

UC Davis Police Accountability Board Summary of the 2018-2019 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. Two functions are central to the PAB's work. First, the PAB independently reviews investigation reports and makes recommendations to the Chief of Police following investigations of complaints from the campus community or general public (also referred to as civilian complaints). Second, the PAB makes recommendations regarding UC Davis Police Department (UCDPD) policies, procedures, practices and trainings when the PAB identifies possible improvements or blind spots. The PAB is committed to a fair and unbiased approach throughout its work.

In fall 2019, the PAB issued its 2018-2019 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. The annual report also includes detailed summaries of the PAB's recommendations along with its questions and comments to the Chief.

A complete summary of complaints received by the PAB, cases reviewed and PAB findings can be found in the attached chart. From July 1, 2018 to June 30, 2019, seven complaints were submitted to the PAB. Three of those complaints were investigated. The remaining four complaints did not proceed through investigation, either because the PAB received insufficient information to proceed, the complainant expressed they did not want the matter to be investigated or because they were dismissed as outside of the PAB's purview.

The PAB completed its review of one case that proceeded through investigation between July 1, 2018 and June 30, 2019; the PAB completed its review of one additional case in July 2019, before the annual report was completed. One case remains under investigation and will be reviewed by the PAB upon completion. In addition, the PAB in 2018-2019 closed one case submitted during the 2017-2018 reporting period.

After reviewing the investigative report for the cases 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 2018-2019

- Of the seven total complaints received in 2018-2019, five (71.43%) were filed to the Davis campus and two (28.57%) were filed to the Sacramento UC Davis Health campus. Of the three cases that proceeded through or are in the process of investigation and review by the PAB, one (33.33%) was filed to the Davis campus and two (66.67%) were filed to the Sacramento Health campus.
- One matter was submitted by the Chief of Police to the Director of Investigations in the Office of Compliance and Policy. This matter was not the subject of a civilian

complaint to the PAB. Instead, Chief Farrow asked the PAB to engage its typical procedure to review his officers' conduct in a particular incident and to provide recommendations.

- Two complainants (28.57%) were community members, one complainant (14.29%) was a UC Davis student and one complainant (14.29%) was UC Davis staff. The campus affiliation of three complainants (42.86%) was unknown.
- Of the three cases submitted in 2018-2019 that proceeded through or are in the process of investigation and review by the PAB, two cases (66.67%) involved allegations of discourtesy, two cases (66.67%) involved allegations of improper use of force and one case (33.33%) involved allegations of discrimination. PAB cases can involve multiple allegations.
- In 2018-2019, 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. Additionally, continuing a trend noted since 2015-2016, complaints were received in 2018-2019 that involved issues not related to the PAB's purview of reviewing allegations of UCDPD misconduct or infraction of rules, policies or law. These trends suggest that while citizens may continue to be more aware of the PAB, 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, 2018 to June 30, 2019, the Chief of Police considered two cases in which the PAB recommended findings or made additional suggestions. In July 2019, before this report was completed, the Chief of Police reviewed one additional case submitted during the 2018-2019 reporting period. With respect to these cases, the Chief agreed with all (100.00%) of the PAB's findings.

Additional PAB recommendations, questions and comments to Police Chief

From July 1, 2018 to June 30, 2019, the PAB shared several opportunities to engage the Chief of Police in direct dialogue regarding policy or training recommendations previously submitted by the PAB, in addition to questions and comments from PAB representatives and their communities. In reporting the following detailed summaries of the PAB's recommendations along with its questions and comments to the Chief—new to this year's annual report—the PAB aims to increase the transparency of its work and to provide timely follow-up on issues important to the UC Davis and broader communities.

1. May 2019: On May 6, 2019, an incident at the UC Davis Store resulted in UC Davis police officers using force in order to affect an arrest. The PAB voiced concern over the lack of details included in Chief Farrow's message to the campus community following the incident and discussed the need to continue to provide timely follow-up to the community in the aftermath. Given the community interest in this incident, especially from students, the PAB Administrative Advisory Group consulted with leadership from the Community Resource and Retention Centers and decided to engage in conversation with the directors of the student centers after the Office of Compliance and Policy's investigation into the matter is completed. The directors can then assist in providing accurate information given their roles and access to students.

Chief's response: Chief Farrow formally requested that the Office of Compliance and Policy launch an independent investigation into the incident. Regarding the campus message in response to the incident, the Chief shared that it was necessary for the message and other communications regarding the matter to be vague about details, as the incident currently is under investigation. Chief Farrow said he is open to and welcomes input from the PAB regarding future communications. The Chief reached out to Sheri Atkinson, Associate Vice Chancellor for Student Life, Campus Community and Retention Services and shared information about the charge and launch of the investigation, so that this information would then be shared with AVC Atkinson's staff. Following the conclusion of the investigation, the Chief will join members of the PAB Administrative Advisory Group in following up with leaders from the Community Resource and Retention Centers.

2. May 2019: The board provided feedback on the Police Department's active shooter training, in particular as it is presented to student audiences. In its current format, the training is unsettling for some and as a result is not entirely effective in making participants feel prepared for a shooter incident.

Chief's response: Chief Farrow expressed that he would attend future trainings presented to students. After attending a number of training sessions, the Chief advised revisions to the active shooter training. These revisions included adding three new instructors, and revising course content and facilitation protocol in order to attune the training to sensitivities among the campus community and to deliver a training that is meaningful for all campus constituents.

1. January 2019: In the aftermath of the shooting of Davis Police Department Officer Natalie Corona just blocks away from the UC Davis campus, a memorial service was planned on campus. In a message to Chancellor May and Chief Farrow, the PAB voiced concern, especially from student scholars, over the campus location for the memorial for Officer Corona given that the event would draw an unprecedented number of uniformed officers to campus. At that time, the only campus communications regarding the memorial service were limited to parking information, and no mention was made of the service's potential impact on campus climate. The PAB urged campus leadership to release a statement emphasizing that campus safety remains a priority, and that we all, including our guests, should be respectful and peaceful and abide by our Principles of Community. The PAB recommended that the message also included information on mental health resources.

Campus leadership's response: Campus leadership responded by reaching out directly to the students who raised these concerns with information on mental health resources.

Chief's response: Chief Farrow clarified that the decision to host the memorial on the UC Davis campus was made by numerous campus and community entities, and that UCDPD's role was to ensure the safety of the venue as well as campus community members and visitors in attendance. The event drew thousands of supporters and went off without incident. Chief Farrow agreed that the University

could have done a better job of keeping our community informed about the memorial.

2. January 2019: PAB requested an update on where the Police Department is with respect to increased training or updated policies regarding de-escalation techniques, cultural competency/sensitivity, use of force and implicit bias.

Chief's delegates' response: Since 2018, UCDDPD has required its officers to complete training courses in the areas of de-escalation, implicit bias, mental health awareness and non-violent intervention. Continued trainings are planned in these areas as well as in the area of cultural competency.

3. October 2018: The PAB asked if UC Davis Police Department policies could be made publicly available online.

Chief's response: Chief Farrow advised he would look into making policies available online. While UCDDPD policies were available online in the past, they were removed due to the frequent need to update individual policies. If UCDDPD policies were made publicly available online, some information would need to be redacted, such as tactical and strategic policies. UCDDPD has since made their policy manual available online at police.ucdavis.edu/policies.

4. October 2018: The PAB engaged the Chief in conversation about a use of force training the board received from UCDDPD in May 2018. The PAB raised questions about how bias might influence how officers respond to calls for service, and how a focus on officer safety influences community safety.

Chief's response: The Chief spoke about the culture of law enforcement needing to transition from one centered on police safety to a service mindset. A service-oriented model would focus beyond physical safety on the emotional and psychological safety of the community as well. In order to affect this shift, UCDDPD now includes an intentional focus on de-escalation, procedural justice and bias in their officer training. Another shift is to focus on education rather than strict enforcement. To this end, all officers have received trainings on the following topics: procedural justice, implicit bias and de-escalation.

5. October 2018: The PAB asked the Chief about the status of a body-worn camera policy for UCDDPD.

Chief's response: UCDDPD has procured new devices and is awaiting guidance from the University of California Office of the President (UCOP) on a systemwide policy enforcing the use of body-worn cameras. UCDDPD will adopt this policy once it is released. Body-worn camera footage will be retained for at least one year, and officers can review the footage before writing their initial reports.

Public comment highlights

Each quarter of the academic year, the board invites public comment and questions at public meetings at UC Davis and UC Davis Health. Topics brought to the PAB during public comment addressed:

- Overview of the PAB's charge
- Independence of the PAB from the UCDDPD

- PAB membership and nomination process
- The PAB complaint, investigation and review processes
- Methods for contacting and providing feedback to the PAB
- UCDPD body-worn camera policy and practices
- Questions regarding the differences and relationship between UCDPD officers and Private Security Officers at UC Davis Health
- Format of PAB public meetings
- City of Davis Police Accountability Commission
- PAB promotion strategies

Pab Pilot Program Review and Recommendations

In 2018-2019 the PAB Administrative Advisory Group, led by the Office of Diversity, Equity and Inclusion, completed a review of the PAB's four-year pilot program from 2014 to 2018. The review was informed by a campus-wide survey conducted by the office. Also considered was feedback from campus and community constituents at the PAB's quarterly public meetings, along with the recommendations made by the Report of the Presidential Task Force on University-wide Policing (ucop.edu/policing-task-force/policing-task-force-report_2019.pdf). Together, these elements inform the PAB Pilot Program Review and Recommendations, which includes ten recommendations for the future of the board. The report was submitted to UC Davis Chancellor Gary May in July 2019. Chancellor May responded to accept the report's recommendations and to ask that a proposal be submitted to implement those recommendations. The PAB Administrative Advisory Group plans to submit this implementation plan to the Chancellor in Fall 2019. A summary of the report, implementation plan, and the Chancellor's response will be made publicly available in Fall 2019 on the PAB website at pab.ucdavis.edu.

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 and investigation processes. Also included is an online feedback form for raising questions or issues to the PAB's attention. The full 2018-2019 Annual Report is available on the PAB website.

Police Accountability Board Complaints, July 1, 2018 – June 30, 2019								
Month Filed/ Location	Filing Method	Complainant's Campus Affiliation, Age, Gender, Race/Ethnicity [*]	Allegations	Case Status	Report Date to Close	Investigation Charge Date to Completion	Outcome (Allegation & Disposition)	Outcome Accepted by Police Chief
September 2017/ Sacramento	Phone call to Office of Compliance and Policy	<ul style="list-style-type: none"> •Community member •Not provided •Man •Not provided 	<ul style="list-style-type: none"> •Improper use of force •Unlawful detention •Improper maintenance of personal property 	Investigation complete ²	479 days	341 days	<ul style="list-style-type: none"> •Improper use of force: not sustained •Unlawful detention: exonerated •Improper maintenance of personal property: not sustained 	All findings accepted
September 2018/ Sacramento	Online form on PAB website	<ul style="list-style-type: none"> •Staff •Not provided •Woman •Black 	<ul style="list-style-type: none"> •Discourtesy •Discrimination 	Investigation complete	141 days	115 days	<ul style="list-style-type: none"> •Discourtesy: not sustained •Discrimination: not sustained 	All findings accepted
October 2018/ Davis	Email to pab@ucdavis.edu	<ul style="list-style-type: none"> •Community member •Not provided •Not provided •Not provided 	Improper conduct by UC Davis residence hall residents	Dismissed ³ – referred to Student Support and Judicial Affairs	N/A	N/A	N/A	N/A
February 2019/ Sacramento	Online form on PAB website and email to pab@ucdavis.edu	<ul style="list-style-type: none"> •Community member •Not provided •Woman •Black 	<ul style="list-style-type: none"> •Discourtesy count 1 •Discourtesy count 2 •Improper use of force •Discourtesy count 3 	Investigation complete	171 days	143 days ⁴	<ul style="list-style-type: none"> •Discourtesy count 1: not sustained •Discourtesy count 2: sustained •Improper use of force: unfounded •Discourtesy count 3: exonerated 	All findings accepted

^{*} Complainant demographics are provided voluntarily and are not known to the PAB at any point during case review unless they are relevant to the allegations (e.g. in a discrimination case).

¹ This complaint was reviewed by the PAB in November 2018. The investigation was delayed because the respondent was on an unrelated leave for a significant time, and police procedures do not require an officer to participate in an interview while on leave.

² The matter falls within the PAB purview and an investigation has been conducted and completed.

³ 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.)

⁴ The original investigator assigned to this investigation left the Office of Compliance and Policy, so the investigation had to be re-assigned. The complainant scheduled but did not appear for two interviews, also contributing to the delay in this matter. The investigation was completed within ninety days of the charge to the investigator who completed the review.

Quarter Filed/ Location	Filing Method	Complainant's Campus Affiliation, Age, Gender, Race/Ethnicity	Allegations	Case Status	Report Date to Close	Investigation Charge Date to Completion	Outcome (Allegations & Disposition)	Outcome Accepted by Police Chief
March 2019/ Davis	Online form on PAB website	<ul style="list-style-type: none"> • Student • Not provided • Not provided • Not provided 	Discourtesy	Dismissed – complainant declined investigation	N/A	N/A	N/A	N/A
March 2019/ Davis	Online form on PAB website	<ul style="list-style-type: none"> • Not provided • Not provided • Not provided • Not provided 	Improper stop	Insufficient information ⁵	N/A	N/A	N/A	N/A
April 2019/ Davis	Online form on PAB website	<ul style="list-style-type: none"> • Not provided • 20 • Man • Not provided 	<ul style="list-style-type: none"> • Discourtesy • Improper stop 	Dismissed – complainant declined investigation	N/A	N/A	N/A	N/A
May 2019/ Davis	Letter to Director of Investigations from Chief of Police ⁶	<ul style="list-style-type: none"> • Not provided • Not provided • Not provided • Not provided 	<ul style="list-style-type: none"> • Discourteous, disrespectful or discriminatory treatment • Improper use of force 	Under investigation ⁷	Pending investigation and review by the PAB	Pending investigation and review by the PAB	Pending investigation and review by the PAB	Pending investigation and review by the PAB

⁵ 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.

⁶ On May 6, 2019, an incident at the UC Davis Bookstore resulting in UC Davis police officers using force in order to affect an arrest. The Chief of Police formally requested that the Office of Compliance and Policy launch an independent investigation into the incident. After consultation with the PAB and in line with PAB procedures, the Office of Compliance and Policy identified an external police practices expert to contract with as a co-investigator. Due to contracting issues outside of the PAB's, Compliance's and UCDPD's control, the start of investigative interviews in this matter were delayed, although documents were collected during this period.

⁷ The matter falls within the PAB purview and an investigation has been conducted or is ongoing.