

# Annual Report of the Independent Review Committee for the University of Chicago Police Department

## May 2011

In the mid-1980s, the University of Chicago established the Independent Review Committee for the University of Chicago Police Department (UCPD) to examine complaints against the UCPD involving charges of excessive force, violation of rights, and abusive language. The committee is composed of faculty members, staff, students, and members of the community. It reviews the internal investigations that UCPD conducts and reports its conclusions and recommendations to the Provost, President, Vice President for Civic Engagement, and the wider community via its annual report.

This report describes the committee's work and assessments regarding complaints against the UCPD for the 2009–10 academic year.

### I. The Complaint Review Process

The UCPD operates under strict rules and regulations that provide for professional conduct. The University takes complaints against the UCPD seriously. The procedure for investigation is as follows:

1. A member of the University community or a resident of the neighborhood who is dissatisfied with UCPD may call the dispatcher at 773-702-8181 and ask to speak with the Watch Commander or the supervisor on duty; or may make a formal complaint by completing a Citizen Complaint Form, available at [http://safety-security.uchicago.edu/police/Citizen\\_complaint.pdf](http://safety-security.uchicago.edu/police/Citizen_complaint.pdf). Students at the University may seek assistance from a representative of the Office of Campus and Student Life by calling 773-702-8181. Community members needing assistance may contact the Office of Civic Engagement at 773-702-8195.
2. Each complaint is assigned to a UCPD supervisor for investigation. The investigation includes formal interviews of all parties concerned.
3. After the investigation is completed, the investigation and findings are reviewed by supervisors through the chain of command within UCPD. The Associate Vice President for Safety and Security and Chief of Police reviews every investigation and makes the final decision with respect to the investigative finding and any discipline imposed.
4. The complainant will receive a written response from the Associate Vice President & Chief of Police to explain the findings and any disciplinary action taken as a result of a sustained complaint. The possible findings are:
  - *Unfounded*: The allegations are not factually accurate; the alleged conduct did not occur.
  - *Exonerated*: The alleged conduct did occur, but it was justified under the circumstances.
  - *Sustained*: The alleged conduct did occur, and it was not justified under the circumstances.
  - *Not Sustained*: The written record of the investigation does not support a determination of whether the alleged conduct occurred. A classification of Not Sustained is used whenever a case involves conflicting stories that are not clearly resolvable on the basis of evidence presented.
5. For complaints relating directly or indirectly to issues of excessive force, violation of rights, or abusive language, the investigative report will be submitted to the Independent Review Committee for review.
6. As noted above, the committee annually reports its findings and recommendations to the Provost, President, and Vice President for Civic Engagement. This report, summarizing all incidents reviewed and recommending changes to policies and procedures, is made available to the public via the University's website at <http://www.uchicago.edu/about/documents/irc/>.

### II. Complaint Summaries and Review

There were 10 complaints filed against the UCPD during the 2009-10 academic year and 5 complaints from the previous year that were delayed in reaching the IRC. Of those 15 complaints, the IRC reviewed the 13 that involved allegations of excessive force, violation of rights, or abusive language. (See Figure 1.) Two complaints constituted personnel matters internal to the UCPD and were thus outside the IRC's purview.

### III. Committee Case Reviews

Below the committee discusses each case, its concurrence with UCPD's conclusions or not, any concerns with investigatory procedures, and any recommendations for modifications.

#### CR # 08-03-02

**Case Summary** The complainant, a Medical Center employee, alleged that the accused officer declined to receive her report of a stolen wallet because his shift was ending shortly, and he preferred to let the person who would be assuming his post take her information. The accused officer responded that he was unable to provide immediate assistance to the complainant because he was on the phone making transportation arrangements for a disabled person.

- **Allegation** The complainant alleged that the accused officer told her to come back in 10 minutes to file a theft report because he was getting off work. Based on interviews with those present, UCPD classified this allegation as Sustained.
- **Committee Response** *The committee concurs with UCPD's findings in this case. The committee, however, took issue with certain aspects of the quality of the investigation. The investigator's style in questioning a witness closed down the interview and discouraged opportunities to provide useful information and detail. The committee further found no legitimate basis in the file to justify the investigator's decision to question the veracity of that witness. On the other hand, the investigator questioned the accused officer in a leading fashion that appeared to telegraph an exculpatory story to the officer.*
- *UCPD's detailed letter to the complainant is an excellent model, conveying the seriousness with which the complaint was taken.*

#### CR # 08-04-05

**Case Summary** The complainant alleged that a UCPD officer denied him entry to the University of Chicago Medical Center emergency room and addressed him with foul language. The complainant did not return telephone calls, and the address that he provided does not exist, making it impossible for UCPD to complete their investigation.

- **Allegation 1** The complainant alleged that an officer denied him entry to the emergency room. There was no UCPD finding regarding this allegation.
- **Allegation 2** The complainant alleged that the officer called him a bitch and a punk. There was no UCPD finding regarding this allegation.
- **Allegation 3** The complainant further alleged that he was cursed at in public by the officer. There was no UCPD finding regarding this allegation.
- **Committee Response** *UCPD informed the committee that the Department may not question an accused officer about a complaint without a sworn affidavit signed by the complainant or other witness unless the complaint involves a potential criminal or other serious offense. Does this bar extend even to viewing a videotape, which might have confirmed or disproved the allegations? Some members of the committee thought that denying access to the emergency room, where medical attention may be sought, potentially constitutes an extremely serious offense. The Committee also notes that the complainant made his complaint to UCPD in person within minutes of the alleged incident. Was there an opportunity to obtain a more complete statement or affidavit at that time?*

*The committee also recommends that a copy of the letter that was sent to the individual be included in the file and an explanation of how UCPD determined that the address did not exist be documented. Did a UCPD officer drive by to check? Did UCPD Google the address?*

## **CR # 08-05-06**

**Case Summary** The complainant was with her mother in the treatment area of the emergency room when the medical staff determined that she (the complainant) was disruptive and asked her to leave. A short time later, a doctor, after having provided the patient with treatment, entered the waiting area to speak with the patient's family members. There was a factual dispute about whether the doctor invited the complainant back into her mother's room. After the doctor left, the complainant attempted to reenter the restricted area. The accused officer asked her not to do so. A physical confrontation ensued in which the accused officer forcibly restrained the complainant.

- **Allegation 1** The complainant alleged that the officer used unnecessary force during an attempt to handcuff her. Based on the facts, UCPD Exonerated the officer.
- **Allegation 2** The complainant further alleged that the officer twisted the complainant's arms behind her back and threw her against a wall, injuring her hand and arm in the process. UCPD's examination determined that this allegation was Not Sustained.
- **Committee Response** *While the IRC agreed with the findings, there was strong sentiment that the officer could have done a better job de-escalating the situation. The IRC agreed that the ability of the medical staff to administer proper care superseded the emotional needs of the accompanying family members. It was clear that the complainant was upset and angry about being excluded from her mother's hospital room during treatment. It was less clear that the accused officer did all he could have done to calm the situation. The interaction between the complainant and accused officer escalated all too quickly into a heated disagreement about whether the complainant was permitted to enter her mother's room. The physical confrontation that ensued may have been averted if the officer had recognized that he had other tools at his disposal, such as verbal de-escalation techniques. The incident illustrates the benefits of the committee's recommendation for additional UCPD officer training on de-escalation technique.*

*There were also some investigative shortcomings that reduced the committee's confidence in the findings. While a key factual dispute revolved around whether the treating doctor invited the complainant to return to her mother's room, the investigator made no attempt to interview the doctor.*

*The file also does not document any effort by UCPD to interview eye-witness relatives from out-of-town. The file does not contain photographic evidence of the allegedly injured arm, nor did the investigator document that he asked the complainant about medical records for treatment that she may have sought for the alleged injury. The committee also wondered why the two officers who arrived as back-up were not interviewed about what they might have seen.*

*The committee notes that some of the questions that the investigator asked the accused officer (Attachment #12, p. 5) were leading and suggestive of the "right" response.*

*The committee also does not know whether UCPD or medical personnel make the ultimate decision about who may accompany a patient into the treatment area of the emergency room. Is there special training that Medical Center officers receive that addresses such questions of*

authority?

#### **CR # 08-10-14**

**Case Summary** A mother complained on behalf of her daughter, a recent alumna of the University, that over a period of several months, the accused UCPD officer harassed her daughter by repeatedly engaging in unduly personal conversations, which the daughter experienced as harassing and even stalking. According to the mother, the daughter was concerned that complaining to UCPD would result in retaliation by the accused officer.

- **Allegation 1** The complainant alleged that the officer approached her daughter at the Henry Crown Field House and asked her daughter for a date. The daughter did not respond to repeated attempts to interview her, leading UCPD to determine that this allegation was Not Sustained.
- **Allegation 2** The complainant alleged that her daughter informed her that the accused asked her daughter for her routine (i.e., how often she came to the gym and where she worked). Because the daughter did not respond to UCPD's efforts to interview her, UCPD determined that this allegation was Not Sustained.
- **Allegation 3** The complainant alleged that the officer is harassing her daughter. As with the previous allegations, UCPD determined that this one was Not Sustained because their attempts to interview the daughter were futile.
- **Committee Response** *In this case, the mother signed an affidavit, and the committee deemed the circumstances sufficiently serious to warrant an investigation into the officer's professional conduct. The mother indicated that she believed that her daughter was afraid to speak with the UCPD investigator or to sign an affidavit in support of the complaint. The officer was notified of the complaint but not interviewed or counseled. The IRC urges UCPD to develop a clear written policy establishing the circumstances under which it will investigate a complaint despite the lack of a signed affidavit. The IRC also urges UCPD to emphasize that an accused officer is prohibited from retaliating against the individual who brings forward a complaint, and what the serious consequences of such retaliation are.*

*The IRC recommends that UCPD consider when it might be better to assign a female investigator to a case and to make such assignments accordingly. UCPD might also consult with one of the Unlawful Harassment Complaint Advisors. UCPD may also consider inviting a staff member from the Office of Campus and Student Life to reach out to a recent alumna to explain the importance of participating in an investigation. Having a supportive, informed resource person from Campus and Student Life may make a big difference in some situations.*

*The committee again noted the absence of documentation to substantiate their efforts to contact the daughter, whom the accused officer was alleged to have pursued.*

#### **CR # 08-11-08**

**Case Summary** While complainant was standing in the street engaged in conversation with a woman whom he had just met, the accused UCPD officer intervened in a way the complainant found too aggressive.

- **Allegation 1** The complainant alleged that the officer pushed him three times. UCPD found that this allegation was Not Sustained.
- **Allegation 2** The officer was accused of shoving a gold badge in the complainant's face. UCPD determined that this allegation was Not Sustained.

- **Committee Response** *The committee found this file incomplete. The UCPD investigator asserted that the complainant's initial statement was inconsistent with his subsequent allegations. Was there a transcript of the complainant's initial complaint? The file did not contain an interview with the accused officer; was one conducted? The file also refers to a statement from another officer; that statement was also missing from the file. Why is there no documented effort to identify or interview the woman in the street or her companions? The investigator referred to a young woman who was recently shot in the area; is there corroboration for that assertion?*

*The letter to the complainant is sparse and lacking in the detail and analysis that assure a complainant that s/he has been heard and that her/his allegations have been carefully investigated.*

**Allegation 1** *The committee concludes that there is insufficient evidence in the file to make a determination.*

**Allegation 2** *The committee finds that dismissing this allegation on the basis of badge "color" ignore the realities of metal's gleam. Again, the committee concludes that the file contains insufficient evidence to make a determination.*

### **CR # 09-03-03**

**Case Summary** In this case, a plainclothes officer in an unmarked UCPD car is alleged to have cut in front of the complainant, stuck out his finger, and cursed at the complainant at a four-way stop-signed intersection when it was the complainant's turn to proceed through the intersection. The unmarked UCPD car was following a UCPD squad car that contained an arrestee. The UCPD squad car and the UCPD unmarked car pulled over by the UCPD station, at which time the complainant told the plainclothes UCPD officer to watch how he was driving. A discussion between the two ensued with the plainclothes UCPD officer standing outside the complainant's vehicle and the complainant inside his vehicle.

- **Allegation 1** The complainant alleged that an unknown officer wearing a gray hoodie and driving an unmarked car cut him off in traffic. The UCPD investigation concluded that since the complainant stated that the accused officer was a Chicago Police Department officer, not a University of Chicago Police Department officer, the complaint was outside the legal authority of UCPD to investigate.
- **Allegation 2** The complainant alleged that the accused officer stuck his (officer's) finger up, exited his vehicle and pulled out a Chicago Police badge, and began swearing at him while requesting to see his driver's license. Again, the UCPD investigation concluded that since the complainant stated that the accused officer was a Chicago Police Department officer, not a University of Chicago Police Department officer, the complaint was beyond the legal authority of UCPD to investigate.
- **Committee Response** *The file shows that once the plainclothes officer was standing outside the complainant's car in front of the UCPD station, witnesses who knew and identified the accused plainclothes UCPD officer happened to be present. Since those individuals—including a UCPD Deputy Chief—were interviewed in the investigation of this complaint, the IRC does not understand UCPD's assertion that it lacks authority to investigate and make a determination because the complainant's statement accused a Chicago Police officer, not a University of Chicago Police officer. Perhaps the typographical error or omission was UCPD's, not the complainant's. The complainant complained to the correct police department about an officer whom others correctly identified as a member of that police department. In fact, UCPD conducted a thorough investigation, with the accused UCPD officer himself providing an account of the facts as he knew them.*

*The IRC recommends that Allegation 1 be Sustained and Allegation 2 Not Sustained.*

*For the integrity of the complaint process, sound community relations, and transparency, it is vital that UCPD not dismiss complaints on clerical technicalities.*

**CR # 09-04-04**

**Case Summary** The complainant noticed that she had received a parking ticket and asked the accused officer if he realized that he had ticketed an employee's car (hers), which she had improperly parked in a visitors parking area. Their conversation became heated, with both parties ultimately complaining through official channels about the other.

- **Allegation 1** The complainant alleged that the accused officer verbally harassed her while she was getting into her vehicle. The UCPD investigation determined that this allegation was Unfounded.
- **Allegation 2** The complainant alleged that the accused officer attempted to entrap her by trying to provoke her into saying that she would not treat him if he came to the emergency room. UCPD's examination of the evidence revealed that this allegation was Unfounded.
- **Allegation 3** The complainant alleged that the accused officer defamed her character. UCPD concluded that this allegation was Unfounded.
- **Allegation 4** The complainant alleged that she was harassed by the accused officer when he falsified a written statement to her supervisor alleging that she refused him medical treatment. In reviewing the evidence, UCPD determined that the fourth allegation was Unfounded as well.
- **Committee Response** *The committee agreed with UCPD's findings of Allegations 2 and 3. Based on the array of evidence in the file, the IRC believes that Not Sustained would be better findings for Allegations 1 and 4.*

**CR # 09-04-05**

**Case Summary** The complainant, an African-American University staff member, alleged that after she hurried across campus to a bus stop, the accused plainclothes officer stopped her and asked her for her ID without justification while she was waiting for her bus. The complainant felt that she was singled out on account of her race.

- **Allegation 1** Complainant alleged that the accused officer's approach was wrong and that she was discriminated against. UCPD's investigation into this allegation concluded that it should be Sustained.
- **Committee Response** *In this case, the committee agreed with UCPD's finding. It was apparent to the committee that the officer meant no malice and that the department would benefit from a clarification of when and how it is appropriate to make a stop and request identification. The line between justifiable and not is often subtle.*

**CR # 09-06-07**

**Case Summary** A young child was in a Hyde Park shop with his mother. A UCPD officer was also present. When the mother went into the back with the shopkeeper, her son went behind the counter to pet the dog. The dog bit the boy, and his crying brought the mother and shopkeeper to his aid. The mother rushed her son from the shop to the business next door. There, the staff helped clean and calm the boy and called an ambulance. Then one staff person went next door to advise the shopkeeper and officer that the dog had bitten the boy. It appeared to her that neither one took appropriate steps when the child was bitten or after she confirmed what

had occurred in their presence.

- **Allegation 1** The complainant alleged that a young boy was bitten by a dog in a local shop where the accused officer was present. UCPD reviewed the facts and determined that the officer's actions were Exonerated.
- **Allegation 2** The complainant alleged that the accused officer rendered no assistance or medical help. After examining the evidence, UCPD found that this allegation was Sustained.
- **Committee Response** *The IRC agreed with the findings in these allegations. The investigation revealed that the officer himself had been bitten by the same dog on another occasion; the IRC questioned whether UCPD should have inquired about the appropriate protocol regarding a dog that has bitten at least two people. There was no documentation in the file about such an inquiry.*

#### **CR # 09-06-08**

**Case Summary** The complainant was returning to Hyde Park via public transit and became uncomfortable because another passenger was staring at her. She became concerned about walking home alone once she got off the bus, and used her cell phone to call UCPD for an escort between the bus stop and her home. UCPD was unable to send a car immediately or to stay on the phone with her while she waited. She flagged down the SafeRide van, which took her home before the UCPD officer arrived to escort her.

- **Allegation 1** The complainant alleged that she waited more than 20 minutes for an officer to provide an escort (umbrella coverage). UCPD's examination of the evidence Exonerated the accused.
- **Allegation 2** The complainant alleged that the accused dispatcher refused to stay on the line while she waited for an escort. UCPD's review of the facts Exonerated the dispatcher.
- **Committee Response** *The evidence in the file confirmed that UCPD dispatchers responded appropriately and professionally to the requests for umbrella coverage and did not misrepresent how quickly a public safety officer would be able to arrive.*

#### **CR # 09-08-10**

**Case Summary** The file contained no case summary. The complainant never signed his affidavit, therefore UCPD was unable to investigate this complaint.

- **Allegation 1** The complainant alleged that the accused officer was condescending toward him. Because the complainant did not sign an affidavit, the investigation could not proceed.
- **Allegation 2** The complainant alleged that the accused officer intimidated him by saying that she would be watching him. Because the complainant did not sign an affidavit, the investigation could not examine this allegation.
- **Allegation 3** The complainant alleged that the accused officer stopped him without justification. The lack of a signed affidavit prevented UCPD from making a determination on this allegation.

#### **CR # 2010-05**

**Case Summary** An accused uniformed officer found complainant in a closed area of a campus library, and he advised the complainant to relocate to the portion of the building that was still open. The complainant protested,

and the officer asked for complainant's ID, explaining that there had been several burglaries in the area. When the complainant was unable to find his ID, he began packing up his belongings to leave the premises. The officer radioed for back-up. Three additional officers then stopped the complainant outside the building, where the accused plainclothes officer used abusive language. The complainant used his cell phone to call a faculty member, who confirmed that he had a right to be in the campus building.

- **Allegation 1** The complainant alleged that the accused plainclothes officer spoke in a harsh manner, yelling at the complainant, calling him stupid, and telling him to "call his handler." Based on its evaluation of the facts, UCPD Sustained this allegation.
- **Allegation 2** The complainant alleged that the accused uniformed officers were present and that they kept him from leaving the location of the encounter. UCPD examined the evidence and determined that this allegation was Not Sustained.
- **Additional Allegation 1** The complainant alleged that he was racially profiled and racially discriminated against by 3 uniformed UCPD officers and 1 plainclothes officer. The investigator found that this allegation was Unfounded.
- **Additional Allegation 2** The complainant alleged that one officer removed his bag from his shoulder, opened it, and searched it. The investigator found that this allegation was Not Sustained.
- **Additional Allegation 3** The complainant alleged that the same officer searched his pockets without lawful authority or permission. The investigator found that this allegation was Not Sustained.
- **Additional Allegation 4** The complainant alleged that he requested that the plainclothes officer provide his name and badge number, which were not provided. The investigator found that this allegation was Not Sustained.
- **Committee Response** *The IRC compliments the UCPD investigator for promptly and appropriately amending the complaint as he learned more during the course of the investigation. The IRC agrees with UCPD's disposition of the two original allegations and with the investigator's conclusions regarding the additional four.*

*The letter to the complainant, however, does not speak to the four additional allegations.*

*While the visual search of the bag, to which one officer admitted, seemed appropriate under the circumstances—the IRC agrees with the investigator's conclusion that the allegation be Exonerated—it seems unlikely that none of the other three officers present noticed the bag search. What happens in the event of such a discrepancy in the course of an investigation? How does UCPD reconcile such discrepancies? Just as sometimes citizen complaints trigger performance evaluations and even disciplinary action, is there a parallel process for internal procedural problems or irregularities?*

*As this was the second case reviewed by the IRC this year in which the requested or allegedly requested ID was not produced, the IRC recommends that UCPD develop a procedure for handling a person who does not have ID with him/her.*

## **CR # 2010-06**

**Case Summary** An employee at the Regenstein Library complained to the UCPD that two presumed students refused to show her their IDs and were loud and disrespectful. In response, the accused sergeant arrived at the library. While there is disagreement among those present about the content of his verbal exchange with the

student whom the sergeant ultimately arrested, it is agreed that the discourse was courteous. When the sergeant believed that the growing crowd around him and the student made it necessary to pursue the matter without an audience, he asked the student to step outside with him. The student refused, and the sergeant arrested him. The sergeant exercised physical force in the course of the arrest. The student was charged with resisting arrest.

- **Allegation 1** The complainant alleged that the accused sergeant did not explain what was going on and was rude. Based on their evaluation of the evidence, the UCPD classified this allegation as Sustained.
- **Allegation 2** The complainant alleged that the accused sergeant did not explain why they (the students) had to leave the library. After conducting many witness interviews, the UCPD determined that this allegation was Sustained.
- **Allegation 3** The complainant alleged that the accused sergeant placed the arrestee in a choke hold and used excessive force. Following its review of the evidence, UCPD recorded this allegation as Sustained.
- **Committee Response** *The committee believed that the complexity and notoriety of this case as well as the opportunities for improved processes and policies warranted a prompter response than its Annual Report. That full review is available at:*  
[http://www.uchicago.edu/about/documents/irc/irc\\_regenstein\\_incident\\_review.pdf](http://www.uchicago.edu/about/documents/irc/irc_regenstein_incident_review.pdf)

*The IRC made a number of policy recommendations in its report on the incident, recommendations that arise as much from the committee's review of other cases as its review of this matter. The IRC reiterates some of its recommendations in the Recommendations section below.*

## V. IRC General Recommendations

The committee respectfully makes the following recommendations for University and UCPD consideration:

**Responses to Challenges to Authority** UCPD officers often interact with people in stressful situations when people can be at their worst. The IRC has observed in its reviews a number of confrontations that may have been avoided had there been additional officer training to make visible to officers alternatives to the exercise of force. The need for training is particularly acute in situations in which UCPD officers perceive challenges to their authority as they did in CR #08-05-06 and 2010-06. The IRC recommends department-wide training on verbal de-escalation techniques to expand the tools available to UCPD officers for responding to potential challenges to their authority. The Committee believes that such training would improve UCPD effectiveness and reduce the need to assert force.

**Verbatim Interviews** As noted in the separate review of CR # 2010-06, the IRC recommends that UCPD record and transcribe interviews so that the IRC may evaluate the quality of the information elicited in the context of the quality of the questions. The IRC also recommends that each interviewee be given the opportunity to review and sign off on his or her interview. UCPD has already informed the IRC that its new procedures incorporate this recommendation. The IRC believes that this will facilitate better investigations and analyses within UCPD as well as better subsequent reviews by the IRC.

**Rapid Response** In instances of alleged excessive force or other forms of serious misconduct, every attempt should be made at the scene to seek witness statements and preserve evidence while they are fresh. The IRC understands and appreciates that UCPD is in the process of implementing new procedures better to accomplish this goal.

**Maintenance of UCPD Complaint Investigative Files** Too often the Committee has confronted incomplete

or inadequately documented investigative files, a situation that has impaired its review of UCPD investigations. As a part of UCPD's efforts to revise its complaint investigation procedures, the IRC recommends that UCPD require that all aspects of an investigation into allegations of official misconduct be included in the complaint register files sent to the IRC for review. For example, notes of all initial statements and material from complaints should be maintained in the file. All attempts to interview witnesses, obtain reports or other evidence, or investigate the scene should be documented. When appropriate, a map or diagram of the scene should be standard a part of a file to assist the investigator and reviewers in evaluating witness statements and other evidence. The investigator should seek to document each witness's race, gender, age, and University affiliation (e.g., faculty staff, student, community member, etc.) as a matter of standard practice and should record that information in the Report Digest of each investigative file for both recordkeeping and data analysis purposes.

**Assignment of UCPD Investigator** In instances such as CR # 08-10-14, it may benefit the investigatory process for a female investigator to be assigned.

**Communication with Complainants** Also as part of UCPD's laudable efforts to revise complaint procedures, the IRC recommends that UCPD develop procedures and material that ensure better communication with complainants about the investigative process, expectations, and the outcome of investigations. For example, UCPD should consider providing, upon first contact with each complainant, a letter or information sheet that outlines the investigative process and sets out appropriate expectations. To encourage hesitating complainants to see the complaint process through, the IRC suggests that UCPD craft plainspoken language to explain that without a complainant's signature on an affidavit, UCPD may not be able to investigate their complaint fully (except in the most serious cases, such as when the criminal law is alleged to have been violated). The information sheet or letter might also state that UCPD wants to be able to investigate all complaints as a way to ensure that problematic behavior is corrected and prevented in the future and as a way to clarify when behavior that appeared problematic was, in fact, legitimate. The current trend toward sparse, formal communications of findings to complainants does not serve UCPD as well as the department's previous style of detailed letters. The earlier letters shared the facts, even the disputed ones, and explained how UCPD reached its conclusion. Such letters are private acts of civility and expressions of regard, conveying the seriousness with which a citizen's complaint is received and investigated. The IRC believes that more expansive letters better support good community relations, reflect transparency, and more helpfully inform complainants.

**Training of Investigators and Specialization** The IRC has observed some unevenness in the quality of the investigative files subject to its review. The Committee appreciates that UCPD recently appointed a new Deputy Chief for Professional Standards to oversee police misconduct investigations. In addition to the planned specialization, new procedures, and improved oversight, the IRC recommends additional training of investigators to ensure consistent, high-quality investigations and witness and officer interviews.

**Complaints for Racial Profiling** While UCPD has taken care over the years to address concerns of racial profiling, UCPD continues to receive some complaints of profiling or discriminatory treatment. Campus and public concern about the issues of race and policing also came to the fore in public conversations following the high-profile arrest of an African-American student in the Regenstein Library. The IRC commends UCPD's plan to conduct additional training around the issues of racial profiling and cultural sensitivity. Finally, the IRC believes that UCPD's commitment to improving its complaint investigation procedures and communications with complainants will do much to improve trust and relations between communities of color and UCPD.

## **VI. Final Comment**

**Revision of UCPD Policies** UCPD has indicated its intent to make a priority the improvement of practices and

procedures for investigating complainants of police misconduct. In that regard, Chief Lynch has appointed a Deputy Chief for Professional Standards, who has begun to revise the policies and procedures with an eye toward departmental accreditation. Chief Lynch has invited the IRC to participate in reviewing and commenting on the new and updated policies and procedures, and the IRC has expressed its willingness to do so. The first policy that UCPD shared with the IRC is the investigation procedure for complaints. The IRC commends UCPD for its serious efforts to improve its procedures and appreciates the opportunity to work with UCPD to develop model policies and practices for addressing complaints of officer misconduct.

**Members of the Committee**

Craig Futterman, *Clinical Professor, Law School and Committee Chair*

Ashley Alger, *Student in the College*

Wendy Doniger, *Professor, Divinity School and the College*

Ingrid Gould, *Associate Provost and staff to Committee*

Cindy Jurisson, *Community member*

Jamie Kalven, *Community member*

Robert Rush, *Associate General Counsel, Office of Legal Counsel*

Belinda Vazquez, *Assistant Dean of Students, Office of the Vice President and Dean of Students*