



June 16, 2010

Administration's response to the Police Review Board Report on November 20th events

Immediately following the November 20, 2009 protests at Wheeler Hall, I as Chancellor, together with Ron Coley, Associate Vice-Chancellor with interim responsibility for police services, asked the campus Police Review Board to undertake an independent investigation of the events of that day. After months of intensive work, the Police Review Board, chaired by Berkeley Professor of Law and former judge Wayne Brazil and comprised of students, faculty, staff and community representatives, has completed its work and submitted its report. We want to express our sincere thanks to the Board for its comprehensive and carefully considered 127-page report and many constructive recommendations. With considerable investment of time and dedication to the good of the campus, the members of the Board have performed a very important service from which our entire campus community can learn and benefit.

We believe that the report's finding should be sobering for us all; this was a difficult day for the entire community and there is no cause for anyone to find reasons for pride or pleasure in this document's contents and conclusion. It portrays a situation of some confusion on the part of all parties: protesters, administration, and police and criticizes the administration and the police for not having foreseen and planned better, and for errors of implementation and failures of effective communication. The report's tone is serious and instructive and, as the Executive Summary declares, the purpose is not to lay blame but to learn lessons from the events so that we can prevent a repeat. We accept responsibility for the assessment of the administration's shortcomings on this day; we are prepared to learn from the report and, to the extent possible, implement its recommendations.

We have discussed the report with UCPD Chief Mitch Celaya. He also accepts the report's criticisms and is very carefully considering the report's recommendations; and has prepared his own response to the report. His leadership, department and officers continue to have our full support and we are seriously taking into account the report's suggestion that we provide additional resources and training for the department. Chief Celaya has assured us that the report will be used as an opportunity to facilitate improvement in UCPD's operations, policies and practices.

Since November 20th, we have put in place a much more robust crisis management structure and have communicated more actively with the campus, particularly with our students, to educate them regarding our Time, Place and Manner rules and how to protest safely. As the report indicates, we have a special obligation to uphold this university's long and honored tradition of supporting free speech and peaceful protest. We also have an equally important obligation to ensure and protect the rights and interests of all members of our community. This is a responsibility that must be shared by the whole campus community. We have learned from the events of November 20th and with a few notable exceptions, protests during the spring semester unfolded without serious conflict and in a manner that respected the rights of others.

There were, of course, many other groups besides the UCB administration and police involved in the events of Nov. 20. Among them are students, faculty, staff and some without any formal affiliation with our university. The one limitation of the report, in our view, is that by its charge it is limited exclusively to consideration of administrative and police actions and accountability. While there is no formal mechanism to review the actions and responsibilities of other groups who participated in these events, I hope that everyone involved will use the occasion of the publication of this report to reflect upon the actions by their own constituencies that might have reduced violence, promoted communication, ensured the veracity of information, and facilitated protest that does not deny the rights of others on campus.

As we study the recommendations of the report, we will continue to engage with the campus community, and particularly our students, to ensure that we continue to learn from its observations. Quoting from the report's own conclusion, we hope that "the campus can continue to develop deeper understandings of its constituent communities and of the dynamics between them" and we encourage our communities "to participate jointly in the challenging and rewarding task of finding ways to enrich and strengthen the connections between them."

We thank the campus Police Review Board for providing us with a rich platform on which to learn and improve.

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