

the faculty, the fact sheet, and the facts: an honest accounting of november 18

This is a response to the “Fact Sheet on Recent Campus Demonstrations at UC Davis” prepared by the Chancellor’s Office after the pepper-spraying of students on November 18th and forwarded to the faculty on Dec 1 by Professor Linda Bisson, Chair of the Academic Senate. That “fact sheet” also contained material from emails sent by the Chancellor to the UC Davis community on Nov 18 and 19. That document has since been “updated” into a q-&a format which briefly addresses administrative response while eliding the events of and surrounding Nov 18 entirely.

We are compelled to issue a correction and response, as the document contains falsehoods of both commission and omission. We use this language advisedly and with a full understanding of its seriousness. The misrepresentations we note below contradict facts that are not only inarguable but are matters of general and pertinent knowledge, of which the Chancellor was obliged to be aware at the time of the fact sheet’s composition and distribution.

This response was prepared by faculty across several departments, in consultation with faculty, staff, and students; the final text was set by Joshua Clover, Professor of English, with Professors Margie Ferguson (English), David Wittman (Physics) and Daniel Cox (Physics). Below we summarize the most significant omissions and factual misrepresentations. Everything listed is a matter of public record; it has been verified via published reports, documentary video records, and eyewitness accounts drawn from those neither among the police and administration, nor the protesting students. On the reverse is a brief analysis concerning the significance of the Chancellor’s misrepresentations.

¶ **The “fact sheet” does not mention that the “demonstrators” were students.** Neither does it mention that they were protesting rising tuition and debt burdens, decreasing access to education, and a broader program of privatization and austerity implemented by the administration.

¶ It is not until the fourth paragraph of the narrative, *after* the arrest of ten protestors “and the subsequent use of pepper spray,” that “officers” are mentioned for the first time. **The narrative never states that riot police were summoned to campus to deal with peaceful student protestors.**

¶ The narrative further does not recall that **Chancellor Katehi has previously summoned riot police onto campus to arrest peaceful protestors** (one day shy of two years before), an event for which there is still a lawsuit pending against the police.

¶ The “fact sheet” states that “Similar protest encampments had occurred on the UC Berkeley and UCLA campuses earlier **during the week of November 14**. In response, UC Berkeley and UCLA campus police conducted early morning sweeps in which the tents were removed in generally peaceful fashion without significant camper resistance” — an arguable interpretation of what happened on those occasions. Far more significantly, **the “fact sheet” entirely omits the fact that on November 9, riot police summoned onto the UC Berkeley campus to prevent an encampment aggressively batoned, threw to the ground, and arrested peaceful protestors comprising students and faculty, hospitalizing two.** This controversial event was a national news item before the Chancellor summoned riot police in an identical situation.

¶ The narrative claims that, on the 18th, “protesters were again asked to remove their tents. Many protestors complied, but several did not, and 10 were arrested.” This is not the case. **The protestors as a body organized an assembly in advance of the arrival of the riot police. At that time they decided, by unanimous vote, to remain at the encampment in non-violent protest.** Further, many present on the quad who had not been part of the encampment joined the protestors. As the riot cops approached, some protestors moved some of the tents for safekeeping; police in other encampments had destroyed the tents.

¶ This is only a partial list of misrepresentations in the document.

the faculty, the fact sheet, and the facts: concerns, conflicts, and corrections

The representations of the “fact sheet” summon forth two major concerns.

The first is that its accounting of the relevant events, including (a) the context, (b) the preceding events bearing on the actions of Nov 18, and (c) the pepper-spraying itself, does not provide the necessary information to adequately understand what happened. Further, the document’s omissions and misrepresentations offer implications about responsibility that are neither proper nor accurate.

¶ The “fact sheet” suggests that the administration acted as an impartial third party dealing with an objective nuisance, rather than addressing that they were in fact the object of the protest: a fact which is foundational to the actions and responses of all parties.

¶ It never describes the massively asymmetric deployment of force.

¶ It further elides the recent and well-known history of deployment of riot police, both on this campus and just nine days earlier at UCB — both of which led to police violence against non-violent protestors and established this as a foreseeable consequence.

¶ It produces a nonexistent distinction between purportedly compliant protestors and some small remainder: a reasonable “many” against “several” who strayed well beyond the bounds of acceptable protest. The unstated implication is that this helps to explain the violent response. Video evidence shows, contrarily, hundreds of protestors, uniformly comporting themselves non-violently.

The second concern is that, beyond factual inadequacies and their consequences for an understanding of the events themselves, the “fact sheet” (as well as its updated companion) testifies to a deliberate strategy of rhetorical management which we do not believe is consonant with leadership of this university. Further, it casts a pall over the series of “Town Halls” etc., risking the appearance of a purely formal “dialogue” which obscures its own contents: the grim events of Nov 18 and surrounding. Such documents as the “fact sheet” suggest that the goal is not such an accounting but its avoidance.

Finally, we must note growing concerns over the lead investigations into these events, themselves further opportunities for honesty and transparency that seem already compromised. The UC Office of the President has hired William Bratton, Chairman of Kroll Security Group, to head an investigation of police violence at UC Davis. Kroll Security has provided security services for at least three UC campuses in the past several years. As Professor Robert Meister has noted in an open letter to UC President Yudof, Kroll also protects many global financial institutions and other multinationals against threats to “operations” that may come from public criticism and direct political action.

A UC Davis task force is being assembled by Vice Chancellor John Meyer, who is himself responsible for overseeing campus police, and several attorneys at the law firm ensuring the independence of the investigation have previously worked for the UCD administration.

If the Chancellor’s office can provide evidence that any of the facts we have offered here in contradiction to the “fact sheet” are mistaken or lacking significance, we welcome that evidence. In the absence of such evidence, we trust she will not hesitate to correct and complete the record, toward the shared purpose of accurately representing the events and confronting the consequences — and toward the larger task of protecting the future and the freedoms of students, campus community, and the university itself.