

**Office of the President**

**TO MEMBERS OF THE COMPLIANCE AND AUDIT COMMITTEE:**

## **DISCUSSION ITEM**

*For Meeting of July 29, 2020*

### **UNIVERSITY OF CALIFORNIA COMMUNITY SAFETY**

#### **EXECUTIVE SUMMARY**

There is no greater priority for the University of California (UC) system than the safety and security of students, faculty, staff, patients and visitors. As with neighborhood- and community-based safety models, all members of the campus community share in the responsibility of maintaining a safe and supportive environment.

The Chancellor is responsible for the protection of the physical and academic environment of the campus as well as the patient care environment (where applicable), and for the police and public safety program assigned to provide that protection. This written item provides foundational information about police and community safety operations across the University that support and protect the delivery of the University's mission.

#### **BACKGROUND**

The University traces its origins to 1868. In 1915, the first police officer appeared on the UC Berkeley campus. The State of California vested peace officer status to University of California Police Department (UCPD) officers in 1947 and reaffirmed their status again in 1972. Since that time, the UC system has evolved into a world-renowned institution comprising ten campuses, five medical centers, and three National Laboratories. The primary purpose of UCPD is to support the UC's core mission of teaching, research, and public service by ensuring the safety and security of its community, and the real and property assets of the Regents.

#### **AUTHORITY AND JURISDICTION**

##### ***State of California***

The California Constitution asserts a right to safety for students and staff on campus:

*Finally, the People find and declare that the right to public safety extends to public and private primary, elementary, junior high, and senior high school, and community college, California State University, University of California, and private college and university campuses, where students and staff have the right to be safe and secure in their persons.<sup>1</sup>*

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<sup>1</sup> California Constitution, Article 1, Section 28

State law authorizes the University to appoint peace officers:

*The Regents of the University of California are authorized and empowered to appoint one or more persons to be members of the University of California Police Department as such police department is constituted on September 19, 1947, or may thereafter be constituted. Persons employed and compensated as members of said police department, when so appointed and duly sworn, are peace officers; provided, that such officers shall not exercise their powers or authority except (a) upon the campuses of the University of California and an area within one mile of the exterior boundaries of each thereof, (b) in or about other grounds of properties owned, operated, controlled or administered by The Regents of the University of California and (c) as provided in Section 830.2 of the Penal Code.<sup>2</sup>*

### ***The Board of Regents of the University of California***

The Board of Regents has inherent authority over all University operations and approves the University budget.<sup>3</sup> The Board has the authority to adopt systemwide policies and directives, including in areas that have otherwise been delegated to the President and Chancellors.

### ***President***

The Board of Regents has delegated to the President of the University the general authority to “oversee the operation of the University, in accordance with policies and directives adopted by the Board,” subject to any specific reservations of authority by the Board (Bylaw 22.1 and Bylaw 30). The Board has also delegated authority over the day-to-day central and/or systemwide functions of the University, except those activities within the responsibility of the Principal Officers. The President develops, and, on the approval of the Board, manages the University budget. The President has the authority to adopt or amend systemwide policies and directives, and is the policy owner for the systemwide police policy manual, discussed below.

### ***Chancellors***

The Board of Regents has also delegated broad authority to the Chancellors over campus operations in [Bylaw 31](#), including:

*The Chancellors serve as the executive heads of their respective campuses, implementing the policies and objectives of the Board and of the President of the University, and apprising the Board and the President of the University of significant developments affecting their campuses and the University. The Chancellors set the policies, goals and strategic direction for their campuses, consistent with those of the University. The Chancellors are responsible for the organization, internal administration, operation, financial management, and discipline of their campuses within the budget and policies approved by the Board and/or the President of the University. They oversee all faculty personnel and other staff at their locations, and appoint all members of the instructional staff, and may fix their remuneration in accordance with the provisions of the budget established by the Board and the salary scales of the University.*

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<sup>2</sup> Cal. Ed. Code § 92600

<sup>3</sup> Regents [Bylaw 22.1; Article IX, Section 9 of the California Constitution](#).

The President has also codified the delegation of authority to the Chancellors regarding their police departments in the systemwide Presidential level police policy manual, [Universitywide Police Policies and Administrative Procedures](#):

*Responsibility for security and law enforcement at each campus is assigned to the Chancellors who are responsible for campus organization, operation, internal administration and discipline. The Chancellor, at each campus, has established a police or public safety department with responsibility for law enforcement and the protection of the lives and property of the general public, students, faculty, and staff.*

### ***Chiefs of Police***

The Campus Chiefs of Police are responsible for and have commensurate authority to command, direct, and organize a police and public safety program on a UC campus. This includes establishing objectives for the department; developing department policies and procedures; preparing the budget; and selecting, appointing, training, disciplining, and promoting officers and employees in the department.<sup>4</sup>

### ***Jurisdiction***

UCPD has primary jurisdiction on the UC campuses and other property owned, operated, controlled, or administered by the Regents of the University of California, and within one mile of each thereof.<sup>5</sup>

Jurisdiction on every University of California campus is shared with local law enforcement agencies where physical jurisdictions overlap. For example, the Los Angeles County Sheriff's Office and the Los Angeles Police Department each have concurrent jurisdiction on the UCLA campus.

In addition, all UCPD's are required by California Law to enter into agreements with local law enforcement agencies as to which will respond to and investigate specific serious violent crimes pursuant to the Kristin Smart Campus Safety Act<sup>6</sup>; these agreements may affect which agency has jurisdiction in a given situation at each campus.

### ***Policies and Procedures***

Systemwide police policies and procedures are housed in the [Universitywide Police Policies and Administrative Procedures](#), commonly referred to as "the Gold Book." This document provides consistent guidance and information for all campuses.

Each Chief of Police also has the responsibility to adopt and publish campus-specific policies and procedures; these have the same authority as the Universitywide Police Policies and Administrative Procedures. Local regulations, including General and Special Orders, Procedural Memoranda and instructions may be written more restrictively than Universitywide Police

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<sup>4</sup> Section 303.1, [Universitywide Police Policies and Administrative Procedures](#)

<sup>5</sup> Cal. Penal Code §830.2(b).

<sup>6</sup> Cal. Educ. Code §67381.

Policies and Administrative Procedures; however, they may not be written to supplant or diminish the Policies and Procedures.

As of the date of the preparation of this item, the following chapters of the “Gold Book” are in some stage of systemwide policy review, some due to recent changes to law or as a result of implementing the recommendations of the 2019 Universitywide Policing Task Force:

- Chapter 8, “Use of Force” (changes to existing policy, including explicitly not authorizing the carotid control hold or similar techniques (e.g. neck restraints, choke holds, etc.), explicitly not authorizing shooting at moving vehicles, unless defending themselves or another; requiring use of de-escalation techniques and warnings prior to the use of force; requiring that officers intervene to stop the use of excessive force; requiring reporting of all use of force incidents to a supervisor; and requiring all use of force incidents be reviewed by command staff)
- “Systemwide Response Team” (new proposed chapter)
- “Body-worn Video” (new proposed chapter)
- “Mobile Audio Visual System” (i.e., in-car camera; new proposed chapter)
- “Personnel Complaints” (new proposed chapter)
- “Crowd Management” (new proposed chapter)

As is standard procedure for Universitywide policies, these substantive proposed changes will receive a formal review, which includes management consultation (~14 days) and employee comment (~30 days), processes that are managed at each campus and coordinated through UC Office of the President policy staff. Following the comment periods, policy authors have the opportunity to review and finalize the language (to address comments) before issuance. In addition, the systemwide Policy Advisory Committee also reviews prior to issuance. The Policy Advisory Committee is a broadly representative body, comprised of individuals from Human Resources, Academic Personnel, Academic Senate, Student Affairs, Risk Services, Compliance and Audit, Public Affairs, Information Technology, UC Health and [more](#).

## BRIEF HISTORY OF SYSTEMWIDE ASSESSMENTS OF UNIVERSITY OF CALIFORNIA POLICING

Over the past several years, the University of California has elected to conduct systemwide reviews of certain aspects of policing across UC campuses. The most recent are summarized here:

### 2008: University of California Campus Security Task Force Report

- **Primary Focus:** Evaluate UC’s response capability to a possible “active shooter” scenario.
- **Context:** On April 16, 2007, 32 people (27 students and five faculty members) died after being gunned down on the campus of Virginia Tech by a student at the college who later died by suicide.
- **Outcome:** 14 recommendations in four key areas: student mental health, emergency communication, preparedness and response, prevention and hazard mitigation

- **Follow up:** [2013 Campus Security Progress Report](#)

#### **2012: Response to Protests on UC Campuses (“Robinson-Edley Report”)**

- **Primary Focus:** Determine best practices for handling demonstrations, civil disobedience and free-speech issues related to protests.
- **Context:** “Occupy” protest movement 2011–12, and November 2011 pepper spray incident at UC Davis involving physical interaction between an officer and protestors.
- **Outcome:** 49 recommendations across three key areas: communication between management teams and stakeholders, actual management of incidents by administration members and the campus police, training and the creation of new (systemwide) policies
- **Follow up:** [2014 Robinson/Edley Report Twelve-month Implementation Report](#)

#### **2019: Universitywide Policing Task Force**

- **Primary Focus:** Review current and best practices for complaints processing, training, protocols and policies regarding use of force, examine use of force, post-incident review processes for use of force; review training and community engagement, including police advisory boards, to determine how to strengthen communication with students, faculty, and leadership.
- **Context:** One distinguishing element of this Task Force is that it was commissioned by the President at a time of relative calm across the campuses.
- **Outcome:** 28 recommendations across six areas: the complaint process, police use of force, police officer training, transparency, community engagement, independent advisory boards.
- **Follow up:** (Pending ~ July 2020) Implementation Report: Universitywide Policing Task Force

During this time period, campus-specific or event-specific assessments may have also been conducted; these are not listed here.

## **CURRENT CAMPUS SAFETY AND POLICE DEPARTMENT OPERATIONS**

### ***Organizational Alignment, Staffing and Budget***

Most campus locations have aligned their Campus Police Departments in Administration, with the Chief of Police reporting through or directly to the Vice Chancellor of Administration (or similar title). Typically, the Vice Chancellor of Administration is among the senior members of the chancellor’s cabinet.

**Table 1: UC Police Department Staffing**

*Campus by Campus Brief Summary Table: Staffing*

Campus	Authorized Sworn	Vacant Sworn Positions	On Leave	FTO <sup>5</sup> or Academy	Officers	Sergeants	Lieutenants	Captains/AC	Chiefs	2019 FA Student	Sworn:1k student	Fielded Sworn:1k student
UCB	62.4	10.4	4.0	5.0	45.4	10.0	4.0	2.0	1.0	43,204	1.45	1.09
UCD <sup>1</sup>	53.0	3.0	1.0	12.0	38.0	10.0	3.0	1.0	1.0	39,629	1.34	0.93
UCI <sup>2</sup>	50.0	2.0	1.0	3.0	34.0	11.0	3.0	1.0	1.0	37,629	1.33	1.17
UCLA <sup>3</sup>	65.0	5.0	4.0	10.0	47.0	10.0	5.0	2.0	1.0	45,742	1.42	1.01
UCM	19.0	1.0	1.0	0.0	14.0	3.0	1.0	0.0	1.0	8,847	2.15	1.92
UCR	34.0	3.0	2.0	0.0	24.0	6.0	2.0	1.0	1.0	25,548	1.33	1.14
UCSD <sup>3</sup>	45.0	9.0	2.0	2.0	32.0	10.0	2.0	0.0	1.0	39,633	1.14	0.81
UCSF <sup>4</sup>	64.0	4.0	1.0	5.0	50.0	6.0	5.0	2.0	1.0	3,198	20.01	16.89
UCSB	46.0	11.0	1.0	0.0	34.0	8.0	3.0	0.0	1.0	26,314	1.75	1.29
UCSC	32.0	7.0	1.0	1.0	24.0	5.0	2.0	0.0	1.0	19,494	1.64	1.18
Total	470.4	55.4	14.0	38.0	342.4	79.0	30.0	9.0	10.0	289,238	Mean = 1.42	Mean = 1.08
		11.8%	3%	8%							Median = 1.38	Median = 1.11

Source: UC Chiefs of Police, June 2020 (Note cells in yellow exclude UCM & UCSF)

**Table 1 Notes:**

1 = 25 of 53 authorized sworn at UC Davis work at the medical center in Sacramento. Adjusted Sworn:1k student ratio for on campus officers

2 = 11 of the 50 authorized sworn at UCI work at UCI Medical Center in Orange, CA. Adjusted Sworn:1k student ratio for on campus officers

3 = Authorized sworn at UCLA and UCSD provide police services to large on-campus medical centers.

4 = UCSF authorized sworn cover 6 medical centers = 49 sq miles in SF, and facilities in Oakland, Emeryville, and Fresno. Avg. daily service population of 60k.

5 = FTO is the Field Training Officer Program; those in FTO or in a police academy as a trainee officer are employees who are not counted toward independent officers in the field.

**Table 2: UC Police Department Budget**

*Campus by Campus Brief Summary Table: Police Department Budget*

	FY 18-19	FY 19-20	FY 20-21 (projected)
UC Berkeley*	\$13,872,000	\$15,741,000	\$15,793,000
UC Davis	\$11,979,000	\$13,393,000	\$15,121,000
UC Irvine	\$15,200,825	\$17,640,793	In progress
UC Los Angeles	\$21,094,516	\$21,663,372	\$22,182,739
UC Merced	\$4,353,804	\$4,638,542	\$4,852,023
UC Riverside	\$7,971,153	\$8,325,720	\$8,690,839
UC Santa Barbara	\$9,241,303	\$9,641,701	In progress
UC Santa Cruz	\$6,171,219	\$6,965,349	\$6,965,349
UC San Diego	\$14,875,000	\$14,044,000	\$13,921,000
UC San Francisco	\$22,100,000	\$24,100,000	\$25,100,000

*Source: Vice Chancellors of Administration and Vice Chancellors of Budget and Finance June 2020.  
Campus PD covers both campus and medical centers for UCD, UCSF, UCLA, UCI, and UCSD.  
\* UC Berkeley includes site security contract with Lawrence Berkeley National Laboratory.*

### ***Collective Bargaining and the UC Police Department***

The University of California employs more than 270<sup>7</sup> police officers who provide the full range of law enforcement services at all UC campuses. This systemwide bargaining unit is represented by the Federated University Police Officers Association (FUPOA). The current contract between the Regents of the University of California and FUPOA is effective July 1, 2017 to December 31, 2020. The full agreement is posted [here](#).

In addition, campus police departments employ members of Teamsters Local 2010 (including Public Safety Dispatchers (about 100 systemwide), as well as records personnel and clerical staff). The current contract between the Regents of the University of California and Teamsters Local 2010 is effective April 19, 2017 to March 31, 2022. The full agreement is posted [here](#).

Campus police departments employ members of the American Federation of State, County, and Municipal Employees (AFSCME), primarily as security guards, and parking enforcement for campuses with parking organizationally aligned to police. The current contract between the Regents of the University of California and AFSCME (Service Unit – SX) is effective January 31, 2020 through October 31, 2024. The full agreement is posted [here](#).

### ***Non-represented, professional and student staff at the UC Police Department***

All campuses also employ non-represented professional staff, including sergeants, lieutenants, captains, assistant chiefs, managers, and analysts. Sergeants, lieutenants, captains, assistant chiefs, and Chiefs are all sworn staff, just not represented. There are about 150 individuals in these ranks (not all campuses have captains or assistant chiefs). Additionally, there are professional staff who provide administrative support, including managers and analysts.

Student staffing is usually in the role of a Community/Campus Service Officer (CSO) or Student Ambassador, and augments full-time staff during the academic year to provide many safety-related services, including campus safety escorts, free nighttime shuttles for students, and assistance with security at campus events. These students receive training and are certified in CPR (Cardio-Pulmonary Resuscitation) and First Aid. Some larger campuses employ up to 100 students.

### ***Typical Responsibilities and Functions of Campus Police Department***

Organization of each campus's operations and alignment of functions will vary based on the needs, geographic area, and nature of the functions performed on campus (factors may include the density of on-campus housing, presence of minors such as in an on-campus childcare facility, location of sensitive research, highly valued artwork, or archived collections).

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<sup>7</sup> Data Source: FTP April 2020 Week 1 Roster

**Leadership and Administration:** The office of the chief of police oversees all aspects of the campus police department operations. The administrative functions of the department include functions such as:

- **Communications and Dispatch** (typically a 24x7 operation, staffed in shifts by highly trained non-sworn personnel). Most campus Communications Centers are the Public Safety Answering Point (PSAP) for all 9-1-1 calls originating from campus telephones and some cell phones, depending on the location of the caller on campus, as well as emergency call boxes such those found in campus or hospital parking structures, campus buildings and walkways and TTY (teletypewriters) and newer technologies that make telephone networks accessible to people who are deaf, hard of hearing, or who have speech impairments. By January 1, 2021 UC PSAPs will also receive “text to 911.”

Campus police departments also receive thousands of calls to published non-emergency lines each year, ranging from non-emergency crime reports to maintenance issues, requests from parents, facility problems, etc.

- **Recruitment and Training:** administrative staff will manage job postings, coordinate written and physical agility testing, manage interviews, background investigations, medical and psychological exams, and final interviews with the Chief of Police. Campus police departments also maintain records of POST and non-POST training and ensuring that all department members meet their ongoing continuing professional training and perishable skills training requirements.
- **Community Service Officers (CSOs):** CSO Programs allow for student participation in campus safety. CSOs are often known for providing evening safety escorts and are typically stationed in certain campus buildings, residence halls, parking lots, and libraries. CSOs are a liaison between students and the UCPD and assist with outreach and crime prevention activities. On some campuses, this function is also provided by Security Guards who are hired by the department.
- **Information Technology (IT):** Some campuses receive IT support from campus, others embed IT staff in the department to manage specific software and reporting needs, call center integration for dispatch, records management, and the management of the digital assets produced by mobile data terminals, and in-car and body-worn cameras.

**Patrols:** Patrol officers primarily function to provide a uniformed response to calls for service, act as a visible deterrent to crime, protect the campus community, provide traffic enforcement and educate the community (such as conducting crime prevention or safety presentations to students). Patrol officers may have significant geographic area to cover, including main campus, satellite campus locations (where applicable), on- and off-campus University-provided housing, fraternity and sorority housing, and medical centers (where applicable).



**Investigations:** Detectives investigate crimes committed against persons and property and serious or unusual incidents following the initial response and investigation by patrol officers. Investigations units can also include threat management (i.e., incidents of workplace violence or threats against students, faculty or staff).

**Records and Evidence:** Records and evidence units prepare data for reporting such as the Clery Report,<sup>8</sup> and Timely Warnings<sup>9</sup> communications for imminent or ongoing threats to the community, and some crime analysis. Investigations units will usually also house property held as evidence, or “lost and found” property.

**Health System Safety:** Campus police departments also secure the patient care environment at UC medical centers, often employing both sworn and non-sworn (i.e., public safety officers and safety ambassadors) personnel.

### ***Campus Safety and Police Training***

University of California Training for officers is extensive. The following training is required by CA POST (California Commission on Peace Officer Standards and Training) and periodically audited; some must be completed within the first few months of hire date:

- Minimum of 664 hours in the police academy.
- Minimum of 24 hours of Continuing Professional Training every two years.
- Perishable Skills training every two years in:
  - Emergency Vehicle Operations Course (four hours),
  - Tactical Communication and De-escalation (two hours), and
  - Defensive Tactics (four hours), and Firearms (four hours).
- In addition, POST requires officers receive training in:
  - First Aid/CPR (eight hours),
  - Domestic Violence ( POST requires two hours; UC requires eight hours), and
  - Racial and Cultural Diversity (two hours).
- UC also requires:
  - Title IX Training (two hours), and
  - Data Security and FERPA<sup>10</sup> (one hour /yr).

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<sup>8</sup> More information about the Jeanne Clery Campus Security Act can be found at: [www.CleryCenter.org](http://www.CleryCenter.org)

<sup>9</sup> The Jeanne Clery Campus Security Act identifies certain crimes that require a “timely warning” issuance, when crimes are reported to campus safety officials or the local police and are believed to have occurred on campus, in or on non-campus buildings or property, or on public property contiguous to the campus.

<sup>10</sup> FERPA is the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g; 34 CFR Part 99), a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

Consistent with the recommendations of the President’s 2019 Task Force on Universitywide Policing, the following training also must be completed (typically every two or three years, depending on the training):

- Procedural Justice (four hours),
- Implicit Bias (four hours),
- Impulse Control and Cued De-escalation (eight hours),
- Tactical Communication and De-escalation (four hours),
- Gate Keeper Mental Health training (two hours),
- Crisis Intervention (16-20 hours),
- Awareness of Transgender Issues (two hours),
- Trauma Informed Interviewing (four hours), and
- Non-violent Crisis Intervention (eight hours).

Some campuses require additional training locally; all campuses offer additional training.

**Key to Acronyms**

CSOs	Community Service Officers
HR	Human Resources
IT	Information Technology
POST	Peace Officer Standards and Training
UC	University of California
UCPD	University of California Police Department

**ATTACHMENTS:**

**Attachment 1: Selected Independent and Commissioned Reports and Court Decisions**

**Attachment 2: UC statement on protests, violence following George Floyd’s death**