

Policing in the University of California

Racialized policing and ties to the prison industrial complex

Increasing inequality and social instability, brought about by long-term financialization and divestment from social welfare, have led to mass demonstrations and civil unrest, both inside and outside the University of California (UC). Universities serve as models for broader society – just as historic social movements have taken place within and through the UC, the Berkeley police served as the model for modern policing in the United States. Although campus police forces have always served in alliance with *de facto* financialization, ongoing investments in campus police forces by the UC directly fund racially targeted violence and brutal crackdowns on demonstrators. Our findings call into question whether the UC serves the working people of California.

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By the UAW 2865 Research Working Group, including but not limited to: Stefanie Doucette, Mustafa I. Hussain, Sheila Kulkarni, Katie Latimer, Abby Lawlor, Anna Mai, Adrian Tasistro-Hart, and Meghan Zulian. Many thanks to reviewers across the UC system.

Summary

In this report, we examine the University of California's investment in the maintenance of its own police force. Even before the founding of the University of California Police Department, the University advanced police militarization by promoting tactical training and surveillance technology. Since its founding, UCPD has played a forceful role in suppressing student and worker protests both targeting the University administration and advancing broader fights for justice, often supported by and in turn supporting external police departments.

History, collaboration, policing free speech, abuse of Black and other racialized people, investments and ties to the PIC, lack of transparency, UCPD budget and employment.

As the University has grown, its campus police forces have grown more rapidly. Since 2010, police budgets have increased disproportionately in comparison to the budgets allotted to other community services. With these higher budgets has come increased numbers of police officers employed, along with increased cases of racialized violence against Black

and brown students and workers and a heightened tendency to deter and suppress protests against University austerity. This trend of gratuitous investment in policing has recently culminated in the appallingly brutish response to the Cost of Living Adjustment (COLA) movement, especially as directed toward activists of color. The UC's tendency towards policing its students and workers is related to its long history of financial investment in the US Prison Industrial Complex.

Having identified these issues, we provide a list of measures towards eradicating policing within the UC. For those new to envisioning abolitionist futures, this list should be understood as an illustration of a possible path towards a more just future. For those already involved in abolitionist organizing, this list is a snapshot of current organizational goals. This document collates the calls of various campus organizing bodies for use as a descriptive, not prescriptive resource. We hope it will animate further conversation among abolitionists and enrich the political education of students and workers at the University of California.

Organizers should continue to pressure the administration to:

- 1) Abolish the police. At UC, this includes defunding, disarming, and disbanding campus police,¹ and ceding space for community-based conflict resolution practices to grow.

Acknowledging that abolition is a process, organizers should continue to pressure the administration to take the following measures in pursuit of abolition:

- 2) Revise policies relevant to use of force, including but not limited to incorporating an objective component assessed by Independent Accountability Boards (IABs) composed mainly of campus academic members.
- 3) Renegotiate the contract with FUPWA, the UC police union, to allow for easier dismissal when police conduct violates community expectations—not only policy—as determined by IABs.

¹ Defunding and disarming are possible as rights reserved by management in the collective bargaining agreement with FUPWA: Article 5, Section A (5) "To introduce new or improved methods, equipment or facilities, or change or eliminate existing methods, equipment or facilities;" Article 5, Section A (11): "To establish the size, composition and qualifications of the workforce; to determine the nature of positions and whether or not to fill positions; and to use tests, interviews and other selection techniques to hire, promote, transfer and otherwise evaluate employees."

- 4) Make the University of California Police Department (UCPD) directly liable for the entirety of settlements related to police conduct from its own departmental budget, and make no effort to protect UCPD from self-inflicted insolvency.
- 5) Reinvest police funds toward mental health and disability services, IAB stipends, and living wages for all UC workers.
- 6) Create teams of unarmed mental health professionals to perform wellness checks, respond to mental health emergencies, and implement alternative safety and stability measures.
- 7) Reform Public Safety Advisory Committees (PSACs) as Independent Accountability Boards (IABs) to create real information transparency and community accountability.
- 8) Cut ties with off-campus police departments and prohibit the use of police resources towards off-campus policing.
- 9) End contracts with Aramark and leverage the University's financial holdings to force its asset managers to divest from private prison companies.
- 10) **No cop-romises.** Prohibit police presence from negotiations on police funding, accountability and governance, and encourage recalcitrant police to resign.

Key Dates

The university's yearly funding cycle provides windows of opportunity for different types of action.

November each year

University of California (UC) Regents meet to approve the UC budget. They should be pressured to reallocate funding as recommended above.

December 2020

UC Office of the President (UCOP) negotiates UC police department's contract. They should be pressured to reduce the size, scope, and militarism of the police force.

January 10 each year

California governor proposes the state budget. State budgets can apply pressure to the UC to divest from police forces and invest in students and workers.²

March to Mid-May each year

The California government solicits public comment on the budget; this is a good opportunity to sustain coordinated pressure.

² Overview of California's Budget Process – California Globe, January 12, 2020

June 1-10 each year

California budget under negotiation. Legislature passes the state budget by June 15.

Additionally, the statewide Academic Senate meets quarterly;³ key faculty can be asked to exercise the power they have under the UC's shared governance model to push the administration to adopt all recommendations.

³ Assembly of the Academic Senate - UC Academic Senate

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History of Policing in the UC

The history of modern policing in the United States is closely linked to the history of policing on the University of California campuses. Although the UC did not found its police department until 1947, early twentieth-century Berkeley city policing and police training – which began on UC Berkeley's campus – were instrumental in the militarization and institutionalization of modern American policing.

In 1915, the first police officers appeared on a UC campus under the jurisdiction of Berkeley city police chief, August Vollmer. Vollmer, who served as police chief in Berkeley from 1905 to 1923, is often regarded as the “father of modern policing” due to his promotion of military tactics and training in his police department.⁴ His reflections on his approach to policing reveal the influence of his military service (emphasis added):

“For years, ever since Spanish-American War days, I've studied military tactics and used them to good effect in rounding up crooks. After all, **we're conducting a war, a war against the enemies of society**, and we must never forget that.”⁵

- August Vollmer, 1st Berkeley police chief, and father of modern policing

This sentiment – that police are in perpetual war against the so-called “enemies of society” – endures; today, this quote echoes through the institutionalized and militarized police across the US. The police militarization Vollmer instituted in Berkeley became a model for police departments across the country, including the Los Angeles Police Department (LAPD), who often hired Vollmer as a consultant to train their police forces. Some of Vollmer's most notable contributions to militarized policing included creating mobile police squads (i.e. the first mounted police); developing spatial policing strategies, (i.e. mapping); and a focus on police intelligence, (i.e. surveillance and data-gathering).

Beyond military-grade tactics, Vollmer's intent to “professionalize” the police force led to the development of police training schools and academies, which became quickly embedded in the state's public education sector. In the summer of 1916, Vollmer developed a police training school that would eventually lead to the Criminology department at UC Berkeley. Vollmer is known today for developing the first policing curriculum in the US, including courses, textbooks, labs, and standardized tests.

⁴ Carte, Gene E., and Elaine H. Carte. 1975. *Police Reform in the United States: The Era of August Vollmer, 1905–1932*. Berkeley: University of California Press.

⁵ Vollmer quoted in Parker, Alfred. 1961. *Crime Fighter, August Vollmer*. New York: Macmillan.

Nearly half a century before UCPD's formation in 1947, and more than half a century before the policing of prominent student movements in the 1960s such as the Free Speech Movement⁶ and the Third World Liberation Front,⁷ the University of California provided an amply-resourced institutional locus to increase police militarization, institutionalization, and surveillance.

UCPD and the Federated University Police Officers Association

Collective bargaining has served as another tool for institutionalizing policing at the University of California and insulating it from public scrutiny. UCPD officers are represented by a union, the Federated University Police Officers Association (FUPOA). The "Discipline and Dismissal" article of the FUPOA contract contains language that entitles police officers with disciplinary charges the right to review "a copy of the charge and any material upon which the charge is based." In practice, that could mean that an officer charged with racial profiling or using excessive force would be able to review their accuser's testimony before formulating their response. Many police departments across the United States have used collective bargaining to win this "right" – a major obstacle in holding problem officers accountable. Indeed, the negotiation of such provisions as well as the structural antagonisms between police and workers have led many from within the labor movement to call for the abolishment of police unions.⁸

FUPOA settled their most recent contract a month before its expiration, a rare occurrence for most campus labor unions. For instance, our union, UAW 2865, was only offered a settlement proposal from UCOP a month after our contract had expired in the summer of 2018. AFSCME 3299, which represents patient care, service, and other workers, was forced to negotiate for two years beyond their contract expiration date before UCOP finally met their core demands. For the past several months, the lecturers' union, UC-AFT, has fought hard for a contract as UCOP stubbornly drags their feet in negotiations. For the workforce that teaches a sizable portion of classes in the UC system – jobs central to UC's core mission – job security remains elusive. With FUPOA's current contract set to expire this December, one wonders what sort of posture UC's negotiators will take toward exacting concessions from police officers. Will UCOP take a hard line with them, like they do with the rest of us? Or will they want to keep this set of "workers" happy amidst a budget crisis that threatens to spur further unrest that UCPD has been called on to quell in the past?

⁶ [Chronologies of the Conflict](#) - Free Speech Movement Archive

⁷ [The Third World Liberation Front](#) - Anthony Gilmore and Kai Nham

⁸ [No Cop Unions](#)

The UC may also invoke collective bargaining as a barrier to police reforms even if its agreement with FUPOA in fact creates no such obstacle. Under the management rights section of the current collective bargaining agreement, the University maintains the right to, among other things, “introduce new or improved methods, equipment or facilities, or change or eliminate existing methods, equipment or facilities,” “establish, modify and enforce standards of performance, workload, conduct and safety for employees,” and “establish the size, composition and qualifications of the work force.”⁹

Today, we often hear that the threat of active shooter events justifies the continued existence of a Vollmer-style police force. However, such events are rare.¹⁰ As we explain below, it is common for UC police to use dangerous weapons against the students and workers they supposedly protect. Further, experts recommend that school administrators focus on preventing shootings by focusing on building the trust that is needed for open communication with students,¹¹ work that is undermined when the police violently suppress social movements and people of color on campus.¹²

Collaboration between UCPD and non-campus law enforcement agencies

Collaborations and coordinations between UCPD forces, as well as between UCPD and non-campus law enforcement subject students and workers to policing that goes far beyond the size and scope of individual campus police forces. This collaboration also heightens the militarization and intensity of policing for people living in the communities surrounding UC campuses.

UCPD policy provides for a so-called “mutual aid” program¹³ in which police personnel, equipment, or other resources from one campus can be reassigned temporarily to another campus upon request.¹⁴ During the COLA wildcat strike at UCSC, forty UCPD officers from eight UC campuses were sent to police striking workers and student protesters.¹⁵ Santa

⁹ [Article 5](#) - Agreement between the University of California and the Federated University Police Officers Association (FUPOA), effective July 1, 2017-December 31, 2020.

¹⁰ [Report of the Presidential Task Force on Universitywide Policing](#) - UC Presidential Task Force on Universitywide Policing, 2019

¹¹ Mayer and Leone, "A structural analysis of school violence and disruption," *Education and Treatment of Children* 22, no. 3 (1999): 349-352

¹² *Id.*

¹³ This is a rather twisted use of the concept of mutual aid, articulated by anarchist philosopher Peter Kropotkin in the late 19th century.

¹⁴ [Universitywide Police Policies and Administrative Procedures](#) (p 48) - University of California, effective January 7, 2011

¹⁵ "Request to extend ACSO," email from Greg Smith to Michael Norton, 2/11/20. Obtained through PRR. Under this temporary reassignment program, the campus requesting aid pays no additional salary costs for officers from other campuses who would be on duty anyway, but does incur costs

Cruz strikers faced an influx of UCPD officers from various campuses as well as officers and equipment from numerous agencies through California's statewide law enforcement coordination program also referred to as "mutual aid." This included seventy-five officers from California Highway Patrol, eight officers from the Santa Cruz Police Department, "Friendly Force Trackers" from the California National Guard,¹⁶ four officers and a van from the Alameda County Sheriff's Office.¹⁷ According to a captain in the Alameda County Sheriff's Office, UCSC PD "would have arrested more [protesters] if they had larger transport capacity." This statement was used to justify UCPD's request for an outside van for later protests.¹⁸ The close collaboration between a county sheriff's office and a state university police force, separated by approximately 60 miles, illustrates their shared commitments to protecting the university's capital by quelling the dissent of underpaid workers.

Coordination across campuses and agencies multiplies the size of police forces, introduces additional military weapons and technology, and muddies authority and accountability across multiple agencies. Under the "California Law Enforcement Mutual Aid Plan," responding to a request for aid also provides an additional level of impunity for police. According to the plan, "immunities are broader than the general immunities provided for discretionary governmental actions...[and] generally supplement the other statutory liability protections that may apply to the routine law enforcement role."¹⁹ This additional protection from liability applies even outside of a declared state of emergency.²⁰ The mutual aid program creates additional barriers to police accountability in precisely those moments where it is most needed - as during student worker protests at UCSC.

UCPD participates in the policing of protest activity beyond UC campuses under the auspices of inter-agency cooperation. During recent demonstrations following the murder of George Floyd by Minneapolis police, UCPD dispatched officers to supplement local

payable to the campus providing aid for overtime, travel and meals. Once dispatched through "mutual aid," an officer is entitled to complete their normal shift regardless of whether or not the situation prompting the request for additional officers is ongoing, and may remain on duty on the campus requesting aid, creating a prolonged police presence in wake of protests and other so-called "mutual aid events." Universitywide Police Policies and Administrative Procedures (pp 49-50) - University of California, effective January 7, 2011

¹⁶ *Id.*

¹⁷ "RE: UCSC Strike on 02/10/2020," email from Pace Stokes to Donald Buchanan, 2/10/2020.

¹⁸ *Id.*

¹⁹ Law Enforcement Mutual Aid Plan (p 6) - CA Governor's Office of Emergency Services, 2016

²⁰ *Id.*

police forces in Oakland and San Francisco.²¹ In Los Angeles, LAPD used Jackie Robinson Stadium at UCLA as a field jail for people arrested during protests.^{22,23}

UCPD also coordinates more directly with other law enforcement agencies with overlapping jurisdictions through permanent operational agreements. Universitywide policies and procedures dictate that UCPD jurisdiction “is shared with local law enforcement agencies” as well as county sheriff’s departments.²⁴ In Berkeley, the operating agreement between UCPD and the Berkeley Police Department provides that, although each agency has its geographic jurisdiction, “[o]fficers of both agencies may provide routine law enforcement services in either area.”²⁵ Both forces police People’s Park and Telegraph Avenue, exposing the unhoused to dual policing.²⁶ Similarly, at UC Irvine, the UCPD and the City of Irvine Police Department have concurrent jurisdiction on campus and UCPD, and the City of Orange Police Department has concurrent jurisdiction at the Medical Center.²⁷ Additionally, the Sheriff of Orange County has concurrent jurisdiction over both the campus and the Medical Center.²⁸

UCPD also expends resources serving warrants for outside agencies, serving vastly more outside warrants on non-campus affiliates than warrants against individuals affiliated with the University.²⁹ This may be viewed as an inappropriate use of University resources.

Recent review of policing in the UC system has highlighted collaboration with other law enforcement agencies as an area where reform is warranted. One recommendation to come out of the 2019-20 Independent Accountability Board (IAB) process at Berkeley is the renegotiation of all Memoranda of Understanding (MOUs) with the Berkeley Police Department and other so-called “mutual aid” agreements.³⁰ The UC Academic Senate, a

²¹ [Berkeley police, UCPD patrol Black Lives Matter protests in other cities](#) – Daily Cal, June 7, 2020

²² [UCLA decries police use of Jackie Robinson Stadium as 'field jail'](#) – NBC, June 2, 2020

²³ [Statement on LAPD using Jackie Robinson Stadium](#) – UCLA, June 4, 2020

²⁴ [Universitywide Police Policies and Administrative Procedures](#) (p 202) – University of California, effective January 7, 2011

²⁵ 2014 BPD and UCPD Operational Agreement at 3, included as attachment to [University of California Berkeley Police Department Policy Manual](#) attachment at 658.

²⁶ *Id.* at 4.

²⁷ [UC Irvine Administrative Policies and Procedures, Section 905: Police Department – Authority and Jurisdiction](#) – UCI, October 2018

²⁸ *Id.*

²⁹ In 2016 (most recently available system-wide data), the UCPD served over 500 warrants, 90% of which were outside warrants. 95% of outside warrants were against individuals not affiliated with the University. UC Police Department Reports Dashboard—UC System Wide Arrests—FBI Crime Offenses, 2016. Available at [Universitywide Crime Summary | UCPD](#). Service of cross-jurisdictional warrants is discussed in UCPD policy manuals.

³⁰ [Annual Report](#) (p 92) – UC Berkeley Chancellor’s Independent Advisory Board on Police Accountability and Community Safety, June 30, 2020.

statewide body of tenured faculty at UC, has gone further in recommending that the University “[d]issolve any existing partnership or cooperation agreements with non-UC law enforcement agencies and terminate any agreements to allow non-UC law enforcement agencies access to campus facilities or property.”³¹

Policing free speech

Student-workers across the UC system have been organizing to win a cost of living adjustment (COLA) to address the high cost of living in California. From December 2019 to March 2020, hundreds of student workers embarked on a wildcat strike, precipitated by organizing at UCSC, to call attention to the University’s failure to pay wages that keep up the rapidly increasing cost of living in one of the most expensive areas in the US. A COLA would support UC’s stated diversity goals³² by removing financial barriers that systematically discourage working class students, such as those whose families depend on them for financial support, as well as parents without a high-income partner or family member, from pursuing a graduate degree.

The UC administration has yet to commit to a lasting COLA for graduate workers, but they have spent significant sums of money to surveil and punish protestors. The UC Santa Cruz Police Department used military surveillance technology to monitor COLA strikers. After then-presidential candidate Bernie Sanders voiced support for the strikers, UCSC PD contracted federally-funded terrorism surveillance centers to investigate the strikers and Sanders.³³ Internal emails reveal the police interpreted Sanders’s tweet in support of the COLA strike as a “shot across the bow”—as though social democracy is a threat to national security. During the COLA strikes at UCSC, the University spent \$300,000 per day on riot police.³⁴ For context, \$300,000 is roughly the cost to employ 12 graduate workers for a year. These police officers provided the service of brutality, attacking protestors with batons and delivering at least one concussion.³⁵ Due to the opacity of both police and UC financial records, the total cost of the UC’s most recent crackdown on student protests across all campuses in 2019-2020 is currently unknown.

The power relations on exhibit in these protests are racialized. During the COLA protests, police targeted Carlos Cruz, a Latino organizer, “reciting his name, date of birth, and hometown”³⁶ on the picket line as an intimidation tactic not levelled against any other

³¹ [Recommendations for UC Policing](#) (p 3) - University of California Academic Senate, June 29, 2020

³² [Regents Policy 4400: Policy on University of California Diversity Statement](#) - UC Board of Regents, September 16, 2010

³³ [California Police Used Military Surveillance Tech at Grad Student Strike](#) - Vice, May 2020

³⁴ [Threats against striking UC Santa Cruz students backfire as Sen. Sanders steps in](#) - Salon, February 2020

³⁵ [Letter to UC and UCSC Administrators](#) - National Lawyers' Guild, April 1, 2020

³⁶ [California Police Used Military Surveillance Tech at Grad Student Strike](#) - Vice, May 2020

COLA protestors. Further, the UC has taken disciplinary action against him, using a racist stereotype of Latino men as grounds,³⁷ while dropping administrative charges against a white protestor. The UC has yet to drop charges against Cruz.³⁸

By contrast, the UC has treated far-right assemblies with deference. In 2017, UC Berkeley hosted Ben Shapiro and Milo Yiannopoulos—characterized in a UC-commissioned report as far right or “alt-right celebrity provocateurs seeking to promote their brand.”³⁹ Together with UCOP, UC Berkeley spent nearly \$4,000,000 in one month on militarized police officers from neighboring jurisdictions to control protestors by force and arrest—money that was in addition to the standing UC Berkeley police budget.⁴⁰ Black and Indigenous people of color (BIPOC) on campus found the militarized presence intimidating.⁴¹ In practice, UC has a twisted interpretation of “free speech,” protecting the speech of white supremacists while intimidating the targets of white supremacist hate, and suppressing those assembled in protest.

The UC has nearly doubled their investment in policing over the past decade.⁴² The UC now plans to increase funding for UC police forces,⁴³ ignoring a specific demand from the Academic Senate to substantially defund the UC police force.⁴⁴ Based on UC financial schedules from 2018-19,⁴⁵ and a recent estimate of the cost of a COLA,⁴⁶ it is estimated that the UC could fund approximately half of a COLA for graduate workers simply by reallocating police funds. The UCPD budget is detailed in the [UCPD budget](#) section.

UC Police abuse of Black and other racialized people

UC police have used their authority to abuse Black and brown students, staff, and community members. As examples of this abuse, we discuss four highly publicized instances of excessive force to highlight how the UC police routinely do the *exact opposite* of protecting and serving people of color.

In 2009, a student Community Service Officer (CSO) called UCLA police on fellow student and Iranian-American Mostafa Tabatabaiejad, who was studying late in the library. UC police at UCLA handcuffed Tabatabaiejad, then proceeded to repeatedly taser him,

³⁷ [Rescind the racist disciplinary action against...Carlos!](#) – Change.org, June 2020

³⁸ *Id.*

³⁹ [Report of the Chancellor’s Commission on Free Speech](#) – UC Berkeley Chancellor's Commission, April 9, 2018

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² [How Much Money Does the UC Spend on Its Police Departments?](#) – reclaim UC, June 2020

⁴³ [Regents Report November 2018](#) – UC Regents, July 29, 2020

⁴⁴ [Recommendations for UC Policing](#) – UC Academic Senate, June 29, 2020

⁴⁵ [Campus financial schedules](#) – UC Office of the President

⁴⁶ [On a COLA for Graduate Students in the UC](#) – Latimer and Horton, March 2020

including while he was on the ground.^{47, 48} There were dozens of other students in the library at the time, but Tabatabaiejad was singled out. Later that year, UCLA provided Tabatabaiejad a settlement of \$220,000 and cleared all officers involved of any wrongdoing.⁴⁹

In 2013, UCLA police battered and handcuffed Los Angeles County Superior Court Judge David S. Cunningham, a Black man, during a traffic stop when he stepped out of his car to retrieve registration papers from his trunk.⁵⁰ Officers saw a bottle of Judge Cunningham's blood pressure medication in his glove compartment⁵¹ and accused him of transporting drugs. UCLA police had stopped Judge Cunningham outside of UCLA's campus, in front of the Whole Foods on Gayley Avenue. Judge Cunningham was able to secure a \$500,000 settlement for the abuse he suffered.⁵² However, many individuals do not have the press and legal resources at their disposal when UCPD upends their lives.

For example, UC police routinely disrupt the lives of those experiencing homelessness around campus.^{53, 54} In 2003, Officer Terrence Duren – the same UCPD officer who later tased Tabatabaiejad at UCLA – shot and wounded Willie Davis Frazier Jr., a Black man writing a letter in Kerckhoff Hall, because he believed Frazier to be unhoused.⁵⁵

In 2019, two Black children called Berkeley UCPD to report a woman photographing them on the playground at University housing. Instead of questioning the woman, UC police detained the children and handcuffed one of them; the woman claimed that the 11-year-old had stolen her purse.⁵⁶

None of the officers involved in these incidents were fired, and most were cleared of all wrongdoing. The worst consequence any of these officers faced was paid administrative leave.⁵⁷ We take UC Irvine's policy on so-called "pain compliance techniques" as an example of how written policies legitimize police abuse:

⁴⁷ [Community responds to taser use in Powell](#) – The Daily Bruin, November 16, 2006

⁴⁸ [UCLA Police Repeatedly Taser Handcuffed Student](#) – Democracy Now, November 20, 2006

⁴⁹ [UCLA settles lawsuit with Tasered student](#) – Los Angeles Times LA NOW, May 15, 2009

⁵⁰ [Judge Files Complaint Against UCLA Police for Excessive Force](#) – NBC LA, November 24, 2013

⁵¹ *Id.*

⁵² [UCLA to pay \\$500,000 settlement in judge's police brutality claim](#) – Los Angeles Times, July 11, 2014

⁵³ [Campus cannot just move homeless people](#) – Daily Cal, January 24, 2020

⁵⁴ [UCPD enforces illegal-lodging, curfew rules on campus](#) – Daily Cal, July 25, 2014

⁵⁵ [Accounts of October shooting differ](#) – Daily Bruin, January 27, 2004

⁵⁶ [UCPD handcuffing of 11-year-old boy prompts criticism, campus response](#) – Berkeleyside, July 3, 2019

⁵⁷ [\[Online exclusive\] Officer involved in Kerckhoff shooting put on paid administrative leave](#) – Daily Bruin, October 5, 2003

300.9 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be very effective in controlling a non-compliant or actively resisting individual. Officers may only apply those pain compliance techniques for which the officer has received departmentally approved training and only when the use of such a technique appears objectively reasonable to further a legitimate law enforcement purpose.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

Excerpt from UC Irvine police policy permitting “pain compliance techniques.”⁵⁸

On top of police abuse, the UC police harass people of color. After a string of reported thefts in 2013, Black students at UC Riverside reported being stopped by university police multiple times in a single week while walking around campus.⁵⁹ In the wake of the extrajudicial police murders of George Floyd, Breonna Taylor, and Ahmaud Arbery, more Black students have stepped forward with accounts of being stopped by UCPD for no legitimate reason.^{60, 61} These encounters convey a message to Black and brown UC community members: that they are viewed with suspicion, and that they do not belong. This is the exact opposite of the message the UC Regents claim they wish to convey.⁶²

Stories of police abuse and harassment, such as those recounted above, are often interpreted as outliers. Let us be clear: the most exceptional thing about these stories is the amount of press they received. These personal accounts are part of a broader pattern of racist policing in the UC, corroborated by data published by UC police. An analysis by the *Daily Bruin* of UCLA police logs from July 1, 2015 to June 31, 2016 shows that Black and Latinx people were both stopped for so-called “suspicious activity” and arrested at far higher rates than White and Asian people relative to their population in the community.⁶³ While only 2% of Westwood residents were Black in 2016, nearly 29% of UCLA police’s

⁵⁸ [UC Irvine Police Policy 300.9: Use of Force](#) - UC Irvine, June 6, 2020

⁵⁹ [Students claim racial profiling](#) - Press Enterprise, April 4, 2013

⁶⁰ [Students push UC to abolish police departments](#) - Cal Matters, June 2020

⁶¹ ['We do belong here': The scientist behind #BlackInNeuro...](#) - STAT News, Aug 26, 2020

⁶² See [Regents Policy 4400: Policy on University of California Diversity Statement](#) - UC Board of Regents, September 16, 2010.

⁶³ [Demographics of UCPD Stops and Arrests](#) - Daily Bruin The Stack Blog, January 29, 2018.

“suspicious activity”⁶⁴ stops and 31% of arrests were of Black people.⁶⁵ Similarly, while only 7% of Westwood residents were Latinx people, 10.5% of UC police stops were for suspicious activity and 23% of arrests were of Latinx people.⁶⁶

As shown in Figure 1, UC police traffic stop data gathered at UC Berkeley⁶⁷ reveals a similar story, providing evidence of nearly a decade of overpolicing of Black Berkeley residents. Despite comprising less than 4% of Berkeley enrollment over the past decade, on average, 16.8% of drivers stopped by UCPD from 2011-2019 were Black.⁶⁸ In 2012, Black drivers were stopped over four times more frequently than predicted by UC Berkeley enrollment demographics and over 1.5 times more frequently than predicted by city demographics.⁶⁹ More recently, in 2018, Black drivers were nearly twelve times more likely to be pulled over than predicted by student demographics and nearly three times more likely than predicted by city demographics.⁷⁰ We will learn more about the overall picture as more data become publicly available in 2023 under AB 953, but these statistics are already troubling; it is clear that policing in the UC disproportionately affects Black students and community members.

⁶⁴ Generally, “suspicious activity” refers only to the category of reason given by law enforcement for the stop. It should not be taken to imply any fault on the part of individuals who were stopped. See O’Day, “Pretextual Traffic Stops: Protecting our Streets or Racist Police Tactics?” 23 U. Dayton L. Rev. 313 (1997-1998).

⁶⁵ [Demographics of UCPD Stops and Arrests](#) - Daily Bruin The Stack Blog, January 29, 2018.

⁶⁶ *Id.*

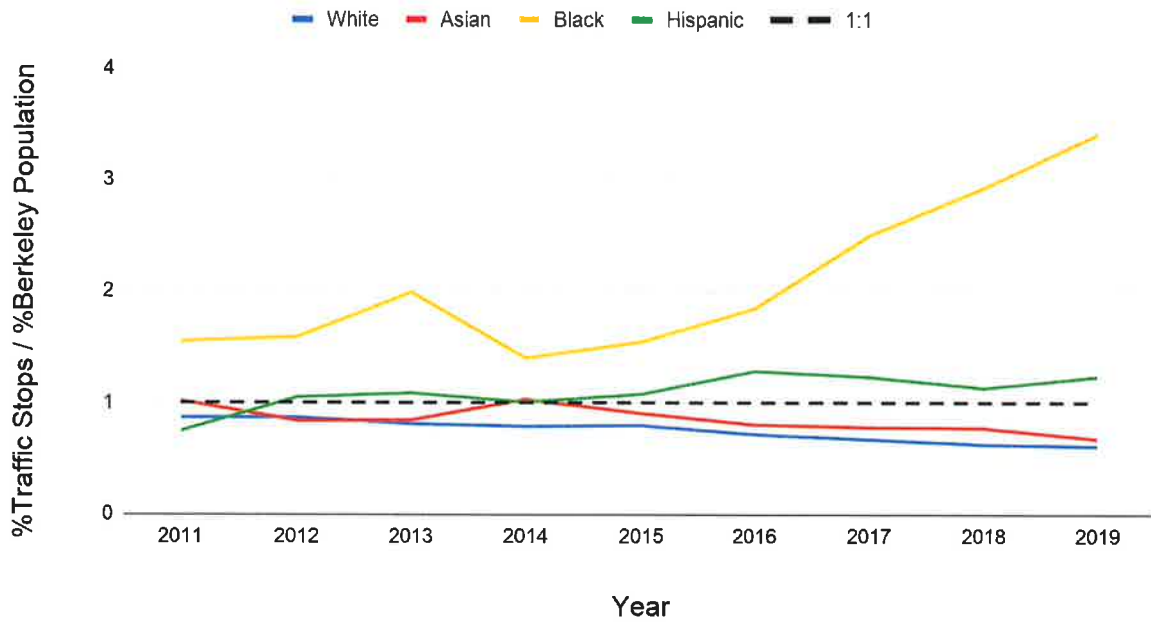
⁶⁷ [Traffic Stop Data](#) - Berkeley UCPD, data through June, 2019.

⁶⁸ Authors’ analysis of [Traffic Stop Data](#), Berkeley UCPD.

⁶⁹ *Id.*

⁷⁰ *Id.*

UCBPD Traffic Stops as a Proportion of City Population by Race (2011-2019)



UCBPD Traffic Stops as a Proportion of UCB Population by Race (2011-2019)

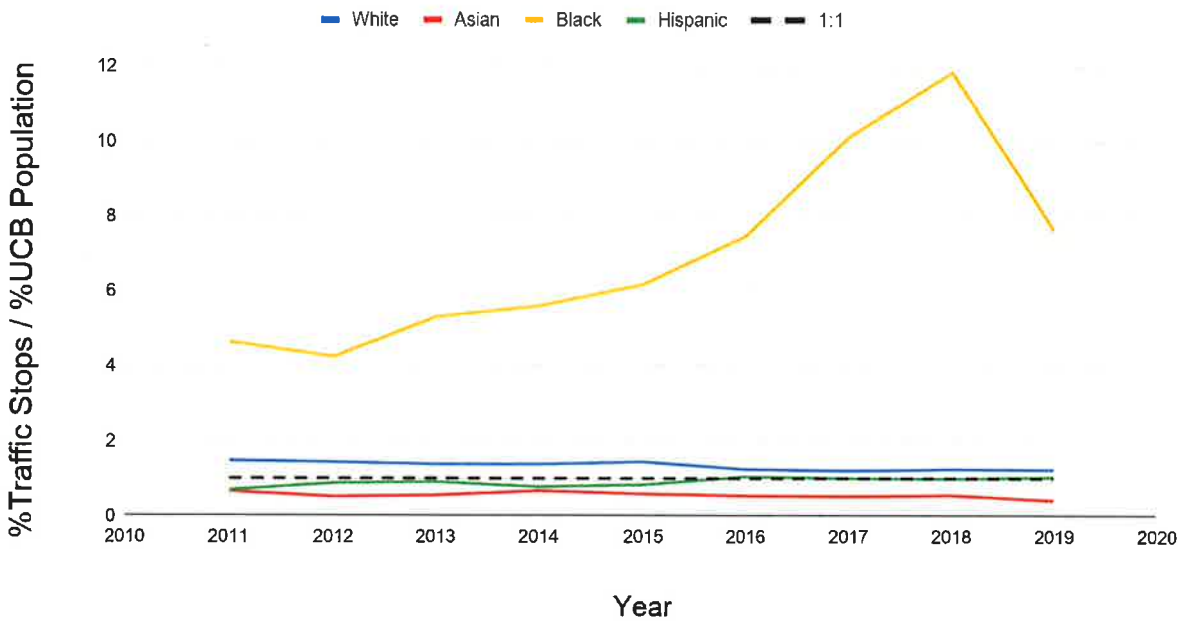


Figure 1. UCBPD traffic stops shown by race, as proportion of city population (top) and Berkeley campus population (bottom).⁷¹

⁷¹ *Id.* This figure reports only demographic groups which are reported in both traffic stop data and UC matriculation data.

Investments and ties to the Prison Industrial Complex

Following the extrajudicial police murder of George Floyd, the UC Office of the President released a statement calling for “an end to these [policing] incidents now” and declaring that “[n]o matter how difficult, we must individually and collectively reflect on the lives lost unnecessarily, and address head on the systemic problems and challenges we all face as a society.”⁷² Despite this aspiration, the UC continues to contract with suppliers and financial services companies deeply tied to militarized policing and the prison industrial complex. The UC partners with Amazon,⁷³ a company that supplies facial recognition technology to police departments across the country.^{74,75} The UC also continues to sign systemwide contracts with Aramark,⁷⁶ a company that also profits from providing services to many private prisons.⁷⁷ The UC, a public institution, should not be comfortable outsourcing to any private contractor, let alone a private prison contractor.

The UC’s duplicity goes beyond contracts and partnerships; it is also found in the financial structure of the institution. In 2016 the UC’s Afrikan Black Coalition led a \$25M divestment from GEO Group and Core Civic, America’s largest private prison companies.⁷⁸ In response to student organizing, the UC also divested \$475M from Wells Fargo,⁷⁹ a company deeply invested in the aforementioned private prison giants.⁸⁰ Interestingly, months after the divestment from Wells Fargo,⁸¹ the UC changed the names of retirement investment funds to “make it easier to understand how each fund invests.”⁸² Yet, renaming and restructuring did little more than remove managers “Fidelity” and “Vanguard” from fund titles, despite their continued management of the funds.⁸³ Obscuring the fund managers was

⁷² [UC statement on protests, violence following George Floyd's death](#) - UC Office of the President, May 31, 2020.

⁷³ [Amazon opens new store on UC Berkeley campus](#) - Berkeleyside, January 15, 2016.

⁷⁴ ['Recipe for disaster': Amazon under fire for selling face-recognition software to police](#) - The Guardian, May 22, 2018

⁷⁵ [Amazon sells facial recognition software to police all over the US](#) - Business Insider, February 21, 2020.

⁷⁶ [UC maintains contract with Aramark despite UC divestment from private prison corporations](#) - The California Aggie, June 7, 2018.

⁷⁷ [Aramark: Multibillion dollar food vendor starves and exploits prisoners](#) - San Francisco BayView, October 18, 2019.

⁷⁸ [UC directly divests \\$25 million from two private prison corporations](#) The Aggie, January 8, 2016

⁷⁹ [UC Divests from Wells Fargo](#) City on a Hill Press, February 17, 2017

⁸⁰ [In Wake Of Wells Fargo Hearing, Private Prison Stocks Take Big Hit](#) - Forbes, March 15, 2019

⁸¹ [UC Divests from Wells Fargo](#) City on a Hill Press, February 17, 2017

⁸² [Fund improvements coming to the UC Retirement Savings Program on October 2](#) - UCnet July 14, 2017.

⁸³ *Id.*

advantageous given Fidelity and Vanguard's rankings as the top shareholders in the prison companies GEO Group and CoreCivic from which the UC had supposedly divested.^{84,85}

In shareholder rankings, the investment giants are 25+ places above Wells Fargo, currently holding a combined \$299M in GEO Group and Corecivic shares compared to Fargo's \$6.8M.^{86,87} In response to mounting public pressure, Fidelity sold their GEO Group stock,⁸⁸ but still has \$12M invested in CoreCivic.^{89,90} This, however, has not deterred Fidelity from partnering with BlackRock,⁹¹ itself the second largest shareholder (\$265M) in GEO Group and CoreCivic.^{92,93}

Currently, Fidelity manages a sizable portion of the UC's retirement portfolio.^{94,95,96} They manage the UC Growth Company Fund and UC Diversified International Fund, formerly the Fidelity Growth Company Fund and Fidelity Diversified International Fund.^{97,98,99,100} Fidelity also manages the UC's \$1.6 billion brokerage window,¹⁰¹ and is the point of contact for UC's retirement services.¹⁰² It is unclear how much they are paid to manage UC's retirement services, but between the aforementioned funds and brokerage window, Fidelity manages \$2.7B of UC's retirement savings funds, including the Fidelity Growth Company Fund, which holds \$115M in BlackRock.¹⁰³

At the time of the 2017 name changes Vanguard was managing \$1B of the UC's retirement investments including what are now the UC Domestic Small Cap Equity Fund, UC Real

⁸⁴ [BlackRock and Vanguard are the biggest investors in private prisons](#) - CNN Business

⁸⁵ [UC Divests from Wells Fargo](#) City on a Hill Press, February 17, 2017

⁸⁶ [GEO Institutional Holdings](#) - Nasdaq, Data retrieved on Dec 4th, 2020.

⁸⁷ [CXW Institutional Holdings](#) - Nasdaq, Data retrieved on Dec 4th, 2020.

⁸⁸ [US investors confront home truths about private prison holdings](#) - Financial Times, Feb 26, 2020

⁸⁹ [CoreCivic, Inc. Institutional Ownership](#) - CNN Business, Data retrieved on Dec 4th, 2020.

⁹⁰ [CXW Institutional Holdings](#) - Nasdaq, Data retrieved on Dec 4th, 2020.

⁹¹ [Fidelity® and BlackRock® Announce Groundbreaking ETF Strategic Alliance](#)

⁹² [CoreCivic, Inc. Institutional Ownership](#) - CNN Business, Data retrieved on Dec 4th, 2020.

⁹³ [Geo Group Inc Institutional Ownership](#) - CNN Business, Data retrieved on Dec 4th, 2020.

⁹⁴ [Retirement Savings](#) - UC Investments, March 31, 2020

⁹⁵ [UC Growth Company Fund](#) - UC Investments, June 30, 2018.

⁹⁶ [UC Diversified International Fund](#) - UC Investments, December 31, 2018.

⁹⁷ [Retirement Savings](#) - UC Investments, March 31, 2020

⁹⁸ [UC Growth Company Fund](#) - UC Investments, June 30, 2018.

⁹⁹ [UC Diversified International Fund](#) - UC Investments, December 31, 2018.

¹⁰⁰ [Fund improvements coming to the UC Retirement Savings Program on October 2](#) - UCnet Jul 14, 2017.

¹⁰¹ *Id.*

¹⁰² [Fidelity® Retirement Services](#) - University of California

¹⁰³ [Fidelity Growth Company Fund \(FDGRX\) as of October 30, 2020](#) - Fidelity, retrieved Dec 9, 2020

Estate Fund, and the UC Social Equity Fund.^{104,105,106,107} The UC Domestic Small Cap Equity Fund was recently invested in the Vanguard Small Cap Index Institutional Plus Shares,¹⁰⁸ which in turn had \$31M invested in CoreCivic¹⁰⁹ and \$40.3M invested in Geo Group.¹¹⁰ The UC Real Estate Fund was invested in Vanguard REIT Index Fund - Institutional Shares (VGSNX).¹¹¹ The Vanguard Real Estate Index Fund, in turn, had \$37M invested in Corecivic¹¹² and \$51M invested in Geo Group¹¹³ for a combined investment of \$88M. In this way, certain UC retirement funds were invested in private prisons, although they were named and structured in a way that obscured that fact, and the UC retirement website frames social investing as an individual choice.¹¹⁴ So, from 2017 to at least 2018^{115,116} and possibly up to September 2020,^{117,118} UC continued these investments in private prisons.

As of September 2020 funds previously managed by Vanguard (\$1B) are now managed by State Street,^{119,120,121} America's third biggest holder of private prison stock (\$65.6M).^{122,123} Beyond managing the aforementioned funds, State Street manages the UC's Domestic Equity Index Fund, UC International Equity Index Fund, and the UC Emerging Markets Equity Fund, worth a combined \$5.1 billion.^{124,125,126,127} Between the \$6.1B managed by State Street, and \$2.7B managed by Fidelity, over 37% of UC's retirement savings funds are

¹⁰⁴ [Fund improvements coming to the UC Retirement Savings Program on October 2](#) - UCnet Jul 14, 2017.

¹⁰⁵ [UC Domestic Small Cap Equity Fund](#) - UC Investments, Jun 30, 2018.

¹⁰⁶ [UC Real Estate Fund](#) - UC Investments, Jun 30, 2018.

¹⁰⁷ [UC Social Equity Fund](#) - UC Investments, Jun 30, 2018.

¹⁰⁸ [UC Domestic Small Cap Equity Fund](#) - My UC Retirement, retrieved Dec 9, 2020

¹⁰⁹ [CXW - Corecivic Inc Shareholders](#) - CNN Money, retrieved Dec 9, 2020

¹¹⁰ [GEO - Geo Group Inc Shareholders](#) - CNN Money, retrieved Dec 9, 2020

¹¹¹ [UC Real Estate Fund](#) - My UC Retirement, retrieved Dec 9, 2020

¹¹² [CXW - Corecivic Inc Shareholders](#) - CNN Money, retrieved Dec 9, 2020

¹¹³ [GEO - Geo Group Inc Shareholders](#) - CNN Money, retrieved Dec 9, 2020

¹¹⁴ [University of California - Investment Options](#) - My UC Retirement, retrieved Oct 31, 2020

¹¹⁵ [UC Domestic Small Cap Equity Fund](#) - UC Investments, Jun 30, 2018.

¹¹⁶ [UC Real Estate Fund](#) - UC Investments, Jun 30, 2018.

¹¹⁷ [UC Domestic Small Cap Equity Fund](#) - UC Investments, Sep 30, 2020.

¹¹⁸ [UC Real Estate Fund](#) - UC Investments, Sep 30, 2020.

¹¹⁹ [UC Domestic Small Cap Equity Fund](#) - UC Investments, Sep 30, 2020.

¹²⁰ [UC Real Estate Fund](#) - UC Investments, Sep 30, 2020.

¹²¹ [UC Social Equity Fund](#) - UC Investments, Sep 30, 2020.

¹²² [GEO Institutional Holdings](#) - Nasdaq, Data retrieved on Dec 4th, 2020.

¹²³ [CXW Institutional Holdings](#) - Nasdaq, Data retrieved on Dec 4th, 2020.

¹²⁴ [UC Domestic Equity Index Fund](#) - UC Investments, Mar 31, 2020.

¹²⁵ [UC International Equity Index Fund](#) - UC Investments, Jun 30, 2018.

¹²⁶ [UC Emerging Markets Equity Fund](#) - UC Investments, Sep 30, 2020.

¹²⁷ [Retirement Savings](#) - UC Investments, March 31, 2020

managed by companies that funnel investments into the prison industrial complex (PIC).^{128,129}

Detailed information on these State Street-managed UC funds do not appear to be publicly available. The UC Domestic Small Cap Equity Fund investing strategy largely replicates the Russell 2000 Index, which has \$2M invested in GEO Group.¹³⁰ The UC Real Estate Fund investing strategy largely replicates a MSCI US REIT Index, though State Street does not specify which one. The Vanguard Real Estate Index Fund ETF Shares, which also tracks an MSCI Real Estate Index, has \$34M invested in CoreCivic and \$48M invested in GEO Group.¹³¹ The UC Social Equity Fund investing strategy largely replicates the FTSE4Good US Select Index. The Vanguard FTSE Social Index Fund - Institutional Shares (VFTNX), which replicates the same index,¹³² is invested in Aramark.¹³³

With the largest 403(b) plan and the second-largest public DC plan in America,¹³⁴ the UC could pressure State Street and Fidelity to drop their private prison investments. The UC's portfolio with State Street is \$6.1B, two orders of magnitude greater than the company's \$65M in private prison shares.^{135,136} The UC's "portfolio to prison" ratio with Fidelity is even greater, with Fidelity's \$12M in CoreCivic shares paling in comparison to the \$2.7B of UC funds that they currently manage.¹³⁷ Threats from the UC could be the tipping point that ushers out their private prison stock. The UC has a choice: remain complicit, or continue the divestment project it has already started and use its financial clout to take a stand on mass incarceration.

A lack of transparency

UC's failure to provide meaningful data on the budget and operations of UCPD undermines efforts by students, workers, and the state legislature to understand the true costs of policing and to hold campus police forces and their officers accountable.

Publicly available campus budget documents provide only a bare-bones picture of the sources and uses of UCPD funding. Campus financial schedules¹³⁸ show that UCPD is

¹²⁸ [Retirement Savings](#) - UC Investments, March 31, 2020

¹²⁹ [Race, Gender, and the Prison Industrial Complex: California and Beyond](#)

¹³⁰ [Russell 2000 Index](#) p29 - CNN Money, retrieved Dec 9, 2020

¹³¹ [VNQ - Vanguard Real Estate ETF](#) - Vanguard, retrieved Dec 9, 2020

¹³² [FTSE Social Index Fund Prospectus \(Institutional Shares\)](#) - Vanguard, retrieved Dec 9, 2020

¹³³ [VFTNX - FTSE Social Index Fund Institutional Shares](#) - Vanguard, retrieved Dec 9, 2020

¹³⁴ [Retirement Savings](#) - UC Investments, March 31, 2020

¹³⁵ [GEO Institutional Holdings](#) - Nasdaq, Data retrieved on Dec 4th, 2020.

¹³⁶ [CXW Institutional Holdings](#) - Nasdaq, Data retrieved on Dec 4th, 2020.

¹³⁷ [CXW Institutional Holdings](#) - Nasdaq, Data retrieved on Dec 4th, 2020.

¹³⁸ [Campus Financial Schedules](#) - UC Office of the President

funded through both unrestricted general and unrestricted designated funds, but provides no further detail as to the sources of these funds. We have only located aggregate information for institutional support for each campus. Similarly, though UCPD receives significant revenues through “recharges,”¹³⁹ there is no publicly available breakdown of how much individual departments spend from their own budgets toward UC police. Police spending reported in campus financial schedules also does not include extraordinary spending, such as the millions spent on policing student protests and settling police misconduct lawsuits. These settlements include those related to civil suits stemming from UC police officers pepper spraying peaceful protesters,¹⁴⁰ battering a judge during a traffic stop,¹⁴¹ raiding two local resource centers,¹⁴² and tasing a student studying for finals.¹⁴³ Beyond media coverage of the nearly \$2 million paid out in these highly publicized cases, the quantity and source of money spent on policing protests and settling lawsuits is unclear.

UC PD has also failed to meaningfully and consistently report data related to its operations, incidents of racial bias, and use of force. Though UC police published campus-specific and system-wide annual reports and crime statistics, no centralized data has been made available since 2016.¹⁴⁴ UC police continue to publish data required under the Clery Act at the campus level,¹⁴⁵ but the University no longer makes aggregate data available, and campuses vary widely in the level of detail they provide publicly. For example, while UC Berkeley has made nearly a decade of traffic stop reports broken down by perceived race and ethnicity publicly available, campuses like UC Merced publish only daily activity logs with no information about who is being policed. This creates additional barriers to documenting racism in policing practices and hinders meaningful comparison or aggregation of data across the UC system, and raises questions regarding what exactly is being hidden from the public.

Under changes to state law,¹⁴⁶ UCPD must now disclose certain personnel and investigation records, complaints, and use of force incidents as well as police video and audio recordings

¹³⁹ Recharges are money spent from departmental budgets in exchange for UCPD services.

¹⁴⁰ [UC Davis Students Reach \\$1 Million Settlement with University Over Pepper-Spraying Incident](#) - ACLU, September 26, 2012

¹⁴¹ [LA judge, UC reach \\$500,000 settlement over \\$10M damages claim against UCPD](#) - Daily Bruin, Jul 11, 2014

¹⁴² [UC and FBI agree to \\$100,000 settlement with two Berkeley-based organizations](#) - Daily Cal, Apr 12, 2012

¹⁴³ [UCLA settles lawsuit with Tasered student](#) - Los Angeles Times LA NOW, May 15, 2009

¹⁴⁴ [UCPD Annual Report and Crime Statistics](#) - University of California

¹⁴⁵ [Crime and Security Reporting](#) - UC Office of the President Department of Ethics, Compliance and Audit Services

¹⁴⁶ [SB 1421, AB 748](#) - CA Legislature, October 1, 2018

for critical use of force incidents. Additionally, in coming years, they must begin disclosing traffic stop data that includes the “perceived gender and race or ethnicity of the individual(s) who are stopped.”¹⁴⁷ AB 953, the legislation that mandates these additions to traffic stop reports, stipulates that agencies are given timelines for compliance based on size. Agencies with between 334 and 667 officers statewide are required to produce reports by April 2022, while those with fewer officers have until 2023 to comply. As of 2019, UCPD had 439 officers statewide.¹⁴⁸ However, for the purposes of AB 953, the 2019 Report of the Presidential Task Force on Universitywide Policing suggests that each campus police department is being treated as a separate agency, with each campus stating that they will “meet all DOJ reporting standards by the 2023 deadline,”¹⁴⁹ delaying disclosure.

In the 2019 Report of the Presidential Task Force on Universitywide Policing, the taskforce recommended that the University “shall explore ways” to implement transparency requirements consistent with state law,¹⁵⁰ and in the most recent report on the implementation of the 2019 taskforce recommendations, campuses self-reported that they were in compliance with state public records law.¹⁵¹ However, reporting by Voice of San Diego shows the University has released far fewer use of force records than expected under SB 1421 – just two case files despite more than 200 recorded incidents.¹⁵² Responding to these press inquiries, the University stated that “there was no UC-wide policy guiding the release of SB 1421 records” and refused to provide further comment on “why the UC maintained a list of hundreds of use of force incidents, but did not provide records of them under SB 1421.”¹⁵³ UCPD at Irvine have also refused to release body cam footage from the February assault and arrest of a Black alumna on campus despite repeated demands from student organizers.¹⁵⁴ Together, these data demonstrate how UCPD barely meets, and often misses the bar for the minimum amount of transparency required by law.

The University’s failure to make information publicly available about campus policing generally and uses of force in particular, even when required under state law, obscures the

¹⁴⁷ [AB 953](#) - CA Legislature, October 3, 2015

¹⁴⁸ [UC Campuses Have Disclosed Virtually No Records Under Police Transparency Law](#) - Voice of San Diego, May 12, 2020

¹⁴⁹ [Implementation Report](#) (p 44) - University of California Presidential Task Force on Universitywide Policing, June 2020

¹⁵⁰ [Report of the Presidential Task Force on Universitywide Policing](#) - UC Presidential Task Force on Universitywide Policing, 2019

¹⁵¹ [Implementation Report](#) (p 44) - University of California Presidential Task Force on Universitywide Policing, June 2020

¹⁵² [UC Campuses Have Disclosed Virtually No Records Under Police Transparency Law](#) - Voice of San Diego, May 12, 2020

¹⁵³ *Id.*

¹⁵⁴ [Campus Police are Under Scrutiny for Racial Profiling. It Isn't the First Time](#) - Diverse Issues in Higher Education, June 12, 2020

true impacts of campus policing. The reticence and even refusal to report the frequency, cost, and potential racial bias of UCPD policing suggests that the data presented in this report represent just a subset of total incidents. That is, if anything, the frequency of uses of force is likely greater than the number of cases reported in this document; the cost of policing is likely greater than that conveyed in the statewide budget summary; and the racial bias of UCPD policing is likely more pervasive than the data released by UCB and UCLA.

UCPD budget and employment

The aforementioned lack of transparency around UCPD activities makes it challenging to construct a complete picture of the impact that permanent armed officers have on the greater student body.¹⁵⁵ However, the available data provide some context for how the UC allocates its resources to police forces compared to education and care.

As the UC slashed funding for freshman/transfer seminars, mental health care, critical building maintenance, and other services¹⁵⁶ in the wake of post-Recession austerity over the past decade, the budget for UCPD more than doubled from 2009 to 2019 (Figure 2). When adjusted for inflation, this doubling represents an increase of 76% in real dollars¹⁵⁷. Though it remains a relatively small portion of the \$40 billion UC budget, the proportion of UC's budget allocated to UCPD increased by 50%, far outpacing the average growth of the total budget.

By comparison, over the last decade, the proportion of the UC budget allocated for instruction and research fell by 13%. In 2009, the size of UCPD's budget was only 0.6% of the size of UC's budget for instruction and research, but by 2019, relative spending on UCPD nearly doubled, such that it is now equivalent to 1% of total spending on instruction and research (see Figure 2). This consistent increase in expenditures on UCPD-- in both absolute dollars and relative proportion of the budget-- reflects direction of resources towards oppression, violence, and surveillance instead of towards the core educational mission of the UC.¹⁵⁸

¹⁵⁵ Indeed, we do not wish to imply that such a picture could be completely captured by statistics in any case.

¹⁵⁶ [UC efforts to cut costs fact sheet](#) - UC Office of the President

¹⁵⁷ [California Consumer Price Index](#) - CA Department of Industrial Relations

¹⁵⁸ [UC's Mission](#) - UC Office of the President

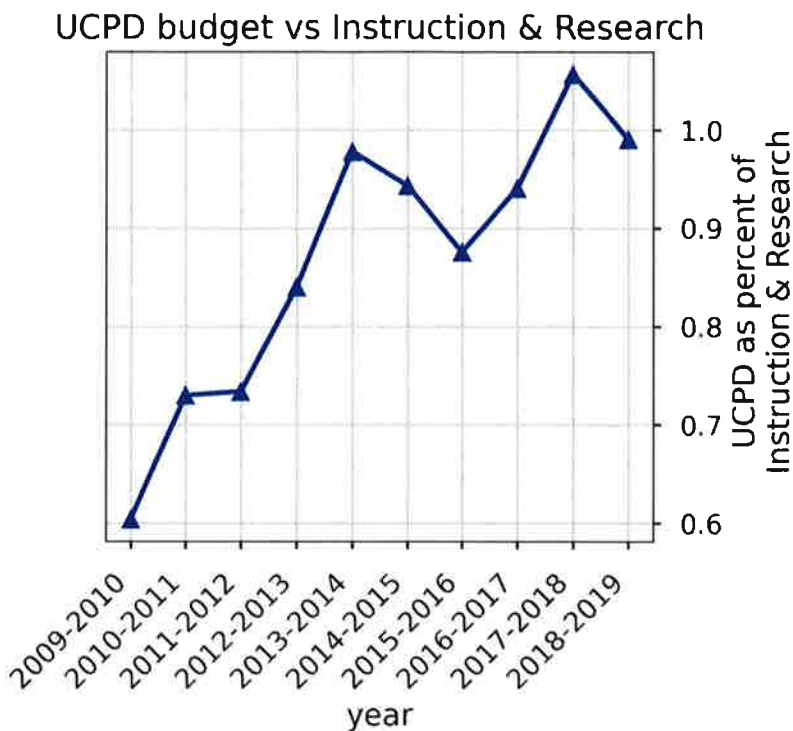
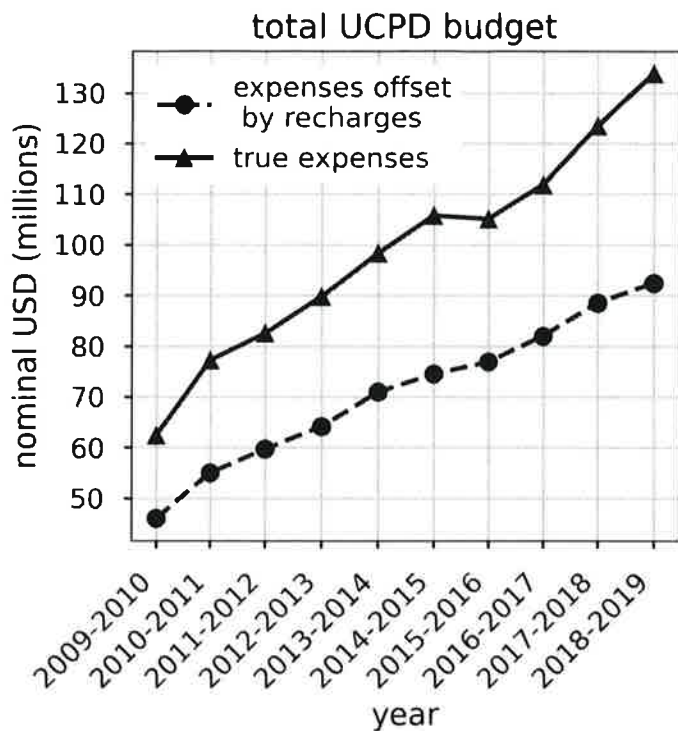


Figure 2. UCPD budget. *Left:* UCPD budget in nominal dollars. Totals offset by recharges are the dashed line, while the true UCPD expenditures are the solid line. Doubling in absolute expenditures corresponds to a 50% increase when normalized to total UC expenditures. *Right:* UCPD expenditures shown as a percent of instruction and research expenditures. UCPD budget is not included in the budget for instruction and research.

Salaries and wages constitute nearly half of UCPD's budget (including recharges; see the end of this section).¹⁵⁹ From 2009 to 2019, UCPD employee salaries nominally increased by 33%, as shown in Figure 3. Adjusted for inflation, this corresponds to a 12% raise over ten years.¹⁶⁰ We note that the mean pay for a UCPD officer in 2018 was nearly six times as much as that for the average academic graduate student in the UC system that year, after subtracting fees and tuition.¹⁶¹ The 2017 contract between FUPOA and the UC set increases in police officer wages at 3% per year.¹⁶² Yet, median officer pay increased 7.8% from 2017 to 2018, and mean officer pay increased an even greater 9.5%.¹⁶³ This discrepancy is likely due to overtime pay, which has increased from 11% to 16-17% of total UCPD officer pay over the past 9 years (Figure 4). According to one internal audit, UCIPD has recently been out of

¹⁵⁹ [Campus financial schedules](#) - UC Office of the President

¹⁶⁰ [California Consumer Price Index](#) - CA Department of Industrial Relations

¹⁶¹ [Net cost of attendance, Graduate student support](#) - UCOP Information Center

¹⁶² [Agreement between the University of California and the Federated University Police Officers Association \(FUPOA\)](#), effective July 1, 2017-December 31, 2020.

¹⁶³ [University of California Employee Pay](#) - University of California

compliance with overtime documentation procedures;¹⁶⁴ a statewide audit may reveal more.

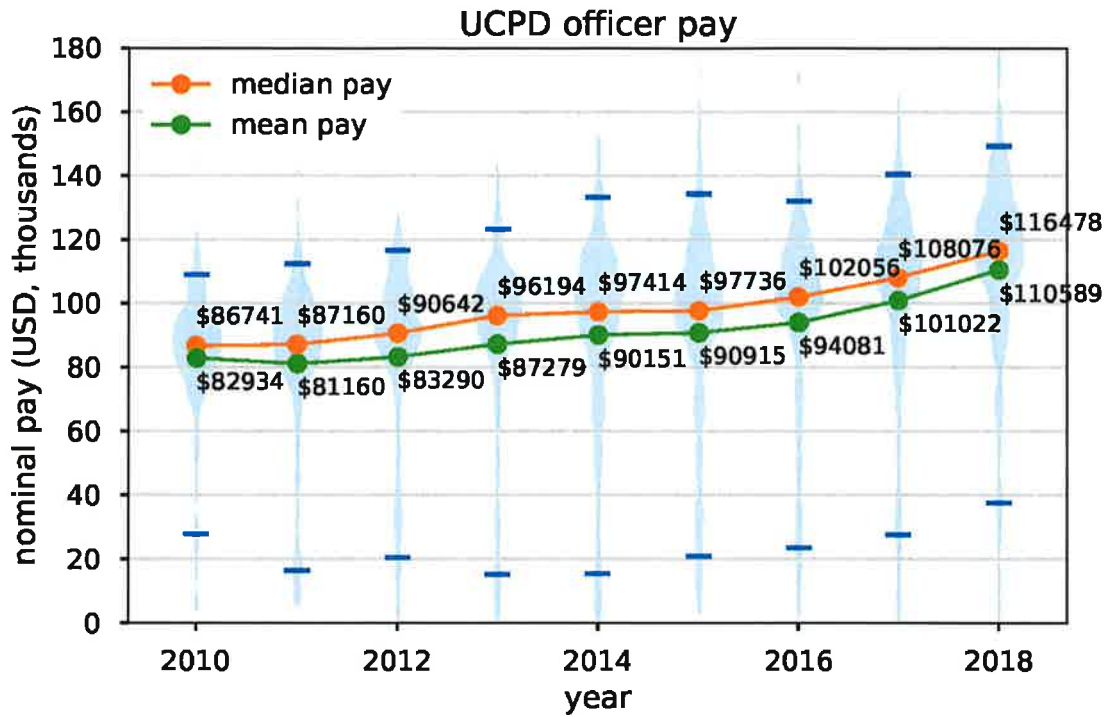


Figure 3. Salaries for UC police officers over time. Distributions shown in blue envelopes. The bottom and top blue tick marks reflect the 5th and 95th percentiles. The orange and green lines show the median and mean.

¹⁶⁴ [Police Department Internal Audit Report No. I2017-519](#) - UC Irvine Internal Audit Services, December 14, 2017

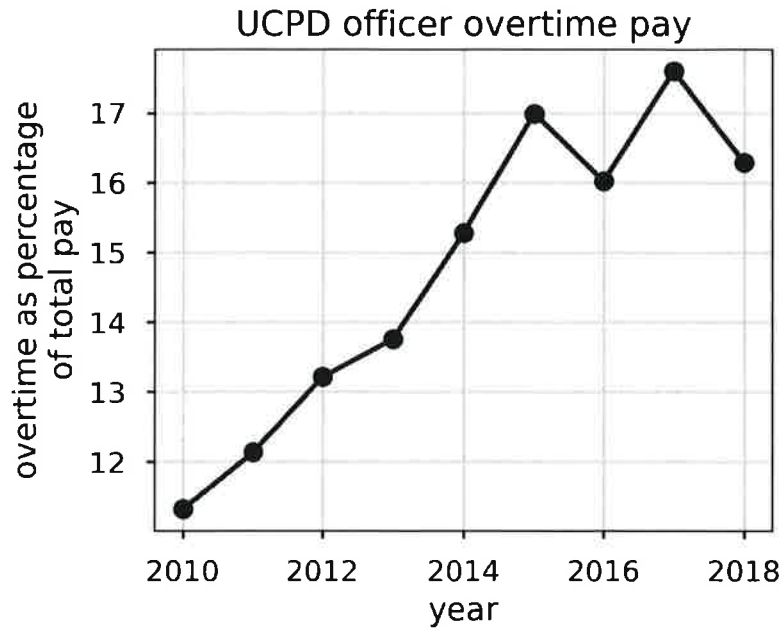


Figure 4: Percentage of total UCPD officer pay that is composed of overtime pay.

In order to contextualize UC police expenditures, we plot total salary and wages for UCPD over the past decade alongside total pay and benefits for mental health practitioners in Figure 5, and provide the analog to Figure 3 for the latter category of employees in Figure 6.¹⁶⁵ Furthermore, Figure 7 plots the systemwide UCPD budget (including recharges) as compared to budgets for disabilities services and programs, as well as cultural programs (also including recharges for these categories). These data present a narrative which is fundamentally at odds with the UC’s stated values of diversity and equal opportunity,¹⁶⁶ especially given explicit testimony from students on the current physical and psychological barriers to success at UC campuses.^{167,168,169,170}

¹⁶⁵ We note that direct comparisons between employee count and single-employee pay (e.g. between Figures 3 and 6) are complicated by the fact that many psychologists and psychiatrists bill to UC student health insurance plans from outside the campus care centers, so they are not full-time employees to the University.

¹⁶⁶ [Regents Policy 4400: Policy on University of California Diversity Statement](#) - UC Board of Regents, September 16, 2010.

¹⁶⁷ [Demands for Universal Design, Accessibility, and Inclusion for the Disabled Students, Staff, and Faculty of the University of California on the Thirtieth Anniversary of the Americans with Disabilities Act](#) - UC Access Now, July 26, 2020

¹⁶⁸ [Graduate Student Disputes Termination from TA Position Over MS Accommodations](#) - The Guardian, February 4, 2019

¹⁶⁹ [‘A tipping point’: Mental health of marginalized students calls for new solutions](#) - Daily Cal, November 9, 2017

¹⁷⁰ [Pandemic tests an already-fragile college mental health system](#) - Cal Matters, August 27, 2020

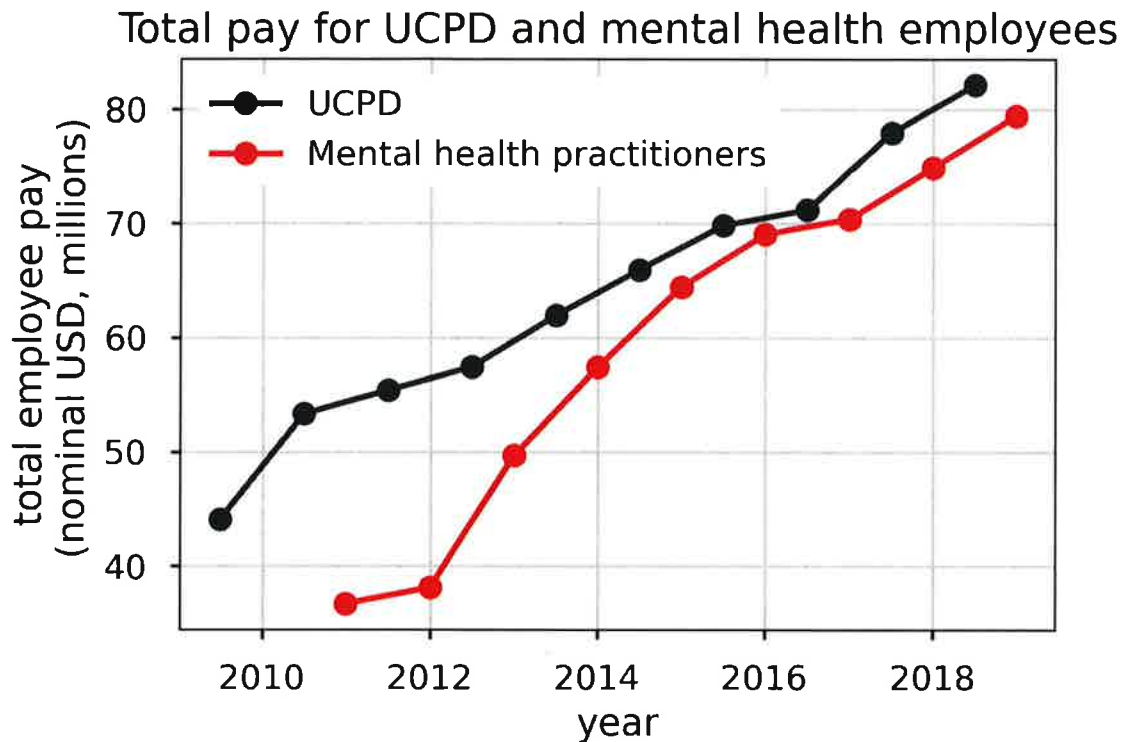


Figure 5. Total pay and benefits for UC campus mental health practitioners over time.¹⁷¹

¹⁷¹ The black curve in this figure is derived from [campus financial schedules](#). The red curve was obtained by querying all job titles on the [Transparent California](#) database for the UC system containing any of the substrings {'psych', 'counselor', 'cnsling', 'counseling', 'cnslr', 'stdt health physcn', 'student health'}, and of those, excluding those that contain any of the substrings {'genetic', 'camp', 'acad', 'lrng', 'learning', 'attorney', 'peer', 'intern', 'exec', 'learn'} (all queries non-case-sensitive). A comparison with campus health center websites indicates that this excludes some staff members serving in counseling and psychological service clinics with generic job titles. However, we believe this omission is balanced to a reasonable degree by the inclusion of employees with marginally relevant titles (e.g. "Psychometry Supv 2"), as well as the entire body of student health physicians. Even given a large margin of error, we surmise that spending on pay for employees who provide critical mental health care to students is on the same order of magnitude as spending on pay for employees who police them.



Figure 6. Analog of Figure 3, but for UC campus mental health practitioners, as defined in Figure 5.

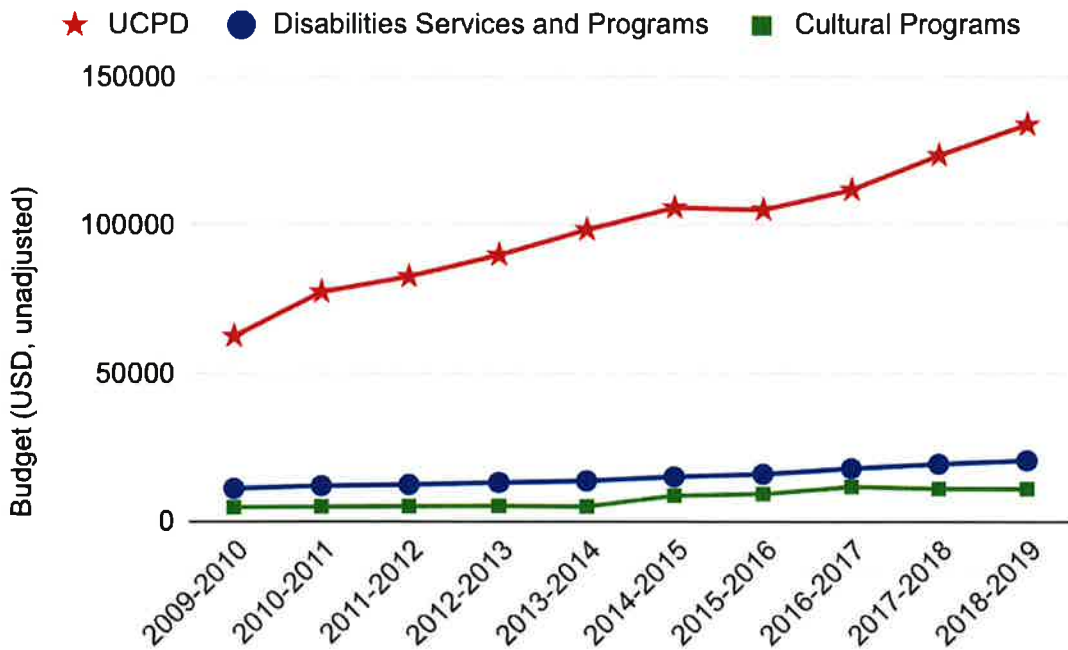


Figure 7. UCPD budget in comparison with Disabilities Services and Programs and Cultural programs, over time. All budgets include recharges.

Finally, it is worth noting that a substantial fraction (roughly 30%) of UCPD revenues come from recharges,¹⁷² and therefore do not contribute to reported net revenues in campus financial documents, despite the fact that they reflect real allocation of University resources towards policing (Figure 2, left panel).

Recommendations

Here, we expand the recommendations listed at the beginning of this report, which were collated from several organizing bodies across the UC system.¹⁷³ Bolded numbers in the following paragraphs cross-reference the initial list. We urge organizers across the UC system to continue to pressure the administration to take action.

The recommendations that follow are institutional measures, but it is important to cultivate a culture that recognizes that institutional interventions are not the only means of conflict resolution, and that they may in fact inhibit the natural growth of community-based conflict resolution practices.

The UC Academic Senate has recommended **(1)** substantially defunding and disarming campus police.¹⁷⁴ This would be a good start toward abolition. Restricted funds for policing should be underspent to the greatest degree possible and either reallocated as described below or returned to the source. Disarmament should not only encompass firearms and tasers, but pepper spray, batons, and lethal uses of bodily force as well.

(2) Policies relevant to use of force¹⁷⁵ should be revised, including by incorporating a substantial objective component,¹⁷⁶ assessed by independent accountability boards composed mainly of non-administrative members of the university—if any member of our "campus communities" is allowed to inflict harm on another with impunity, then our campuses can hardly be described as "communities."

The UC police union shields officers from accountability; for that reason, **(3)** the contract with Federated University Police Officers Association (FUPOA) should be renegotiated to allow for easier dismissal if police action is found to violate community expectations, not only policy, as determined by IABs.

¹⁷² A recharge (in the context of the University) is a transfer of money (typically in exchange for a good or service) from one department to another. Because this money has only been allocated once from the perspective of the powers-that-be in the campus or UCOP financial offices, it makes sense that it should not be counted twice as an expenditure for the purposes of accounting. However, these internal transfers can sometimes obscure where money flows to and from within the overall budget.

¹⁷³ Compiled from [Academic Senate](#), [BIPOC UCSE](#), [LSAD UCB](#), [Anonymous](#), [Berkeley IAB](#)

¹⁷⁴ [Recommendations for UC Policing](#) – UC Academic Senate, June 29, 2020

¹⁷⁵ For example [UC Irvine Police Policy 300.9: Use of Force](#) – UC Irvine, June 6, 2020

¹⁷⁶ [Armed Policing Legal Framework: Reasonable Force](#) – College of Policing, June 28, 2018

Further, **(4)** UCOP should be pressured to make UC police departments directly liable for the entirety of settlements related to police misconduct, rather than funds to which police are not responsive. UCOP must be discouraged from making any effort to shield UCPD from this increased liability such as through increased budgets or unplanned expenditures, even if UCPD faces insolvency.

We support all recommendations from the Berkeley IAB¹⁷⁷ regarding UCPD, and we highlight and elaborate certain recommendations here. The UC should **(5)** reinvest police funding toward mental health and disabilities services, stipends for IAB service, and living wages for all UC workers.

All UCs should **(6)** follow Berkeley's lead towards creating teams of mental health professionals to perform wellness checks and respond to mental health emergencies.¹⁷⁸ These teams should be assigned other services that create safety and stability, such as escort services and lost and found services, and they should be created under independent authority, e.g. by expanding Committees on Faculty Welfare, since the administrative side of the UC's governance structure has shown itself to be incapable of properly governing public safety. This alternative mode of public safety should be subject to careful and continuous community oversight as it grows, with an appropriate level of discretion and transparency negotiated between mental health professionals and oversight boards. Former police officers should not be allowed to serve on these teams. CAT-911 teams are an example of a community-driven alternative form of emergency response that should be looked to as a model.¹⁷⁹

Additionally, **(7)** Public Safety Advisory Committees (PSACs) should be reformed as they were initially meant to be— independent accountability boards (IABs), based on the Berkeley model which affords real information transparency and community accountability. All members who serve on IABs should be paid living wages at the expense of the UC.

In alignment with Academic Senate recommendations,¹⁸⁰ **(8)** UC and all UC campuses should cut ties with other police departments, such as by removing off-campus assistance and so-called "mutual aid" provisions from Emergency Operations Plans,¹⁸¹ and introducing

¹⁷⁷ [Annual Report](#) (p 21-26) - UC Berkeley Chancellor's Independent Advisory Board on Police Accountability and Community Safety, June 30, 2020.

¹⁷⁸ *Id.*

¹⁷⁹ [CAT-991 website](#)

¹⁸⁰ [Recommendations for UC Policing](#) - UC Academic Senate, June 29, 2020

¹⁸¹ [Emergency Operations Plan](#) - UC Irvine, January 2017

exclusivity clauses in police contracts to prohibit the provision of policing resources off the campuses where UCPD officers are employed.

To move beyond financial complicity the UC should **(9)** refuse to renew contracts and partnerships with Amazon and Aramark, while using its \$23.6B retirement savings investment portfolio to force managers State Street Advisors and Fidelity into selling their private prison holdings.

Due to the intimidating nature of police presence, **(10)** there should be no police presence in negotiations concerning police funding, accountability, and governance. Those who are unwilling to forfeit firearms or adhere to strict accountability should be encouraged to resign. In other words, there should be no compromises.

Conclusion

Campus police have always served as an oppressive force, and reforms have failed to change that fact. It is time to work toward abolition, committing funds to institutional structures that promote safety and stability instead of violently reacting to the symptoms of social insecurity. In this report, we have provided a list of tangible and specific measures that could be taken within the University of California to promote campus safety while also minimizing the harms that police pose to the public.

The powers that be in the UC, much like those in the United States, will not simply recognize their own humanity in their violent actions, which they inflict through police agents, and give up the power they wield through those agents. It is time for workers across the UC system to band together, to organize through our unions to stand up for the wellbeing of working people, and to take back the UC from private interests. Since the police are the weapons of the wealthy, who are invested in social insecurity, our first step must be to work toward police abolition.