

**UCDAVIS**

Police Accountability Board

Annual Report

July 2022 – June 2023

Published October 11, 2023

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## INTRODUCTION

Enclosed is the UC Davis Police Accountability Board's (PAB) 2022-2023 Annual Report. The PAB Annual Report is prepared by the Office of Campus and Community Relations, a unit in the [Office of Diversity, Equity and Inclusion](#). The report is reviewed and approved by the PAB Administrative Advisory Group, board representatives, UC Davis Police Department (UCDPD) Chief and UC Davis Chancellor prior to publication.

From July 1, 2022 to June 30, 2023, the PAB investigated two (2) complaints after receiving eighteen (18) inquiries. The remaining sixteen (16) inquiries submitted in 2022-2023 did not proceed through investigation because:

- The concerns did not allege UCDPD sworn officer misconduct or policy violation (ten [10] cases). Inquiries pertaining to issues outside the PAB's purview are dismissed, referred to the appropriate entity and, when possible, the reporting party is notified.
- The PAB received insufficient information from the reporting party to determine whether to charge an investigation (three [3] cases).
- The inquiry was untimely in that it related to an incident that occurred over one hundred and eighty (180) days before the report date. PAB Procedures state, "Complaints shall be filed in writing no later than one hundred and eighty (180) days following the date of the alleged misconduct or infraction, except that the filing period shall be tolled when a complainant is incapacitated and unable to file." (one [1] case).
- The reporting party declined investigation (one [1] case).
- In order to determine whether to charge an investigation, the UC Davis Office of Compliance and Policy conducted a preliminary review of the matter and submitted a report to the PAB for their review. The PAB reviewed the report and agreed with the investigator's determination to not charge an investigation (one [1] case).

Consistent with the PAB's procedures, the PAB closed seventeen (17) inquiries received between July 1, 2022 and June 30, 2023 during that time period. As of July 1, 2023, one (1) case continues to be under investigation and pending PAB review. A complete summary of 2022-2023 inquiries received by the PAB, cases reviewed and PAB findings can be found in the table at the end of this report.

The [PAB Case Database](#) includes comprehensive information on all inquiries received by the PAB and is updated at minimum each quarter during the regular academic year.

## **MISSION OF THE PAB**

The Police Accountability Board is a civilian oversight board comprised of diverse campus representatives that was established in 2014 to promote accountability, trust and communication between the University of California, Davis (UCD) community and the UCD Police Department. 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, both over the course of complaint review and in proactive efforts to evaluate UCDCPD culture department-wide, the PAB reviews UCDCPD policies, procedures, practices and trainings and makes recommendations when the PAB identifies possible improvements or blind spots. The PAB solicits public input during open meetings. The PAB is committed to a fair and unbiased approach throughout its work.

## **HISTORY AND FUNCTIONS OF THE PAB**

The PAB was established in May 2014, after consultation with an independent expert in police oversight and several campus forums. Developing a police accountability program for the UC Davis Police Department is one component of a complex process of evaluating, restructuring and healing in response to the November 18, 2011 UC Davis pepper spray incident. The [Reynoso Task Force Report](#) and [Robinson-Edley Report](#), commissioned as a result of that incident, provided the background and context that led to the recommended establishment of a police accountability program for the UCDCPD. It was founded to restore trust between the UCD police and the campus community.

The PAB and civilian oversight of university police were key components of the 2021 report of the [UC Davis Task Force on Next Generation Reforms to Advance Campus Safety](#) and the 2021 [University of California \(UC\) Community Safety Plan](#). The PAB continues to lead as one of the only active civilian oversight programs for university police nationwide, and serves as the model for institutionalizing civilian oversight across the University of California system. Recommendation 4.1a of the UC Community Safety Plan outlined the following: "Each campus, modeling the UC Davis Police Accountability Board's procedures and policies as minimum standards, will establish an independent, civilian campus police accountability body and procedures to review investigation reports regarding complaints filed against UCPD."

See Appendix for PAB Bylaws and Procedures.

## **PAB MEMBERS AND ALTERNATES**

The PAB is an independent board composed of students, staff and faculty from the UC Davis community. 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 civilian complaints of misconduct filed against UCD Police Department staff. These recommendations are considered by the Chief of Police, who may accept, reject or modify the PAB's findings and

recommendation(s). The Chief may also take corrective actions based on these recommendations. The PAB also solicits public input during open meetings and submits advisory recommendations to the Chief about UCDPD policies, procedures, practices and trainings.

As of June 30, 2022, PAB representatives included:

**Academic Federation**

Kara Carr

**Academic Senate**

Daniel Potter

**Associated Students, UC Davis**

Megan Chung

Mallika Hari – 2022-2023 PAB Chair

**Graduate Student Association**

Siuoneh Didarloo

James Giller

**Staff Assemblies**

Marlene Freid (Davis Chapter) – 2022-2023 PAB Vice Chair

Jacqueline Larripa (Health Chapter)

**Student Life**

Alfredo Tool

Vacant

**UC Davis Health**

Jacqueline Dyson

Jennifer Edwards

PC How

Eleanor McAuliffe

**PAB ADMINISTRATIVE ADVISORY GROUP**

The PAB receives administrative support from the Office of Campus and Community Relations, a unit in the [Office of Diversity, Equity and Inclusion](#), and the [Office of Compliance and Policy](#).

**PAB Administrative Advisory Group:**

Mikael Villalobos, Associate Vice Chancellor, Office of Campus and Community Relations/Diversity, Equity and Inclusion

Megan Macklin, Director of Campus Climate and Inclusion Initiatives, Office of Campus Community and Relations/Diversity, Equity and Inclusion

Wendy Lilliedoll, Director of Investigations, Office of Compliance and Policy

Wendi Delmendo, Chief Compliance Officer, Office of Compliance and Policy

Michael Sweeney, Chief Campus Counsel, Office of Campus Counsel

Additional Administrative Support:

Mariana Galindo-Vega, Program Analyst, Office of Campus and Community Relations/Diversity, Equity and Inclusion

Larisa King, Compliance Analyst, Office of Compliance and Policy

External Counsel:

Laura A. Izon, Atkinson, Andelson, Loya, Ruud & Romo

## **PAB MEMBERSHIP, TRAINING AND OUTREACH**

### **A. Board Membership**

The PAB is comprised of fourteen (14) representatives—seven (7) members and seven (7) alternates—who broadly represent the diversity of the UCD community. The following campus entities nominate individuals for representation on the PAB:

Academic Federation

Academic Senate

Associated Students, UCD

Graduate Student Association

Staff Assemblies

Student Life

UC Davis Health (Office for Health Equity, Diversity and Inclusion).

Recruitment for the PAB is staggered, with seven (7) positions typically filled each year. This process allows for the preservation of institutional knowledge on the board. Each organization is asked to provide at least two (2) nominees for each vacancy. When an organization nominates multiple people, the Associate Vice Chancellor (AVC) of Campus and Community Relations selects one (1) PAB representative from that organization's nominees. Upon being appointed to the board, PAB members and alternates can attend meetings and participate in business discussions. All fourteen (14) PAB representatives participate in training during the onboarding process. Only PAB representatives who have completed all onboarding trainings can access confidential investigation reports and participate in case review.

PAB representatives for this report period include:

Four (4) undergraduate students

Two (2) graduate students

Two (2) faculty/academic appointees

Two (2) staff members

Four (4) UCD Health members (who can be students, faculty or staff).

Generally, PAB representatives serve two-year (2) terms. Some served shorter terms when they were not qualifying representatives of their organization for the entire period of their appointment (e.g., graduated, retired or otherwise no longer associated with UCD), while others served longer terms if their appointments began mid-year. Nominating entities may re-nominate PAB representatives to multiple terms.

PAB representatives generally join the board as alternates, although they may join as members depending upon the board composition and current terms. After the first year of their term, members become alternates and alternates become members, thereby allowing full participation on the PAB during the two- (2-) year term. The Director of Campus Climate and Inclusion Initiatives in the Office of Campus and Community Relations works with the various entities to maintain representation and to develop a pipeline of candidates in the event that a representative can no longer serve on the PAB.

In order to ensure independence, no representative of the PAB can be a current or former UC Davis Police Department employee, or a current employee of the Office of Campus and Community Relations, the Office of Compliance and Policy or the Office of Campus Counsel.

## **B. Training**

Throughout their service on the board, PAB representatives receive ongoing training and professional development regarding the civilian oversight field, police procedures, relevant legal issues, impartiality, the confidential nature of police misconduct investigations and discipline and current campus and community safety reform efforts. Continuing education, training and professional development opportunities for the PAB are organized by the Director of Campus Climate and Inclusion Initiatives in the Office of Campus and Community Relations.

All PAB representatives are required to attend three orientation sessions upon joining the board:

- PAB members receive information from the Director of Campus Climate and Inclusion Initiatives in the Office of Campus and Community Relations on the PAB's history, charge, activities, board composition and administrative structure, data and public reporting and current campus and community safety initiatives; this training also provides a primer to civilian oversight of university police.

- PAB external counsel reviews the PAB's Bylaws, Procedures, Code of Ethics and Confidentiality Agreement.
- A representative from the UCDPD presents on Police Department policies, procedures and practices, including search and seizure and use of force.

The PAB invites speakers to present during regularly scheduled board meetings on local programs and initiatives relevant to civilian oversight and campus-community safety at UC Davis. In 2022-2023, the PAB received training via the following presentations during board meetings:

- Aggie Host Program, Lieutenant Joanne Zekany, UC Davis Police Department (July 20, 2022)
- Tiered Response Services, Chief Joseph Farrow, UC Davis Police Department (December 14, 2022)
- "Excited Delirium" Police Policy Project, Russell Bloom and Patrick Caceres, Bay Area Rapid Transit (BART) Office of the Independent Police Auditor (January 18, 2023)
- Freedom of Expression on a Public Campus, Robb Davis, UC Davis Center for Student Involvement (March 15, 2023).

The PAB holds an institutional membership with the [National Association for Civilian Oversight of Law Enforcement \(NACOLE\)](#). NACOLE offers trainings, currently including [webinars](#) and an [annual conference](#), that are made available to PAB representatives and staff as part of their continuing education and professional development. In 2022-2023, PAB representatives and staff who volunteered to participate attended the following webinars organized by NACOLE, and afterwards briefed the board:

- Analyzing Body-Worn Camera Video (July 11, 2022)
- Policing Regulation and Oversight: Trends, Problems, and Solutions (August 16, 2022)
- Evidence-Based Policing (October 11, 2022)
- Shielded: How the Police Became Untouchable (April 25, 2023)
- Bias in Interpretation of Video Evidence (May 18, 2023)
- Understanding Use of Force in Effecting Arrests (June 7, 2023).

In addition, a delegation of PAB representatives and staff attended the [September 2022 NACOLE annual conference in Fort Worth, Texas](#) and afterwards briefed the board.



In November 2022, the PAB participated in [The Evolve Experience](#), presented in partnership between the [Red Door Project](#), UC Davis Office of Campus and Community Relations and Mondavi Center for the Performing Arts. *The Evolve Experience* was a one-of-a-kind learning opportunity that paired theatrical performance and reflective activities. *Evolve* monologues portrayed real-life stories that presented a range of perspectives and experiences related to race and policing. After the performance, participants engaged in facilitated discussions that moved beyond entrenched binary reactions and responses. These conversations stressed empathy, curiosity and practical application in everyday life. Participants of the November 2022 *Evolve Experience* at UC Davis included invited UC Davis, community, civilian oversight and law enforcement stakeholders. Participating civilian oversight, law enforcement and public agencies included: the PAB; the UC Davis, Davis, West Sacramento and Chico Police Departments; the Yolo County District Attorney's Office, Public Defender's Office and Probation; the US Attorney's Office, Eastern District of California; the City of Davis; the City of Davis Police Accountability Commission; the Bay Area Rapid Transit (BART) Office of the Independent Police Auditor; the Oakland Office of the Inspector General and the San Francisco Department of Police Accountability.

### **C. Outreach and Campus Service**

PAB staff and representatives provide outreach presentations and trainings to UC Davis campus groups and leaders, as well as external groups interested in civilian oversight of university police, including other University of California campuses. In 2022-2023, PAB staff provided consultation to UC San Diego as they develop a civilian oversight program for their campus police.

PAB staff and representatives are invited by the UCDPD to participate in hiring panels during the recruitment of both sworn and non-sworn personnel. The PAB provides a community perspective and expertise in civilian oversight during UCDPD recruitments. In 2022-2023, as the UCDPD recruited for [Protective Service](#) positions as one part of [tiered response at UC Davis](#), PAB representatives participated in numerous interview panels for Protective Service Specialists, Protective Service Supervisors and the Protective Service Manager. In 2022-2023 PAB staff also participated on a UCDPD sergeant promotion panel.

### **PAB MEETINGS**

The PAB meets monthly in closed session when there is new business or a case to review. The PAB meets in person when there is case review; all other meetings are conducted virtually via Zoom. The PAB also solicits public input by holding regularly scheduled and advertised public meetings at least once quarterly during the regular academic year. Public meetings emphasize dialogue with the public and offer opportunities for public comment. PAB public meetings were held virtually via Zoom in 2022-2023. Additional PAB meetings are scheduled on an as-needed basis.

**2022 – 2023 PAB Meetings:**

- July 20, 2022
- August 17, 2022
- September 21, 2022
- October 19, 2022 – Fall Quarterly Public Meeting
- November 16, 2022
- December 14, 2022
- January 18, 2023
- February 15, 2023 – Winter Quarterly Public Meeting
- March 15, 2023
- May 17, 2023 – Spring Quarterly Public Meeting
- June 21, 2023

**A. Number of Meetings:**

From July 1, 2022 to June 30, 2023, the board held eleven (11) meetings. At one (1) of these meetings, the board reviewed a case resulting in recommended findings to the Chief of Police. During case review, the PAB makes recommendations regarding each allegation finding contained in the report, the number of which may vary depending upon the complaint.

Summaries of the PAB's closed meetings are available online at [pab.ucdavis.edu/meeting-minutes](http://pab.ucdavis.edu/meeting-minutes).

**B. Attendance for Meetings:**

From July 1, 2022 to June 30, 2023, average attendance of voting members at decision-making meetings was 77.27%, and the average attendance of alternates was 48.48%. Attendance of voting members at meetings where cases were reviewed was 85.71%, and the attendance of alternates was 33.33%.

**C. Public Comment Highlights**

Each quarter of the academic year, the board invites public comment and questions at a public meeting. Summaries of the PAB's meetings are available online at [pab.ucdavis.edu/meeting-minutes](http://pab.ucdavis.edu/meeting-minutes). PAB public meetings include introductions to PAB representatives and staff in attendance and a brief presentation on the PAB's history, charge, board membership and administrative structure and complaint and investigation processes. Questions and comments from members of the public in attendance are welcome throughout.

Topics, comments and questions brought to the PAB during public meetings in 2022-2023 included:

- PAB history: How did the creation of the PAB respond to the 2011 pepper spray incident?
- PAB membership: Why did representatives join the board? What have been some of the PAB's accomplishments during their service?
- PAB administrative structure: What are staff roles and responsibilities?
- PAB public meetings: Who typically attends and why? Do the UCDPD Chief/other UCDPD representatives attend?
- PAB data and reporting
- PAB inquiry/complaint, investigation and review processes: What is the distinction between an "exonerated" and an "unfounded" finding?
- Complaint mechanisms (for formal investigation) vs. feedback/suggestion mechanism
- Importance of addressing concerns of retaliation after filing an inquiry with the PAB
- Final determination: How does the Police Chief account for their final determinations on findings?
- Theft concerns among first-year students

During its Spring 2023 public meeting on May 17, 2023, the PAB invited UCDPD Chief Joseph Farrow to attend a portion of the meeting to share information on the recent stabbings in the City of Davis. Chief Farrow provided a summary of the incidents and shared information on the UCDPD's and UC Davis' responses, including temporary cancelation of nights classes and the expansion of Safe Ride services. Chief Farrow addressed questions related to the campus safety notification system (WarnMe), Safe Ride and Aggie Hosts. He answered general questions about tiered response at UC Davis and UCDPD calls for service. Chief Farrow also provided information on the May 2022 traffic fatality that occurred on the UC Davis campus.

## **INVESTIGATION OF INQUIRIES AND PAB REVIEW**

### **A. Filing an Inquiry with the PAB**

There are several avenues for filing inquiries with the PAB:

- [Online Complaint Form](#) or [Online Feedback/Suggestion Form](#)
- Email to [pab@ucdavis.edu](mailto:pab@ucdavis.edu)

- Via telephone at (530) 752-6550
- Print the Complaint Form or Feedback/Suggestion Form and send it via fax to (530) 752-0853, or via mail to the Office of Compliance and Policy, Attn: Police Accountability Board, UC Davis, Mrak Hall 5<sup>th</sup> floor, Davis, CA 95616
- Prescheduled meetings with the Office of Compliance and Policy<sup>1</sup>
- File a complaint to the UC Davis Police Department. The UCDPD forwards all civilian and non-internally generated complaints they receive to the PAB.

The Complaint Form and Feedback/Suggestion Form are available in English, Chinese, Hmong, Spanish, Russian and Vietnamese on the [PAB File a Complaint page](#). A current copy of the Complaint Form in English is included in the Appendix.

The Complaint Form includes fields for the complainant to self-identify demographic information. Demographic information, as well as all other questions asked on the Complaint Form, are voluntary. Anonymous inquiries can be submitted to the PAB as well.

All inquiries to the PAB are received and reviewed by the Office of Compliance and Policy, which is independent from the Police Department. In addition to receiving inquiries directly from the reporting party, the Office of Compliance and Policy may receive inquiries forwarded by other campus or community stakeholders. Regardless of the format of an inquiry or method of filing, the Office of Compliance and Policy contacts the reporting party (when contact information is provided) with information regarding the PAB and the PAB investigation process. Considering all available information, the Office of Compliance and Policy determines whether an inquiry is appropriate for investigation (e.g., timely, states sufficient facts, etc.).

If an inquiry is eligible for review, the Office of Compliance and Policy considers whether the reporting party wants a formal investigation or another resolution. In rare cases, a formal investigation may be necessary even if the reporting party would prefer a different resolution. However, strong consideration is given to the reporting party's preference if known. To date, the Office of Compliance and Policy has not formally investigated any matters in which the reporting party stated that they did not want a formal investigation.

Inquiries that are ineligible for review under PAB procedures are closed, and the reporting party is informed. For example, the PAB only reviews complaints against UCDPD officers, and not against other campus community members or personnel employed by non-UC Davis law enforcement agencies. Complaints received regarding another law enforcement agency (e.g., City of Davis Police Department) are referred to that agency. Complaints regarding non-UCDPD officers are therefore closed, and the reporting party and other agencies are notified where appropriate. The Office of Compliance and Policy does not investigate Internal Complaints filed by UCDPD officers

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<sup>1</sup> Meetings can be scheduled virtually via Zoom or other online platforms or in person.

or other UCDPD personnel. These complaints are handled internally by the Professional Standards Unit (PSU). The PAB will not review PSU investigatory reports regarding Internal Complaints.

The Office of Compliance and Policy can investigate complaints submitted to the PAB against nonsworn UCDPD staff (e.g., dispatchers, front desk staff at the Police Department, security guards or other employees connected to the Police Department who are not sworn officers) according to its process for reviewing allegations of non-police-specific University policy violations. Complaints against non-sworn UCDPD staff that are submitted to the PAB that do not allege a policy violation (e.g., allegations of discourtesy) are referred to the appropriate manager, who can work with Human Resources to address such management issues. In the event that the Office of Compliance and Policy investigates a matter that involves a UCDPD employee who is not a sworn police officer, the PAB is not notified of the outcome of the review.

If a matter qualifies for PAB review, a University Investigator from the Office of Compliance and Policy (or an agreed upon outside investigator) conducts a thorough and impartial review. The investigation process includes talking to the reporting party, the responding officer(s) and relevant witnesses, as well as reviewing evidence such as documents and video footage where it is available. PAB procedures establish that the investigation process will generally be completed within ninety (90) calendar days from the date on which the investigation is charged. Parties are notified if a thorough review requires additional time. The amount of time required to complete an investigation can vary according to factors such as the number of parties involved in a case and their availability, availability of witnesses and investigator caseload.

The investigator prepares an investigation report with factual findings. The investigation report is provided to the PAB in redacted form to protect the identity of the reporting party and involved officer(s).

The PAB also welcomes inquiries, feedback and suggestions outside of the formal complaint process. These can be submitted using the PAB's online Feedback/Suggestion Form at [pab.ucdavis.edu/feedback](http://pab.ucdavis.edu/feedback) or in person at the quarterly public meetings. The PAB also may be contacted at [pab@ucdavis.edu](mailto:pab@ucdavis.edu).

## **B. Investigation Reports**

As noted, the investigator, consistent with governing law and policies that protect identifying information, provides a confidential report to the PAB that is redacted and does not identify the individuals involved, nor does it include any demographic information, unless they are relevant to the allegations (e.g., in a discrimination case). The Chief of Police receives an unredacted version of the investigation report. Both reports include:

- An Introduction
- A Summary of Allegations (including applicable policies)

- Evidence Regarding Each Allegation (including comprehensive summaries of interviews or statements and identification of relevant documentary and electronic evidence)
- Conclusions and Findings
- Exhibit Listing.

The investigator's conclusions are based upon what is known as the "preponderance of the evidence" standard. That standard is met when the evidence presented during the investigation supports that it is *more likely than not* that the allegations of misconduct occurred as described and violated policy. The investigation report contains findings regarding each allegation. The possible findings are:

**Unfounded** – The investigation discloses that the alleged act(s) did not occur or did not involve department personnel. Complaints that are determined to be frivolous will be treated as unfounded (Code of Civil Procedure section 128.5 and Penal Code section 832.5(c)).

**Exonerated** – The evidence supports a finding that the alleged acts occurred; however, the conduct was justified, lawful, or proper.

**Not Sustained** – The evidence is insufficient to support a finding that the alleged conduct occurred or violated department policy or procedure.

**Sustained** – The evidence supports a finding that the alleged conduct occurred and that the conduct was improper (e.g., violated department policy or procedure).

### **C. PAB Review and Recommendation(s)**

In closed session, the PAB collectively reviews the investigative report(s), votes on its recommendations to adopt, amend or reject the investigator's findings and renders its own findings of whether an allegation is unfounded, exonerated, not sustained or sustained. Prior to the closed session and to allow sufficient time for review, the PAB receives online access to the investigative reports via a password-protected website. Hard copies are distributed and later collected during the closed session when held in-person.

Five (5) members present constitutes a meeting quorum. Decisions of the PAB are made by a vote of a majority of the members in attendance provided that a quorum exists. All alternates may attend meetings and participate in case review discussions. An alternate may vote in meetings when the PAB member representing their entity is absent.

The PAB has the authority to direct the investigator to re-open the investigation to pursue additional information requested by the PAB.

In addition to its recommendations with respect to the investigator's findings, the PAB may also recommend a wide spectrum of actions to the Chief of Police, including, for example, modifying policies or enhancing training. The PAB's policy, procedure or

practice recommendations may result from issues related to a specific complaint investigation or from a general policy review and analysis. The PAB, however, will not recommend a particular level of discipline or a specific corrective action, as the Chief of Police retains the responsibility and discretion to impose discipline. It is the Chief's responsibility to determine appropriate remediation, corrective action or discipline in light of an officer's entire performance and discipline history, taking into consideration both the sustaining of a single PAB complaint, as well as how like circumstances have been treated historically to ensure consistency and non-discriminatory practices.

The PAB's recommendations regarding the investigative findings are issued in writing. The PAB, through the Office of Compliance and Policy, forwards its recommendations to the Chief of Police within one (1) week after the PAB has voted in closed session.

#### **D. Role of Chief of Police and Ultimate Record Keeping**

During the course of an investigation, and prior to making a final determination, the Chief of Police may ask for additional investigation. Ultimately, the Chief may adopt all, part or none of the PAB's recommendations. The Chief retains full authority, discretion and responsibility regarding the final disposition of the matter, including disciplinary determinations. Within thirty (30) days of the final review and determination by the Chief of Police, written notice of the finding is sent to the reporting party and to the PAB through the Office of Compliance and Policy. This notice shall indicate the findings, but will not disclose the level of discipline, if any, that is imposed. Upon final determination, all information and documents related to the underlying complaint shall be consolidated and maintained by the UCDPD.

Any reporting party who is not satisfied with the Chief of Police's ultimate disposition of the complaint may contact the Chief to discuss the matter further. Chief of Police Joseph Farrow can be reached at (530) 752-3113 or [jafarrow@ucdavis.edu](mailto:jafarrow@ucdavis.edu).

#### **CASES REVIEWED, PAB FINDINGS AND STATUS OF CURRENT PAB CASES**

From July 1, 2022 to June 30, 2023, eighteen (18) inquiries were submitted to the PAB. Two (2) of those inquiries were investigated or are under investigation. One (1) of those cases was closed during 2022-2023; one (1) additional case remains under investigation as of June 30, 2023. After reviewing the investigative report for the one (1) case that proceeded through investigation, the PAB voted to adopt the investigator's findings of unfounded, exonerated, not sustained or sustained for each allegation. The PAB's findings are summarized in the table at the end of this report.

The [PAB Case Database](#) includes comprehensive information on all inquiries received by the PAB and is updated at minimum each quarter during the regular academic year.

Sixteen (16) inquiries submitted to the PAB in 2022-2023 did not proceed through investigation because:

- The concerns did not allege UCDPD sworn officer misconduct or policy violation (ten [10] cases). Inquiries pertaining to issues outside the PAB's purview are

dismissed, referred to the appropriate entity and when possible, the reporting party is notified.

- The PAB received insufficient information from the reporting party to determine whether to charge an investigation (three [3] cases).
- The inquiry was untimely in that it related to an incident that occurred over one hundred and eighty (180) days before the report date. PAB Procedures state, “Complaints shall be filed in writing no later than one hundred and eighty (180) days following the date of the alleged misconduct or infraction, except that the filing period shall be tolled when a complainant is incapacitated and unable to file.” (one [1] case).
- The reporting part declined investigation (one [1] case).
- In order to determine whether to charge an investigation, the UC Davis Office of Compliance and Policy conducted a preliminary review of the matter and submitted a report to the PAB for their review. The PAB reviewed the report and agreed with the investigator’s determination to not charge an investigation (one [1] case).

### **POLICE CHIEF’S RESPONSE TO RECOMMENDATIONS**

From July 1, 2022 to June 30, 2023, the Chief of Police considered one (1) case in which the PAB recommended findings or made additional suggestions. The Chief agreed with the PAB’s findings on all allegations made in this complaint. The Chief’s response is summarized in the table at the end of this report.

The [PAB Case Database](#) includes comprehensive information on all inquiries received by the PAB and is updated at minimum each quarter during the regular academic year.

### **2022-2023 TRENDS**

#### **A. Inquiries Filed Per Academic Quarter**

From July 1, 2022 to June 30, 2023, eighteen (18) inquiries were filed with the PAB. Five (5) inquiries (27.78%) were filed during Summer 2022, five (5) inquiries (27.78%) were filed in Fall 2022, one (1) inquiry (5.56%) was filed in Winter 2023 and seven (7) inquiries (38.89%) were filed during Spring 2023.

#### **B. Inquiry Location**

Of the eighteen (18) total inquiries received in 2022-2023, fifteen (15) (83.33%) were filed to the Davis campus and two (2) (11.11%) were filed to the Sacramento Health campus. One (1) inquiry (5.56%) did not provide information on the filing location.

#### **C. Inquiry Filing Methods**

In 2022-2023, eleven (11) inquiries (61.11%) were made via email to [pab@ucdavis.edu](mailto:pab@ucdavis.edu), three (3) inquiries (16.67%) were made via phone call to the Office of Compliance and



Policy, two (2) inquiries (11.11%) were made via the PAB online complaint form, two (2) inquiries (11.11%) were made via the PAB online feedback/suggestion form, two (2) inquiries (11.11%) were filed directly to the UCDPD<sup>2</sup>, one (1) inquiry (5.56%) was made via email to a member of the PAB Administrative Advisory Group and one (1) inquiry (5.56%) was made via email to the UC Davis Provost, Police Chief, Orientation Director and Academic Senate Chair. A reporting party can submit an inquiry using multiple methods as described above.

#### **D. Demographics**

Demographics are voluntarily provided by a reporting party 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). Demographic information, as well as all other questions asked on the Complaint Form, are voluntary. The demographic information reported in the PAB Annual Report and the [PAB Case Database](#) reflect the information self-identified by reporting parties.

Campus affiliation: Among the eighteen (18) inquiries received in 2022-2023, three (3) reporting parties (16.67%) self-identified their campus affiliation: two (2) reporting parties (11.11%) self-identified as community members and one (1) reporting party (5.56%) self-identified as a UC Davis student. Campus affiliation was not provided by the reporting party in fifteen (15) inquiries (83.33%).

Age: Among the eighteen (18) inquiries received in 2022-2023, four (4) reporting parties (22.22%) self-identified their age: one (1) reporting party (5.56%) self-identified their age as 31, one (1) reporting party (5.56%) self-identified their age as 63, one (1) reporting party (5.56%) self-identified their age as 66 and one (1) reporting party (5.56%) self-identified their age as 67. The reporting party's age was not provided in fourteen (14) inquiries (77.78%).

Gender: Among the eighteen (18) inquiries received in 2022-2023, three (3) reporting parties (16.67%) self-identified their gender: one (1) reporting party (5.56%) self-identified as a man, one (1) reporting party (5.56%) self-identified as a woman and one (1) reporting party (5.56%) self-identified as female. The reporting party's gender was not provided in fifteen (15) inquiries (83.33%).

Race/ethnicity: Among the eighteen (18) inquiries received in 2022-2023, four (4) reporting parties (22.22%) self-identified their race/ethnicity: two (2) reporting parties (11.11%) self-identified as Caucasian, one (1) reporting party (5.56%) self-identified as Mexican American and one (1) reporting party (5.56%) self-identified as Biracial, Filipino/White. The reporting party's race/ethnicity was not provided in fourteen (14) inquiries (77.78%).

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<sup>2</sup> Per PAB Procedures, all complaints filed by a member of the public with the UC Davis Police Department (UCDPD) will be forwarded to the UC Davis Office of Compliance and Policy within two (2) business days.

## E. Allegations

The two (2) inquiries received in 2022-2023 that proceeded through the process of investigation and review by the PAB involved the following allegations:

- Improper police procedures
- Improper use of force
- Violation of audio/video general order
- Conduct unbecoming
- Failure to intercede
- Inadequate or improper investigation.

PAB cases often involve multiple allegations.

### **RECOMMENDATIONS, QUESTIONS AND COMMENTS TO THE CHIEF OF POLICE**

From July 1, 2022 to June 30, 2023, the PAB had several opportunities to engage the Chief of Police in direct dialogue regarding case review findings and policy or training recommendations 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, 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. July 20, 2022: UCDPD Captain Mark Brunet, as the Chief's designee, shared information with the PAB about the May 25, 2022 traffic collision fatality on the UC Davis campus and the response and action taken by the responding UCDPD officer. Capt. Brunet and the PAB discussed the social media and news response to the tragedy. Capt. Brunet indicated that there is an ongoing investigation of the event, and discussed with the PAB accident prevention and educational opportunities, including awareness education around rules of the road, special considerations for micro-mobility devices (e.g., electrical bikes, scooters) and safety equipment such as helmets, with a focus on student safety.
2. October 19, 2022: At his quarterly update with the PAB, the Chief of Police provided updates and engaged board representatives and staff in discussion around the following topics:
  - a. [California Senate Bill 960](#): Chief Farrow worked with the University of California Office of the President on this bill that extends eligibility to serve as a peace officer in California to those authorized to work in the United States, including Deferred Action for Children Arrivals (DACA) recipients. Previously, eligibility was limited to US citizens and permanent residents.

Following the signing of this bill into legislation in September 2022, the UCDPD was preparing to hire its first DACA-recipient officers.

- b. [Tiered response at UC Davis](#): Chief Farrow updated the PAB on the newly introduced tiers that will include:
  - i. Aggie Hosts
  - ii. Security Officers/Security Specialists
  - iii. Community Service Officers/Community Service Specialists
  - iv. CORE Officers
  - v. Uniformed Officers
- c. [Health 34](#): Chief Farrow provided an update on the Health 34 initiative led by the UC Davis Fire Department, which will send Fire Department staff to some calls for service previously handled by the UCDPD. Health 34 responders will include team of healthcare educators and providers who could deliver free, non-emergency support and service navigation for mental health and basic medical care.
- d. Accreditation: The UCDPD is accredited by the [International Association of Campus Law Enforcement Administrators \(IACLEA\)](#), and along with UC San Francisco was one of the first UC police departments in the system to have earned this accreditation. Per a recommendation from the [UC Community Safety Plan](#), other UC campuses are working towards IACLEA accreditation, with the UCDPD providing leadership and support.
- e. Traffic safety on the Highway 113 overpass: PAB representatives and staff raised concerns about traffic safety—especially for bicyclists—on the Highway 113 overpass at Hutchinson Road. Chief Farrow shared that there have not been a high number of collisions reported, but the few that have occurred involved severe injuries. Chief Farrow also shared that this area is under the jurisdiction of Caltrans, not UC Davis. The UCDPD monitors this area with an emphasis on education and not enforcement of minor traffic infractions.

- f. Recent hate incidents: The PAB raised concerns about recent hate incidents<sup>3</sup>, including antisemitic graffiti on campus. Chief Farrow and the PAB discussed issues related to freedom of expression.
  - g. Campus active shooter resources and training: Student scholars on the PAB raised concerns about access to active shooter resources and trainings. Chief Farrow shared that information on the UCDPD's active shooter resources and available trainings is shared during student orientation. The PAB and Chief Farrow discussed opportunities for further sharing this information with student scholars in particular.
3. December 14, 2022: Following a presentation on [tiered response at UC Davis](#), the PAB engaged the Chief of Police in discussion around the following topics:
- a. Requirements regarding calls for service: Chief Farrow shared that per California law, a police officer or fire department personnel is sent when a call for services comes to 911 when dispatch cannot otherwise triage and redirect the call. UC Davis currently is working on alternate call numbers that would directly connect callers with the appropriate service tier.
  - b. Uniforms and vehicles: Chief Farrow shared that personnel in different tiers will wear uniforms that make them easily identifiable. He also shared that UCDPD vehicles recently transitioned to all white, when previously they were black and white. This transition was among the recommendations from the [UC Community Safety Plan](#) discussed by the UC Vehicles, Uniforms and Equipment Workgroup.
  - c. Law enforcement experience of personnel who belong to nonsworn tiers: Chief Farrow was asked about how the UCDPD accounts for law enforcement experience among personnel who fill nonsworn positions.
  - d. [UCDPD interaction survey](#): Chief Farrow shared updates on the UCDPD's interaction survey. For self-initiated calls for service, UCDPD personnel hand out business cards linking to the interaction survey. For calls for service where an individual's contact information is recorded, the survey is automatically sent to the individual via the case management system. Chief Farrow shared that if an individual reports that they were very dissatisfied with an interaction, they are directed to resources about the PAB, and UCDPD command has a conversation with the involved officer(s).
4. February 15, 2023: At his quarterly update with the PAB, the Chief of Police provided an update to the PAB on [tiered response at UC Davis](#) and shared that

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<sup>3</sup> The [UC Davis Harassment & Discrimination Assistance and Prevention Program \(HDAPP\)](#) serves as the central office for receiving reports and maintaining records of conflicts and complaints related to harassment, discrimination, sexual harassment, sexual violence and hate and bias.

the first Protective Services Specialists and Community Safety Specialists had been onboarded.

In addition to its findings, the PAB submitted the following recommendations and questions to the Chief of Police in response to a case reviewed by the board. At the Chief's quarterly update with the PAB, he provided the following responses:

- a. PAB recommendation: The PAB recommended that the UCDPD explore whether additional signage would be appropriate to delineate what constitutes a public versus a secured area.

Chief's response: Chief Farrow accepted this recommendation.

- b. PAB recommendation: To the extent that there is a concern regarding protecting sensitive information without restricting allowable access to public areas, the PAB recommended that the UCDPD evaluate if additional security precautions would be appropriate, such as covering glass windows/doors, rearranging the placement of computers so their screens are not visible from the outside, etc.

Chief's response: Chief Farrow accepted this recommendation and shared with the PAB that workstations are being reoriented and sensitive information is being removed from public-facing areas.

- c. PAB recommendation: The PAB recommended that the UCDPD explore whether it would be advisable to put a sticker or other identifying information on department-issued cell phones.

Chief's response: Chief Farrow expressed understanding the issues at hand and noted that identifying department devices would not be appropriate for all UCDPD personnel.

- d. PAB recommendation: The PAB recommended removing any and all Thin Blue Line flags/signage given that they could be perceived as inflammatory and/or have a chilling effect on an officer speaking up as they might not want to offend their co-workers.

Chief's response: Chief Farrow accepted this recommendation. Additionally, the Chief shared that UCDPD policy prohibits wearing a Thin Blue Line lapel pin.

- e. PAB recommendation: The PAB recommended that the UCDPD develop additional policy language or provide further direction on when it is appropriate for uninvolved officers to view Body Worn Camera footage taken by another officer.

Chief's response: Chief Farrow noted that this policy is set for all University of California Police Departments by the Gold Book Standard, and the systemwide BWC policy is still under review by the UC Office of the President. The Chief agreed to review the UCDPD policy for documenting incidents when a community member makes an accusation of misconduct and especially physical contact.

5. May 17, 2023: At his quarterly update with the PAB, the Chief of Police provided updates and engaged the board representatives and staff in discussion around the following topics:
  - a. Recent stabbings in Davis: Chief Farrow shared information about the recent stabbings in Davis, the campus' and city's responses and the arrest of a suspect. Chief Farrow discussed the campus WarnMe system, the cancelation of nighttime classes, increased Safe Ride services and mutual aid from allied law enforcement agencies, including the UC Berkeley and UC San Francisco Police Departments.
  - b. Updates on the [UC Community Safety Plan](#): Chief Farrow shared that the UCDPD accreditation team continues to work on new police policies that guide police procedures. He shared that UC Davis continues to provide leadership and support to other UC campuses as they develop their own civilian oversight programs based on the UC Davis PAB model.
6. August 25, 2023: At the board's May 17, 2023 meeting, the PAB reviewed a report completed the UC Davis Office of Compliance and Policy that conducted a preliminary review of a matter to determine whether to charge an investigation. The PAB reviewed the report and agreed with the investigator's determination to not charge an investigation. In addition to its finding, the PAB submitted the following questions to the Chief of Police<sup>4</sup>:
  - a. PAB question: PAB representatives asked to learn more about Body-Worn Camera function.

Chief's response: The officer synchronizes the Body-Worn Camera (BWC) with the patrol vehicle that they are driving at the beginning of their shift. The BWC will automatically activate when the overhead lights of the patrol vehicle they are driving are activated, which activates the vehicle camera as well. Also, if an officer comes within range of another UCDPD patrol vehicles with its overhead lights and camera activated, it will

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<sup>4</sup> The PAB typically receives updates from the Chief of Police regarding post-investigation/post-review recommendations and questions during the Chief's quarterly meeting with the board. In the preparation of this annual report in August 2023, the Chief was asked to provide written responses to any recommendations or questions that were submitted between his May 2023 and October 2023 updates with the PAB. The Chief provided his written responses within 48 hours.

automatically activate their BWC. BWC uses Wi-Fi technology, and the BWC is subjected to the elements of daily patrol in the dirt, heat, cold and rain. The system and equipment do experience malfunctions. If the BWC malfunctions or is damaged or inoperable, officers will notify the on-duty supervisor. Sergeants randomly audit the BWC video of all of their officers monthly to ensure compliance with department policy.

- b. PAB question: The PAB also asked about retention schedules for UCDPD data such as GPS records.

Chief's response: The UCDPD has utilized WatchGuard for the past five years. Any WatchGuard metadata is retained with video footage. Metadata can include GPS coordinates, but only for the in-car cameras, not BWC. All videos are retained based on how the officer categorizes the video. For example, an arrest would be retained for three years. A video categorized as junk would be retained for one day. Retention schedules are built into the video software and purges are done automatically when a video reaches its retention time based on the category selected.

Full summaries of the PAB's meetings with the Chief of Police are included in the meeting minutes available online at [pab.ucdavis.edu/meeting-minutes](http://pab.ucdavis.edu/meeting-minutes).

**Police Accountability Board Inquiries, July 1, 2022 – June 30, 2023**

<b>Case Number, Date Filed, Location</b>	<b>Filing Method</b>	<b>Demographic Information from Reporting Party*</b>	<b>Allegations</b>	<b>Case Status</b>	<b>Outcome<sup>5, 6</sup></b>	<b>Police Chief's Response to PAB Findings</b>
<ul style="list-style-type: none"> <li>• 22-111</li> <li>• 7/3/22</li> <li>• Location not provided</li> </ul>	Email to pab@ucdavis.edu	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Not provided</li> </ul>	Allegations not provided	Closed	Lack of jurisdiction: Reported beyond 180 days of incident <sup>7</sup>	N/A
<ul style="list-style-type: none"> <li>• 22-112</li> <li>• 7/20/22</li> <li>• UC Davis</li> </ul>	Email to PAB Administrative Advisory Group member	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Not provided</li> </ul>	Complaint about interaction with Dixon Police Department	Closed	Dismissed and referred: Concerns did not allege UCDPD sworn officer misconduct or policy violation	N/A
<ul style="list-style-type: none"> <li>• 22-113</li> <li>• 7/25/22</li> <li>• UC Davis</li> </ul>	PAB online complaint form, PAB online feedback form, email to pab@ucdavis.edu & phone call to Office of Compliance and Policy	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Not provided</li> </ul>	<ol style="list-style-type: none"> <li>1. Improper police procedures</li> <li>2. Improper use of force</li> <li>3. Violation of audio/video general order</li> <li>4. Conduct unbecoming</li> <li>5. Improper police procedures</li> <li>6. Failure to intercede</li> </ol>	Closed	Formal investigation: Investigation completed 1/13/23, PAB review 1/18/23  PAB's findings <sup>8</sup> : <ol style="list-style-type: none"> <li>1. Improper police procedures: Sustained</li> <li>2. Improper use of force: Not sustained</li> <li>3. Violation of audio/video general order: Not sustained</li> <li>4. Conduct unbecoming: Sustained</li> <li>5. Improper police procedures: Not sustained</li> <li>6. Failure to intercede: Exonerated</li> </ol>	All findings accepted

\* Demographics of all reporting parties 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).

<sup>5</sup> Per its Procedures, the PAB shares all inquiries it receives with the UC Davis Police Department. This includes inquiries that are dismissed for any of the following reasons: the reporting party did not allege UCDPD misconduct or policy violation, the reporting party declines investigation, insufficient information, or lack of jurisdiction. PAB Procedures state: "Any complaint received by the UCDPD will be shared with the Office of Compliance for review and processing within two (2) business days. Any complaint received by the Office of Compliance will be shared with the Chief of Police, also within two (2) business days."

<sup>6</sup> In addition to its recommendations with respect to the investigator's findings, the PAB may also recommend a wide spectrum of actions to the Chief of Police, including, for example, modifying policies or recommending training. A complete record of the PAB's recommendations are included in the full text of the PAB Annual Report and in the [PAB Case Database](#).

<sup>7</sup> As stated in the PAB's Procedures: "Complaints shall be filed in writing no later than one hundred and eighty (180) days following the date of the alleged misconduct or infraction, except that the filing period shall be tolled when a complainant is incapacitated and unable to file."

<sup>8</sup> In addition to its findings, the PAB issued additional recommendations, which along with the Chief's responses are included in the full text of the PAB Annual Report and in the [PAB Case Database](#).



**Police Accountability Board Inquiries, July 1, 2022 – June 30, 2023**

<b>Case Number, Date Filed, Location</b>	<b>Filing Method</b>	<b>Demographic Information from Reporting Party*</b>	<b>Allegations</b>	<b>Case Status</b>	<b>Outcome<sup>9, 10</sup></b>	<b>Police Chief's Response to PAB Findings</b>
<ul style="list-style-type: none"> <li>• 22-114</li> <li>• 8/9/22</li> <li>• UC Davis</li> </ul>	Email to Provost, Police Chief, Orientation Director, Academic Senate Chair	<ul style="list-style-type: none"> <li>• Campus affiliation: Community member</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Not provided</li> </ul>	Feedback regarding presentation by UCDPD officer at Aggie Parent and Family Orientation	Closed	Concerned party declined investigation. Feedback was referred to appropriate campus units.	N/A
<ul style="list-style-type: none"> <li>• 22-115</li> <li>• 8/31/22</li> <li>• UC Davis Health</li> </ul>	Email to pab@ucdavis.edu	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Not provided</li> </ul>	Inquiry about MyChart notifications	Closed	Dismissed and referred: Concerns did not allege UCDPD sworn officer misconduct or policy violation	N/A
<ul style="list-style-type: none"> <li>• 22-116</li> <li>• 9/27/22</li> <li>• UC Davis</li> </ul>	Complaint filed to UCDPD	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: 67</li> <li>• Gender: Man</li> <li>• Race/ethnicity: Caucasian</li> </ul>	Inquiry related to found bicycle	Closed	Dismissed and referred: Concerns did not allege UCDPD sworn officer misconduct or policy violation	N/A
<ul style="list-style-type: none"> <li>• 22-117</li> <li>• 10/12/22</li> <li>• UC Davis</li> </ul>	PAB online feedback form	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Not provided</li> </ul>	Reckless driving by unknown UCDPD officer	Closed	Insufficient information: The PAB contacted the concerned party and never received a response	N/A

\* Demographics of all reporting parties 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).

<sup>9</sup> Per its Procedures, the PAB shares all inquiries it receives with the UC Davis Police Department. This includes inquiries that are dismissed for any of the following reasons: the reporting party did not allege UCDPD misconduct or policy violation, the reporting party declines investigation, insufficient information, or lack of jurisdiction. PAB Procedures state: "Any complaint received by the UCDPD will be shared with the Office of Compliance for review and processing within two (2) business days. Any complaint received by the Office of Compliance will be shared with the Chief of Police, also within two (2) business days."

<sup>10</sup> In addition to its recommendations with respect to the investigator's findings, the PAB may also recommend a wide spectrum of actions to the Chief of Police, including, for example, modifying policies or recommending training. A complete record of the PAB's recommendations are included in the full text of the PAB Annual Report and in the [PAB Case Database](#).

**Police Accountability Board Inquiries, July 1, 2022 – June 30, 2023**

<b>Case Number, Date Filed, Location</b>	<b>Filing Method</b>	<b>Demographic Information from Reporting Party*</b>	<b>Allegations</b>	<b>Case Status</b>	<b>Outcome<sup>11, 12</sup></b>	<b>Police Chief's Response to PAB Findings</b>
<ul style="list-style-type: none"> <li>• 22-118</li> <li>• 10/18/22</li> <li>• UC Davis</li> </ul>	Email to pab@ucdavis.edu	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Not provided</li> </ul>	Inquiry related to traffic ticket	Closed	Insufficient information: The PAB contacted the concerned party and never received a response	N/A
<ul style="list-style-type: none"> <li>• 22-119</li> <li>• 11/22/22</li> <li>• UC Davis</li> </ul>	Email to pab@ucdavis.edu	<ul style="list-style-type: none"> <li>• Campus affiliation: Student</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Mexican American</li> </ul>	Complaint about harassment and discrimination that did not note UCDPD involvement	Closed	Dismissed and referred: Concerns did not allege UCDPD sworn officer misconduct or policy violation	N/A
<ul style="list-style-type: none"> <li>• 22-120</li> <li>• 12/2/22</li> <li>• UC Davis</li> </ul>	Email to pab@ucdavis.edu	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Not provided</li> </ul>	Complaint about UCDPD response to call for service	Closed	<p>Preliminary review conducted: Review completed 4/21/23, PAB review 5/17/23<sup>13</sup></p> <p>The PAB agreed with the investigator's recommendation to not conduct a formal investigation. The PAB asked to learn more about Body-Worn Camera function. The PAB also asked about retention schedules for UCDPD data such as GPS records.</p>	All findings accepted <sup>14</sup>

\* Demographics of all reporting parties 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).

<sup>11</sup> Per its Procedures, the PAB shares all inquiries it receives with the UC Davis Police Department. This includes inquiries that are dismissed for any of the following reasons: the reporting party did not allege UCDPD misconduct or policy violation, the reporting party declines investigation, insufficient information, or lack of jurisdiction. PAB Procedures state: "Any complaint received by the UCDPD will be shared with the Office of Compliance for review and processing within two (2) business days. Any complaint received by the Office of Compliance will be shared with the Chief of Police, also within two (2) business days."

<sup>12</sup> In addition to its recommendations with respect to the investigator's findings, the PAB may also recommend a wide spectrum of actions to the Chief of Police, including, for example, modifying policies or recommending training. A complete record of the PAB's recommendations are included in the full text of the PAB Annual Report and in the [PAB Case Database](#).

<sup>13</sup> The preliminary review stemmed from a second-hand allegation regarding the UCDPD's response to a call for service. The central question behind the preliminary review was whether there was a sufficient basis to charge a formal PAB investigation accusing one or more specific officers of particular misconduct. The investigator concluded that there was insufficient evidence to support further investigation. The PAB agreed with this conclusion.

<sup>14</sup> The Chief's responses to the PAB's post-review questions are included in the full text of the PAB Annual Report and in the [PAB Case Database](#).

## Police Accountability Board Inquiries, July 1, 2022 – June 30, 2023

Case Number, Date Filed, Location	Filing Method	Demographic Information from Reporting Party*	Allegations	Case Status	Outcome <sup>15, 16</sup>	Police Chief's Response to PAB Findings
<ul style="list-style-type: none"> <li>• 23-121</li> <li>• 3/16/23</li> <li>• UC Davis</li> </ul>	Phone call to Office of Compliance and Policy	<ul style="list-style-type: none"> <li>• Campus affiliation: Community member</li> <li>• Age: 63</li> <li>• Gender: Woman</li> <li>• Race/ethnicity: Not provided</li> </ul>	Inquiry related to recent UC Davis event	Closed	Dismissed: Concerns did not allege UCDPD sworn officer misconduct or policy violation. Concerned party did not indicate information that would allege potential misconduct by another campus employee.	N/A
<ul style="list-style-type: none"> <li>• 23-122</li> <li>• 4/6/23</li> <li>• UC Davis</li> </ul>	Complaint filed to UCDPD	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Caucasian</li> </ul>	Complaint regarding theft at UC Davis Library	Closed	Insufficient information: The PAB contacted the concerned party and to date has not received sufficient information to determine whether to charge a formal investigation	N/A
<ul style="list-style-type: none"> <li>• 23-123</li> <li>• 4/6/23</li> <li>• UC Davis Health</li> </ul>	Email to pab@ucdavis.edu	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: 66</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Not provided</li> </ul>	Complaint against UC Davis Health provider that did not note UCDPD involvement	Closed	Dismissed and referred: Concerns did not allege UCDPD sworn officer misconduct or policy violation	N/A

\* Demographics of all reporting parties 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).

<sup>15</sup> Per its Procedures, the PAB shares all inquiries it receives with the UC Davis Police Department. This includes inquiries that are dismissed for any of the following reasons: the reporting party did not allege UCDPD misconduct or policy violation, the reporting party declines investigation, insufficient information, or lack of jurisdiction. PAB Procedures state: "Any complaint received by the UCDPD will be shared with the Office of Compliance for review and processing within two (2) business days. Any complaint received by the Office of Compliance will be shared with the Chief of Police, also within two (2) business days."

<sup>16</sup> In addition to its recommendations with respect to the investigator's findings, the PAB may also recommend a wide spectrum of actions to the Chief of Police, including, for example, modifying policies or recommending training. A complete record of the PAB's recommendations are included in the full text of the PAB Annual Report and in the [PAB Case Database](#).

**Police Accountability Board Inquiries, July 1, 2022 – June 30, 2023**

<b>Case Number, Date Filed, Location</b>	<b>Filing Method</b>	<b>Demographic Information from Reporting Party*</b>	<b>Allegations</b>	<b>Case Status</b>	<b>Outcome<sup>17, 18</sup></b>	<b>Police Chief's Response to PAB Findings</b>
<ul style="list-style-type: none"> <li>• 23-124</li> <li>• 4/17/23 &amp; 4/26/23<sup>19</sup></li> <li>• UC Davis</li> </ul>	PAB online complaint form & email to pab@ucdavis.edu	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: 31</li> <li>• Gender: Female</li> <li>• Race/ethnicity: Biracial, Filipino/White</li> </ul>	Inadequate or improper investigation	Open	Pending investigation and PAB review	N/A
<ul style="list-style-type: none"> <li>• 23-125</li> <li>• 5/3/23</li> <li>• UC Davis</li> </ul>	Phone call to Office of Compliance and Policy	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Not provided</li> </ul>	Complaint regarding UCDPD response to call for service	Closed	Dismissed and referred: Concerns did not allege UCDPD sworn officer misconduct or policy violation <sup>20</sup>	N/A
<ul style="list-style-type: none"> <li>• 23-126</li> <li>• 5/8/23</li> <li>• UC Davis</li> </ul>	Email to pab@ucdavis.edu	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Not provided</li> </ul>	Inquiry into UCDPD personnel	Closed	Dismissed: Concerns did not allege UCDPD sworn officer misconduct or policy violation. Concerned party did not provide information to refer their inquiry to the appropriate campus unit.	N/A

\* Demographics of all reporting parties 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).

<sup>17</sup> Per its Procedures, the PAB shares all inquiries it receives with the UC Davis Police Department. This includes inquiries that are dismissed for any of the following reasons: the reporting party did not allege UCDPD misconduct or policy violation, the reporting party declines investigation, insufficient information, or lack of jurisdiction. PAB Procedures state: "Any complaint received by the UCDPD will be shared with the Office of Compliance for review and processing within two (2) business days. Any complaint received by the Office of Compliance will be shared with the Chief of Police, also within two (2) business days."

<sup>18</sup> In addition to its recommendations with respect to the investigator's findings, the PAB may also recommend a wide spectrum of actions to the Chief of Police, including, for example, modifying policies or recommending training. A complete record of the PAB's additional recommendations can be accessed in the full text of the PAB Annual Report and through the [PAB Case Database](#).

<sup>19</sup> In an April 26, 2023 email to pab@ucdavis.edu, the concerned party reported that they submitted a complaint to the PAB online complaint portal on April 17, 2023. PAB staff learned that the online complaint portal was down and addressed the outage. The concerned party resubmitted their complaint via email to pab@ucdavis.edu.

<sup>20</sup> This inquiry was related to a nonsworn employee of the UCDPD. The PAB does not have jurisdiction over UCDPD nonsworn personnel. The inquiry was referred to the named employee's supervisor.

**Police Accountability Board Inquiries, July 1, 2022 – June 30, 2023**

<b>Case Number, Date Filed, Location</b>	<b>Filing Method</b>	<b>Demographic Information from Reporting Party*</b>	<b>Allegations</b>	<b>Case Status</b>	<b>Outcome<sup>21, 22</sup></b>	<b>Police Chief's Response to PAB Findings</b>
<ul style="list-style-type: none"> <li>• 23-127</li> <li>• 5/13/23</li> <li>• UC Davis</li> </ul>	Email to pab@ucdavis.edu	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Not provided</li> </ul>	Inquiry regarding stolen package	Closed	Dismissed and referred: Concerns did not allege UCDPD sworn officer misconduct or policy violation	N/A
<ul style="list-style-type: none"> <li>• 23-128</li> <li>• 6/11/23</li> <li>• UC Davis</li> </ul>	Email to pab@ucdavis.edu	<ul style="list-style-type: none"> <li>• Campus affiliation: Not provided</li> <li>• Age: Not provided</li> <li>• Gender: Not provided</li> <li>• Race/ethnicity: Not provided</li> </ul>	Inquiry related to campus crosswalk	Closed	Dismissed and referred: Concerns did not allege UCDPD sworn officer misconduct or policy violation	N/A

\* Demographics of all reporting parties 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).

<sup>21</sup> Per its Procedures, the PAB shares all inquiries it receives with the UC Davis Police Department. This includes inquiries that are dismissed for any of the following reasons: the reporting party did not allege UCDPD misconduct or policy violation, the reporting party declines investigation, insufficient information, or lack of jurisdiction. PAB Procedures state: "Any complaint received by the UCDPD will be shared with the Office of Compliance for review and processing within two (2) business days. Any complaint received by the Office of Compliance will be shared with the Chief of Police, also within two (2) business days."

<sup>22</sup> In addition to its recommendations with respect to the investigator's findings, the PAB may also recommend a wide spectrum of actions to the Chief of Police, including, for example, modifying policies or recommending training. A complete record of the PAB's additional recommendations can be accessed in the full text of the PAB Annual Report and through the [PAB Case Database](#).

# APPENDIX

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**BYLAWS  
OF THE UNIVERSITY OF CALIFORNIA, DAVIS  
POLICE ACCOUNTABILITY BOARD**



## **ARTICLE 1 – NAME AND PURPOSE**

The Police Accountability Board (PAB) was established in 2014 whose purpose is to promote accountability, trust, and communication between the University of California, Davis (UCD) community and the UCD Police Department (UCDPD) by independently reviewing and making recommendations regarding investigations of complaints made by members of the campus community and the general public (also referred to as civilian complaints) in a fair and unbiased manner.

## **ARTICLE 2 – QUALIFICATIONS**

PAB members and alternates must: (1) commit the necessary time throughout the year for PAB training and meetings; (2) prepare and read the appropriate materials in connection with making recommendations; and (3) maintain ethical standards, including confidentiality. Other than mandatory quarterly meetings, alternates need not attend meetings or review investigation materials if the PAB member will be in attendance.

In order to ensure independence, no member or alternate of the PAB can be a current or former UC Davis Police Department employee, or a current employee of Campus Counsel or the Compliance and Policy Unit of the Offices of the Chancellor and Provost.

## **ARTICLE 3 – COMPOSITION**

The PAB shall be comprised of seven (7) members who broadly represent the diversity of the UCD community. The PAB shall include:

- Two (2) undergraduate students;
- One (1) graduate student;
- One (1) faculty member;
- One (1) staff member; and
- Two (2) UCD Health members (who can be students, faculty or staff).

The following entities may submit nominations for representation on the PAB:

- Academic Federation
- Academic Senate
- Associated Students of UCD
- Graduate Student Association
- Staff Assemblies
- Student Life
- UCD Health

#### **ARTICLE 4 – NOMINATIONS, SELECTION AND ALTERNATES**

The entities identified in Article 3 may nominate a representative to the PAB, utilizing each entity's respective nomination process. Each entity will provide at least two (2) nominees. The Associate Executive Vice Chancellor (AEVC) of Campus Community Relations will select one (1) PAB representative and one (1) alternate from the entities' nominees, which will result in seven (7) PAB members and seven (7) alternates and maintain the composition identified above. All fourteen (14) representatives will participate in training and each can have access to the confidential investigation reports and attend meetings.

#### **ARTICLE 5 – TERMS**

Initially, the inaugural PAB members and alternates served two- (2) year terms. In order to maintain institutional knowledge at the conclusion of the pilot, some members' and alternates' terms were extended, and former alternates were given the opportunity to serve as members. Beginning in 2016, new members and alternates generally serve two (2) year terms except in circumstances where the member or alternate will not be a qualifying representative of his or her entity for the entire term. For example, a senior graduating mid-term or a faculty member retiring mid-term would not be eligible to serve for the entire two- (2) year term. To the extent possible, after the first year of the term, members will become alternates and alternates will become members, thereby allowing full participation on the PAB during the two-year term. The AEVC of Campus Community Relations will work with the various entities to maintain both a member and an alternate representative and develop a pipeline of candidates in the event that a member or alternate can no longer serve on the PAB.

#### **ARTICLE 6 – OFFICERS**

As needed, the PAB shall elect one (1) of its members as the Chairperson and one (1) as the Vice-Chairperson (who shall preside only in the Chairperson's absence). Officers shall be elected annually and hold office for one (1) year terms. Officers, however, may be reelected to serve consecutive terms.

#### **ARTICLE 7 – ETHICS**

The PAB will be governed by the attached Code of Ethics, which is modeled on the Code of Ethics developed by the National Association for Civilian Oversight of Law Enforcement (NACOLE).

## **ARTICLE 8 – REMOVAL**

The appointment of any PAB member who has been absent from three (3) consecutive regular or special meetings shall automatically terminate effective on the third such absence.

Any breach of the PAB's Code of Ethics will be cause for review. The AEVC of Campus Community Relations may remove a PAB member or alternate for cause, including transgressions of policy, confidentiality, or ethical standards.

## **ARTICLE 9 – QUORUM AND VOTING**

Five (5) members physically present shall constitute a meeting quorum. Decisions of the PAB shall be made by vote of a majority of the members in attendance provided that a quorum exists. Alternates will only participate and vote in meetings when the PAB member representing their entity is absent.

## **ARTICLE 10 – RECUSAL**

PAB members must recuse themselves from a matter when (1) an actual conflict of interest exists; (2) there is an appearance of impropriety; or (3) a member is concerned with whether he or she can participate objectively and in an unbiased manner.

## **ARTICLE 11 – TRAINING AND CONFIDENTIALITY COMMITMENTS**

PAB members and alternates shall receive training developed by the Office of Campus Community Relations regarding police procedures, relevant legal issues, impartiality, the confidential nature of police misconduct investigations and discipline, and the civilian oversight field. PAB members will also have the opportunity to accompany members of the UCDPD on a ride along.

Each member shall execute a confidentiality agreement.

## **ARTICLE 12 – PAB POWERS AND DUTIES**

The PAB will:

- (1) Review relevant UCDPD policies and procedures and all investigation reports submitted regarding complaints made by members of campus community and the general public against the UCDPD. The PAB will not review any complaints filed by UCDPD employees.
- (2) Solicit public input by holding regularly scheduled and advertised meetings at least quarterly, which shall include time for public comment. Additional meetings shall be scheduled on an as-needed basis.

- (3) Run its meetings utilizing Roberts Rules of Order as a guide.
- (4) Review and deliberate in closed session, consistent with applicable law, to protect the confidential nature of the complaints and investigation reports.
- (5) Submit advisory recommendations to the Chief of Police regarding (1) UCDPD policies and procedures/training and (2) the findings of investigation reports. The PAB may also solicit progress reports from the Chief of Police regarding policy and training recommendations. The Chief of Police, however, retains full and final authority, discretion, and responsibility regarding the ultimate disposition of the matter, including disciplinary determinations and whether to accept, reject or modify the PAB's recommendations.
- (6) Prepare an annual public report for the UCD community and the public as detailed further in Article 13.

### **ARTICLE 13 – REPORTING**

In the interests of transparency and accountability, and in conformity with Penal Code section 832.7, the PAB shall issue an annual, public report detailing summary information and statistical data regarding the number of complaints filed, the type of complaints filed, analysis of trends or patterns, the ultimate disposition of the complaints (sustained, not sustained, exonerated or unfounded) and the percentage of complaints in which the recommendations of the PAB were either accepted, rejected or modified by the Chief of Police.

### **ARTICLE 14 – AMENDMENT**

After consultation with the PAB, these bylaws and any amendments or supplements thereto may be adopted, amended, altered, supplemented or repealed by UCD.

**UNIVERSITY OF CALIFORNIA, DAVIS  
POLICE ACCOUNTABILITY BOARD  
CODE OF ETHICS**

**Introduction:** Members of civilian oversight groups have a unique role as public servants reviewing law enforcement agencies. The community entrusts us to conduct our work in a professional, fair and impartial manner. We earn this trust through a firm commitment to the public good, our mission, and to the ethical and professional standards described below. The University of California, Davis, Police Accountability Board shall operate in accordance with the following code:

**Personal Integrity:** Demonstrate the highest standards of personal integrity, commitment to truthfulness, and dedication to building trust by our stakeholders. Avoid conflicts of interest. Conduct ourselves in a fair and impartial manner and recuse ourselves when conflicts of interest arise. Do not accept gifts, gratuities or favors that could compromise our impartiality and independence.

**Independent and Thorough Review:** Conduct reviews with diligence, an open and questioning mind, integrity, objectivity and fairness, in a timely manner. Test the accuracy and reliability of information from all sources. Review facts and present recommendations without regard to personal beliefs or concern for personal, professional or political consequences.

**Transparency and Confidentiality:** Conduct reviews openly and transparently and report out. Maintain the confidentiality of information that cannot be disclosed and protect the security of confidential records.

**Respectful and Unbiased Treatment:** Treat all individuals with dignity and respect, and without preference or discrimination.

**Outreach and Relationships with Stakeholders:** Pursue open, candid and non-defensive dialogue with stakeholders during public meetings with an eye toward educating and learning from the community.

**Agency Self-examination and Commitment to Policy Review:** Seek improvement in the effectiveness of our board, the UCDPD, and our relations with the communities we serve. Evaluate and analyze work product. Emphasize policy review and reform that advance UCD law enforcement accountability and performance.

**Professional Excellence:** Strive to acquire knowledge and understanding of the policies, procedures and practices of the UCDPD. Keep informed of current legal, professional and social issues that affect the UCD community, the UCDPD and our board.

**Primary Obligation to the Community:** At all times, place our obligation to the community, duty to uphold the law and to the goals and objectives of the board above our personal self-interest.

**PROCEDURES  
OF THE UNIVERSITY OF CALIFORNIA, DAVIS  
POLICE ACCOUNTABILITY BOARD**

## **I. Introduction**

It is the intent of the University of California, Davis (UCD) to develop and promote accountability, trust, and communication between the Davis and Sacramento campus communities and the UCD Police Department (UCDPD). To that end, UCD established a Police Accountability Board (PAB) to impartially review investigative reports related to allegations of police misconduct and make recommendations in a timely manner regarding complaints filed by members of the public against the UCDPD. UCD encourages its community and the public to bring forward such complaints. Through various public forums, the PAB also solicits information and input from the public and its constituent groups. The PAB may also make policy, procedure and training recommendations.

Consistent with Penal Code sections 832.5 *et seq*, UCD has established a procedure to investigate complaints made by the public against the UCDPD and its officers. While the complaint process is detailed in UCDPD's Policy 1020, much of that process is also described in the PAB's Procedures to ensure that PAB members and alternates understand the process generally, as well as their specific role. The complaint procedure involves the Office of Compliance who will generally provide administrative support and investigatory personnel, the PAB who will review the investigatory reports and make findings and recommendations to the Chief of the UCDPD, and the Chief who will make the final determination with respect to each complaint. The Chief will ensure cooperation of the UCDPD with all investigations.

The PAB will produce an annual report auditing and identifying summary information and statistical data regarding the number and types of complaints received, analysis of trends or patterns, the disposition of those complaints and the percentage of complaints in which the recommendations of the PAB were either accepted, rejected or modified by the Chief of Police. In addition, the PAB may report on other matters, such as policy, procedure or training recommendations.

## **II. Police Accountability Board Bylaws**

The PAB Bylaws, which are included in the Appendix, govern the following subjects:

- The purpose of the PAB;
- PAB member qualifications;
- Composition of the PAB;
- The nomination, selection and alternate process;
- Terms;
- Officers;
- Ethics;
- Removal of board members;
- Quorum and majority vote;
- Recusal;
- Training and confidentiality commitments;
- Powers and duties;
- Reporting; and

- Bylaw amendment.

### **III. Complaint Intake Procedures**

#### **A. Nature of Complaint**

UCD students, faculty and staff, as well as members of the general public, have the right to lodge complaints against the UCDPD or its officers if they believe misconduct or infraction of rules, policy or law (e.g., excessive force, false arrest, false imprisonment, abusive language, harassment/discrimination, etc.) has occurred. These complaints are referred to as “Personnel Complaints” and are divided into two categories: (1) Member of the Public or Civilian Complaints and (2) Internal Complaints. The Office of Compliance will investigate Member of the Public or Civilian complaints. The PAB will review the investigation reports and findings and make recommendations to the UCDPD Chief.

The Office of Compliance will not investigate Internal Complaints filed by UCDPD officers or other personnel. These complaints will be handled internally by the Professional Standards Unit (PSU). The PAB will not review PSU investigatory reports regarding Internal Complaints. Complaints received regarding another law enforcement agency (e.g., City of Davis Police Department) will be referred to that agency.

#### **B. Filing Locations**

A member of either the campus community or general public may file a complaint by:

- (1) Accessing and submitting a complaint form online at [www.pab.ucdavis.edu](http://www.pab.ucdavis.edu);
- (2) Faxing a completed complaint form to one of the fax numbers listed below;
- (3) Calling the UCD Office of Compliance at the telephone number listed below to schedule an appointment; or
- (4) Submitting a completed complaint form to the UCD Police Department at one of the address listed below:

**UC Davis Office of Compliance**  
 Chief Compliance Officer  
 1 Shields Avenue  
 Davis, CA 95616  
 (530) 752-6550  
 (530) 752-0853 (FAX)



## UC Davis Police Department

Davis Campus  
625 Kleiber Hall Drive  
Davis, CA 95616  
(530) 754-COPS  
(530) 752-0176 (FAX)

Sacramento Campus  
4200 V Street  
Sacramento, CA 95817  
(916) 734-2555  
(530) 752-0176 (FAX)

A current copy of the complaint form is included in the Appendix of these Procedures. The Chancellor or the Chief of Police may also refer issues to the Office of Compliance for investigation and the PAB for review and recommendation.

### **C. Filing Deadline**

The prompt filing of complaints is strongly encouraged, as it provides the best opportunity for thorough and timely investigation. Complaints shall be filed in writing no later than one hundred and eighty (180) days following the date of the alleged misconduct or infraction, except that the filing period shall be tolled when a complainant is incapacitated and unable to file.

### **D. Complaint Information**

The complaint form should include:

- Contact information for the complainant;
- A detailed narrative, including:
  - the nature of the complaint;
  - the timing of the alleged misconduct;
  - any injuries as a result of the alleged misconduct;
  - a description of the alleged misconduct; and
- The signature of the complainant.

The complainant will be provided with a copy of his or her complaint and any statement at the time the complaint is filed. All complaints filed by a member of the public with the UC Davis Police Department (UCDPD) will be forwarded to the UC Davis Office of Compliance within two (2) business days.

### **E. Anonymous Complaints**

Anonymous complaints made by a member of the public will be accepted and may be investigated depending upon the sufficiency of the information provided. Anonymous complaints should provide as much detail as possible in order to enable appropriate review and investigation.

### **F. Sharing of Complaints**

Any complaint received by the UCDPD will be shared with the Office of Compliance for review and processing within two (2) business days. Any complaint received by the Office of

Compliance will be shared with the Chief of Police, also within two (2) business days. At least monthly, the Office of Compliance will report to the PAB on any complaints that have been received since the previous monthly report was forwarded to the PAB by the Office of Compliance.

If, through the intake process (or subsequently during the investigation) additional allegations surface that were not contained in the original complaint but relate to the original complaint, the additional allegations being investigated by the Office of Compliance will be forwarded to the Chief of Police.

#### **G. Early Resolution of Complaints**

At the time of filing a complaint in person at the Police Department, when an uninvolved supervisor or the Watch Commander determines that the complainant, after discussion of the matter, is satisfied that his or her complaint required nothing more than an explanation regarding the proper implementation of department policy, procedure or law, the complaint shall be labelled "Resolved" and forwarded to the Office of Compliance within two (2) business days. The Office of Compliance will follow-up with the complainant to confirm that he or she is satisfied with the early resolution.

#### **H. Initial Determination and Information Gathering by Chief Compliance Officer**

All complaints made by members of the public will be logged by the Chief Compliance Officer or designee. A confidential file will be established for each complaint received and access restricted to the Office of Compliance. These files will be stored in a secure location and maintained for at least five (5) years. The Chief Compliance Officer/designee will evaluate each complaint for information necessary to conduct an investigation and proceed as follows:

- (1) If additional information is needed, the Chief Compliance Officer/designee will request additional information from the complainant to the extent that the identity of the complainant is known. If the complainant is anonymous and there is insufficient information to warrant conducting an investigation, the Chief Compliance Officer/designee will close the file and no investigation shall be conducted.
- (2) If the Chief Compliance Officer/designee determines that the complaint is untimely, there is insufficient information to conduct an investigation, the allegations themselves demonstrate on their face that the acts complained of were proper, or the nature of the complaint is not suitable for investigation and review by the PAB, the Chief Compliance Officer/designee will notify the complainant, the Chief of Police and the PAB of the disposition in writing citing the specific reasons for the determining that the complaint will not be investigated.
- (3) If the Chief Compliance Officer/designee determines there is sufficient information and cause to investigate, they will assign the complaint to an

investigator to initiate an investigation and notify the complainant, the Chief of Police and the PAB in writing of the complaint's referral to investigation.

#### **IV. Complaint Investigation Procedures**

##### **A. General**

Whether conducted by the Office of Compliance or an outside investigator jointly selected by the Office of Compliance and the UCDPD Chief of Police, the following procedures shall govern the investigation process, which include complying with the Public Safety Officers Procedural Bill of Rights (POBR) at Government Code section 3300 *et seq.* To the extent that there is any inconsistency between these Procedures and POBR, POBR controls. A current copy of the POBR shall be maintained in the Appendix of these Procedures.

1. The Chief of Police will be the investigator's point of contact for purposes of gaining access to UCDPD information, documentation, and personnel. In this role, the Chief will ensure necessary access to officer, information, and documentation needed to conduct a thorough and timely investigation. The investigator will have access to any and all UCDPD information the investigator or the PAB deems relevant to the complaint, including access to the UCDPD's "IA PRO" software and electronic files.
2. The investigation of a complaint shall consist of conducting interviews with the complainant, the subject officer(s), and any witnesses, collecting relevant evidence, including, but not limited to, UCDPD reports and records, photographs, video, and audio records. Interviews with subject officer(s) will be recorded, as will other interviews to the extent that the complainant and witnesses agree. Subject officers may also record the interview and if he or she has been previously interviewed, a copy of that recorded interview shall be provided to him or her prior to any subsequent interview. (Government Code section 3303(g)).
3. Officers shall be provided with reasonable notice prior to being interviewed and interviews of accused peace officers shall be conducted during reasonable hours. (Government Code section 3303(a)).
4. If the peace officer is off duty, he or she will be compensated for the interview time. (Government Code section 3303(a)).
5. No more than two (2) interviewers may ask questions of an accused peace officer. (Government Code section 3303(b)).
6. Prior to any interview, the peace officer will be informed of the nature of the investigation. (Government Code section 3303(c)).
7. All interviews will be for a reasonable period and the peace officer's personal needs will be accommodated during the interview. (Government Code section 3303(d)).

8. No peace officer shall be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers. (Government Code § 3303(e)).
9. Peace officers shall be informed of their constitutional rights irrespective of whether the subject officer may be charged with a criminal offense. (Government Code § 3303(h))
10. Peace officers subjected to interviews that could result in punitive action shall have the right to have an uninvolved representative present during the interview. (Government Code § 3303(i)).
11. All peace officers shall provide complete and truthful responses to questions posed during interviews. Failure to do so will result in discipline, up to and including termination of employment.
12. No peace officer shall be compelled to submit to a polygraph examination, nor shall any refusal to submit to such examination be mentioned in any investigation. (Government Code § 3307).
13. Interviews should be conducted with minimal interference to police operations and in conformity with the POBR. Any documentary evidence received during the investigation by the investigator will be included in the investigative file even if the investigator determines the document later to be irrelevant to the investigation.
14. If there is pending criminal prosecution regarding the same operative facts and circumstances surrounding the complaint, the investigation will be stayed until criminal proceedings are concluded.
15. If an investigation is stayed, all documents and information under UCDPD's control related to the incident in question will be preserved and maintained by the Chief of Police during the pendency of the stay to ensure no evidence is destroyed.
16. Barring mitigating factors, the investigation should be completed and an investigation report submitted to the PAB within ninety (90) days of it being assigned to an investigator, unless an extension is authorized by the Office of Compliance upon a showing of good cause for the delay or legitimate need for additional time to complete the investigation. The Office of Compliance will provide notification of the extension of time to the Chief of Police and the complainant.
17. All investigation reports of complaints made by members of the public shall be considered confidential peace officer personnel files. The contents of such files shall not be revealed to other than involved employee or authorized personnel except pursuant to lawful process.

18. In the event that the alleged accused peace officer or representative knowingly makes a false representation regarding any investigation or discipline publicly, the UCDPD may release factual information concerning the disciplinary investigation. (Penal Code section 832.7(d)).
19. Complaints and any report or finding relating to the complaint shall be retained for a period of at least five (5) years. (Penal Code section 832.5(b)).

**B. Investigation Reports and PAB Review Procedures**

**1. Report Format**

The investigator shall provide a confidential report to the PAB that is redacted and does not identify the individuals involved. The Chief of Police will receive an unredacted version of the investigation report. Both reports will include:

- An Introduction;
- A Summary of Allegations (including applicable policies);
- Evidence Regarding Each Allegation (including comprehensive summaries of interviews or statements and identification of relevant documentary and electronic evidence);
- Conclusions and Findings; and
- Exhibit Listing.

**2. Findings**

The investigator's report, based upon a preponderance of the evidence, should include one or more of the following findings in response to each of the allegations made by the complainant. The "preponderance of the evidence" standard is met when it appears more likely than not the allegations of misconduct occurred as described.

**Unfounded** – When the investigation discloses that the alleged act(s) did not occur or did not involve department personnel. Complaints that are determined to be frivolous will be treated as unfounded (Code of Civil Procedure section 128.5 and Penal Code section 832.5(c)).

**Exonerated** - The evidence supports a finding that the alleged acts occurred; however, the conduct was justified, lawful or proper.

**Not Sustained** - The evidence is insufficient to support a finding that the alleged conduct occurred or violated department policy or procedure.

**Sustained** – The evidence supports a finding that the alleged conduct occurred and that the conduct was improper (e.g., violated department policy or procedure).

### **3. PAB Review and Recommendation(s)**

In closed session, the PAB (both members and alternates in attendance) will collectively review the investigative report(s). PAB members and only alternates in attendance whose entity's PAB member is absent will vote on its recommendations to either adopt, amend, or reject the investigator's findings. Hard copies of reports or on-line access via a password protected website to the reports will be made available prior to the closed session.

The PAB has the authority to direct the investigator to re-open the investigation to pursue additional information requested by the PAB.

In addition to its recommendations with respect to whether the investigator's findings are sustained, the PAB may also recommend a wide spectrum of actions to the Chief of Police, including, for example, modifying policies or training. The PAB, however, will not recommend a particular level of discipline or a specific corrective action, as the Chief of Police retains the responsibility of and discretion to impose discipline. The PAB's policy recommendations may result from issues related to a specific complaint investigation or from a general policy review and analysis.

The PAB's recommendations regarding the investigative findings shall be in writing and, through the Office of Compliance, forwarded to the Chief of Police within one (1) week after the PAB has voted in closed session.

The PAB may also solicit progress reports from the Chief of Police regarding policy and training recommendations.

### **C. Role of Chief of Police and Ultimate Record Keeping**

During the course of an investigation, and prior to making a final determination, the Chief of Police may ask for additional investigation. Ultimately, the Chief may adopt all, part, or none of the PAB's recommendations and retains full authority, discretion, and responsibility regarding the final disposition of the matter, including disciplinary determinations. Within thirty (30) days of the final review and determination by the Chief of Police, written notice of the finding will be sent to the complaining party and to the PAB through the Office of Compliance. This notice shall indicate the findings, but will not disclose the amount of discipline, if any, is imposed. The complainant will also be provided with a copy of his or her original complaint if one has not already been provided. Upon final determination, all information and documents related to the underlying complaint shall be consolidated and maintained by the UCDPD.

Any complaining party who is not satisfied with the Chief of Police's ultimate disposition of the complaint may contact the Chief of Police to discuss the matter further.

**V. Suggestions to the PAB**

For those who do not wish to file a formal complaint, the PAB will also accept, review and track suggestions received on-line via its Suggestion/Awareness Form.

**VI. Annual Reporting Procedures**

The complaint and PAB review processes are subject to annual audit, review and reporting. The PAB will submit an audit and analysis of complaints directly to the UCDPD Chief of Police each year. The PAB's annual public report will include the following information:

- (1) Total number of complaints filed;
- (2) Types of complaints filed and analysis of trends or patterns;
- (3) Disposition of complaints (e.g., not investigated, sustained, not sustained, exonerated, or unfounded);
- (4) Percentage of complaints in which the Chief of Police accepted, rejected or modified the PAB's findings; and
- (5) Policy, procedure and training recommendations.

The PAB's report shall be made available to members of the public at their request and shall be maintained online at [pab.ucdavis.edu](http://pab.ucdavis.edu).

# POLICE ACCOUNTABILITY BOARD

## Complaint Form\*

This form is intended for use by those who wish to file a complaint against a UC Davis Police Officer(s) for misconduct and who seek formal investigation of the matter by the Office of Compliance and Policy. If you are not such a complainant and do not seek formal investigation, you may instead want to fill out the PAB's Suggestion/Awareness Form.

### **Complainant Information**

---

Last Name

First Name

---

Mailing address

---

Primary phone number

Alt. phone number

---

E-mail address

---

Age

Gender

Ethnicity

If you received any injuries as a result of this incident, please describe them here. (If filling out this form by hand, please attach additional pages as necessary.)

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**Incident Narrative**

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Date of incident

Time of incident

At which UC Davis location did the alleged violation occur?

- UC Davis – Davis campus
- UCD Health – Medical Center

Where specifically on either the Davis campus or the UCD Health Campus (Medical Center) did the alleged violation occur?

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**Please describe the incident that forms the basis of your complaint. It is important that you include a detailed factual description of the events that gave rise to your complaint.\* (If filling out this form by hand, please attach additional pages as necessary.)**

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**Allegations:** Please check the allegation(s) that you think apply (allegations will ultimately be determined by PAB staff).

- Discourtesy (abusive or obscene language, failure to provide information, failure to respond)
- Discrimination (prejudicial treatment based on disability, gender, nationality, race or ethnicity, and/or religion, etc.)
- Harassment (consistent, deliberate annoyance through repeated contacts)
- Improper Police Tow
- Improper Search (of home, person, or vehicle)
- Improper Seizure (of person, property, or vehicle)

Improper Arrest

Improper Use of Force (improper physical contact; use of baton, firearm, handcuffs, mace, pepper spray, etc.); unnecessary display of firearm

Improper Citation

Inadequate or Improper Investigation (Failure to investigate or make police report; false or improper police report)

Improper Detention

Other/Unsure

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Improper Police Procedures (damage to, confiscation of, or failure to return property; failure to identify oneself or no badge visible, and/or making false statements)

**Police Officer Information**

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Badge information (if known)

Name of Police Officer (if known)

Gender of police officer: \_\_\_\_\_

Identifying characteristics of police officer (if badge number and/or name are not known):

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**Witness 1 Information**

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Witness Name

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Witness Address (if applicable)

Witness e-mail

Witness phone (if applicable)

**Witness 2 Information**

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Witness Name

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Witness Address (if applicable)

Witness e-mail

Witness phone (if applicable)

**Witness 3 Information**

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Witness Name

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Witness Address (if applicable)

Witness e-mail

Witness phone (if applicable)

**Certification**

Please check that you have read, understand, and agree to the following statement and sign and date below:

**YOU HAVE THE RIGHT TO MAKE A COMPLAINT AGAINST A POLICE OFFICER FOR ANY IMPROPER POLICE CONDUCT. CALIFORNIA LAW REQUIRES A PROCEDURE TO INVESTIGATE CITIZENS' COMPLAINTS. YOU HAVE A RIGHT TO A WRITTEN DESCRIPTION OF THIS PROCEDURE. CITIZEN COMPLAINTS AND ANY REPORTS OR FINDINGS RELATING TO COMPLAINTS MUST BE RETAINED BY THE OFFICE OF COMPLIANCE FOR AT LEAST FIVE YEARS.\***

\* This complaint form is in accordance with the process set forth under Penal Code Section 832.5

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\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date