

REPORT OF OUTCOME OF INVESTIGATION

Humboldt State University
Police Department

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On September 30, 2019, the Statewide University Police Association (“SUPA”) issued a press release announcing that its members in the University Police Department (“UPD”) at Humboldt State University had taken a vote of no confidence in their Chief of Police. The press release attributed the officers’ view of the Chief’s failed leadership to his frequent absence from campus, coupled with the fact his second-in-command is also often not on campus. The union leadership cited other reasons for the no-confidence vote as well, including allegations of the Chief’s manipulation of crime statistics reporting, and creation of a hostile work environment involving racially and ethnically inappropriate and insensitive comments aimed at minority officers.

The press release was the first time the University administration had heard of these allegations, with the exception of some of the alleged labor law violations, which were also the subject of an Unfair Labor Practice Charge filed with the California Public Employment Relations Board by SUPA and its HSU Campus Director in June 2019. Subsequent media articles provided further details on the specific allegations. One particularly serious claim was that the Chief told the one African-American member of the Department (a sergeant) that he was obliged to work “as a slave unto his master,” in what was allegedly intended to be a biblical reference in the context of a dispute between that sergeant and the lieutenant. It was also alleged that the Chief had asked other Department members whether an Asian-American UPD member thought he was “kung fu,” in reference to his facial hair.

The University administration immediately announced it would be investigating all of the allegations raised by SUPA. To accomplish this task, the school retained OIR Group to conduct an investigation into the specific allegations of misconduct.

In two visits to the HSU campus and subsequent telephone conversations, OIR Group investigators Michael Gennaco and Julie Ruhlin conducted 25 interviews, including every full-time member of the University Police Department, as well as other University officials outside the Department. We also reviewed documentary evidence as we sought to fully understand the nature of the allegations and the underlying dynamic that drove the union to its vote of no confidence. Our investigation addressed issues identified by the union and the officers and sergeants we interviewed, but also framed and pursued additional allegations as they emerged. The investigation was extensive and involved over 35 hours of interviews with many additional hours of review and analysis.

While the OIR Group investigation was underway, SUPA and the University agreed to settle the Unfair Labor Practice charge, resolving those allegations without any finding or admission of misconduct by the University or its employees.

The investigation was conducted pursuant to California Penal Code 832.7 and 832.8 which requires that the investigation be maintained as confidential and prohibits disclosure. However, those same statutes instruct that information about the disposition of a complaint is disclosable.

With regard to our recommended disposition, we concluded that the allegation of manipulation of crime statistics was unfounded, meaning that the information we gathered during our investigation indicated that the alleged act did not occur. With regard to the remaining allegations – including those alleging inappropriate racial or ethnic references – we found them to be “not sustained.” A “not sustained” finding does not mean the allegations were false; it means that there was insufficient corroborative evidence to establish by a preponderance of the evidence that the allegations of misconduct occurred. In other words, a “not sustained” finding means that the investigation disclosed insufficient evidence to either sustain the complaint or fully exonerate the employee.

While we found insufficient evidence to sustain charges against any University employee through its traditional disciplinary system, the investigation did reveal serious issues involving communication, leadership, internal division, and organizational dysfunction that require University reflection and remediation.

While we found that the UPD generally provides effective public safety services to its academic community, interpersonal conflict and poor communication has created dysfunction from within. Our reporting to the University provided insight into the underpinnings of that conflict so that University leadership could use available tools to remediate and repair that divide and facilitate a climate of effective communication and respect.