

To: Chancellor Howard Gillman and Vice Chancellor Ron Cortez

From: PSAC

Re: Recommendations for the Transformation of Public Safety in the UCI Community

Date: February 22, 2021

On June 9, 2020, Vice Chancellors Douglas Haynes and Ronald Cortez and Police Chief Elizabeth Griffin shared a memo with the UC Irvine community entitled “Inclusive Excellence and the UCI Police Department.” Their letter informed the UCI community about a number of steps being taken to enhance police-community relations on campus, “acting in solidarity with the millions of people who are demonstrating in the streets of this country in support of Black Lives and protesting policing techniques and practices that promote anti-Black racism.”

Prior to last summer’s demonstrations in response to the killing of George Floyd in Minneapolis on May 25, 2020 as well as other incidents around the country, UCI had experienced a series of highly unfortunate events involving the UCI Police Department (UCIPD). In response, the UCI Senate created a task force which issued a report in 2017 entitled “A Proposal for Improving UCIPD-UCI Community Relations.”¹ Based on findings from surveys and focus groups as well as interviews with a cross section of the UCI community, the 2017 report described systematic differences in the experiences and perceptions of policing across racial and ethnic groups; indeed, the findings of the 2017 Senate report corroborated a vast body of social scientific research on policing across the country, including a legacy of systematic and racist treatment directed at communities of color. In response to the 2017 report, the Chancellor directed staff to work collaboratively with the Academic Senate to address the issues and recommendations.

Among other recommendations, the 2017 Senate Report outlined the implementation of a Public Safety Advisory Board (PSAC) composed of a cross section of UCI stakeholders. In 2018, PSAC was formed and, like the Chief of Police, reports to the Vice Chancellor for Finance and Administration. PSAC’s website spells out its mission and purpose:

Mission: The Public Safety Advisory Committee (PSAC) proactively seeks the advice and counsel from a diverse group of community members regarding issues that impact the safety and quality of life of students, faculty, staff, and visitors of the UCI campus and Medical Center.

Purpose: PSAC serves as a link between the campus community and the UCI Police Department. PSAC provides a forum to discuss and make recommendations on public

¹ In 2018, President Napolitano formed a Task Force on policing and issued a report 2019 Presidential Taskforce Report on Universitywide Policing. Most of the recommendations in the Presidential taskforce were in the process of being adopted at UCI based on the UCI Senate study and report.

policies, community outreach, and may participate on hiring panels for key UCI Police Department personnel. The advisory committee produces an annual report which summarizes its activities and includes key data of interest to the campus community, including the number and types of complaints the UCI Police Department receives. (<https://psac.uci.edu>; retrieved 1/25/21).

Since its founding in 2018, PSAC's role has been to serve as an advisory body to the UCIPD and the Administration. And in the wake of the national protests calling for racial justice and an end to police violence in May 2020, on June 9, 2020, Vice Chancellors Douglas Haynes and Ronald Cortez and Chief Griffin asked PSAC to conduct an evaluation of the UCI Police Department. As they state:

Building on the commitment to ensure accountability to the community it serves, the Public Safety Advisory Committee will conduct an evaluation of the UCI Police Department every three years, beginning in AY 2020-2021. This evaluation will examine both internal procedures and practices to ensure accountability and UCI PD's relations with the multiple communities it serves.

PSAC agreed to take this task on with the understanding that we could retain an outside expert with appropriate expertise and that the analysis and recommendations from this effort would become the responsibility of the University to evaluate and implement. PSAC serves the University community at-large and, as such, requires the support and involvement of all senior leadership if we are to undertake the enormous task of reimagining public safety at the University of California, Irvine. Stated another way, this is *not* a task that can be delegated to an advisory committee. Rather, reimagining public safety at UCI calls upon all members of our senior leadership to play an active and direct role in this process, a theme that was in fact underscored by our consultant's evaluation.

During the summer of 2020, a sub-committee of PSAC solicited suggestions from colleagues around the country to identify the best person to conduct a thorough evaluation of UCIPD. After interviewing several candidates, the sub-committee recommended that Vice President for Public Safety and Chief of Police Michael Davis of Northeastern University be retained to review UCIPD. Not only does Mr. Davis bring expertise in campus policing, he also worked with the Department of Justice under President Obama on a number of reviews of controversial police departments around the country and thus, brings expertise on transforming police departments to align with community values.

Michael Davis was brought to UCI with an understanding that PSAC wanted an honest, in-depth assessment of the UCI Police Department and its role and effectiveness in serving all segments of the university community. Rather than simply paying lip service to change around the "edges" of policing, PSAC hoped to embark on a complete analysis, and if warranted, subsequent transformation, of public safety at UCI.

Despite the limitations imposed by the pandemic, Michael Davis was able to complete a thorough review of public safety at UCI, including both the main campus and the Medical Center. His review focused primarily on three areas:

1. A review of the underpinnings of the police department, including policing policies and procedures, infrastructure, police department budget, and department culture;
2. A review of the Leadership of UCIPD and how UCIPD interacts with campus administration and other departments external to the UCIPD;
3. An assessment of the experience of UCIPD among students, staff, faculty, and residents of University Hills.

PSAC endorses the comprehensive recommendations of Michael Davis’s evaluation. PSAC believes that these recommendations are commensurate with PSAC’s commitment to being held accountable to the community and our desire to develop a plan that will lead to substantive, cultural, and long-lasting change to how public safety is currently being handled at UCI.

PSAC also recommends additional—and potentially broader—changes that we believe address our community’s call for transformational change in the provision of public safety services here at UCI.

PSAC’s Recommendations as to the Transformation of Public Safety in our Campus Community

We are at a point in our history of policing on the UCI campus and nationwide where small tweaks are insufficient. PSAC is committed to structural, cultural, and systemic change. Such change requires broader, longer, and more difficult, introspective work. That said, PSAC also recognizes that the scope of the recommendations requires that we move forward in steps in order to accomplish this broader change. Therefore, we present PSAC’s recommendations as short and long-term plans for re-envisioning and transforming public safety at UCI. It is PSAC’s goal that the long-term plans will be accomplished before the next comprehensive evaluation of UCIPD in three years’ time. Short-term recommendations should begin immediately.

Recommendation #1: Develop and adopt a mission and set of cores values underlying public safety as desired and envisioned by the UCI community.

There is currently no animating mission or set of core values underlying how public safety is handled here at UCI as envisioned by the UCI community. Michael Davis found the current mission of UCIPD to be “an amalgam of platitudes and mixed signals.” As Davis states, “[w]ithout a clear and consistent set of values, there can be no continuity of and predicted reliability in the ideal level of service aspired to.”

Although Davis spoke to the mission statement and core values of the UCIPD specifically, PSAC recommends undergoing a strategic planning process to establish a mission and core values of public safety on campus more broadly—which may, or may not, include the police department as currently constituted. The determination of the mission statement and core values guiding public safety in our community will require participation from all stakeholders on campus.

SHORT TERM ACTION ITEM #1: The establishment of a strategic planning process to determine the mission and guiding core values of public safety in our community.

LONG TERM GOAL: The creation of a public safety vision that serves, builds trust, and protects every member of our UCI community.

Through a strategic planning process that includes all community stakeholders, we aspire to create a public safety construct that serves our entire community in the manner that our community decides is right for us. We believe that this process will require difficult and frank conversations about the purposes of policing, the possibility of defunding the police, and the function of any police department we ultimately may decide to have on our campus. Fundamental questions include:

- What types of public safety services are needed in our community? Who should provide those services?
- What are the different ways to provide public safety-related services?
- What are UCI's core values around ensuring public safety for a diverse community of students, faculty, staff, and University Hills residents who bring a range of experiences with police to their time on campus at UCI?

All possibilities of what public safety might look like are on the table as we start this critical process.

PSAC recommends that this strategic planning process be grounded in the Office of Inclusive Excellence, in order to communicate from the very beginning the values that UCI believes in to create a more just and equitable society. As Davis notes, "Using police authority on campus must be done judiciously and in a manner that serves as the paragon of animated values of the university. To this end, any effort on inclusion, constructive engagement, equity, and diversity must involve the police department."

PSAC recommends that immediate steps are taken for the Office of Inclusive Excellence to work closely with the leadership team of the UCIPD and Senior Administration to come up with a creative plan to implement this recommendation. This process must be facilitated by an expert in strategic planning. This strategic planning process should include representatives of PSAC, the Office of Inclusive Excellence, Senior UCI Administrators, and multiple stakeholders in the UCI community, including both the undergraduate and graduate student communities, UCI Medical Center, and the University Hills community.

It is important to underscore PSAC's view that the student community is an essential stakeholder in this process and it will be critical to ensure their voice and perspectives on policing are both heard and contribute to the determination of the mission, core values, and the ultimate vision of what public safety will look like on campus. A campus-wide survey on policing, as well as direct participation of students in the strategic planning process, are two essential steps to ensuring that this will occur.

Taking this strategic planning process seriously, and with commitment from the Administration, will require hard work and critical reflection to achieve lasting, systemic change. As stated by Davis, “If engaged in, this planning process and its result should be celebrated by UCI and used as a model of community engagement on difficult yet necessary areas of community reconciliation and restoration.”

Ultimately, a mission statement and core set of values will help guide every policy, administrative rule, and decision made regarding public safety in the future. But first, without understanding and agreeing upon the values that will guide public safety on our campus, we will not be able to effectively transform our current policing strategies to what we want public safety to look like on our campus and in our community.

Recommendation #2: Improve Data Collection and Management to Enhance the Assessment and Evaluation of the Efficacy and Practices of the Department, and to Determine What Type of Public Safety Services Are Needed

In Davis’s review, he found that UCIPD is currently collecting data in a way that limits meaningful analysis—that is, the data collected does not enable UCIPD, or critically, the community, to evaluate *what* the UCIPD is currently doing, and consequently, does not able anyone to evaluate whether what the UCIPD is doing is *equitable, effective* or *desired*.

PSAC underscores the importance of reporting data in a way that is meaningful to the UCI community and permits evaluation of the policing function in ways in which the community cares about. For example, effective data collection allows us to determine whether there is the impermissible stopping of people based on race or whether the police are responding to calls for service that the community will choose to have other partners respond to (e.g. mental health, concerns in housing).

Although we know the UCIPD and campus administration are committed to ending racially-biased and gender-biased policing, PSAC would like to stress that the collection of meaningful data is essential to ensure that this is not occurring in our community. While any one incident can be investigated (*see* Finding #3), it is only possible to understand and be on guard for *systemic problems* if data is collected in an effective way and in a way that aligns with the outcomes the community and university want to learn about (i.e. the race of those stopped and the reasons given for the initiation of those contacts).

In short, without meaningful data collection, we will not be able to make effective decisions about what type of public safety we want on campus, which public safety functions should remain in the hands of a police department and which ones should not, nor assess whether the department meets community performance standards.

SHORT TERM ACTION ITEM #2: Immediately begin a process to change data management practices at UCIPD, including identifying data elements to collect that align

with community performance standards and storing data in a format that can easily be collated and analyzed.

SHORT TERM ACTION ITEM #3: Stop police practices that are not aligned with community values until they are supported, or are being evaluated by, proper data. This includes the undercover policing tactic of a “bait bike” and the use of OC Sheriff’s Department facilities for the booking of arrestees.

SHORT TERM ACTION ITEM #4: Reformulate how data, policies, and procedures are presented on the UCIPD website to the UCI community.

LONG TERM GOAL: A complete reconstruction of the public safety data management system to support the goal of a different vision of public safety.

PSAC recommends that the Vice Chancellor for Finance and Administration work with the Chief of Police, in consultation with Davis and perhaps counterparts on UC campuses, to assess how best to develop a data management system so that the UCI community, as represented through PSAC, can quickly, efficiently, and accurately obtain policing data which allows for the evaluation of the efficacy of various policing policies and practices.

In the interim, there are two current UCIPD practices that, to our knowledge, are currently unsupported by data or necessity. First, PSAC is troubled by the current “bait bike” tactic—a practice in which the UCIPD places a bicycle that contains a tracking device so that the person who takes this bike is apprehended. Although undertaken with the belief that this practice will decrease bike theft on campus, there is currently no data to support this conclusion. Until the process is in place to collect such data, PSAC recommends that UCIPD stop this practice. PSAC is troubled by the ethical choice to place a bait bike that will trigger felony theft charges and a possible prison sentence without data supporting the efficacy of this tactic.

Second, it is the understanding of PSAC that the Orange County Sheriff’s Department currently cooperates with ICE and federal civil immigration enforcement. Such cooperation between a local police department and ICE does not align with the values of the UCI community. PSAC would request that UCIPD begin immediately evaluating the use of other local police department facilities in the instances where UCIPD needs to book an arrestee off-campus.

In addition to the data management concerns, PSAC recommends that UCIPD, in consultation with the Office of Inclusive Excellence and UCI Disability Services Center, study how UCIPD currently presents its data, policies, and procedures on the UCIPD website. Currently, this communication to the public is done by the posting of various policy manuals. While this is helpful and policy manuals should be available, Davis recommends that steps be taken to recast these policies “in a format that leads to the reader understanding how the department operates,” such as a discussion of the “philosophical principles of policy execution” and the inclusion of data relevant to that policy showing “year-over-year statistics” for example on “trend patterns for use of force” or the “administrative processes of oversight.”

PSAC recognizes that part of this step will entail easier access to data through a more effective data management system. But, in the interim, PSAC recommends that steps be taken to present UCIPD policies in plain English with links to the policy as articulated in corresponding manuals.

Recommendation #3: Construct a more responsive complaint investigative process and feedback mechanism that promotes campus safety expectations and community standards.

As a long overdue step, PSAC endorses Davis's recommendation to create a simplified complaint resolution process and one that focuses on additional aspects of the complaint review other than simply determining whether there was a police policy violation. Davis notes that UCI will be well-served by the "philosophical position ... that ***all complaints are investigated to the extent that the facts and evidence support it.***" PSAC supports his conclusion that the current complaint procedures are, as Davis explains in detail, focused primarily on "policy non-compliance" and that this is insufficient for the type of complaint review our community wants and needs.

SHORT TERM ACTION ITEM #5: UCI Administration and UCIPD create a working group to revamp the complaint process, both in process and substance, and to add a community feedback component to all policing contacts.

LONG TERM GOAL: A revised and re-focused complaint process along with an active and effective system for consistently collecting and analyzing community members' feedback on interactions with the police or other public safety entities.

In addition to the simplification of the complaint investigative process, PSAC would like to underscore and highlight one aspect of Davis's recommendations. PSAC believes the focus of complaint investigation and resolution should focus on: **a comprehensive review of all the actions that led to the event and opportunities to enhance the performance of the involved officers and reassess departmental policies and procedures going forward.** These recommendations address PSAC's concerns that there is currently insufficient study of what led to events that lead to complaints, and that there is no evidence of an understanding and comprehension of the aspects of police conduct that were avoidable, inappropriate, or undesirable even if a department policy was not technically violated.

Recommendation #4: Align performance standards with campus safety standards and values as determined by the UCI community.

In this aspect of the external review, Davis considers the performance management system, leadership development within UCIPD, and the collective bargaining agreement for police officers. PSAC recognizes, however, that until the UCI community engages in a strategic planning process to develop a consensus around our expectations for how public safety will be insured, it is unfair to ask UCIPD to take this initiative on its own. Changing the culture of UCIPD entails

changing the culture of public safety in our community. Thus, resetting UCIPD performance standards builds from what we, as a community, expect of our officers. That said, PSAC recommends that UCIPD and UCI take steps around enhancing leadership development and collective bargaining.

Once the core values and mission of the UCIPD are determined by the community, it is then possible, as Davis puts it, to begin to shape “the behavior that is celebrated and thus valued.” This in turn will effect leadership development and promotion within UCIPD, the officers that are hired to become part of UCIPD, and the type of policing that is celebrated and valued within UCIPD and the broader university community.

SHORT TERM ACTION ITEM #6: Participate in the collective bargaining agreement process to include incentives for UCIPD and other police departments to participate in, and demonstrate results in, these recommendations and the strategic planning process.

LONG TERM GOAL: Re-envision hiring, promotion, and leadership development within the UCIPD in accord with developed mission statement and core values of public safety construct.

Collective bargaining agreement: PSAC recognizes that the collective bargaining agreement covers all UC campuses and, also, that the agreement is up for renewal in 2021. PSAC recognizes that steps are being taken across the country to re-think collective bargaining agreements for patrol officers and, further, that UC faculty bring extensive expertise in labor-management relations. We urge UC negotiators to take seriously Davis’s recommendation that these agreements “be evaluated to inculcate provisions to incentivize individual employee contribution to the university’s mission.”

Leadership development: Davis notes that “[w]ithin the most successful police departments, there is a clear and defined path of opportunity, especially in leadership.” PSAC endorses Davis’s recommendation that UCIPD develop a leadership program where all who join the organization can enjoy the opportunity for “their complete potential [to be] realized.” Further, PSAC endorses the recommendation to draw upon the resources of UCI faculty and administrators with appropriate expertise to develop a meaningful leadership development program.

Hiring and Promotion: As discussed above, the goal of a strategic planning process will be to articulate the mission and core values of public safety as determined by the community. The UCI community expects UCIPD to perform by these values, inculcate them into its culture, and, consequently, expects these values to guide both hiring decisions and the evaluations of officers’ service to this community.

ADDITIONAL RECOMMENDATIONS:

In addition to the work described above, PSAC supports these additional steps that are either underway, or should begin in the short term:

- **Mental Health Evaluation Team and Expanding the Roles of Public Safety on Campus.** PSAC supports steps to incorporate other entities assisting or taking over certain aspects of calls related to issues regarding a person’s mental health. PSAC also supports steps to expand the role of community service officers and other non-police entities to assist in our community and on particular issues, for instance, noise ordinance calls from the campus housing areas.
- **A Critical Evaluation of Campus Preparation for Campus Protests:** PSAC supports a critical evaluation of current policies and practices of the University when there is a demonstration or protest on campus. This includes the development of a policy on the decision-making process on when and how to close Aldrich Hall.
- **Body-Worn Camera Footage:** PSAC supports the development, in consultation with community stakeholders, of a policy governing the release of body-worn camera footage.
- **Civilian Oversight and Police Accountability:** UCI Administration must undertake a study of various police accountability mechanisms that may be implemented in order to increase community oversight of whatever form UCIPD ultimately takes. This must be done as a component to the previous recommendation to overhaul the current citizen complaint process.

Finally, an important note on the **UCI Medical Center**. As part of the review process, Davis evaluated current public safety practices at the UCI Medical Center. The UCI Medical Center has implemented a structure organized around police officers, public safety officers, and ambassadors. Davis’s review of the policing operation at the Medical Center found strong support across a range of stakeholders. The Medical Center public safety protocol had clear vision, values, and processes. With the goal of evaluating whether and how these practices may be suited to the main campus, PSAC recommends that steps be taken to better understand how the UCI Medical Center successfully re-imagined and re-constructed public safety at the Medical Center.

We conclude with two final thoughts. First, as Davis concludes, “Selecting a few of these recommendations but leaving out several others limit the possibility of any single executed recommendation’s success..... There are no shortcuts or quick tips to success here, just persistent and collaborative work towards an intended future.” Second, this process must be collaborative and involve all stakeholders from the university. It cannot be led by the UCIPD or PSAC, but takes a commitment from the University to begin the work necessary to create lasting change. As Davis notes, choosing to have a police department on their campus brings a “profound responsibility that requires continual attention.” PSAC looks forward to beginning this important work.