Resolution Regarding University Police Department Capabilities to Properly Protect Students, SR 2020-2021:06

Authors: Manshaan Singh, ASI Vice President

WHEREAS, California Education Code, Section 220, states, "No person shall be subjected to discrimination on the basis of sex, ethnic group identification, race, national origin, religion, color, mental or physical disability, or any basis... in any program or activity conducted by an educational institution that receives, or benefits from, state financial assistance or enrolls pupils who receive state student financial aid."; and,

WHEREAS, California State University's Executive Order 1097, Section B, states, "The CSU strives to be free of all forms of Discrimination, including Harassment, because of a Protected Status. It is CSU policy that no Student shall be excluded from participation in, or be denied the benefits of, any CSU program or activity because of any Protected Status."; and,

WHEREAS, Cal Poly Pomona's Administrative Policy 1.1, states, "Cal Poly Pomona adheres to the California State University (CSU) system policies embodied in the CSU executive orders (e.g. EO 926, 1088, 1095, 1096, and 1097)."; and,

WHEREAS, In the year 2019-2020, the Associated Students Incorporated passed Senate Resolution 2019-2020:01 stating, "The Associated Students, Incorporated stands against each incident of racial profiling, harassment, bias and discrimination that has occurred on our campus and stands against any future incidents that may occur"; and,

WHEREAS, There have been students particularly of BIPOC backgrounds that have experienced unfair treatment at the hands of the University Police Department (henceforth referred to as the UPD); and,

WHEREAS, Many students have reported being shunted out of any legitimate complaint process, with no path for recourse for complaints around racial bias and harassment; and,

WHEREAS, In November of 2020, a CPP Police Advisory Taskforce was convened, charged "to design the structure and purpose for the future advisory board" in order to eventually "reform the campus' police force"; and,

WHEREAS, On February 15, 2021, an African-American student (hereby referred to as The Student) released an open letter regarding his experience with the UPD; and,

WHEREAS, The Student detailed that after reporting fraudulent spending on a debit card, he had been
accused of having "stole [his] own identity then reported it immediately to the police"8; and,

WHEREAS, Ten months later, the Student then "received a summons from the District Attorney to appear concerning filing a false police report" without having been contacted by the Office of Student Conduct & Integrity, or any other administrative office of the campus for that matter9; and,

WHEREAS, Due to this lack of administrative oversight over the UPD, the Student is being forced "to appear at a courthouse early in the morning, miss class, and expose [him]self to Covid-19"10; and,

WHEREAS, This incident reflects a pervasive culture of enforced bias in the UPD, as well as systemic policy issues in the UPD's handling of student conduct issues; and,

WHEREAS, This incident reflects the acute lack of oversight the campus has over the UPD; and,

WHEREAS, This may just be one of other incidents similar to this but that have not been brought to the forefront by other students affected but not comfortable reporting; so therefore be it,

RESOLVED: The Associated Students, Incorporated stands in solidarity with the Student and condemns the actions of the UPD in his case; and,

RESOLVED, The Associated Students, Incorporated affirms a vote of no confidence in the current UPD capabilities to properly protect students and respond to complaints in an equitable and unbiased manner; and,

RESOLVED, The Associated Students, Incorporated calls for the Police Advisory Task Force is designing to be upgraded to a board with oversight capabilities to review and change UPD policy; and,

RESOLVED, The Associated Students, Incorporated calls for the immediate cessation of the UPD referring cases to District Attorney offices without going through the Office of Student Conduct & Integrity; and,

RESOLVED, The Associated Students, Incorporated calls for the establishment of a student-friendly and equitable complaint process for incidents with UPD, established with the vote of a body that consists of student-majority; and,

RESOLVED, That copies of this resolution be distributed widely, including, but not limited to: the University Police Department and Chief Dario Robinson, University President, Dr. Soraya M. Coley and her cabinet; the University Academic Senate; the University Staff Council; the University Human Resources; the University Title IX Office; the University Office of Institutional Equity and Compliance; the California State Student Association; the Cultural Centers; the ASI Student Government; the ASI staff; the Poly Post; and the students of Cal Poly Pomona.

1 https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=EDC&sectionNum=220
2 https://policies.csub.edu/files/133353ea-4bc7-4134-b8fe-2007e0fa03cf.pdf?v=71498
3 https://cpp.policystat.com/policy/8642455/latest/
5 Ibid.
7 https://lastpagekillsreader.medium.com/i-reported-a-crime-and-ended-up-being-accused-of-one-366388d41422
### Approval Signatures

<table>
<thead>
<tr>
<th>Step Description</th>
<th>Approver</th>
<th>Date</th>
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<tr>
<td>Signed by ASI President</td>
<td>Lucille Yu [MJ]</td>
<td>May 10, 2021</td>
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<tr>
<td>Signed by ASI Attorney General</td>
<td>Matthew Jacobson</td>
<td>May 10, 2021</td>
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<tr>
<td>The Individual(s) presents SB/SR to the ASI Board of Directors for Discussion and Action</td>
<td>Matthew Jacobson</td>
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<tr>
<td>The Individual(s) presents SB/SR to the ASI Rules and Policies Committee for Discussion and Action</td>
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<td>The Individual(s) work with ASI Attorney General to create draft</td>
<td>Matthew Jacobson</td>
<td>May 10, 2021</td>
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Matthew Jacobson, ASI Attorney General, do hereby certify that the attached is a full, true and correct copy of Senate Resolution 2020-2021:06 – Resolution of No-Confidence in the University Police Department, adopted with a favorable majority vote of thirteen (13) ayes, zero (0) nays, and zero (0) abstentions by the ASI Board of Directors at their Regular Meeting on May 6, 2021.

Signature

ASI Attorney General
Title

APPROVAL

ASI Board of Directors Approval Date: May 6, 2021

Verified By:

Matthew Jacobson, ASI Attorney General

05/06/2021

Date

Approved By:

Lucille Yu, ASI President

05/06/2021

Date