate the process through which these documents were generated and also to deflect attention from the larger context in which campus policing issues can most fruitfully be considered. With regard to the process, it appears that most University of California stakeholders were not represented in the deliberations that led to these proposals. Of particular relevance to the Academic Senate, what was the extent of faculty input? Presenting these proposals without an open and thorough discussion by the diverse members of the UC community who will be directly affected by them will likely reinforce anxieties held by many regarding a lack of transparency, openness, and willingness to collaborate on the part of UC policing policymakers. Indeed, the extent to which feedback from the Academic Senate can have any impact whatsoever on these proposals at this point is unclear.

Indeed, it strikes us as remarkable that at a moment of widespread, and overdue, debate on the nature of policing that the University would consider a set of proposals that promises to increase the militarized nature of UCPD. As you know, for at least the last year faculty and students throughout the System have called for a serious rethinking of the practices and tools of public safety. Here at UCLA the Divest/Invest Faculty Coalition has forcefully called for a redirection of university funds towards alternative investments in community safety, public health, and forms of mutual support. In addition, UCLA is embarking on a process to examine ways to transform the means we deploy to ensure public safety. And of course, in June of 2020 the Academic Council itself, called for a process that would redirect funding from the UCPD and substantially reduce its use of force. All of these efforts have been seemingly ignored in the proposed revisions to the "Gold Book." We have in addition heard expressions of outrage from faculty about both the process and the substance of the proposal. We can hardly blame them.

Although we hesitate to comment in a way that might be taken to grant legitimacy to the proposal, we do think that it necessary to highlight particular aspects as **examples** of the overall flawed nature of the proposal:

1. As the Council on Planning and Budget (CPB) pointed out, the proposed policy provides a wide range of options for the use of “pain compliance” techniques. Given the likelihood that these could be applied to peaceful protestors, the Executive Board seconds CPB’s concern that “these techniques could be applied based on very broad definitions of non-compliance (verbal non-compliance included ‘pleading’ or ‘physical gestures, stances, and observable mannerisms’ (2) or ‘subjects who remain in a sitting, standing, or limp or prone positions without holding on to fixed objects or other persons in an attempt to delay or resist arrest’).” In fact, as we will discuss below the entire document intensifies the possibility of militarized responses to student and faculty protest.
2. We were equally concerned by the many opportunities provided for officers to stop their video recording. The opportunity for an officer or officers who acted in violation of policy to choose to shut off their cameras at crucial moments is enabled by a wide range of cutouts. (Section 1506).
3. We also strongly object to the establishment of the **Systemwide Response Team (SRT)** (Chapter 16). The SRT runs counter to all of the University’s promises to seek new paths towards public safety as well as statements by the President and others about their concerns over police violence. Instead, the SRT will deepen the military characteristics of the UCPD, increase the likelihood that violence will be used against protestors, and violate the civil liberties and rights of members of the UC and California communities.

We mention these three points not to indicate that they are the only problematic aspect of the proposal. Instead, they are merely three symptoms of a larger failure on the part of the University to take seriously the arguments and concerns expressed by last year’s Academic Council, as well as by faculty, staff, and students across the system. We are disappointed that the Administration did not distribute their proposal to all employees and students. We strongly urge the Academic Council to reject the proposed Police Policies and Administrative Procedures and to call on the Office of the President to engage in a serious process of reimagining policing and public safety on UC campuses.

Sincerely,



Shane White  
Chair, UCLA Academic Senate

Encl.

Cc: Jody Kreiman, Vice Chair/Chair-Elect, UCLA Academic Senate  
Michael Meranze, Immediate Past Chair, UCLA Academic Senate  
April de Stefano, Executive Director, UCLA Academic Senate

April 20, 2021

To: Shane White, Chair  
Academic Senate

Re: **Systemwide Review: Police Policies and Administrative Procedures**

The Committee on Diversity, Equity and Inclusion has chosen not to comment on specific aspects of the Police Policies and Administrative Procedures proposals. To do so, the Committee members feel, would be tacitly to validate the process through which these documents were generated and also to deflect attention from the larger context in which campus policing issues can most fruitfully be considered. With regard to the process, it appears that most University of California stakeholders were not represented in the deliberations that led to these proposals. Of particular relevance to the Academic Senate, what was the extent of faculty input? Presenting these proposals without an open and thorough discussion by the diverse members of the UC community who will be directly affected by them will likely reinforce anxieties held by many regarding a lack of transparency, openness, and willingness to collaborate on the part of UC policing policymakers. Indeed, the extent to which feedback from the Academic Senate can have any impact whatsoever on these proposals at this point is unclear.

Furthermore, as currently framed, these proposals appear to be founded on assumptions about security, the role of police on campus, and the viability of alternative ways to ensure campus safety that have been called into serious question, particularly over the past few years. CODEI believes that it would be unfortunate if the Academic Senate failed to take this opportunity to emphasize the need to address the issue of campus policing not in terms of specific, micro-level practices regarding force, body cameras, response teams, concealed-carry weapons, and the like but rather through a wide-ranging and inevitably difficult series of conversations about the security needs of the UC community at large. Such exchanges would engage topics such as anti-bias training for UC police, the relationship of UC Police to the Los Angeles Police Department and to the Department of Homeland Security, the use of de-escalation techniques, and even the very need for armed police officers on UC campuses.

As does the Graduate Council in its response, we would call attention to the recent announcement issued by Chancellor Block titled “Charting a New Course for Public Safety at UCLA.” The “community conversations” that the just-created University task force will sponsor and the fact-finding research that it will conduct can constitute crucial steps that must be taken before we would be in a position to evaluate responsibly the type of policing policy proposals on which the Academic Senate has been invited to comment.



We appreciate being given the opportunity to comment on this issue at this time and look forward to extensive engagement with the issue over the coming months and years. If you have any questions, please do not hesitate to contact me at [yarborou@humnet.ucla.edu](mailto:yarborou@humnet.ucla.edu) or the Interim Committee on Diversity, Equity and Inclusion Analyst, Taylor Lane Daymude at [tlanedaymude@senate.ucla.edu](mailto:tlanedaymude@senate.ucla.edu).

Sincerely,

A handwritten signature in black ink, reading "Richard Yarborough". The signature is written in a cursive, flowing style.

Professor Richard Yarborough, Chair  
Committee on Diversity, Equity and Inclusion

April 9, 2021

Shane White, Chair  
Academic Senate

**Re: Systemwide Review: Universitywide Police Policies and Administrative Procedures**

Dear Chair White,

At its meeting on March 29, 2021, the Council on Planning and Budget (CPB) had an opportunity to review and discuss the Universitywide Police Policies and Administrative Procedures.

Some members expressed concern over the statement that retired officers can carry concealed and loaded weapons on campus, especially since justification for such action is provided. While some members recommended getting rid of this privilege, others argued that the policy was to bring university police in compliance with the Law Enforcement Officers Safety Act of 2004—a federal law that allows a “qualified retired law enforcement officer” meeting certain criteria to carry a concealed firearm anywhere in the nation. A few members recommended diversity training for those assigned to work together.

Members noted section 809 (page 7), on the use of “**Pain Compliance Techniques**,” [“Stimulation of nerves or manipulation of joints to elicit a sense of unease in a subject...(3)”] which “may be very effective in controlling a non-compliant or actively resisting individual.” Because peaceful protests and nonviolent resistance techniques are common on university campuses, members were concerned that these techniques could be applied based on very broad definitions of non-compliance [verbal non-compliance included “pleading” or “physical gestures, stances, and observable mannerisms”(2) or “subjects who remain in a sitting, standing, or limp or prone positions without holding on to fixed objects or other persons in an attempt to delay or resist arrest” (3)].

Thank you for the opportunity to review. If you have any questions for us, please do not hesitate to contact me at [groeling@comm.ucla.edu](mailto:groeling@comm.ucla.edu) or via the Council’s analyst, Elizabeth Feller, at [efeller@senate.ucla.edu](mailto:efeller@senate.ucla.edu).

Sincerely,



Tim Groeling, Chair  
Council on Planning and Budget

cc: Jody Kreiman, Vice Chair/Chair-Elect, Academic Senate  
Michael Meranze, Immediate Past Chair, Academic Senate  
April de Stefano, Executive Director, Academic Senate  
Elizabeth Feller, Principal Policy Analyst, Council on Planning and Budget  
Members of the Council on Planning and Budget

3125 Murphy Hall  
410 Charles E. Young Drive East  
Los Angeles, California 90095

April 12, 2021

To: Shane White, Chair, UCLA Academic Senate

From: Andrea Kasko, Chair, Graduate Council

**Re: Systemwide Senate Review: Universitywide Police Policies and Administrative Procedures  
(The “Gold Book”)**

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At its meeting on April 9, 2021, the Graduate Council discussed the proposed revisions to the Universitywide Police Policies and Administrative Procedures (the “Gold Book”).

Members generally endorsed the Undergraduate Council’s comments in their memo dated April 7, 2021, particularly the call to study campus safety more holistically. Members noted that a good first step is the Chancellor and the Executive Vice Chancellor and Provost’s announcement, on April 9, 2021, that they are “commissioning an independent fact-finding review and assessment of our campus safety policies and procedures,” co-chaired by UCLA Professor Tyrone Howard and Rasha Gerges Shields, in order to “help identify policies and practices that support public safety and a sense of belonging for the entire Bruin community” ([Charting a New Course for Public Safety at UCLA](#)).

One member expressed support for rethinking surveillance, which law enforcement seeks to expand. One student representative shared that a good number of graduate students, particularly men of color, do not feel safe with police on campus.

Thank you for the opportunity to opine. If you have any questions, please contact us via the Graduate Council’s interim analyst, Aileen Liu, at [aliu@senate.ucla.edu](mailto:aliu@senate.ucla.edu).

cc: Estrella Arciba, Interim Committee Analyst, Graduate Council  
April de Stefano, Executive Director, Academic Senate  
Jody Kreiman, Vice Chair/Chair Elect, Academic Senate  
Aileen Liu, Interim Committee Analyst, Graduate Council  
Michael Meranze, Immediate Past Chair, Academic Senate

3125 Murphy Hall  
410 Charles E. Young Drive East  
Los Angeles, California 90095

April 7, 2021

To: Shane White, Chair, UCLA Academic Senate

From: Megan McEvoy, Chair, Undergraduate Council

**Re: Systemwide Senate Review: Universitywide Police Policies and Administrative Procedures  
(The “Gold Book”)**

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At its meetings on March 5, 2021, and April 2, 2021, the Undergraduate Council discussed the proposed revisions to the Universitywide Police Policies and Administrative Procedures (the “Gold Book”). Though several members noted that they lack expertise on these policies, members offered the following comments about campus safety for consideration.

Members expressed support for studying appropriate mechanisms to make our campus safer, and for engaging in a broader, more holistic discussion of how to equally and justly promote a safe campus for all students, faculty, and staff. One student representative noted that some groups feel more protected by police than others.

Many members expressed concern about the proposed revision to allow Qualified Retired Peace Officers to carry concealed weapons on campus, and felt that such an allowance was unnecessary.

Some members were supportive of investing more in other forms of safety for our campus community, and divesting from policing on campus. These members expressed concern about the University’s increased investment in policing structures—body cameras, surveillance—that are suggested by the proposed revisions, and did not feel convinced that such mechanisms were the best way forward to promoting campus safety. One student representative noted that there is ongoing work to decriminalize crisis response on campus, such as involving mental health professionals, and not police, when responding to mental health crises. Several members expressed support for this work.

One member suggested that UCPD officers should complete cultural diversity and sensitivity training, a recommendation made in response to the Moreno Report of 2013.

Thank you for the opportunity to opine. If you have any questions, please contact us via the Undergraduate Council’s analyst, Aileen Liu, at [aliu@senate.ucla.edu](mailto:aliu@senate.ucla.edu).

cc: April de Stefano, Executive Director, Academic Senate  
Jody Kreiman, Vice Chair/Chair Elect, Academic Senate  
Aileen Liu, Committee Analyst, Undergraduate Council  
Michael Meranze, Immediate Past Chair, Academic Senate

## **Chapter 8: USE OF FORCE**

### **PURPOSE**

**801.** This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use objectively reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations of such authority. This is especially true with respect to dealing with non-compliant and/or resistive subjects while engaged in the performance of law enforcement duties.

Officers are expected to carry out their duties, including the use of force, in a manner that is fair and unbiased.

The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use objectively reasonable force and to protect the public safety and welfare requires monitoring, evaluation and a careful balancing of all interests.

This policy also provides requirements for the approval, training and carrying of firearms and control devices/techniques.

The provisions contained in this Chapter are for the internal use of the University of California Police Departments and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the University, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline.

***Additional policies apply to the use of force in crowd management, intervention, and control situations. Refer to Crowd Management, Intervention and Control, Chapter 15.***

### **DEFINITIONS**

**802.** For purposes of this chapter, the following definitions shall apply:

**Active Resistance:** The subject is intentionally and unlawfully opposing the lawful order of a peace officer in a physical manner; Examples may include bracing, tensed muscles, interlocked arms/legs, pushing, kicking, breaching police lines, pushing over police barricades, running away or other actions to evade or escape etc.

**Assaultive Resistance:** A form of Active Resistance where the subject uses aggressive or combative behavior to attempt, threaten, or commit a violent injury on an officer or other person.

**Chemical Agents:** Devices utilized by law enforcement agencies, which may include CS, CN, oleoresin capsicum (OC), and HC.

**Compliant:** A person contacted by an officer who acknowledges direction or lawful orders given and offers no non-verbal/verbal, passive/active, or assaultive resistance.

**Conducted Energy Device (CED):** A CED is a device designed to use electrical energy to induce pain in drive stun mode or to immobilize or incapacitate a person in probe mode thus enabling officers to gain control of a subject.

**Control Devices:** The application of devices intended to assist peace officers in gaining control of subjects who refuse to submit to lawful authority. This may include batons, Conducted Energy Device (CED), oleoresin capsicum (OC) spray, chemical agents, restraints, projectile devices, and kinetic energy devices (KE).

**Control Strikes:** Impact-oriented strikes with personal body weapons such as knees, elbows, hands or fists, and feet.

**Deadly force:** Any use of force that creates a substantial risk of causing death or serious bodily injury, including, but not limited to, the discharge of a firearm. (Penal Code §835a(e)(1).

**De-escalation:** De-escalation is the process of using strategies and techniques intended to decrease the intensity of the situation.

**Extreme Agitation:** Agitation so severe that the person can be dangerous to themselves or others.

**Force:** The application of physical force, chemical agents or weapons to another person. It is not a use of force when a subject allows themselves to be searched, escorted, handcuffed or restrained. The mere application of a control hold while handcuffing a compliant subject without application of pain is not considered use of force and does not need to be reported.

**Kinetic Energy Projectile:** See Projectile Devices.

**Non-Verbal and Verbal Non-Compliance:** The subject expresses intentions not to comply through verbal and/or non-verbal means. Statements by a subject ranging from pleading to physical threats may be encountered. This also includes physical gestures, stances, and observable mannerisms.

**Pain Compliance:** Stimulation of nerves or the manipulation of joints to elicit a sense of unease or distress in a subject causing that subject to comply with lawful directives.

**Non-Compliant:** The subject refuses to comply with officer's lawful commands or cooperate with an officer's directions. Includes passive resistance where subject uses dead weight to prevent being taken into custody. Examples include subjects who remain in a sitting, standing, or limp or prone positions without holding on to fixed objects or other persons in an attempt to delay or resist arrest.

**Professional Presence:** The displays of visual images of authority as well as a professional demeanor and manner are typically present at every encounter between officers and subjects. This includes symbols of police authority including the badge, uniform, and/or marked police vehicle.

**Projectile Devices:** Devices designed to expel or propel impact projectiles or chemical agents by any action, mechanism, or process (e.g., FN 303, 12 gauge specialty impact device, Pepperball, and 40 mm).

**Restraints:** Restraints include handcuffs, belly chains, shackles, hobbles, flex cuffs, WRAP, or other devices designed to restrain the movement of a person.

**Serious Bodily Injury:** A serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement (Penal Code §243(f)).

**Totality of Circumstances:** All facts known to the officer at the time, including the conduct of the officer and the subject leading up to the use of force (Penal Code 835a).

**Verbal and Non-Verbal Communications:** Verbal and non-verbal communications are often a critical component of any potential use of force situation. This type of control includes any verbal and non-verbal requests, directions, or commands from an officer to a subject. Verbal and non-verbal interaction is typically present at every level of resistance, but it is not necessary for an officer to exhaust verbal and non-verbal dialogue or commands before using physical force when necessary.

## **USE OF FORCE**

**803.** Officers shall use only that amount of force that is objectively reasonable under the totality of the circumstances known to the officer at the time the force is used. Force may appear necessary at the time the force is used given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of an objectively reasonable officer in the same situation, based on the totality of circumstances known to or perceived by the officer at the time. Any evaluation of reasonableness must allow for the fact that officers are often



forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by the Department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable, and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose under the totality of the circumstances.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to find the least intrusive or optimal response or to retreat or be exposed to possible physical injury before applying reasonable force.

**803.1 USE OF FORCE TO SEIZE EVIDENCE** Officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers should not use force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted.

**804. Duty to Intercede.** Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law shall promptly report these observations to a supervisor as soon as feasible.

**805. De-escalation.** When reasonable and practicable, officers should consider attempts to de-escalate situations in their interactions with subjects, through the use advisements, warnings, verbal persuasion, and other tactics and alternatives to higher levels of force.

In addition, when reasonable, officers should evaluate the totality of circumstances presented at the time in each situation and, when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force (Government Code § 7286(b)(1)). Such alternatives may include but are not limited to: (a) Attempts to de-escalate a situation. (b) If reasonably available, the use of crisis intervention techniques by properly trained personnel.

**806. Verbal and Visual Warnings.** A verbal or visual warning of the intended use of force should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply with an officer's direction.
- (b) Provide other officers and individuals with a warning that a control device or weapon may be deployed.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the control device, method or weapon in the related report.

**807. Use of Force to Effect an Arrest.** Any peace officer who has reasonable cause to believe that the person to be arrested has committed a public offense may use objectively reasonable force to effect an arrest, to prevent escape or to overcome resistance. A peace officer who makes or attempts to make an arrest need not retreat or desist from their efforts by reason of the resistance or threatened resistance of the person being arrested nor shall an officer be deemed the aggressor or lose the right to self-defense by the use of objectively reasonable force to effect the arrest, prevent escape or to overcome resistance (Penal Code § 835a(d)).

For purposes of this Section 807, "retreat" does not mean tactical repositioning or other de-escalation techniques. (Penal Code §835a(d)).

**808. Factors Used to Determine the Reasonableness of Force.** When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

- (a) Immediacy and severity of the threat to officers or others;
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time including whether the individual was actively resisting;
- (c) The time available to the officer to make a decision;
- (d) The conduct of the involved officer leading up to the use of force (Penal Code §835a);
- (e) Seriousness of the suspected offense or reason for contact with the individual;

- (f) Whether the person appears to be resisting, attempting to evade arrest by flight or is attacking the officer;
- (g) Proximity to weapons or dangerous improvised devices;
- (h) Officer/subject factors including:
  - (1) Age, size, relative strength;
  - (2) Skill level;
  - (3) Injuries sustained or level of exhaustion or fatigue;
  - (4) The number of officers available vs. subjects;
  - (5) Prior contacts with the subject or awareness of any propensity for violence;
  - (6) Effects of drugs or alcohol;
  - (7) Environmental factors such as footing, lighting, sound and crowd conditions.
- (i) The degree to which the subject has been effectively restrained and the subject's ability to resist despite being restrained;
- (j) Whether the conduct of the subject no longer reasonably appears to pose an imminent threat to the officer or others;
- (k) The availability of other options and their possible effectiveness;
- (l) Training and experience of the officer;
- (m) Potential for injury to officers, suspects and others;
- (n) The risk and reasonably foreseeable consequences of escape;
- (o) The apparent need for immediate control of the subject or a prompt resolution of the situation;
- (p) Individuals who are known to be pregnant;
- (q) Elderly individuals or obvious juveniles;

- (r) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray;
- (s) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles);
- (t) Individuals with physical, mental health, developmental, or intellectual disabilities who may be limited in their abilities to understand and comply with officer commands;
- (u) Other exigent circumstances.

**809. Pain Compliance Techniques.** Pain compliance techniques may be very effective in controlling a non-compliant or actively resisting individual. Officers may only apply those pain compliance techniques for which the officer has received departmentally approved training and only when the use of such a technique appears objectively reasonable to further a legitimate law enforcement purpose.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

**810. Intermediate Force Application.** Intermediate force options are neither likely nor intended to cause death, but have a significant risk of bodily injury or harm. In situations where a subject is actively resisting and poses a threat to the safety of officers or the public, officer may use intermediate force where such force would be objectively reasonable under the totality of the circumstances. Intermediate force is typically appropriate to compel compliance by a subject displaying assaultive resistance. This force option includes devices intended to assist peace officers in gaining control of subjects who refuse to submit to lawful authority. This may include for example: batons, conducted energy devices (CED), oleoresin capsicum (OC) spray, chemical agents, restraints, and kinetic energy projectiles (KE).

**811. Deadly Force Applications.** A peace officer may use deadly force only when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary to defend against an imminent threat of death or serious bodily injury to the officer or to another person. (Penal Code §835a(c)(1)(a)). Officers must consider their surroundings and potential risks to bystanders, to the extent reasonable under the circumstances, before discharging a firearm (Govt. Code 7286).

An officer may only use the level of force that they reasonably believe is proportional to the seriousness of the suspected offense or a reasonably perceived level of actual or threatened resistance (SB 230; Govt. Code 7286).

A peace officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will

cause death or serious bodily injury to another unless immediately apprehended. Where feasible, a peace officer shall, prior to the use of force against such fleeing suspect, make reasonable efforts to identify themselves as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts. (Penal Code §835a(c)(1)(B)).

A peace officer shall not use deadly force against a person based on the danger that person poses to themselves, if an objectively reasonable officer would believe the person does not pose an imminent threat of death or serious bodily injury to the peace officer or to another person. (Penal Code §835a(c)(2)).

As used in this Section 811, the following terms have the following meanings:

- (a) “Totality of the circumstances” means all facts known to the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force (Penal Code §835a(e)(3));
- (b) A threat of death or serious bodily injury is “imminent” when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed. (Penal Code §835a(e)(2)).

## **PROCEDURES FOLLOWING THE USE OF FORCE**

**812. Medical Attention.** Prior to booking or release, medical attention shall be obtained for any person to whom force has been applied who:

- (a) Exhibits signs of physical distress;
- (b) Has sustained visible injury;
- (c) Expresses a complaint of injury or continuing pain;
- (d) Was rendered unconscious; or
- (e) Exhibits extreme agitation.

In such situations, officers shall ensure that the person is monitored until medical attention is obtained.

**813. Medical Emergencies.** Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called “excited delirium”), or who experience a protracted physical encounter with multiple officers to be brought under control, may necessitate special medical consideration.

- (a) Calls involving these persons may be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away if appropriate.

**814. Providers of Medical Attention.** Based upon the officer's initial assessment of the nature and extent of the subject's injuries, medical attention may consist of examination by fire personnel, EMT's, paramedics, hospital staff or medical staff at the jail.

**815. Refusal of Medical Attention.** If any individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

**816. Notification.** When an officer reasonably believes that there is a medical risk to a person following any use of force, the on-scene supervisor, or if unavailable, the primary handling officer shall ensure that any person providing medical care or receiving custody of such person is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

## **REPORTING THE USE OF FORCE OR DISPLAY OF WEAPON OR CONTROL DEVICES**

**817. Documentation.** Any use of force or display of a weapon or control device to gain compliance by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why they believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

**818. Supervisory Notification.** Supervisory notification shall be made as soon as practicable following any of the following circumstances:

- (a) Any use of force as defined in Section 802 of this Chapter;
- (b) Any display of weapons or control devices in order to gain compliance;
- (c) Any person alleges any use of force;
- (d) The individual indicates intent to pursue litigation with allegations of use of force;
- (e) Any application of a restraint device to a non-compliant subject;
- (f) A non-Injury or Property Damage Intentional Discharge of a Firearm Incident (which includes an intentional discharge at anything other than a person, such as a dog);
- (g) Unintentional discharge of a firearm or control device;

**818.1 Supervisor's Administrative Reporting.** Once notified, the supervisor shall respond to the scene in a timely manner in every instance described in Section 818 of this Chapter. The supervisor will investigate the incident and complete a Supervisor's Use of Force Review form. In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as much of the Supervisor's Use of Force Review form as circumstances permit.

**818.2 Supervisor's Responsibilities.** The supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties;
- (b) Ensure that any injured parties are examined and treated;
- (c) When possible, separately obtain a recorded interview with the subject upon whom force was applied. A determination must be made if *Miranda* rights are applicable. If *Miranda* rights are not applicable, the following shall apply:
  - (1) The content of the interview shall be summarized or included in any related criminal charges;
  - (2) The fact that a recorded interview was conducted shall be documented in the appropriate report(s);
  - (3) The recording of the interview shall be distinctly marked for retention until all potential for civil litigation has expired.

- (d) If *Miranda* rights are applicable, then no interview with the subject upon whom the force was applied shall be conducted unless the subject waives his/her rights;
- (e) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas. These photographs should be retained until all potential for civil litigation has expired;
- (f) Identify any witnesses not already included in related reports;
- (g) Review and approve all related reports;
- (h) Should the supervisor determine that any application of force was not within policy, the Chief of Police or designee will determine the appropriate next steps.

## **COMMAND LEVEL REVIEW**

**819.** The Chief of Police or designee shall assign a member of his or her command staff to review each use of force by any personnel within his or her command to ensure compliance with this policy and to address any training issues. The assigned command staff member is responsible to review the Use of Force Report package (e.g. Supervisor's Use of Force Review, crime and arrest reports, photographs, and/or other pertinent information). After final review, the Office of the Chief of Police will ensure that custody and storage of the Use of Force Report package complies with legal statutes and policies.

## **REPORTING TO THE CALIFORNIA DEPARTMENT OF JUSTICE**

**820.** The Chief of Police or designee shall ensure that data required by the Department of Justice (DOJ) regarding all officer-involved shootings and incidents involving use of force resulting in serious bodily injury is collected and forwarded to the DOJ as required by Government Code §12525.2.

## **FIREARMS**

**821.** Firearm safety shall be a primary concern of all sworn personnel whether on or off duty.

**822.** All firearms deployed and in use by UCPD officers shall be in compliance with the UCPD Systemwide Weapons Inventory List. Weapons not approved for use by the University of California shall not be deployed. The list of approved weapons shall be reviewed and updated annually by the Council of Police Chiefs. Each campus Chief of Police shall personally approve the specific weapons available to the department's officers from the UCPD Systemwide Weapons Inventory List.

**822.1 Approval.** Each campus Chief of Police shall approve the specific weapons available to the department's officers from the UCPD Systemwide Weapons Inventory List.



**822.2 Authorization.** Firearms shall be used only by department personnel who have been authorized by the Chief of Police, trained, and who are qualified in their proficient operation. While on duty, authorized personnel shall carry only firearms and ammunition issued or approved by the department and in accordance with the Systemwide Weapons Inventory List.

**822.3 Inter-campus Use.** Officers who are authorized to carry a weapon at their home campus shall not be precluded from carrying that weapon when working at another campus.

**823. Carrying by Plainclothes Officers.** Plainclothes officers carrying firearms shall also carry their badges, except as authorized by the Chief of Police. If carrying their firearms displayed, plainclothes officers shall also prominently display their badges.

**824. Registration.** Authorized personnel shall register with the department all personally owned firearms carried or used in the performance of their duties.

**825. Off-Duty Firearms.** Officers shall not be required to carry firearms while off duty.

**826. Firearms, Personal Use.** It is not intended that these Universitywide Police Policies and Administrative Procedures, specifically those in this chapter, preclude police officers from using personally owned firearms in hunting or in recognized sports activities in which firearms are customarily used.

**827. Off Duty Firearms--Non-Sworn.** Nothing in this Chapter is intended to authorize non-sworn personnel to carry firearms while on or off duty.

**828. Authorized Firearms--Off Duty.** If an officer chooses to carry a weapon other than that approved for on-duty use while off duty, the officer shall obtain written approval from the Chief of Police.

**829. Off Duty Firearms Proficiency.** The Chief of Police shall establish a policy relating to proficiency requirements for off-duty firearms.

**830. Display of Firearms.** Officers shall not unnecessarily draw, display or carelessly handle a firearm at any time, while on or off duty.

Officers should use sound discretion when drawing a firearm in public by considering the following guidelines (Government Code § 7286(b)):

If the officer does not perceive an imminent threat but reasonably believes that the potential for such threat exists (e.g., building search), firearms should generally be kept in the low-ready or other position not directed toward an individual. If the officer reasonably believes that an imminent threat exists based on the totality of circumstances presented at the time (e.g., high-risk stop, tactical entry, armed encounter), firearms may be directed toward such imminent threat until the officer no longer perceives such threat. Once it is reasonably safe to do so, officers should carefully secure all firearms.

**830.1 Drawing or Exhibiting Firearms.** Unnecessarily or prematurely drawing or exhibiting a firearm limits an officer's alternatives in controlling a situation, creates unnecessary anxiety on the part of the public, and may result in an unwarranted or accidental discharge of the firearm. Officers shall not draw or exhibit a firearm unless the circumstances surrounding an incident creates a reasonable belief that it may be necessary to use the firearm in conformance with the policies on the use of firearms. When a firearm is drawn or exhibited to gain compliance from a subject, the circumstances shall be documented.

**830.2 Shooting at or from Moving Vehicles.** Shots fired at or from a moving vehicle are rarely effective. Where feasible, officers should attempt to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

**831. Reporting the Discharge of Firearms.** Except as provided in the policy or during training or lawful recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make an oral report to a ranking officer as soon as circumstances permit, and shall file a written report in addition to any police report, as soon as possible, describing the incident fully. Officers participating in training or lawful recreational use shall report a discharge resulting in injury or death.

**832. Inappropriate Use of Firearms – Disciplinary Action.** An officer shall be subject to corrective action or dismissal should the discharge or public display of a firearm by the officer involve the following:

- (a) A violation of the law;
- (b) A violation of a University Police order relating to the discharge or display of firearms;
- (c) A wanton disregard for public safety;
- (d) Warning shots are prohibited. Shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they are necessary, likely to be effective, and reasonably safe.
- (e) Misconduct, including but not limited to:
  - (1) Being under the influence of alcohol or drugs;

- (2) Unjustified display of authority;
- (3) Use of official position for personal advantage;
- (4) Dereliction of duty;
- (5) The accidental discharge of a firearm through carelessness or misbehavior;
- (6) Any other misuse of a firearm.

**833. Firearms Proficiency.** Every peace officer shall achieve and maintain firearms proficiency in accordance with the requirements of this section.

**833.1 Proficiency Requirement.** All officers shall demonstrate firearms proficiency at least annually on a departmental approved police shooting course. This includes the primary duty firearm, any secondary firearm, any off duty firearm, as well as approved rifles and shotguns used on-duty.

**833.2 Failure to Report.** Officers who fail to report for scheduled firearms training without a valid excuse may be subject to corrective action.

**833.3 Course Rules.** Proficiency scores shall be attained in conformance with all course rules.

**833.4 Record Retention.** Records of qualifications shall be held for a minimum of-2 years.

**833.5 Firearms-Accessories Requirement.** Proficiency scores shall be attained using the departmentally approved firearm, holster and loading devices usually carried by the officer.

**833.6 Special Weapons--Requirement.** Proficiency must be attained at least once a year as a condition of approval to carry non-regulation or special weapons on or off duty. Officers requesting permission to carry non-regulation firearms off duty must purchase all ammunition at their own expense.

**833.7 Failure to Demonstrate Proficiency.** Failure to meet the required standard is considered unsatisfactory performance and may be subject to corrective action or dismissal in accordance with applicable personnel policies.

**833.8 Exceptions.** Exceptions to this Section 833 may be made only by the Chief of Police.

## **CONTROL DEVICES - GENERAL**

**834.** In order to control subjects who are violent or who demonstrate the intent to be violent, the University of California authorizes officers to use selected control devices in accordance with the guidelines in this policy. Control devices include batons, Conducted Energy Devices

(CED), oleoresin capicum (OC) spray, chemical agents, restraints, projectile devices, and kinetic energy projectiles.

**834.1. Approval and Issuance.** Control devices described in this policy may be carried and used only if the device has been issued by the Department or approved by the Chief of Police or the designee.

**834.2. Training.** Sworn members of the Department deploying control devices must have satisfactorily completed a training course conducted by the Department in the appropriate use of the specific firearm and control device. Recertification of proficiency in the use of the specific firearms and control devices will be conducted at regular intervals or as specified by the firearms and control device manufacturer, if applicable. Appropriate training records will be maintained by each department and will comply with POST guidelines for roster retention and submission.

The Chief of Police or designee shall ensure that all personnel who are authorized to carry a firearm and control device have been properly trained and certified to carry the specific firearm and control device and are retrained or recertified as necessary. Additionally, the Chief of Police or designee will ensure:

- (a) Proficiency training shall be monitored and documented by a certified instructor;
- (b) All training and proficiency will be documented in the officer's training file;
- (c) Officers who fail to demonstrate proficiency with the control device or knowledge of the Department's Use of Force Policy will be provided remedial training. If an officer cannot demonstrate proficiency with a specific control device or knowledge of the Use of Force Policy after remedial training, the officer will be restricted from carrying the delivery system and may be subject to discipline.

**834.3. Inspection.** Officers will inspect the authorized control devices assigned to them to ensure that the device is in proper working order before use.

**834.4. Use of Control Devices.** Control devices may be used when a decision has been made to restrain, arrest or gain control of an individual or group of individuals who are engaging in, or have demonstrated the intent to engage in violent behavior and reasonably appear to have the potential to harm officers, themselves or others, and the use of the device appears objectively reasonable under the circumstances.

**834.5 Use of Control Devices in Crowd Control Situations.** Unless exigent circumstances exist, the use of force in crowd control situations should be authorized by the Chief of Police or the designee after consultation with the Chancellor or their designee.

**834.6 Impact Areas.** When using control devices, officers should carefully consider potential impact areas and foreseeable injuries and avoid unintentional targets.

**834.7 Warnings.** When reasonable and practicable, a warning and opportunity to comply should precede the use of these devices.

**834.8 Drawing or exhibiting control devices.** When a control device is drawn or exhibited to gain compliance from a subject, the circumstances shall be documented. A baton held in port arms position does not need to be documented.

## **CONTROL DEVICES - CHEMICAL AGENTS**

**835.** Chemical agents may include CS, CN, oleoresin capsicum (OC), and HC.

**835.1 Authorization.** Only the Chief of Police, Watch Commander, or Incident Commander may authorize the delivery and use of chemical agents other than OC, and only after evaluating all conditions known at the time and determining that such force appears to be objectively reasonable under the totality of the circumstances.

**835.2 Use for Dispersal.** Chemical agents should not be used against individuals or groups who merely fail to disperse and do not reasonably appear to present a risk to the safety of officers or the public.

**835.3 Notification of Fire Personnel.** When practicable, fire personnel should be alerted or summoned to the scene prior to the deployment of chemical agents to control any fires and/or to assist in providing medical aid or gas evacuation if needed.

**835.4 Post-Exposure Assistance.** Persons who have been sprayed with or otherwise affected by the use of chemical agents should be promptly provided with sufficient clean water to thoroughly flush the affected area(s) when practicable.

**835.5 Post-Exposure Notice.** Whenever chemical agents have been introduced into a residence, building interior, vehicle or other enclosed area, officers should provide the owners or available occupants with notice of the possible presence of residue that could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean-up will be at the owner's expense. Information regarding the method of notice and the individuals notified should be included in related reports.

## **CONTROL DEVICES - POLICE BATONS**

**836.** When carrying a baton, uniformed personnel shall carry the baton in its authorized holder. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignment or at the direction of their supervisor.

**836.1 Baton Use.** The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an immediate threat of serious bodily injury or death to the officer or others.

**836.2 Baton Use in Crowd Control Situations.** During crowd control situations, subjects may be encountered who refuse to disperse or respond to verbal directions. When this type of behavior confronts officers, the baton may be used as a pushing instrument to gain compliance. It may also be used as an impact weapon depending on the degree of active resistance or assaultive resistance demonstrated by the subject. In both circumstances, officers shall use only that amount of force that is objectively reasonable, and verbalization of commands should continue throughout this situation.

## **CONTROL DEVICES - CONDUCTED ENERGY DEVICES (CED's)**

**837. Use of CED:** The appropriate use of such a device is intended to result in fewer serious injuries to officers and suspects.

**837.1 Authorization and Training.** Only members who have successfully completed department-approved training may be issued and carry the CED. Officers shall only use the CED and cartridges that have been issued by the Department.

**837.2 Carrying of CED.** Uniformed officers who have been issued the CED shall wear the device in an approved holster on their person. When in uniform, officers shall carry the CED device in a weak-side holster on the side opposite the duty weapon.

**837.3 Additional CED Policies.** For those UC Police Departments who authorize their officers to carry CED's, there may be additional policies and procedures that apply. Refer to the respective UC Police Department's policies regarding the ~~carrying and use of a CED~~, if applicable.

## **CONTROL DEVICES - PROJECTILE DEVICES**

**838.** Projectile devices may de-escalate a dangerous or potentially deadly situation, and may compel an individual to cease their actions when such projectile devices present a reasonable option, as described below.

**838.1 Approval.** Only approved impact projectile devices shall be carried and deployed.

**838.2 Use of Projectile Devices.** Officers are not required or compelled to use projectile devices in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of subjects engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for proper application of approved munitions;
- (b) The suspect has made credible threats to harm themselves or others;

- (c) The suspect is engaged in aggressive or violent behavior, or is throwing rocks, bottles or other dangerous projectiles at people and/or officers;
- (d) In crowd control situations when the Chief of Police, Incident Commander or designee authorizes the delivery and use of the device.

**838.3 Pre-Deployment Inspection.** Officers will inspect the delivery system and impact projectiles assigned to them before use to ensure that the device is in proper working order, and that the impact projectiles are of the approved type and appear to be free from defects.

**838.4 Storage.** When it is not deployed, the delivery system and impact projectiles will be unloaded and securely stored.

## **CAROTID CONTROL HOLD**

**839.** The carotid control hold is not authorized.

**839.1 Post-Application Assistance.** Although the carotid hold is not authorized by this policy, there may be situations where another agency or person has applied a carotid hold, or other similar technique, to an individual. When any UCPD officer is involved in such an incident, that officer shall ensure that the person promptly receives medical attention, and ensure that the person is monitored until that takes place. The use of the carotid control hold, or similar technique, by another agency or person shall be thoroughly documented by the officer in any related reports.

## **840. Training**

Officers, investigators, and supervisors will receive periodic training on this policy and demonstrate their knowledge and understanding (Government Code § 7286(b)). Subject to available resources, the Training Officer should ensure that officers receive periodic training on de-escalation tactics, including alternatives to force. Training should also include: (a) guidelines regarding vulnerable populations, including but not limited to children, elderly persons, pregnant individuals, and individuals with physical, mental, and developmental disabilities. (b) Training courses required by and consistent with POST guidelines set forth in Penal Code § 13519.10.

**841. Regular Review**The Council of Chiefs or designee shall [regularly review and update this policy to reflect developing practices and procedures.](#)

At least annually, the Chief of Police shall designate a member to prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include: (a) the identification of any trends in the use of force by members. (b) training needs recommendations. (c) equipment needs recommendations. (d) policy revision recommendations.

## **842. Posting of Policy**

Each UC police department shall make this policy accessible to the public.

**843. Public Records**

Public records shall be released in accordance with Penal Code §832.7.

**844. Complaints Regarding Use of Force**

Procedures for the filing, investigation, and reporting of citizen complaints regarding use of force incidents are contained in Chapter [Personnel Complaints – pending Chapter No.] of these Policies.

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## **Chapter 16: SYSTEMWIDE RESPONSE TEAM POLICY**

### **PURPOSE**

**1601.** The Systemwide Response Team (SRT) will prepare for, and professionally respond to unique situations and incidents that demand trained, equipped, experienced, and organized teams of sworn UC Police personnel beyond those resources available at one campus, as determined by the campus Chief of Police.

**This document establishes the policies by which operations and services of the SRT will be conducted. Issues specifically not addressed in these policies will be handled in accordance with Universitywide Police Policies and Procedures and by the policies of the campus where the sworn officer is employed.**

The SRT Activation Chart appended as Appendix A to this Chapter is to provide a visual reference for SRT activation. However, the policy itself in this Chapter shall prevail should there be any discrepancy.

### **MISSION STATEMENT**

**1602.** The mission of the University of California SRT is to maintain a trained team of sworn personnel with the skills and equipment readily available to assist local campuses to:

- (a) Facilitate and protect the Constitutional Rights of all persons;
- (b) Keep the peace and protect life and property;
- (c) Protect lawful activity while identifying and isolating unlawful behavior;
- (d) Provide dignitary protection; and
- (e) Provide training and other assistance when requested and appropriate.

### **COMPOSITION AND CHAIN OF COMMAND OF THE SRT**

**1602.** The composition and chain of command of the SRT shall be as follows:

**1602.1 The UC Council of Chiefs.** The UC Council of Chiefs is a duly constituted body consisting of the Chiefs of Police of the ten UC campuses. The Council meets on a regular basis for the purpose of establishing liaisons, reviewing University Police issues and promulgating policy and procedures through the office of Employee/Labor Relations. When requirements under law, including HEERA apply, the UC Council of Chiefs will comply with the provisions to meet and confer with the bargaining unit.

**1602.2 The Chiefs' Liaison.** The Chiefs' Liaison will be appointed with consensus of the UC Council of Chiefs to provide general oversight and accountability to the SRT and will coordinate SRT deployment, regular reporting, program assessment, and liaison to the UC Council of Chiefs on behalf of the SRT. The UC Council of Chiefs will identify an alternate Liaison to act in the absence of the Chief's Liaison.

**1602.3 SRT Regional Coordinators.** The SRT Regional Coordinators will be sworn police officers, generally of the rank of Captain or higher who report to the Chiefs' Liaison. The SRT Regional Coordinators are responsible for working with the Chief of Police or designee from the host UC campus to determine the appropriate deployment of SRT personnel. The SRT Coordinators may deploy as needed with SRT personnel to serve as a liaison with the Police Incident Management Team of the host campus.

The SRT Coordinators are responsible for ensuring training compliance with this policy. Individual training records will be maintained by the campus training coordinator and be made available for review by the SRT Coordinators. The SRT Coordinators will maintain the training records of all SRT training including the lesson plans, attendance records, certificates of the trainers etc.

The SRT Coordinators are also responsible for maintaining deployment records, performance documents and summaries. They will also assist the host campus with debriefings and developing and submitting after-action reports.

The SRT Coordinators are also responsible for maintaining an itemized inventory of all equipment affiliated with the SRT. This information should be forwarded to the Chiefs' Liaison, so planning and budgetary issues can be addressed.

**1602.4 SRT Commanders.** The SRT Commanders will be sworn police officers, generally of the rank of Lieutenant or higher who report to the Regional Coordinators.

SRT Commanders may act as liaisons to the host Chief of Police or designee, or may be deployed in the field to coordinate tactical deployments of the SRT members. The SRT Commanders are responsible for providing assignments and direction to the SRT members, consistent with the mission provided by the host campus. In the absence of both SRT Coordinators, a Commander(s) may be assigned as acting SRT Coordinator(s).

The SRT Commanders are responsible for ensuring SRT members are properly equipped, are proficient with all assigned equipment and maintain their equipment in good working order. The SRT Commanders are also responsible for identifying, organizing and planning team training for all SRT members.

SRT Commanders will serve as mobile field force leaders. A mobile field force will be two or more squads.

**1602.5 SRT Teams and Squads.** The SRT will be deployed in team/squad formations. The squads will generally consist of two sergeants and ten officers; a team will generally consist of a sergeant and five officers. However, based on circumstances, and with consultation of an SRT Commander, personnel may be assigned to other duties to meet operational needs (e.g., grenadiers). A Sergeant will be the squad leader and report directly to the SRT Commander, unless temporarily reassigned to another command element. A squad or team leader may also be an Officer in Charge (OIC).

## **SRT DEPLOYMENT**

**1603.** SRT deployment will be in accordance with Universitywide Police Policies and Procedures Chapter 13: Universitywide Mutual Aid.

**1603.1 Requests for SRT Deployment.** Requests for SRT deployment should be made by the host Chief of Police to the Chiefs' Liaison and both SRT Coordinators, using the Universitywide Mutual Aid Request Form. The Chiefs' Liaison will assist and be responsible to the host Chief of Police for coordinating the deployment of the SRT personnel/equipment, and make notifications to additional campus Chiefs as necessary.

**1603.2 Supervision and Command.** Supervision and command of the SRT is the responsibility of the host campus Chief of Police or designee. Upon arrival to the host campus, the SRT Coordinator or Commander should report directly to the host campus Chief of Police or designee for assignment and instructions.

## **SRT SELECTION PROCESS**

**1604.** It is the desire of the UC Chiefs of Police to organize and staff the SRT with personnel that demonstrate an interest and aptitude in the SRT concept and who have shown satisfactory work performance. Appointment to the SRT is done through a selection process and the time and duration of the appointment is the discretion of the individual member's Chief of Police. Performance and participation on the SRT shall be reviewed annually. After completing the duration of appointment, the member may reapply. The selection process remains a campus responsibility based on a competitive selection process. The criterion for application and selection is set forth in section 1604.

**1604.1 SRT Coordinators.** The SRT Coordinators will be sworn police officers, generally of the rank of Captain or higher who are selected by the UC Council of Chiefs. There will be two SRT Coordinators, one from each region (North and South), who serve at the discretion of the UC Council of Chiefs. Interested command officers shall obtain approval from their Chief of Police to be an SRT Coordinator and submit a letter of interest to the Chiefs' Liaison. SRT Coordinators are selected by the UC Council of Chiefs.

**1604.2 SRT Commanders.** The SRT Commanders will be sworn police officers, generally of the rank of Lieutenant or higher. Interested command officers shall submit a letter of interest to their Chief of Police, which upon approval, shall be forwarded to the Chiefs' Liaison for consideration. SRT Commanders are selected by the Chiefs' Liaison with the recommendation of the SRT Coordinator in their region. Generally, there shall be a minimum of six SRT Commanders.

The SRT Commanders will serve at the discretion of the Chiefs' Liaison and the members' campus Chief of Police.

**1604.3 SRT Sergeants and Officers.** The Chief of Police for the SRT members' campus will identify how many members of the department should be assigned to the SRT. SRT candidates will be selected by the SRT members' campus Chief of Police and command staff. Each campus will strive to commit at least twenty percent of their sworn personnel work force as SRT members.

Each campus will conduct a selection process for the SRT members from the department. The process should include a command level review of the applicants' qualifications, a supervisory recommendation, and a review of the SRT applicants' performance evaluations.

**1604.3.1 Minimum Process for Selection of Sergeants and Officers.** Applying members should refer to their campus Police Department's selection process which should minimally include:

- (a) Letter of interest to include relevant experience and training;
- (b) Supervisor feedback as determined by the Chief;
- (c) Completion of probation.

**1604.3.2 Minimum Qualifications of Sergeants and Officers.** Minimum qualifications include:

- (a) Three years of sworn experience with one of those years at a UC campus police department;
- (b) Experience and training in crowd management and control tactics.
- (c) Completion of probation
- (d) No sustained findings of excessive/unreasonable use of force
- (e) Training in de-escalation, Crisis Intervention Training and Mental Health
- (f) Knowledge of the 1st Amendment
- (g) Current in all required certifications (for example: Mental Health, First Aid/CPR, De-Escalation and Crisis Intervention Training).

**1604.3.3 Review and Selection.** Review, selection, and final approval of the team members will rest with the Chiefs' Liaison in consultation with the SRT Coordinators. SRT Sergeants and Officers serve at the discretion of their Campus Chief of Police, the Chiefs' Liaison, and the SRT Regional Coordinator.

Failure to be selected as a member of SRT, is not grievable.

**1604.3.4 SRT Personnel Compensation.** The Council of Chiefs has established SRT as a specialty assignment at all campuses owing to members' ongoing specialized training and commitment to respond to systemwide incidents and events. SRT specialty compensation for officers is established in the PA contract. SRT specialty compensation rate for non-represented sworn personnel (i.e., Sergeants, Lieutenants, Captains, Assistant Chiefs, and Chiefs of Police) shall be established, for application uniformly, by the Council of Chiefs and reviewed at least annually by the Council.

## **TRAINING**

**1605.** Training is an essential part of SRT operations and a fundamental responsibility of every member of SRT. All training, training instructors and training curriculum shall be approved by the UC Council of Chiefs. All training shall be thoroughly documented.

**1605.1 Physical Fitness.** SRT members should note the importance of staying physically fit. It is reasonable to assume that SRT training or deployments may involve actions such as:

- (a) Running;
- (b) Properly executing squad movements or formations;
- (c) Standing for long periods of time;
- (d) Properly perform various arrest or rescue techniques;
- (e) The ability to use or retain duty weapons in a manner consistent with policy;
- (f) Maintaining discipline and professionalism in a stressful environment.

**1605.2 Areas of Training.** SRT training shall be based on a thorough assessment of the knowledge, skills, and abilities that SRT members need to possess in order to accomplish the missions of SRT. SRT Commanders are responsible for developing training guidelines in the following areas:

- (a) Tactical Communication;
- (b) Use of Force;
- (c) Crowd Management;
- (d) Intervention Strategies;
- (e) Dignitary Protection;
- (f) Incident Command System;
- (g) Arrest Techniques;
- (h) Authorized Equipment and Tools;

- (i) Relevant Case Law;
- (j) Command Level and Situational Awareness Training;
- (k) Other Contemporary Best Practices.

**1605.3 Approved Lesson Plans.** SRT training shall contain a curriculum based on approved lesson plans taught by approved, certified or expert instructors, hourly schedules, learning objectives, and performance-based testing.

**1605.4 Annual Training Plan.** SRT Coordinators shall set forth an annual training plan and schedule. The plan and schedule shall be distributed to the Chiefs' Liaison for review.

**1605.5 Removal for Lack of Attendance.** SRT members are required to attend mandatory training and participate in SRT call-outs unless excused by their Chief of Police. A recommendation to remove a SRT member who has a pattern of absences will be made by the Chiefs' Liaison to the member's campus Chief of Police who will address the issue.

**1605.6 Consistent Systemwide Training.** SRT Training shall be consistent systemwide, conforming to best practices and following POST guidelines on crowd management. Mandatory SRT training for all members should occur twice a year as scheduled. If an SRT member misses both mandatory training days within a calendar year, the SRT member may be removed from SRT. Each campus is encouraged to schedule two additional SRT training days at their campus, for their officers, each calendar year.

## **EQUIPMENT**

**1606.** The SRT will be supplied with equipment approved by the UC Council of Chiefs. The Chiefs' Liaison with the assistance of the SRT Coordinators and SRT Commanders, will recommend the equipment to be utilized by the members of the SRT. The SRT Commanders and Sergeants will ensure that all equipment is periodically inspected and ready for field use prior to deployment of the SRT. SRT equipment, tools and their use shall be evaluated at least annually. SRT members are required to train with issued equipment at every scheduled training event.

**1606.1 Issuance of Equipment.** SRT Sergeants and Officers will use their department issued equipment and its deployment will be authorized based on their particular assignment. Replacement equipment or newly issued equipment is purchased by the individual member's department. Each SRT member will be issued:

- (1) Helmet with face shield and 36" baton;
- (2) Gas mask with extra filter and mask carrier;
- (3) Soft riot armor;
- (4) Flex cuffs with officer's badge number on the cuffs;
- (5) Peltor headset

- (6) Additional equipment as deemed necessary by the Council of Chiefs.

**1606.2 Deployment of Equipment.** Deployment of SRT equipment includes, but is not limited to:

- (a) Weapons:
  - (1) Kinetic energy projectiles;
  - (2) Chemical agents.
- (b) Non-Weapons:
  - (1) Backpack with first aid equipment;
  - (2) Arrest kits;
  - (3) Specialized equipment for defeating protestor devices;
  - (4) Bullhorns/LRAD;
  - (5) Gloves.

**1606.3 Discretion of Host Campus Chief.** The use of SRT weapons will remain at the discretion of the host campus Chief or designee and deployment conditions, use, or restrictions shall be clearly noted in the Operations Plan. Whenever practicable, the host campus Chief or designee should discuss the use of SRT weapons with SRT Commander(s) before deployment. SRT personnel will not be prevented from carrying and/or using non-SRT weapons that have been issued or approved by their home campus.

**1606.4 Approval of Equipment.** No equipment will be used by any member of the SRT unless the equipment has been approved by the UC Council of Chiefs and the officer has received the proper training to utilize the equipment and the training is documented.

## **INCIDENT COMMAND SYSTEM**

**1607.** During a SRT call out and prior to the team's arrival, the host agency is expected to manage the response to critical incidents using the principles of the Incident Command System. To the extent possible written operations plans shall be supplied in advance to SRT Commanders by the host campus and written on ICS compliant forms.

The host campus is responsible for debriefing, developing and submitting the after- action reports, including a summary of SRT resources used for the event, to the Chiefs' Liaison within thirty days, where practical.

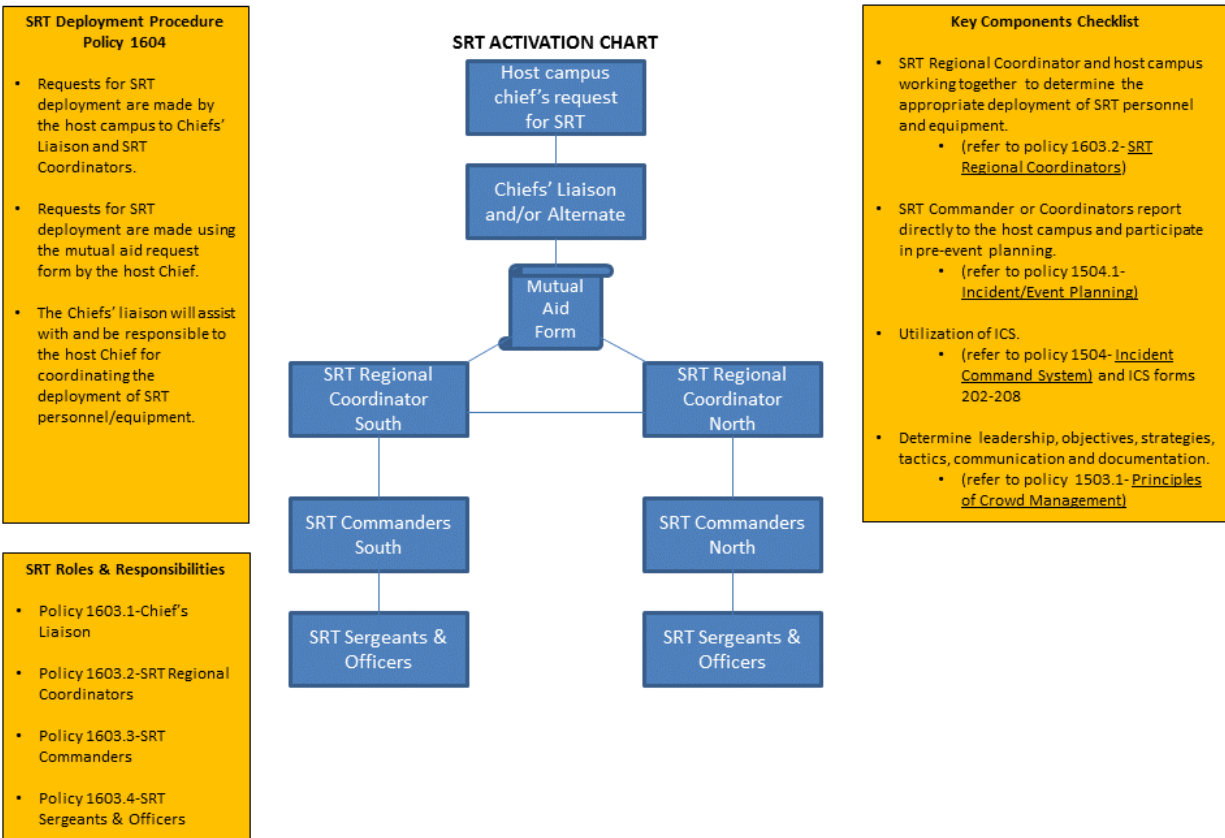
Standardized operations plans and after action reports will be used by all campuses and should minimally include summary of the events, significant actions taken, training needs identified, and equipment needs identified with associated costs.

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## Chapter 16: SYSTEMWIDE RESPONSE TEAM POLICY

### APPENDIX A



## **RETIRED OFFICERS – CARRY CONCEALED WEAPONS**

**1700.** Each campus Chief of Police shall issue identification cards and Carry Concealed Weapons (CCW) endorsements or certifications for its Qualified Retired Peace Officers in accordance with the California Penal Code, including Sections 16690, 25450, 25455, 25460, 25465, 25470, and 26305.

### **1700.1 Qualified Retired Peace Officer – Definition**

A “Qualified Retired Peace Officer” for purposes of issuance of a CCW endorsement or certification is defined as an officer who meets all of the following:

- (a) At the time of retirement, the officer was a full time sworn employee of a University of California Police Department who was authorized to, and did, carry a firearm during the course and scope of that employment; and
- (b) The officer honorably retired from the University directly from active service as a peace officer and receiving or is immediately eligible to receive benefits under the provisions of the University of California Retirement System.
  - (1) An officer receiving duty disability income has not retired or separated from the University of California and is therefore not eligible for a retiree identification card or retiree CCW privileges and is not considered a “qualified retired and separated peace officer; and
- (c) The officer did not retire due to a psychological disability (Penal Code §26305(a)), and had no mental health incapacity limiting their ability to work as a sworn police officer preceding retirement in good standing; and
- (d) The officer is not otherwise subject to a lawful restriction on the possession of firearms that conflicts with a carry concealed weapons endorsement; and
- (e) The officer meets their individual campus Police Department’s firearm proficiency qualification standard.

**1700.2.2 Carry Concealed Weapons - General Rules and Responsibilities** Retired badges, University of California Retired Officer Identification Cards (with or without carry concealed weapons endorsement), and other documentation or certification of carry concealed weapons privileges issued by any University of California campus shall remain the property of the University of California and may be revoked, recalled, or denied by that campus’ Chief of Police at any time.

- (a) Qualified Retired Peace Officers who elect not to exercise carry concealed weapons privileges may be issued ID cards that distinctly bear the text “Not CCW Approved.” Additional text shall further specify that the bearer is not authorized to carry a concealed firearm. Cards of this type have no expiration date and otherwise resemble those described in Section 1700.4 of this Chapter.
- (b) The Chief of Police or designee will inquire whether a Qualified Retired Peace Officer wishes not to have an endorsement for carry concealed weapons privileges (Penal Code §26300(b)).
- (c) Qualified Retired Peace Officers who elect to and are approved to carry concealed weapons shall remain in the California Department of Justice Summary Criminal History Information Database pursuant to Penal Code §11105(k) (1).
- (d) Qualified Retired Peace Officers who exercise carry concealed weapon privileges must:
  - (1) Comply with all applicable provisions of law and Departmental policy: Qualified Retired Peace Officers exercising carry concealed weapon privileges remain subject to their former campus’ rules and policies (Penal Code §26305(b)). Violation of law and/or Department policy, including failure to meet the appropriate firearm proficiency qualification standards, may be cause for revocation or denial of carry concealed weapon privileges and/or the recall of any issued badge, identification card or documentation of carry concealed weapons privileges and any other Department property.
  - (2) Notify their campus of any change in permanent resident address information within 30 days of change in permanent residence;
  - (3) Only carry a concealed firearm of the type for which they are qualified, and which is in good condition and proper working order;
  - (4) Refrain from being under the influence of alcohol (or any other intoxicating or hallucinatory drug or substance) when exercising carry concealed weapons privileges;
  - (5) Contact their campus to apply for renewal of identification cards;
  - (6) In the event that their retiree badge and/or University of California Retired Officer Identification Card is lost or stolen, as soon as practical, contact their former Department and make a police report, in addition to any police report filed with another jurisdiction;
  - (7) Immediately surrender any and all ID cards or carry concealed weapons certification documents, and any non-decorative badge or other property issued by their former campus, upon the demand of the campus Chief of Police.

Each campus may charge a fee as necessary to cover any reasonable expenses incurred during the process of issuing identification or certification to Qualified Retired Peace Officers (Penal Code §25455(b)).

### **1700.3 Firearms Qualifications Standards**

A retiring officer shall successfully pass, within 180 days prior to retiring, a department-approved firearm proficiency qualification or off-duty qualification course.

**1700.4 Identification and Qualification Documentation** Identification cards issued to Qualified Retired Peace Officers qualifying for carry concealed weapons privileges in the State of California shall be in the following format and contain the information described below:

- (a) The ID card shall be on a 2x3 inch card, bear the photograph of the retiree, include the retiree's name, date of birth, the date that the retiree retired, and the name and address of the agency from which the retiree retired, and stamped on it the endorsement "CCW Approved" and the date the endorsement is to be renewed (Penal Code §25460(c)).
- (b) The ID card shall display the date of expiration of the ID card and CCW privilege, which is initially required five years after the date of retirement, and every five years thereafter;
- (c) A statement on the reverse of the ID card shall describe the authority of the Department to issue the carry concealed weapons endorsement and to confiscate the card.

**1700.5 Denial of Privilege** Issuance of a University of California Retired Officer Identification Card may be denied by the campus Chief of Police prior to a hearing pursuant to Penal Code §26310.

- (a) If a hearing is not conducted prior to the denial of an endorsement, an officer may request an appeal hearing pursuant to this section only if they are Qualified Retired Peace Officer as defined in Section 1700.1 of this Chapter.
- (b) Officers requesting an appeal hearing shall do so within 15 days of the denial. A retired peace officer who fails to request a hearing pursuant to this section shall forfeit the right to a hearing (Penal Code §26310).
- (c) Appeal hearings shall be held by a three-member hearing board. One member of the board shall be selected by the agency's Chief of Police and one member shall be selected by the retired peace officer or their employee organization. The third member shall be selected jointly by the agency and the retired peace officer or their employee organization (Penal Code §26320).
- (d) Appeal hearings may include an assessment of the facts outlined in the retiree's appeal, complete review of the retiree's personnel records including performance evaluations, internal affairs records, disciplinary documents, fitness for duty documentation, records of criminal convictions, separations documentation or any

other documentation necessary to make an objective and appropriate recommendation.

**1700.6 Revocation** A retired officer may have the privilege to carry a concealed and loaded firearm revoked or denied by violating any departmental rule, or state or federal law that, if violated by an officer on active duty, would result in that officer's arrest, suspension, or removal from the agency (Penal Code §26305(b)).

An identification certificate authorizing the retired officer to carry a concealed and loaded firearm or an endorsement on the certificate may be immediately and temporarily revoked by the campus Police Department when the conduct of a retired officer compromises public safety (Penal Code §2305(c)).

Temporary or permanent revocation must be based on a showing of good cause, which shall be determined at a hearing, as specified in Section 1700.7 (Penal Code §26305(d)).

Notice of a temporary revocation shall be effective upon personal service or upon receipt of a notice that was sent by first-class mail, postage prepaid, return receipt requested, to the retiree's last known place of residence.

The retiree shall have 15 days to respond to the notification and request a hearing to determine if the temporary revocation should become permanent.

A retired officer who fails to respond to the notice of hearing within the 15 day period shall forfeit the right to a hearing and the authority of the officer to carry a firearm shall be permanently revoked. The retired officer shall immediately return the identification certificate to the issuing campus Police Department.

If a hearing is requested, good cause for permanent revocation shall be determined at a hearing as specified in Section 1700.7. The hearing shall be held no later than 120 days after the request by the retired officer for a hearing is received.

A retiree may waive the right to a hearing and immediately return the identification certificate to the issuing campus Police Department.

**1700.7 Review Board** Any hearing conducted under this Chapter shall be held before a three-member hearing board. One member of the board shall be selected by the Chief of Police of the issuing campus police department or their designee, and one member shall be selected by the retired officer or his or her employee organization. The third member shall be selected jointly by the Chief of Police or their designee and the retired officer or his or her employee organization (Penal Code §26320(a)).

Any decision by the board shall be binding on the department and the retired officer (Penal Code §26320(b)).

A retired officer, when notified of the revocation of the privilege to carry a concealed and loaded firearm, after the hearing, or upon forfeiting the right to a hearing, shall immediately surrender to the issuing agency the officer's identification certificate (Penal Code §26325(a)).

The issuing agency shall reissue a new identification certificate without an endorsement (Penal Code §26325(b)).

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## **Chapter 15: Body Worn Audio/Video Systems**

### **DEFINITIONS**

**1500.** The following definitions apply to this Chapter:

**Activate** – Any process that causes the body worn camera system to transmit or store video or audio data.

**Body worn camera system, body worn camera, body worn video (BWV)** – synonymous terms which refer to the camera system that captures audio and video signals, that is capable of wearing as part of the officer's uniform.

### **PURPOSE**

#### **1501. Body Worn Audio/Video Systems**

The University of California is committed to officer safety and public safety. The University has equipped its police departments with body worn audio-visual cameras ("BWV's", "devices" or "cameras") for use as part of the officer's uniform for the recording of field activity in the course of official police duties. The cameras are intended to provide a visual and audio record of police duties, including public contacts, arrests, and critical incidents. BWV's provide documentation to be used in criminal investigations and prosecutions, internal or administrative investigations, training, and other circumstances. They also serve to enhance the accuracy of police reports, testimony in court, and enhance the Department's community relationship-based policing efforts.

Body worn cameras provide a limited perspective of any encounter and must be considered with all available facts and evidence, such as officer perception, witness statements, officer interviews, other available video documentation, forensic and/or expert analysis, and documentary evidence. Videos are a two-dimensional medium and may not capture depth, distance or positional orientation as well as the human eye. The cameras cannot always show the full narrative nor do they capture an entire scene. The use of cameras does not reduce or alter the requirement to provide thorough written documentation as required by this or other policies.

Persons reviewing recordings must be cautious before conclusions are reached about what the video shows, or when evaluating the appropriateness of an officer's actions in a particular situation. Evaluating an officer's actions must take into account a variety of factors and other circumstances.

The University is committed to officer safety and public safety. Officers must follow existing officer safety policies when contacting citizens or conducting vehicle stops as outlined in Department policies and procedures. Officer safety and the safety of the public shall always be the primary consideration, not the ability to record an event.

This policy is intended to balance the respect for privacy and other University values with legal, policy, and administrative obligations. Officers should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion at all times.

For purposes of this Chapter, BWV (body worn video) and BWC (body worn camera) may be used interchangeably.

## **POLICY**

### **1502. Required Users.**

The following sworn personnel, from Lieutenant through Officer, are required to wear the BWV system while on duty, unless otherwise exempted by this Chapter, or by the Chief of Police or designee:

- (a) Uniformed personnel while on regular assignment or on overtime status;
- (b) Detectives working in the field in an enforcement or specialized investigative (e.g., gang task force, violent crime task force) capacity, unless the use of BWV may compromise the identity of an undercover officer, confidential informant, or jeopardize tactics;
- (c) Personnel serving a search warrant, unless the use of the BWV may compromise the identity of an undercover officer, confidential informant, or jeopardize officer safety or tactics. Any exception to recording pursuant to this subsection (c) must receive prior approval from the Chief of Police or designee;
- (d) Other sworn personnel deemed appropriate by the Chief of Police or designee.

### **1503. Department Issued Equipment Only.**

Officers assigned a BWV camera must not use any other non-Department issued video or audio equipment, such as personally owned video or audio equipment, mobile devices or cell phones, to record enforcement or investigative activities involving members of the public unless authorized by the Chief of Police or designee.

Nothing in this policy precludes officers or other Department personnel from using authorized still photography equipment.

### **1504. Location of Body Worn Camera.**

The BWV camera generally consists of a body-mounted camera with a built-in microphone. The BWV shall be worn on the outside of the outermost garment (e.g., load-bearing vest, raincoat) or other departmental approved mounting option, on the upper torso, and facing forward in such a way to facilitate optimum recording field of view.



**1505. Required Activation of Body Worn Camera.**

Subject to the exceptions contained in this Chapter, or pursuant to the direction of a supervisor, officers shall activate their BWV device prior to initiating any criminal investigative or enforcement activity involving a member of the public as soon as practicable, including all:

- (a) Vehicle or bicycle enforcement stops;
- (b) Pedestrian stops;
- (c) Calls for service;
- (d) Foot pursuits;
- (e) Searches (except strip searches);
- (f) Arrests;
- (g) Uses of force;
- (h) In-custody transports, except when the in-car video system is recording the transport;
- (i) Witness or victim interviews;
- (j) Forced entry search warrants/tactical deployments;
- (k) When weapons other than those in the possession of law enforcement are present or alleged to be present;
- (l) Any encounter that becomes adversarial after the initial contact;
- (m) Initial inventory of seized money or high value property;
- (n) Crowd management events if there is reason to believe that an event has the potential for unlawful activity or in the judgment of the Incident Commander that recording is appropriate;
- (o) Other investigative or enforcement activities where, in the officer's judgment, a video recording would assist in the investigation or prosecution of a crime, or assist in documenting the incident for later investigation or review.

**1506. Exceptions to Required Activation or Continued Recording.**

Exceptions to required activation or continuation of the BWV recording are:

- (a) When, in the officer's judgment, activation, continuing to record, or changing the BWV functions would jeopardize their safety or the safety of the public. However, the officer shall activate or re-activate their BWV as soon as it is safe and practicable to do so unless other exceptional circumstances exist;
- (b) When, in the officer's judgment, a recording would interfere with their ability to conduct an investigation;
- (c) When recording could risk the safety of a confidential informant, citizen informant, victim, or undercover officer;
- (d) In patient care areas of a hospital, clinic, rape treatment center, or other healthcare facility (including mental health) unless enforcement action or evaluation by the officer under W&I §5150 et seq. is being taken in these areas. If recording is necessary, officers shall make reasonable efforts to avoid recording individuals other than the subject;

- (e) Once a crime scene is secured and the officer no longer has an investigative role, and where the chance of encountering a suspect is unlikely;
- (f) Prior to or while discussing a case on scene with other officers or during on-scene tactical planning;
- (g) When, in the officer's judgment, privacy concerns outweigh any legitimate law enforcement interest in recording;
- (h) When a call for service is a phone call or phone report only;
- (i) When ordered to stop recording by a supervisor;
- (j) When the recording of a person is in violation of the law.

**1507. Discretionary Activation.**

There are many enforcement or criminal investigation situations where the use of the BWV is appropriate, and this policy is not intended to describe every circumstance in which recording would be appropriate or otherwise further the purpose of body cameras. In addition to the circumstance in which activation is required, officers should activate the camera any time they feel its use would be appropriate and valuable to document an on-duty incident, unless otherwise prohibited by this policy or law.

**1508. Assignments Temporarily Preventing BWV Use.**

It is recognized that officers subject to call out, motorcycle officers, or K9 unit officers may not have access to their BWV equipment prior to responding to a scene, or participating in an enforcement or criminal investigation. In these cases, officers should pick up their camera as soon as practicable.

**1509. Recording of Entire Event.**

Once activated, the BWV shall remain on until the conclusion of the contact or event, unless authorized by a supervisor or otherwise permitted under this Chapter.

**1510. Documentation of Recordings, Failure to Activate, or Discontinuation of BWV Recordings**

Officers shall document, in the appropriate report (e.g., police report, traffic citation, CAD entry), if they have captured an incident, did not capture an incident, and/or if they interrupted the recording for any reason.

If an officer does not activate the BWV prior to initiating an enforcement or investigative contact, fails to record the entire contact, or interrupts the recording for any reason, the officer shall notify their supervisor of the reason(s) and document the reason in the appropriate report.

**1511. Notice to Members of the Public of BWV Recording.**

Officers are not required by law or this Chapter to obtain consent from members of the public when the officer is lawfully in an area where the recording takes place. However, officers may

inform individuals they are recording, when feasible to do so, particularly when the advisement may gain compliance or cooperation, or assist in an investigation.

In addition, officers entering into a private space, (e.g., residences, restrooms, locker rooms), must make a reasonable effort to notify the occupants that the BWV is present before entering the area, unless: the officer enters the area pursuant to a warrant; such notice would, in the officer's judgment, jeopardize their safety or the safety of the public; such notice would compromise an investigation or tactics; or if other exigent circumstances exist.

#### **1512. Playback of BWV Recording.**

Officers should not play back BWV recordings to allow members of the public to review the video footage in the field without supervisor approval, and any play back must be documented in the appropriate report.

#### **1513. Prohibited BWV Recording.**

The activation or use of the BWV is prohibited, unless otherwise authorized by this Chapter, during:

- (a) Department briefings, meetings, roll calls or while in private Department spaces such as locker rooms, break rooms or restrooms;
- (b) Non-work related activities or other activities not related to enforcement contact nor criminal investigation;
- (c) Private conversations with any other member of the Department without the written consent of all involved parties;
- (d) Department administrative investigations;
- (e) Public safety walk-through/statement, homicide or other major crime briefings;
- (f) Depositions, court proceedings, pre-trial conferences, or any other judicial or quasi-judicial proceedings (e.g., administrative hearings such as Department of Motor Vehicle hearings);
- (g) While in a facility whose primary purpose is to provide psychiatric or medical services unless responding to a call for service involving a subject or taking a subject, victim, or witness statement;
- (h) While inside jail facilities when prohibited by the jail facility;
- (i) Any area where audio or video recording is prohibited by law.

Nothing in this section is intended to preclude an officer activating the BWV when confronting a violent or assaultive suspect or other circumstance where a reasonable use of force may be anticipated or interfere with the ability to otherwise openly audio record an interrogation pursuant to California Govt. Code §3303(g),

#### **1514. Training.**

Officers who are assigned the BWV must complete Department approved training in BWV policies, proper use, and maintenance of the device before using the system in the field.

Supervisors must complete Department approved training in the supervision and management of the BWV system.

Supplemental training will be conducted when deficiencies are identified in policy compliance, use, maintenance, or supervision and management of the BWV system. Additional appropriate training will also be conducted should there be changes in policy, hardware, or software that affects the use, maintenance, supervision or management of the system.

**1515. Inspection and Testing of Equipment.**

Officers shall be responsible for inspecting and testing their BWV equipment at the start of their shift and shall ensure that the equipment is properly functioning. Officers shall notify their supervisor, in writing, if the BWV equipment is not properly functioning. For purposes of this Chapter “in writing” shall include e-mail.

**1516. Assigned BWV Equipment.**

No officer shall use BWV equipment not assigned to them, unless authorized by a supervisor.

**1517. Damaged, Malfunctioning or Inoperable Equipment**

The BWV equipment is the responsibility of the assigned officer and must be used with reasonable care to ensure proper functioning and reliability. If an officer’s BWV malfunctions or is damaged or inoperable, the officer shall notify the on-duty supervisor. Campuses shall develop and implement local policies on notification and documentation of such notification.

If feasible, the supervisor shall provide the officer with a functional BWV prior to the officer deploying to the field. However, the lack of a BWV unit shall not prevent an officer from working their shift or assignment.

An officer shall not be held financially responsible for damaged, malfunctioning or inoperable equipment unless abuse of the equipment by the officer is found to be the cause.

**1518. Labeling, Categorizing and Uploading Recordings.**

Officers shall label, categorize and upload their BWV recordings into the BWV data storage system in accordance with UCPD procedure(s).

**1519. Viewing Recordings by Recording Officer.**

Subject to the exceptions in this Chapter, officers should review BWV recordings on their assigned device or authorized computer prior to documenting an incident, arrest, search, interview, use of force, or other enforcement or investigative activity to assist with reports, statements, and documentation that are accurate and complete. Officers must not use the fact that a recording was made to avoid preparing an accurate, detailed, and complete report.

**1520. Modification, Alteration, or Deletion.**

No employee shall modify, alter, or delete video or audio once recorded by the BWV camera, except as authorized by Department policy.

**1521. Request for Deletion of Accidental Recording.**

In the event of an accidental activation of the BWV where the resulting recording is of no potential investigative or evidentiary value, the recording officer may request that the BWV file be deleted by submitting a request in writing to the Chief of Police or designee who shall review the recording, and if approved, send the request to the system administrator for deletion.

**1522. Restriction of Personal or Sensitive Information.**

In the event of a BWV recording that captures sensitive or personal information for which access should be restricted ("restricted recording"), an officer may submit a request in writing to the Chief of Police or designee to restrict access to that portion of the recording. The Chief of Police or designee will determine what, if any, portion of the recording shall be restricted. The system manager will then restrict access to only that portion of the recording that is approved. The remainder of the recording will be maintained consistent with existing policy.

**1522.1 Access to Restricted Recording by Auditor or Investigator.**

The Chief of Police or designee may allow an investigator or auditor to view a recording that has been restricted pursuant to Section 1522 if the request is necessary in order to conduct an authorized criminal investigation, administrative investigation, or a Department inspection or audit.

- (a) **Notification Prior to Access of Restricted Recording.** Prior to granting access, the Chief of Police or designee must notify the officer who originally requested that the recording be restricted. If the original officer objects to the review, they shall immediately notify the Chief of Police or designee of the objection in writing within seven calendar days of receiving notification. Absent exigent circumstances, the restricted portion of the recording shall not be disclosed or reviewed by others until the Chief of Police or designee has made a determination regarding the objection and disclosure.

Once a final determination has been made, the original requesting officer will be notified in writing within fourteen days prior to release of the restricted information.

- (b) **Exception to Notification Requirement for Restricted Recording.** When notification of a request to review a restricted recording would compromise an ongoing administrative or criminal investigation, the notification requirement in Section 1522.1(a) shall not apply if approved by the Chief of Police or designee.

### **1522.2 Access to Restricted Recording by Law Enforcement or by Legal Obligation.**

If a restricted recording is requested by another law enforcement agency, or the Department is required to produce it by law, the officer who originally requested the information be restricted will be notified, absent exigent circumstances, of the request or legal requirement, within 48 hours, in writing.

### **1523. Unauthorized Access to Recordings Prohibited.**

Although the data captured by the BWV is not considered Criminal Offender Record Information (“CORI”), it shall be treated as such and in accordance with Department policy regarding access to CORI. All access to the system must be logged and is subject to audit at any time. Accessing, viewing, copying, or releasing BWV data, including recordings, for non-law enforcement purposes not otherwise authorized by this Chapter is strictly prohibited and will result in disciplinary action.

Access to BWV data shall only be from Department authorized computers, Department work stations or the BWV cameras. However, administrative users of the BWV data or evidence management system may access the data from a Department authorized device outside of the Department for the purpose of completing administrative tasks, such as locking or unlocking users.

### **1524. Copying of BWV Recording or Data**

Personnel shall not make copies of any BWV recording for personal use or to share with unauthorized individuals or entities (including, but not limited to, the public, the media, and social media). Only department authorized devices shall be used to copy, view, share, or otherwise distribute BWV recordings. Digital evidence captured by BWC are investigative records and shall be handled pursuant to existing Department policies and procedures.

### **1525. Review of BWV Recordings by Departmental Employees.**

Access to BWV data shall be limited as follows, unless otherwise provided for in this Chapter:

- (a) Officers may view their own BWV data for official Department business;
- (b) Any employee may review BWV data as it relates to:
  - (1) Their involvement in an incident for purposes of completing a criminal investigation and/or preparing official reports;
  - (2) Prior to courtroom testimony, courtroom presentation, or testimony at a quasi-judicial administrative hearing;
  - (3) Providing a statement in an administrative investigation.
  - (4) Providing a statement in a criminal investigation, including officer-involved shooting investigations and other uses of force;
  - (5) This section does not apply to sworn personnel providing a public safety statement following a critical incident.

- (c) When exigent circumstances exist, such as identifying a suspect or other pertinent information in the event of an injured officer;
- (d) Supervisors and/or investigators who are investigating an allegation of misconduct, may view the recording in order to assist in the investigation. For citizen complaints, a supervisor may independently review applicable video. For internally generated allegations of misconduct, a supervisor shall receive authorization from the Chief of Police or designee to review any applicable video;
- (e) Command staff may randomly review BWV recordings for the purposes of validity testing, including the review of one recording per officer per month. Any BWV system deficiencies identified will be documented and remedied. The method of random selection will be agreed upon between the Federated University Police Officers Association (FUPOA) and the UC Council of Chiefs. Any criminal activity will be investigated;
- (f) To allow for necessary administrative functions such as BWV data management, system maintenance and repair, and evidence management;
- (g) Command staff, supervisors, and authorized Department personnel may conduct random periodic inspections and reviews to determine whether Department personnel are accessing BWV recordings and data for legitimate and authorized purposes;
- (h) Supervisors may review BWV recordings, but not in violation of 1527, as follows:
  - (1) When necessary as part of their administrative duties (e.g., use of force reporting, etc.) and the report approval process.
  - (2) To ensure that the video and audio was properly captured, uploaded/downloaded;
  - (3) To ensure that the video and audio was categorized appropriately for evidentiary or retention purposes;
  - (4) To conduct roll call training on expectations, use and maintenance of BWV equipment. Any use of BWV recordings for training must comply with Section 1527 of this Chapter;
  - (5) To debrief BWV-captured incidents of value after obtaining authorization from the Chief of Police or designee
  - (6) In order to resolve citizen complaints pursuant to 1525(d).

#### **1526. Use of Recordings for Training.**

A BWV recording may be used for training, as long as the recording will not be used for disciplinary purposes. Any person recommending a particular recording shall submit the recommendation through the chain of command.

The Chief of Police or designee must notify the recording officer and any depicted officer of the intent to use the recording for training. If any such officer objects to the review, they shall immediately notify the Chief of Police or designee of the objection orally or in writing. The Chief of Police or designee shall determine whether an officer's objection outweighs the training value.

**1527. Restriction on Use for Monitoring for Violations of Policy/Law.**

It shall be a violation of this policy for supervisors to review recordings for the sole purpose of looking for violations of Department policy or law not related to a specific complaint or incident. This section is not intended to restrict Command staff from performing monthly viewings of an officer's recordings pursuant to Section 1525(e) of this Chapter.

**1528. Use of Deadly Force – Handling of Recording.**

For any use of force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury, the following shall apply:

- (a) The supervisor of the involved officer(s) must take possession of their BWV equipment as soon as possible, ensuring that recording has stopped and that the power is off, and maintain custody until the BWV is transferred to the assigned investigator;
- (b) The Chief of Police or designee will assign an investigator, and the assigned investigator shall take possession of the BWV camera, and perform the upload process, if necessary;
- (c) In order to protect the integrity of the video and to ensure that the video is properly uploaded, the officer(s) involved shall not be allowed to review the BWV recording prior to turning over the BWV equipment to the supervisor.
- (d) The involved officer shall be permitted to view the BWV video of the incident once the video has been uploaded to the server. If the officer chooses not to view the video prior to giving an initial statement, the officer will have an opportunity to review the recording(s) after the initial statement has been taken and provide a supplemental statement if desired.
- (e) Prior to viewing the BWV, the officer must read and sign the Video/Audio Evidence Review Acknowledgment (Attachment A);
- (f) The fact that the officer was given the opportunity to review the BWV should be documented, as well as the time, date and location of any such viewing;
- (g) Supervisors shall not view the BWV recording without express permission from the Chief of Police or designee;
- (h) Use of the BWV will be properly documented in the appropriate report(s), and the recording booked into evidence;
- (i) Supervisors shall ensure that BWV information is compiled for department review boards and/or administrative review reports (e.g., pursuit review, use of force review, etc.), when applicable.

**1529. Other Use of Force– Handling of Recording.**

For any use of force not covered by Section 1528, the following shall apply:

- (a) Supervisors shall allow involved officer(s) to review their own BWV recordings;



- (b) Supervisors shall allow involved officer(s) to review other BWV recordings, if deemed necessary to assist with complete and accurate reports and documentation of the incident;
- (c) Prior to viewing the BWV, the involved officer(s) must read and sign the Video/Audio Evidence Review Acknowledgment (Attachment A);
- (d) Use of the BWV will be properly documented in the appropriate report(s), and the recording booked into evidence or uploaded into the proper server;
- (e) Supervisors shall ensure that BWV information is compiled for department review boards and/or administrative review reports (e.g., pursuit review, use of force review, etc.), when applicable.

**1530. Retention.**

Digital evidence captured by BWC shall be treated as an investigative record and handled pursuant to existing Department retention policies and procedures.

**1531. Technical Specifications and System Security.**

The University of California Systemwide Coordinator of Police Services shall, in consultation with the Council of Police Chiefs, develop minimum technical standards and specifications and system functionalities for BWV systems. In addition, the security of the BWV data must be in compliance with University policy, regulations, and law..

**1532. Production of BWV Recording as Required by Law**

Production of BWV recordings to the public shall be in accordance with the law, and with the approval of the Chief of Police or designee.

## Chapter 15: Body Worn Audio/Video Systems

### ATTACHMENT A

#### Video/Audio Evidence Review Acknowledgment

In this case, there is video evidence that you will have an opportunity to view after you have given a public safety statement (if applicable). Video evidence has limitations and may depict the events differently than you recall, and may not depict any or all of the events as seen or heard by you. Video has a limited field of view and may not capture events normally seen by the human eye. The “frame rate” of video may limit the camera’s ability to capture movements normally seen by the human eye. Videos are a two-dimensional medium and may not capture depth, distance or positional orientation as well as the human eye. Remember, the video evidence is intended to assist your memory and ensure that your initial statement explains your state of mind at the time of the incident. You should not feel in any way compelled or obligated to explain any difference in what you remember and acted upon from what viewing the additional evidence provides you. If listening to audio recordings or viewing video recordings provides additional clarity to what you remember that is fine; if it does not, that is fine also.

Read and Acknowledged:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date and Time

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Badge No.

Witnessed:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date and Time

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title/Position



OFFICE OF THE VICE PRESIDENT  
Cheryl A. Lloyd  
Interim Vice President, Systemwide Human Resources  
(510) 987-9289; [Cheryl.Lloyd@ucop.edu](mailto:Cheryl.Lloyd@ucop.edu)

OFFICE OF THE PRESIDENT  
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February 5, 2021

## **CHIEF HUMAN RESOURCES OFFICERS**

### Universitywide Police Policies and Administrative Procedures: Management Consultation and Employee Consultation Periods

Attached for management consultation and employee consultation are the proposed changes to the [Universitywide Police Policies and Administrative Procedures](#), which are applicable to UC Peace Officers. These policies, including one current and three new additions, have been updated in consultation with the UC Chiefs of Police and UC Legal. The policies were also reviewed by the Federated University Police Officers Association (FUPOA) and revisions were made based on those conversations. These policies have been approved by both the UC Chiefs of Police and FUPOA.

The “Use of Force” policy was updated based on legislative changes to the use of deadly force (Assembly Bill 392), and language required in a use of force policy (Senate Bill 230) as well as additions/clarifications to definitions, and revisions to emphasize de-escalation. The revisions began in response to the Robinson/Edley report which recommended systemwide policies on “less lethal” weapons, and definitions of the types of resistance. A proposed Use of Force policy underwent Management Consultation in 2017, as well as review by the University Faculty Welfare Committee (UCFW) and the Policy Advisory Committee. It was revised based on feedback received.

The “Body Worn Video” policy was drafted in order to have a systemwide approach to the use of body worn cameras, which were purchased and distributed to the campuses in 2019/2020. A proposed Body Worn Video Policy underwent Management Consultation in 2017, as well as review by the UCFW. The policy was revised based on feedback received. However, it was put on hold pending the recommendations of the President’s Police Task Force.

The “Systemwide Response Teams” policy was drafted based on recommendation by the Robinson/Edley report to create specialized response teams to respond to crown management situations. A proposed Systemwide Response Team policy underwent Management Consultation in 2017, as well as review by the UCFW. However, it was put on hold pending the recommendations of the President’s Police Task Force

The Concealed Carry Weapons (CCW) policy was drafted because the Systemwide Council of Chiefs of Police wanted to adopt a systemwide and consistent policy on the issuance of concealed carry weapons to qualified retired police officers (as we are required to do by statute). In addition, there was recent case law that held that medically retired police officers were not entitled to CCW’s that needed to be incorporated into policy.

Employees should be given the opportunity to comment on the proposed revisions. Attached is a model communication for this purpose. The length of time for review will be 90 days. A summary of employee

comments from your location should be sent via email to Melanie Carr ([Melanie.Carr@ucop.edu](mailto:Melanie.Carr@ucop.edu)) by May 7, 2021. If you have any questions, please contact [Melanie](#).

Sincerely,



Cheryl Lloyd  
Interim Vice President, Systemwide Human Resources

Attachments

cc: President Drake  
Provost Brown  
Chancellors  
Lawrence Berkeley National Laboratory Director  
Medical Center Chief Executive Officers  
Vice Chancellors – Administration  
Executive Vice President Nava  
Vice Provost Carlson  
Associate Vice Provost Lee  
Deputy General Counsel Woodall  
Chief of Staff Kao  
Senior Vice President Bustamante  
Executive Director and Chief of Staff Henderson  
Executive Director Baxter  
Senior Counsel Craig  
Senior Counsel Chin  
Chief Farrow  
Manager Carr  
Policy Coordinators