

UC Davis Police Accountability Board Summary of the 2017-2018 Annual Report

The Police Accountability Board (PAB) is an independent board composed of student, faculty and staff representatives from the UC Davis community. The PAB is the first of its kind, having been the first civilian oversight board established at a major research university. Working with independent campus investigators from the Office of Compliance and Policy, the PAB is charged with making recommended findings to the Chief of Police based on objective investigations into complaints of misconduct filed against UC Davis police officers. These recommendations are considered by the Chief of Police who may accept, reject or modify the PAB's recommendations. The Chief may also take corrective actions based on these recommendations. Additionally, the PAB solicits public input during open meetings and may submit advisory recommendations to the Chief about UC Davis Police Department policies and procedures.

Upon completing its fourth year in June 2018, the PAB issued its annual public report detailing summary information and statistical data regarding the number of complaints filed, the type of complaints filed, analysis of trends and patterns, the ultimate disposition of the complaints (i.e., sustained, not sustained, exonerated or unfounded) and the number of complaints in which the recommendations of the PAB were either accepted, rejected or modified by the Chief of Police.

A complete summary of complaints received by the PAB, cases reviewed and PAB findings can be found in the attached chart. From July 1, 2017 to June 30, 2018, 16 complaints were submitted to the PAB. Fourteen cases did not proceed through investigation, either because the PAB received insufficient information to proceed (eight cases), or because they were dismissed as outside of the PAB's purview (six cases). The PAB completed its review of one case. One case remains under investigation and will be reviewed by the PAB in the future. After reviewing the investigative report for the one case that proceeded through investigation, the PAB voted to adopt, amend or reject the investigator's findings and rendered its own findings of unfounded, exonerated, not sustained or sustained for each allegation.

Notable trends in 2017-2018

- Of the 14 total complaints received, eleven (68.75%) were filed to the Davis campus, and five (31.25%) were filed to the Sacramento UC Davis Health campus. Of the two cases that proceeded through or are in the process of investigation and review by the PAB, one (50.00%) was filed to the Davis campus, and one (50.00%) was filed to the Sacramento UC Davis Health campus.
- Three complainants (18.75%) were students and three complainants (18.75%) were community members. Two complainants (12.50%) were staff and one complainant (6.25%) was faculty. The campus affiliation of seven of complainants (43.75%) was unknown.
- Of the two cases that proceeded through or are in the process of investigation and review by the PAB, one case (50.00%) involved allegations of discourtesy, discrimination and improper search. One case (50.00%) involved allegations of improper use of force.
- The PAB received a number of complaints with insufficient information to proceed through investigation after complainants did not respond to requests for additional information or clarification. Complaints also were received that involved issues not related to the PAB's purview of reviewing allegations of police or UCDPD misconduct or infraction of rules, policies or law. These trends suggest that citizens continue to be more aware of the PAB, however important work still needs to be done to clarify the PAB's scope and the complaint and investigation process.

Police Chief's response to PAB findings

From July 1, 2017 to June 30, 2018, the Chief of Police adjudicated one case in which the PAB recommended findings or made additional suggestions. With respect to this one case, the Chief agreed with all of the PAB's findings.

Additional PAB recommendations to Police Chief

From July 1, 2017 to June 30, 2018, the PAB made two recommendations, and the Chief of Police provided the following responses:

- In July 2017, the PAB raised concerns about community building, de-escalation practices and officer training on the Medical Center campus.
 - In March 2018, the Chief noted that de-escalation practices are an ongoing training priority for the UCDPD. The Chief also clarified that UCDPD officers use both the Medical Center and the Davis campus as their training grounds. However, the nature and frequency of calls and interactions differ between the two campuses. When asked about contacts for low-level infractions that occur during officer training, it was noted that POST (Peace Officer Standards and Training) standards require that an officer satisfy a list of contacts in order to progress through training. The Chief did express that it is necessary to always consider how stopping a civilian affects their freedom, and also to consider the initial reason for the contact or pursuit. Here, de-escalation techniques would be important.
- In March 2018, the PAB recommended a policy review and training for officers regarding the restrictions on frisks for weapons.
 - In May 2018, Interim Captain Jennifer Garcia, as the Chief of Police's representative, noted that the Chief could bring this concern to the UCDPD training unit.
 - In July 2018, the Chief accepted the PAB's recommendation to do a policy review and provide additional training regarding frisks. The policy review currently is underway as the UCDPD undergoes its accreditation process, and the Chief has directed that all officers will receive training on search and seizure in the future.
 - The PAB will have an opportunity to follow up again with the Chief regarding this matter in Fall 2018.

In 2017-2018, the Chief provided the following responses to recommendations submitted by the PAB in previous years:

- In response to a May 2017 recommendation that there be discussions or further training both within the Police Department and at the Medical Center regarding role clarification of police officers and Medical Center staff: In March 2018, the Chief shared that the Medical Center recently hired a Chief Security Officer, whose position will help bridge the work of the Police Department and Medical Center staff.
- In response to questions raised in February 2017 and in May 2017 regarding body cameras: In March 2018, the Chief noted that a new policy is being written at the level of the University of California Office of the President (UCOP), and it will specify for police departments system-wide who must use body cameras and when they must be turned on. In a follow-up response in May 2018, Interim Captain Jennifer Garcia, as the Chief of Police's representative, shared that the UCDPD still is waiting for systemwide guidance. Regardless of the UCOP policy, UCDPD plans to get body cameras for its officers soon. The UCDPD shared a draft body camera policy with the PAB for their review and invited their comments as the policy continues to be finalized.

- In response to a January 2017 recommendation of additional training in cultural competence and community policing strategies: In March 2018, the Chief shared that the following training topics currently are priorities: de-escalation, cultural competency, mental illness and use of force. The Chief emphasized that these trainings would be instituted as professional development opportunities beyond the minimum requirements for accreditation. The Chief previously responded to this recommendation in July 2017, and noted then that peace officers are required by POST to pass recurrent perishable skills training, including communications training, racial profiling, response to persons with mental and developmental disabilities, hate crimes and investigation.
- In response to a June 2016 recommendation about retaining/storing surveillance footage at the UC Davis Medical Center for a longer period of time: In March 2018, the Chief stated that the 30-day storage period would be extremely expensive to change. The UCDPD does have the option to pull tapes, and the department will consider drafting a policy to pull surveillance footage for threshold incidents that may result in review or a complaint. The Chief previously responded to this recommendation in 2016, when it was noted then that Medical Center surveillance footage is maintained by the Medical Center administration, and that the current retention period is 30 days due to storage constraints.

Public comment highlights

Each quarter of the academic year, the board invites public comment and questions at a public meeting. Questions brought to the PAB during public comment in 2017-2018 included:

- Overview of the PAB's charge
- The PAB complaint, investigation and review processes
- Historical data from the PAB Annual Report on the number of complaints received by the PAB and the percentage of PAB findings accepted by the Chief of Police
- PAB membership and nomination process
- Student participation on the PAB
- Officer anonymity during PAB case review
- Recommendations made to the City of Davis in spring 2018 to create a civilian oversight body for its police department
- PAB promotion strategies

Additional information at pab.ucdavis.edu

The PAB website contains the PAB's Bylaws and Procedures, meeting dates, members and information on filing a complaint—including an online complaint form—and the complaint review process. The full 2017-2018 Annual Report also is available on the website.

Police Accountability Board Complaints, July 1, 2017 – June 30, 2018								
Month Filed/ Location	Filing Method	Complainant's Campus Affiliation, Age, Gender, Race/Ethnicity*	Allegations	Status	Report Date to Close	Investigation Charge Date to Completion	Outcome (Allegation & Disposition)	Outcome Accepted by Police Chief
August 2017/ Davis	Email to pab@ ucdavis.edu	<ul style="list-style-type: none"> • Student • 23 • Woman • Caucasian 	Improper conduct	Dismissed ¹	N/A	N/A	N/A	N/A
August 2017/ Sacramento	Submitted to Risk Management	<ul style="list-style-type: none"> • Community member • Not provided • Not provided • Not provided 	Improper use of force	Insufficient information ²	N/A	N/A	N/A	N/A
September 2017/ Davis	Email to pab@ ucdavis.edu	<ul style="list-style-type: none"> • Community member • Unknown • Unknown • Unknown 	Alleged an individual is an undocumented immigrant and may pose a threat	Dismissed	N/A	N/A	N/A	N/A
September 2017/ Sacramento	Phone call to Office of Compliance and Policy	<ul style="list-style-type: none"> • Community member • Not provided • Man • Not provided 	Improper use of force	Under investigation ^{3,4}	N/A	N/A	N/A	N/A

* Complainant demographics are voluntarily provided and are not known to the PAB at any point during case review.

¹ The information provided by the complainant reflects that the matter does not fall within the PAB purview. For example, the complaint does not allege a violation of police policy or does not address the actions of UCDPD officers. This category also may include circumstances where the complainant expressly requests that the matter not be investigated. (In cases involving allegations of serious violations or multiple allegations against the same officer, the matter may be investigated even if the complainant requests no investigation.)

² The Office of Compliance and Policy has not received sufficient information regarding the matter—such as the events alleged or the parties involved—to determine if the matter falls under PAB purview and/or to conduct a reasonable investigation. In such circumstances, if the complainant has provided contact information, Compliance contacts the complainant to request the needed information. If it is provided, the matter will be revisited. Compliance also passes along the nature of the complaint to the PAB and to the Chief of Police with the understanding that additional information could result in an investigation being charged in the future.

³ The matter falls within the PAB purview and an investigation has been conducted or is ongoing.

⁴ In this case, the respondent is on leave and police procedures do not authorize an interview until an officer returns to work.

Quarter Filed/ Location	Filing Method	Complainant's Campus Affiliation, Age, Gender, Race/Ethnicity	Allegations	Status	Report Date to Close	Investigation Charge Date to Completion	Outcome (Allegations & Disposition)	Outcome Accepted by Police Chief
September 2017/ Davis	Email to pab@ ucdavis.edu	<ul style="list-style-type: none"> • Not provided • 21 • Woman • American Indian, Hispanic, Caucasian 	<ul style="list-style-type: none"> • Discrimination • Discourteous conduct • Improper search 	Investigation complete ⁵	294 days ⁶	270 days ²	<ul style="list-style-type: none"> • Discrimination: not sustained • Discourteous conduct: sustained • Improper search: not sustained 	All findings accepted
October 2017/ Davis	Email to pab@ ucdavis.edu	<ul style="list-style-type: none"> • Student • 19 • Woman • Not provided 	Safe Ride never arrived after being called	Dismissed	N/A	N/A	N/A	N/A
November 2017/ Sacramento	Email to pab@ ucdavis.edu	<ul style="list-style-type: none"> • Staff • Not provided • Not provided • Not provided 	Complaint about unsafe crosswalks at the Medical Center	Dismissed	N/A	N/A	N/A	N/A
January 2018/ Sacramento	Online form on PAB website	<ul style="list-style-type: none"> • Not provided • 22 • Woman • Not provided 	Ongoing monitoring by the Police Department	Insufficient information	N/A	N/A	N/A	N/A
February 2018/ Davis	Online form on PAB website	<ul style="list-style-type: none"> • Student • 21 • Woman • Asian American 	Police dismissed Complainant's report of sexual harassment against third party	Insufficient information	N/A	N/A	N/A	N/A

⁵ The matter falls within the PAB purview and an investigation has been conducted and completed.

⁶ An error resulted in the PAB's recommended findings being sent to the Chief of Police at a significant delay.

Quarter Filed/ Location	Filing Method	Complainant's Campus Affiliation, Age, Gender, Race/Ethnicity	Allegations	Status	Report Date to Close	Investigation Charge Date to Completion	Outcome (Allegations & Disposition)	Outcome Accepted by Police Chief
February 2018/ Davis	Online form on PAB website	<ul style="list-style-type: none"> • Not provided • 28 • Woman • Not provided 	Police went to Complainant's home after police report about neighbors despite request to remain anonymous	Insufficient information	N/A	N/A	N/A	N/A
March 2018/ Sacramento	Online form on PAB website	<ul style="list-style-type: none"> • Staff • 50 • Woman • White 	Discrimination	Insufficient information	N/A	N/A	N/A	N/A
April 2018/ Davis	Email to pab@ ucdavis.edu	<ul style="list-style-type: none"> • Not provided • Not provided • Man • Not provided 	UCDPD officers may have followed Complainant. No stop or arrest.	Insufficient information	N/A	N/A	N/A	N/A
April 2018/ Davis	Online form on PAB website	<ul style="list-style-type: none"> • Not provided • Not provided • Not provided • Not provided 	Reckless driving by a University vehicle	Dismissed	N/A	N/A	N/A	N/A
April 2018/ Davis	Email to City of Davis Fire Web	<ul style="list-style-type: none"> • Not provided • Not provided • Not provided • Not provided 	Discrimination	Insufficient information	N/A	N/A	N/A	N/A
May 2018/ Davis	Email to PAB Administrative Advisory Group member	<ul style="list-style-type: none"> • Not provided • Not provided • Not provided • Not provided 	Concerns regarding UCD community and UCDPD's treatment of homeless. Compliance has offered to meet to discuss specific instances.	Insufficient information	N/A	N/A	N/A	N/A

Quarter Filed/ Location	Filing Method	Complainant's Campus Affiliation, Age, Gender, Race/Ethnicity	Allegations	Status	Report Date to Close	Investigation Charge Date to Completion	Outcome (Allegations & Disposition)	Outcome Accepted by Police Chief
May 2018/ Davis	Email to pab@ ucdavis.edu	<ul style="list-style-type: none"> • Faculty • Not provided • Not provided • Not provided 	Forwarded student concern regarding failure to send Clery notice. Event cited was not within Clery geography.	Dismissed	N/A	N/A	N/A	N/A