

Tuesday 10 March 2020
news on the picketline

HANDS OFF CARLOS! ABOLISH THE STUDENT CONDUCT BOARD

In Janet Napolitano's UC, even the least bit of resistance can set the wheels of a vast punitive machinery in motion. Pushing harder, as we have done in this strike, only triggers increasingly severe modes of punishment, many of which are entirely discretionary and simply give arbitrary discipline the veneer of a rule.

Carlos Cruz, one of the most visible members of the COLA campaign and active in the undergraduate-led People's Coalition, was hit last Friday with a particularly outrageous student conduct summons, nearly four weeks after the incident that it alleges. In a quasi-expressionistic piece of procedural prose, the accusation reads: "It was also reported you grabbed at the police officer's uniform and baton, using your body and weight, and bending at the knees and jerking back and forth repeatedly in an attempt to disarm the officer of his baton. The police officer attempted to arrest you but you repeatedly jerked your arms and body away from the officer in order to avoid being arrested. The crowd managed to pull you away from the officer and you fled the area." But Carlos never fled the area, and he was never arrested for these outrageous "crimes." He is now being targeted for discipline (using police testimony, which is by nature false) in a process that has scant due process, no public accountability, and a single purpose—the repression of dissent.

At Napolitano's UC, first generation students (particularly those who are non-white), are valued in terms of marketing the "diversity" of the campus ("diversity," as Chancellor Larive stated at a recent event, "makes good economic sense"), but when they reject these prescribed roles, making demands of their own, they are as a rule the first to be punished. Carlos, the son of an immigrant single-mother, is no doubt being targeted for his role in the movement. The first from his community to pursue an advanced degree, he has often spoken of how he hoped his aspirations could serve as a model for others back home—his actions have been truly exemplary, but not in the ways UCSC administrators might have wished. We refuse to let others be selectively targeted for actions that we are all collectively responsible for. On the first day of the full picket, a volunteer with Food Not Bombs was delivering water for thirsty picketers when they were yanked out of their car by police officers and hauled off to jail for allegedly crossing a police barrier and resisting arrest. In targeting a lone undergrad tasked with delivering basic goods to the picket line, the police implemented an age-old strikebreaking tactic: cut off supplies to the workers and attack the most isolated and vulnerable. Eventually released with a traffic violation and a felony charge, the "water carrier" found themselves slapped with a suspension and banned from their dorm, classes, and campus premises for two weeks. The entity invested with the power to bar a student from their home and belongings—subject to no burden of proof—was none other than the Center for Student Conduct and Community Standards. Together with their counterparts in the UCPD, student conduct officers implement the repressive apparatus of this university, all while masquerading under the cheerily color-coded "Principles of Community." Two days later, another 17 students were beaten, manhandled, and chained up in an Alameda County paddywagon before being carted off to the Ocean Sciences campus for citation and release. The punitive paperwork that followed—quite possibly more crushing than the arrest itself—was issued by delegated authorities across the administrative echelons of the university, including Labor Relations, the Dean of Students, and, ridiculously, the Offices for Diversity, Equity, and Inclusion.

Evidently not obliged to remain consistent in the conduct process, the arrestees have had to individually negotiate obscure and deliberately confusing processes designed to preempt coordinated opposition. In subsequent appeals of the campus ban, student conduct officers coaxed arrestees into admissions of guilt and then based their decisions (in each case unfavorable) on police testimony, while students were barred from offering alternative witnesses.

The UC is like a state within a state, only with a wider scope of authority. Carlos has not been charged with violating any law; he was never arrested. However, according to article 104.10 of the conduct code, the Chancellor may discipline students for anything it considers a violation of campus policy, "whether or not such violations are also violations of law." But isn't the description charged above (resisting arrest) clearly a legal matter? One might think this distinction would matter—above all in a public institution. But instead the UC is mobilizing charges, based on police testimony, to exact their own extra-legal punishment. In other words, with unchecked powers over student status, the UC has carte blanche to enforce anything it chooses to define as "community misconduct," and an authoritarian control over its subjects that the actual state can only dream of.

Faculty were eventually notified in one of EVC Kletzer's notoriously unilluminating "clarifications" that "the conduct process is focussed on educating students about the impact of their actions, upholding our community standards, and returning to good standing in our community." Confusing as her facile usage of "community" may be, it is clear that the student conduct board is, more than anything, an internal punitive system wielded to political ends by a corrupt administration with next to no oversight or accountability, entirely lacking due process. This is a system that criminalizes student protest activities and enforces an ambiguous campus "disruption" policy, arrogating a unilateral right to punish those of us who engage in political protest, student activism, labor disputes, or anything else that can be construed as disrupting the administration's goals.

The riot cops of the first week have been replaced by their craven bureaucrat cronies in the fifth. This fits perfectly with the shift from beating peaceful students to enacting the "broken windows" policing of the Snail Movement, who volunteered as strike taxis during the last campus shutdown. There is a reason that "Cops off Campus" has been a consistent demand from the beginning of this movement. We demand an end to the surveillance, repression, violence, and the entire punitive apparatus that the university employs to check any threat to their arbitrary power. Napolitano was not enlisted as head of this institution by chance—she was brought in to preside over the UC as she presided over US borders, by mobilizing vast public resources, in a highly unequal fashion, to ensure the racialized character of labor markets backed by a monopoly of violence. This is precisely what groups like COLA4ALL and Undocu Collective have been fighting against, and what they are now being penalized for. We stand with them in their fight!

**Call/Email Dean of Students Garrett Naiman:
(831) 459-4446 deanofstudents@ucsc.edu, tell him "hands off Carlos"—stop student conduct proceedings against strikers, COLA4ALL members and the Undocu Collective**

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