



STATEWIDE UNIVERSITY POLICE ASSOCIATION

P.O. BOX 872 ★ Rocklin, CALIFORNIA 95677-0872 ★ (888)787-2108

July 12th, 2022

Via Electronic Mail Only

Lillian Kimbell, Chair of the Board, Board of Trustees
The California State University
Office of the Chancellor
401 Golden Shore
Long Beach, California 90802-4210
Email: trusteesecretariat@calstate.edu

Re: Complaint of Misconduct by Dr. Steven Osuna

(Dishonesty, Discourteous treatment of other employees, Failure of good behavior causing discredit)

Dear Chair Kimbell and the entire Board of Trustees,

Please accept this formal complaint of misconduct and request for administrative investigation of Dr. Steven Osuna for knowingly causing a false and stigmatizing complaint of racial bias to be filed against a member of the Statewide University Police Association (“SUPA”) employed at the Long Beach State Police Department. SUPA’s Executive Board was disappointed and outraged that a member of the California Faculty Association at Long Beach would falsely accuse an officer of racial profiling and racial discrimination for simply following required protocols prohibiting him from opening a locked campus building. Troublingly, I’m informed that Dr. Osuna leveled these accusations after having been appraised of the non-discriminator reason the officer declined his request to unlock the building, and after management of UPD reviewed the officer’s body worn camera (BWC) footage and determined the officer’s actions were professional and in accordance with department policy.

These stigmatizing charges imperil the officer’s career, reputation and opportunities for advancement. Given the accused officer is a person of color, these false allegations of racism are even more harmful. SUPA understands that Dr. Osuna’s allegation must be fully investigated and is equally confident the officer will ultimately be exonerated. However, this does not excuse Dr. Osuna’s grave misconduct in causing these false allegations to be filed. His conduct is beneath his profession, and constitutes dishonesty, discourteous treatment of other employees, failure of good behavior causing discredit. SUPA expects that this allegation of misconduct by Dr. Osuna will be investigated and that knowingly false accusations against other university employees will not be condoned or tolerated.

SUPA understands the need for policing reform and through its counsel has worked with the Legislature to enact S.B. 1421, S.B. 16, A.B. 392, and S.B. 2, among other legislation strengthening accountability, increasing transparency, and improving community relations. Exploiting this moment in our history, Dr. Osuna has knowingly tarnished this officer, the entire Long Beach State Police Department (UPD), and the campus by

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publicly announcing false claims of racial profiling and racial discrimination. Moreover, he enlisted the California Faculty Association at Long Beach to join in his allegations so that they appear more credible.

SUPA has looked into the incident that involved Dr. Osuna being locked out of his office and contacting UPD for assistance. SUPA has strong reason to believe that the leadership of CFA@ Long Beach released a false and libelous statement they knew to be untrue based on the facts. We believe the actions in this instance by the leadership of CFA @Long Beach run counter to the values of the university, are divisive, and were designed to discredit the police department.

Dr. Osuna stated he polled white colleagues who reported being let in their offices “without first requiring a photo ID”. This was carefully worded because what typically happens is the employee has their identification inside their office they’re locked out of and provide the identification to the officer immediately after the officer unlocks the door. Unfortunately, in Dr. Osuna’s case he had lost his wallet and had no identification on campus. This is an important distinction.

SUPA in the strongest terms possible denounces racism, racial profiling and any form of discrimination. We also understand that police officers in our country are under increased scrutiny, and there is still much work to be done to gain the trust and confidence of all the members of our communities. We take any allegation of racial discrimination by one of our members very seriously, and we believe all complaints should be investigated, and anyone found guilty should be held accountable.

However, making false accusations of racial discrimination and racial profiling not only does a disservice to actual victims, it also unjustly maligns our officers, and this will not be tolerated by SUPA. To that end, SUPA will be filing a Public Records Act Request to obtain the video footage from the responding officer’s body worn camera, and a list of who was allowed to view this video before the CFA@ Long Beach released their statement on this incident. Here are the facts of this incident that we believe proves the allegation of racial discrimination and racial profiling are false and without any basis in fact:

- On May 25th, 2022, Dr. Osuna contacted the UPD at Long Beach State because he accidentally locked himself out of the hallway where his office is located.
- A UPD officer, who is a person of color, responded to the call for service and contacted Dr. Osuna outside the building.
- Dr. Osuna informed the responding officer that he had lost his wallet and had no form of identification on campus.
- UPD’s policy:
CAMPUS DOOR UNLOCKS The Department will unlock campus doors for staff and faculty members who provide positive identification, have permission to enter the area, and show a need for the door to be unlocked. For the purposes of this section positive identification is established by presenting a current campus staff or faculty identification card for the person in question. Areas of the campus which have restricted entry are NOT to be opened for anyone not on the approved access list maintained in Communications.

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- The officer knew that it was against department policy to unlock a building for someone with no identification on campus. The officer contacted his supervisor (also a person of color) who wasn't on scene and had no way to know the race of Dr. Osuna. The officer did not inform his supervisor of Dr. Osuna's race and asked if he could assist Dr. Osuna even though he didn't have identification on campus. The officer's supervisor denied the officer's request because it violated department policy.
- The officer informed Dr. Osuna he wouldn't be able to assist him and apologized to him.
- We believe that Dr. Osuna has so far not cooperated with either the Title 9 investigations office or UPD in their efforts to investigate his allegations.

It's regrettable that Dr. Osuna and students were impacted by a campus door unlock policy that doesn't give our officers at Long Beach the discretion to unlock doors in cases where the employee doesn't have identification either on their person or in their office. SUPA supports amending the unlock policy to give officers and/or police supervisors the ability to exhaust alternative means of identification in cases like Dr. Osuna's. SUPA wants all our members to have the ability to serve our community to the furthest they can to support the university mission, and at the same time not risk disciplinary action by violating department policy. However, disagreement with a campus policy does not give anyone license to bear false witness or make false accusations against other fellow employees. Maliciously injecting race into a policy dispute regarding unlocking building doors is conduct unbecoming of a profession trusted to educate our students.

We call for the university and the Chancellor's Office to investigate this formal complaint against Dr. Osuna and involved representatives of the CFA @Long Beach. In the interests of transparency, SUPA also requests disclosure of the findings of the investigation to remedy the reputational harm caused by the false complaint.

I'd like to thank the board for their time and look forward to a swift resolution to this complaint.

Sincerely,

Matt Kroner
President
Statewide University Police Association

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