

University of California Police Department: History and Current Issues

*Youssef Benzarti, Jacob Gellman, Sarah Robinson
Draft, November 2020*

Following the killing of George Floyd and other unarmed Black individuals there has been widespread civil unrest across the US. Protests have called for the defunding or abolition of police departments. City governments have responded by modestly reducing police force budgets, exploring serious budget cuts up to 50%, and taking first steps towards the dismantling of police departments (notably in Minneapolis).

During this critical discussion of the role of police in society, the three of us realized two things. First, change begins at home, and our most meaningful opportunity to engage with these issues begins with understanding how they manifest in our local community. Second, we were completely uninformed about the scope, purpose, and issues surrounding the University of California Police Department (UCPD), broadly or in Santa Barbara. For these reasons, we decided to embark on an objective research of the UCSB PD.

After collecting as much information as we could on the history and current issues regarding the UCPD, we created this memo to make such information more easily available to others in the community and to help bring more facts into the debate.

Highlights:

- UCSB spent more than \$10 million on the police department in the 2018-19 year, which represents a 183% increase in budget relative to the 2009-2010 academic year. During this same time the number of undergraduates increased by 19.4%.
- More than 75% of the crimes the UCPD addresses are related to drugs and alcohol, while only 12% are related to sexual assault or dating violence and 6% are other violent crime.
- There were 44 instances of police use of force in the 2017-2019 period, mostly in Isla Vista.
- Community members and UCSB PD officers have filed multiple lawsuits against UC Regents and UCSB, alleging a disturbingly long and serious list of crimes and misconduct in the UCSB PD. From 2018 to 2020 there have been seven lawsuits against the UC Regents and UCSB alleging a “boys’ club” culture of racism, sexism, harassment, and assault by the UCSB PD. We describe these lawsuits below.

In light of these facts, we believe the UCSB community would greatly benefit from having access to more information and more transparency including, but not limited to, the following items:

- How does the UCSB PD allocate its time and money?
- How many complaints against the UCSB PD are there currently? How many are there per year? What are these complaints about?
- Under what circumstances is force used? Are only sworn officers allowed to use force?
- What are the specific objectives, activities, and progress of UCSB’s Police Advisory Board?
- What are reform efforts doing to engage the community and respond to calls for substantial change in light of recent events?

Lawsuits Alleging Crimes and Misconduct

From 2018 to 2020 community members and UCSB police officers have filed seven lawsuits against the UC Regents and UCSB alleging a “boys’ club” culture of racism and sexism.^{1,2} Among the allegations:

- Sexual assault: The interim police chief allegedly sexually assaulted a student in the De La Guerra Dining Commons while she was working. The student filed a Title IX complaint but the university refused to disclose information about the investigation after it was concluded, including to the student.
- Sexual assault and cover-up: Two officers allegedly provided alcohol to a minor student at UCSB and sexually assaulted that student. The officers were encouraged to resign or else the result of the internal investigation might prevent them from working again as police officers. They resigned, ending the internal investigation.
- Overt racism: One officer reportedly talked repeatedly about his fantasy of being robbed by a Black man so he could “shoot him in the face.” He would allegedly act out this fantasy by pretending to pull his gun from his holster and acting out a shooting motion. Once, during a training, he reportedly repeated the story, drew his weapon, and fired multiple times at a target on the shooting range.
- Falsification during sexual assault investigations: One lawsuit alleged officers falsified sexual assault reports.
- Sexual harassment: Two female officers reported instances of sexual harassment in the UCSB PD. One female officer was forcibly groped and kissed by a superior. Another was denied consideration for a promotion because she refused to enter into a relationship with a superior.
- Inappropriate contact with sexual assault victims: One officer allegedly would provide sexual assault victims with his personal phone number. He would contact victims on cases with which he was not involved. He would arrange to meet victims at their houses. Other officers mocked him and allegedly made cartoons depicting him flirting with the sexual assault victims.
- Confidentiality of sexual assault cases: Sexual assault cases are confidential. However, the UCSB PD reportedly keeps an Excel log of sexual assault cases, which all officers can access, including the full identities of victims. The log reportedly still exists.
- Misconduct: A Sergeant allegedly failed to discipline officers who had repeatedly entered a student dormitory for “unexplained lengths of time during which [their] radio was turned off and [they] did not respond to police calls for assistance.” According to the lawsuit two officers resigned and two others were put on administrative leave.
- Racism and mockery of sexual assault: An officer allegedly dubbed voiceovers over a police video evidence of sexual assault, mocking the victim. The same officer allegedly had previously mimicked the accents of UCSB Chancellor Henry Yang, a Black and disabled UCSB-PD dispatcher, and the victim of a rape case. When one officer reported these incidents, he was reportedly harassed by other officers.

¹ More information about all of these lawsuits can be found here:

<https://www.independent.com/2019/05/09/whistleblower-lawsuits-blow-lid-off-ucsb-police/>

https://www.noozhawk.com/article/ucsb_police_department_embroiled_in_lawsuit_controversy

<https://dailynexus.com/2020-09-10/ucsb-student-sues-ucpd-chief-of-police-for-sexual-battery/>

² The lawsuits were: (1) Mark Signa v. UC Regents, filed in November 2018; (2) Michael Little and Tiffany Little v. UC

Regents, filed March 19, 2019; (3) John Doe v. UC Regents, filed March 27, 2019; (4) Jonathan Lee Reyes v. UC Regents,

filed May 17, 2019; (5) Matthew Stern v. UC Regents, filed August/September 2019; (6) Amanda Siegel v. UC Regents, filed

April 2020; (7) Emily O. v. UC Regents, filed August/September 2020.

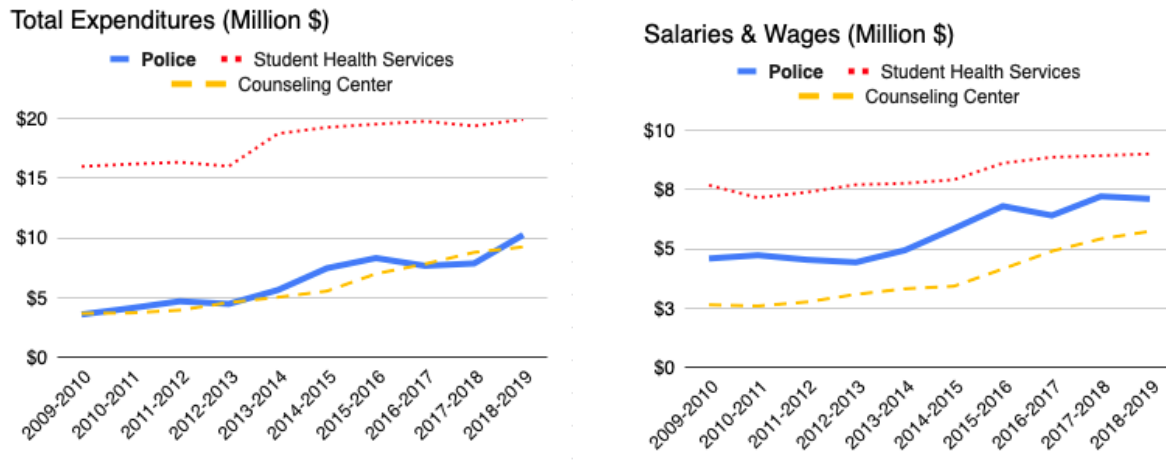
- Lying to the public: One lawsuit alleged that a Lieutenant lied on a university audit, ordered a dispatcher to lie to a member of the public, and refused to address harassment in the department.
- Corruption: One officer has been alleged to dismiss and destroy traffic violations for friends and family.
- Harassment of whistleblowers: A Lieutenant was allegedly marginalized for complaining about a Sergeant's misconduct. He was subsequently transferred to a different position, excluded from meetings, faced reduced responsibility, was given conflicting information by others, and was bullied and harassed publicly.
- Harassment of whistleblowers: One Corporal alleged that her hours were limited and opportunities for advancement were curtailed after she made a complaint through UCSB's whistleblower system in September 2018. Her belongings were reportedly thrown in the trash, her house was egged, and she was given the silent treatment from superiors.
- Use of public money: One lawsuit reported that an officer used a car rental and gas money paid for by the department to visit a woman with whom he was having an affair.
- Hit and run: An officer was involved in a hit-and-run automobile accident where he hit a parked vehicle with a UCSB PD vehicle and did not report it. Another officer reportedly witnessed the incident but was afraid to report it due to favoritism for the offending officer.
- Siren use: When traveling with two other vehicles in Los Angeles, a Sergeant ordered the police vehicles to use their full lights and sirens to get through heavy traffic so they could attend a free breakfast.
- Undertrained officers: One lawsuit alleged that a Lieutenant in the UCPD assigned a trainee to patrol without significant preparedness, violating California California Penal Code 832; "an unsafe work practice to release an unqualified officer with full arrest authority was a threat to the safety of the public and the University."

Budget

UCSB spent more than \$10M on the police department, including more than \$7M on salaries and wages, for the 2018-2019 year (most recent figures available).³ Spending on police has almost tripled since the 2009-2010 year. The growth over time is shown below relative to Student Health Services and the Counseling Center, two budget items that make significant contributions to student well-being. Spending on police far exceeds spending for other budget items such as childcare centers (\$3.5M), the disabled students program (\$1.6M), student housing service (\$0.5M), and food security funding (\$0.1M). While the police budget has increased by 183% over the past decade, the number of undergraduate students has increased by 19.4% during that time.

³ <https://www.ucop.edu/financial-accounting/financial-reports/campus-financial-schedules/index.html>

Figure 1: UCSB expenditures and salaries & wages over time.
 (all figures adjusted to 2018 \$)

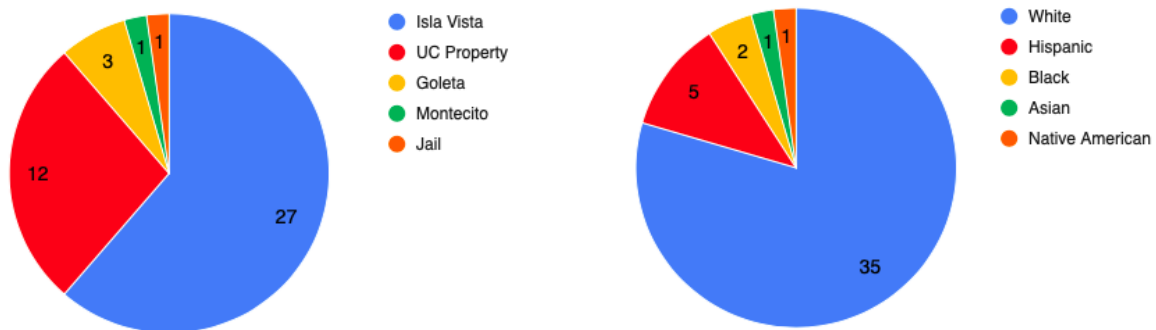


The 2014 Isla Vista mass shooting may have led to increased police presence and training. Access to more information about the police budget would reveal the extent to which this event has increased expenditures and shed greater light on these trends.

Use of Force

Summary information about use of force by UCSB PD is disclosed as part of the Clery Act. Over the past three years the UCSB PD used force 44 times, primarily in Isla Vista (IV) and on white people (additional breakdowns by sex and by year are not shown).⁴

Figure 2: UCSB PD Use of Force Statistics, 2017-19.



⁴ <https://www.police.ucsb.edu/reports-statistics/use-force>

The UCSB PD was the first UCPD to use tasers, which are carried by the IV Foot Patrol. Seven of the ten UCPD departments use tasers.⁵ According to UCPD’s taser use guidelines, a taser may be used on a person “for pain compliance against passive resisters” and officers are legally permitted to taser juveniles, the elderly, handcuffed individuals, and pregnant women.⁶

The practice of tasing drew controversy in 2006 when an unarmed student, Mostafa Tabatabaiejad, was racially profiled in the UCLA library and tasered repeatedly when he refused to show ID to community service officers.⁷ In response to the tasing of Tabatabaiejad, students held protests at UCLA and at UCSB, causing the UCSB PD to scrap plans to purchase tasers for officers (in addition to those already being carried by the IV Foot Patrol).⁸

In 2014 UCSB’s popular Deltopia party had a high turnout from non-UCSB students. It purportedly resulted in a “riot” and damage to property, leading police to use rubber bullets and tear gas on attendees.⁹ The following year police deployed 300 officers. In response students staged protests and established a police task force.¹⁰ They called for the demilitarization of police at events like Halloween and Deltopia, removing profitable financial motives behind “excessive ticketing” of IV residents and UCSB students, requiring police body cam footage be made public within two weeks, and that all law enforcement engage in cultural competency training. No changes were made following this protest.

In 2019, a UCSB PD officer was arrested after drunkenly brandishing a department-issued firearm in a Santa Barbara nightclub. The event occurred five days after he was hired.¹¹

History and Focus of the UCSB PD

Given the recent scrutiny of the UCPD, it is useful to consider the history and purpose of the department.

The UCPD was created to address university campus-specific issues. Specialized police forces are common in California — other examples of specialized police forces include the California Highway Patrol, transit police departments, and public school police departments such as the LA School Police Department. University campuses are believed to face a higher risk for certain crimes such as sexual assault and mass shootings, hence the designation of a specific police force to address these issues.

The UCPD’s role has expanded beyond its original scope, and officers now patrol communities adjacent to (but not actually part of) campuses. At Santa Barbara, UCPD’s jurisdiction extends to a one-mile radius outside of campus, which includes all of Isla Vista. The UCSB police department was created in 1972 and employs a mix of sworn

⁵ The seven UC police departments allowed to use tasers are UC Los Angeles, UC San Diego, UC Santa Barbara, UC Irvine, UC Riverside, UC Davis, and UC Merced. UC San Francisco, UC Santa Cruz, and UC Berkeley currently do not intend to purchase tasers. <https://www.latimes.com/archives/la-xpm-2006-nov-22-me-taser22-story.html>

⁶ https://ucpd.berkeley.edu/sites/default/files/university_of_california_berkeley_police_department_policy_manual.pdf

⁷ <https://www.latimes.com/archives/la-xpm-2006-nov-16-me-cellcamera16-story.html>

⁸ <https://dailynexus.com/2006-11-28/ucpd-stun-gun-use-sparks-protests/>

⁹ <https://thebottomline.as.ucsb.edu/2015/04/ucsb-task-force-against-police-brutality-protests-iv-over-policing>

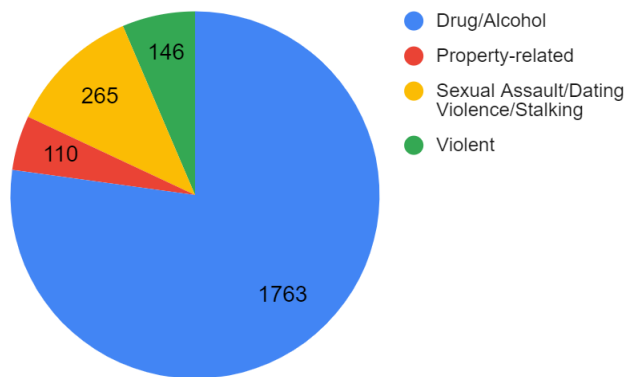
¹⁰ <https://dailynexus.com/2015-04-02/students-protest-keep-isla-vista-safe-campaign/>

¹¹ <https://www.independent.com/2019/12/20/ucsb-cop-arrested-for-brandishing-gun-in-bar/>

officers, non-sworn officers, and students. It includes a paramedic unit, a “problem-solving unit” (which is in charge of investigations and collaborates with local law enforcement), and the IV Foot Patrol.

Though we are unable to determine exactly how the UCSB PD allocates its time and resources, crime statistics provide some picture of the department’s policing efforts. Drugs and alcohol account for the vast majority of reported crimes documented by police. The next largest category is rape and sexual assault, which includes stalking and dating violence. The UCPD also documents some incidents of domestic violence or possession of weapons. Lastly, it deals with property-related crimes like robbery.¹² Incidents are reported in these statistics when an allegation of a crime comes to the attention of the police, regardless of whether the police have investigated it.

Figure 3: UCSB PD Crime Incidents by Activity, 2016-18.



Recent Calls for Reform and Transparency

Community members have called for various reforms over time, including the demilitarization of police at events, removing financial incentives for ticketing, the timely release of police body camera footage and use of force reports, and required cultural competency training. The national conversation regarding the role of police, as well as the lawsuits against the UCSB PD, have renewed calls for reform and transparency.

In May 2019 the IV Community Services District held a community meeting and issued a letter expressing its concerns over issues raised in the UCSB PD lawsuits.^{13,14} In 2020 the Services District passed a resolution calling for reduced budgets for the Santa Barbara Sheriff’s Office and to “consider alternate models of public safety with the eventual goal of abolishing the police.”¹⁵

The UCSB Daily Nexus has argued that UCSB PD suffers from a lack of transparency. The editorial board claimed that James Brock, hired as the interim UCSB PD chief in April 2019, did not introduce any transparency to the public and has refused to be interviewed by the Nexus. “To this day, the student body knows very little about what

¹² https://www.police.ucsb.edu/files/docs/2019_Annual_Security_Report.pdf

¹³ https://docs.google.com/document/d/1-9E_iYyJ9UF5lbtD0vLNb5y8X4qHc62x3Hb-xQ4J2n8/edit

¹⁴ <https://dailynexus.com/2019-05-16/i-v-csd-calls-on-ucpd-to-hold-community-meeting-following-recent-allegations/>

¹⁵ <https://www.independent.com/2020/06/19/civilian-review-and-police-oversight-resolution-passed-in-isla-vista/>

is happening within the UCSB Police Department,” wrote the board.¹⁶ The board also criticized UCSB Chancellor Yang for failing to issue any statement about the recent lawsuits’ allegations against UCSB PD.¹⁷

The calls for transparency are not limited to UCSB. The Voice of San Diego reported in May 2020 that “UC Campuses Have Disclosed Virtually No Records Under Police Transparency Law.”¹⁸ They wrote, “The University of California system is aware of more than 200 incidents involving police use of force on its 10 campuses in recent years. Yet only two police use of force case files have been released publicly despite a landmark transparency law that went into effect last year.”

Most recently, the Cops Off Campus coalition, made up of faculty, students, and community members across UC campuses, has called for the abolition of the UCPD.¹⁹ The coalition is focused on anti-police and anti-racist action, and advocates for “replacing police with abolitionist alternatives including a cost of living adjustment for all university workers, transformative justice, mental health care, support for survivors, community defense, and other positive practices that build community trust and safety without policing.”²⁰

There is also an institutionally led, UC-wide police reform effort. The UC Presidential Task Force on Universitywide Policing was created in 2018 to examine the police complaint process, use of force policies and post-incident review, and community engagement.²¹ In February 2019, the Task Force made twenty-eight recommendations to improve policing across the UC system. However, a large number of the Task Force recommendations call for only marginal adjustments, or they simply restate the status quo.

For example, one recommendation stipulates that “UCPD shall develop ways to release records upon request,” which UCSB PD reports having completed; however, UCSB PD still withholds many records, including during the recent sexual assault case against interim police chief James Brock. Another recommendation calls for implicit bias training, which the UCSB PD already does; however, recent lawsuits allege racial bias among its officers. Several recommendations call for the creation of a new complaint system to report officers, but the proposed complaint process largely preserves a system where police departments investigate themselves.

The most notable recommendation by the Presidential Task Force was to establish police advisory boards on each of the campuses. Such boards are composed of faculty, staff members, administrators, student representatives, and the police chief. The stated goal is to facilitate engagement between the police and the campus community. To fulfill the recommendation, Chancellor Yang created UCSB’s Police Advisory Board (PAB) in December 2019 with the goal of “collaborating with our police department in reviewing department policies and recommending beneficial changes to police practices and training.”²²

¹⁶ <https://dailynexus.com/2020-06-03/editorial-why-has-ucsb-not-addressed-allegations-of-severe-ucpd-misconduct/>

¹⁷ <https://dailynexus.com/2020-06-03/editorial-why-has-ucsb-not-addressed-allegations-of-severe-ucpd-misconduct/>

¹⁸ <https://www.voiceofsandiego.org/topics/public-safety/uc-campuses-have-disclosed-virtually-no-records-under-police-transparency-law/>

¹⁹ <https://www.dailycal.org/2020/09/04/coalition-launches-campaign-to-remove-police-from-uc-campuses/>

²⁰

<https://documentcloud.adobe.com/link/track?uri=urn:aaid:scds:US:b8b0bc7a-81e6-4f88-9215-2876a6570a30#pageNum=1>

²¹ https://www.ucop.edu/policing-task-force/uptf-final-implementation-report_june-2020.pdf

²² <https://chancellor.ucsb.edu/memos/2019-12-02-police-advisory-board>

The specific progress and goals of the PAB remain unclear. The PAB does not anticipate completing its setup until December 2020.²³ In June 2020, the Daily Nexus editorial board criticized Chancellor Yang for failing to send a “single email” to the student body about the progress of the PAB.²⁴ The new UCSB PD police chief, Alex Yao, was appointed in September 2020 by a completely separate search committee.²⁵ Furthermore, the PAB has “access to all reports, data, and audits that are publicly available,” but its access to non-public information is completely unknown.

In principle, a structure like the PAB could improve police oversight and transparency. The PAB may be well-structured to investigate complaints against police officers, independently review the police department budget, and facilitate engagement with a broad set of stakeholders. When detailed information cannot be released to the public, the PAB could be well-placed to conduct reviews and report on its findings.

However, it is unclear how much power and access the PAB will actually have, or whether its establishment is purely symbolic. Critically, the role of investigating police misconduct should not be left to the police department itself, but to an independent body such as the PAB. An independent group like the PAB should also be involved in the budgeting process to provide oversight. These elements appear to be missing from UCSB’s PAB, but it is not possible to say so definitively because so little information has been released.

Given the dearth of information, it is reasonable to wonder about the current state of the police department and of the PAB. The task to investigate complaints against police, review department policies, and provide budget oversight are complex. However, the broader campus community is owed transparency and engagement. The UCSB community would benefit from regular updates on the specific activities, goals, powers, and access to information of the PAB. In the meantime, UC students, faculty, and administrators must consider seriously whether the existence of campus-specific police is actually necessary, and whether its cost is justified.

²³ https://www.ucop.edu/policing-task-force/uptf-final-implementation-report_june-2020.pdf

²⁴ <https://dailynexus.com/2020-06-03/editorial-why-has-ucsb-not-addressed-allegations-of-severe-ucpd-misconduct/>

²⁵ <https://t.e2ma.net/webview/7mmq3d/d2c8080781cf0e327c703ed36c7a666c>