

RESOLUTION NO. 20-181, SERIES 2020

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DAVIS REGARDING THE STRUCTURE AND PURPOSE OF THE POLICE ACCOUNTABILITY COMMISSION

WHEREAS, the City Council relies on Boards and Commissions to provide advice and information on subjects within the Commission's scope; and

WHEREAS, the Davis Police Department, in its 2017-2019 Strategic Plan has an objective to provide transparency and information to the public in a timely, efficient, and respectful manner and has a task committed to determining how to best implement the "21st Century Policing" plan; and

WHEREAS, the purpose of the City of Davis Police oversight system is to increase transparency concerning policing practices and policies, build police accountability to the community and provide for ongoing correction and quality improvement; and

WHEREAS, the implementation of a community outreach plan that will inform the community about police oversight and receive input from all members of the community about concerns and/or complaints they have concerning policing is an important part of an oversight system; and

WHEREAS, this Resolution supersedes Resolution 18-149 related to the structure and purpose of the City of Davis Police Accountability Commission.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Davis does hereby create a Police Accountability Commission to achieve the following:

1. **PURPOSE**

The key role of the Police Accountability Commission (PAC) is to provide community-based accountability via a variety of interactions with members of the public, the Independent Police Auditor, the Davis Police Department, and others. The PAC, along with the Independent Police Auditor, is a critical means to create more accountability and transparency in policing. The PAC will listen to, amplify, and build common ground among community members affected by policing in Davis. They will champion practices centered on justice and equity. The vision is for the community and police to be aligned in shared goals of safety, respect and accountability.

As an advisory body of the Davis City Council, the commission is established and guided by the following documents:

- a. Commission Handbook; and
- b. Commission Policy Guidelines

2. **MEMBERSHIP**

The Police Accountability Commission shall consist of nine (9) members and one (1) alternate.

All voting members of the Police Accountability Commission, regular and alternate, shall be appointed by the City Council. Appointment of commissioners shall reflect a diverse

diverse representation of the community and include members of various ethnicities, racial backgrounds, sexual orientations, economic status, religions, university students, and those with prior adverse interactions with law enforcement. Additionally, no member will have a law enforcement background.

Two City Council members will be appointed as regular liaisons to the commission.

The alternate member shall not vote except upon one of the following conditions:

- a. Absence of one (1) or more of the regular members of the commission.
- b. Disqualification of a regular member of the commission because of an expressed conflict of interest.

3. TERMS OF OFFICE

Members of the commission shall serve a term of four (4) years, or until their successors are appointed. For purposes of establishing staggered terms, appointments may be for terms varying between one (1) and four (4) years as the Council may decide. No members shall serve for more than two (2) consecutive terms, except under special circumstances.

4. TERMINATION OF APPOINTMENT

The term of appointment of any member of the commission who has been absent from three (3) consecutive regular or special meetings, or who has missed more than 1/3 of the meetings in a 12-month period, without the approval of the City Council, shall automatically terminate.

Members of the Police Accountability Commission serve at the pleasure of the Council and may be removed from office by a majority vote of the Council.

5. VACANCIES

Vacancies on the commission shall be filled for the unexpired term in the same manner in which regular appointments are otherwise made.

6. OFFICERS OF THE COMMISSION

The members of the Police Accountability Commission annually shall select one (1) of its members as Chairperson and one (1) of its members as Vice Chairperson. No chairperson or vice chairperson shall serve more than two (2) consecutive years as chair.

- a. THE CHAIRPERSON of the commission shall call the meetings to order at the appointed time, shall appoint all committees, subject to the approval of the commission, shall have all the powers and duties of the presiding officer as described in "Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century," and shall perform such other duties as may from time to time be prescribed by the commission.
- b. THE VICE CHAIRPERSON of the commission shall have all the powers and perform all the duties of the Chairperson in the case of absence or inability of the Chairperson to act. The Vice Chairperson shall perform such other duties as may from time to time be prescribed by the commission or the Chairperson.

7. MEETINGS OF THE COMMISSION

The Police Accountability Commission shall establish a calendar of meetings indicating date, time and location. In an effort to provide outreach to various communities, within Davis, meetings may rotate locations. Special meetings of the commission may be called by the Chairperson, or by any four (4) or more voting members of the commission, with permission of the Council liaison or the City Council. Personal notice must be given to all members of the commission. If personal notice cannot be given, written notice must be mailed to such members at least twenty-four (24) hours prior to said meeting, unless said notice requirement is waived in writing by said member.

8. QUORUM

For the purpose of transacting business, a quorum of the Police Accountability Commission shall consist of five (5) of the nine (9) members. An alternate member shall be counted as a full voting member for purposes of attaining a quorum.

9. FUNCTIONS OF THE COMMISSION

The Police Accountability Commission's responsibilities may include the functions as provided in this section and such other duties as the Council may, from time to time, decide. Bullets below each function provide examples of activities.

1. Develop/Implement Community Outreach Plan

- Develop and execute a community outreach plan with input from the Independent Police Auditor.
- Develop and share information regarding various methods for community members to submit Davis Police Department complaints.
- Identify improvements to the community complaint processes and assist with outreach.
- Hold regularly-scheduled meetings and provide notice and an opportunity for community input. These meetings should be coordinated with various non-profit and/or faith-based groups to assure under-represented or vulnerable groups have a safe space to fully participate. All meetings will be open to the public.
- Refer complainants to Independent Police Auditor or Davis Police Department,
- Collect public information from public comments/issues with Davis Police Department during regular meetings and share with City Council annually,
- Review and analyze public data provided by local law enforcement and share with public during outreach and regular meetings.

2. Provide Input on Davis Police Department Policies, Procedures, and Training

- Identify, prioritize and coordinate with the Independent Police Auditor on topics for Independent Police Auditor auditing. The Independent Police Auditor will conduct the audits but the Davis Police Accountability Commission will provide input and recommendations on prioritization of audits and receive results of audits when completed.
- Review and provide input to the City Council on the surveillance technology ordinance.

3. Recommend Changes/Improvements to Policy, Procedure, or Training

- With Independent Police Auditor input, systematically provide input to new policies, procedures, and training; and review and analyze existing Davis Police Department policies, procedures and training.
- Provide input to the City Council on recommendations for improvements to Davis Police Department policy, procedure, and training.

4. Review Independent Police Auditor Reports on Misconduct Complaints

- Receive Independent Police Auditor reports on misconduct complaints
- Recommend, for the Independent Police Auditor's or the City Council's consideration, further analysis of complaints or the complaint process.
- Work with the Independent Police Auditor and Davis Police Department to promote ACR (Alternative Conflict Resolution)/mediation as a complaint resolution option.

5. Assess the Independent Police Auditor's work with the PAC

- Provide annual written input to the City Manager and the City Council on the effectiveness of the Independent Police Auditor.

6. When time permits, respond to Davis Police Department and/or City Council requests for input on matters outside Independent Police Auditor/Commission priorities, such as commenting on new law enforcement programs or acquisitions

10. STIPEND

If the City Council adopts one, the Police Accountability Commission will follow the City's stipend policy.

PASSED AND ADOPTED by the City Council of the City of Davis on this 17th day of November, 2020, by the following vote:


AYES: Arnold, Carson, Frerichs, Lee, Partida

NOES: None



Gloria J. Partida
Mayor

ATTEST:



Zoe S. Mirabile, CMC
City Clerk