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 receiving input from all members of the community about concerns and/or complaints they have concerning policing is an important part of an oversight system.

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.

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. One member shall be a UC Davis student, appointed by ASUCD. The terms of this member may vary on the needs of ASUCD.
All other voting members of the Police Accountability Commission, regular and alternate, shall be appointed by the City Council. Appointment of commission members shall reflect a diverse representation of the community and include members of various ethnicities, racial backgrounds, sexual orientations, economic status, etc. A minimum of two members appointed by council shall have demonstrated previous adverse interactions with the Davis Police Department. 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 shall have the responsibilities as provided in this section and such other duties as the Council may, from time to time, decide:

1. Develop Community Outreach Plan

   - Develop and execute a community outreach plan with input from the Independent Police Auditor.
   - 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.
2. Provide Input to Audit Davis Police Department Policies, Procedures, and Training
   • Coordinate with the Independent Police Auditor to identify and prioritize 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.

3. Recommend Changes/Improvements to Policy, Procedure, or Training
   • With Independent Police Auditor input, systematically review Davis Police Department policies and procedures and analyze new or changed policies.
   • With Independent Police Auditor input, systematically review Davis Police Department training.
   • Provides input to the Independent Police Auditor 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 consideration, further analysis of complaints or the complaint process.
   • Work with the Independent Police Auditor and Davis Police Department to promote ACR/mediation as a complaint resolution option.
   • Request further investigation by the Independent Police Auditor.

5. Provide Input into Reports
   • Provide input to the Independent Police Auditor into reports, at least on an annual basis, to include information about: misconduct complaint investigations and trends; recommendations concerning improvements to Davis Police Department policy, procedures, or training; results of audits; and joint projects with the Independent Police Auditor, including community outreach.

6. Assess the work of the Independent Police Auditor
   • Provide annual written input to the City Manager and the City Council on the effectiveness of the Independent Police Auditor.

7. When time permits, respond to Davis Police Department requests for input on matters outside Independent Police Auditor/Commission priorities, such as commenting on new programs.
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 31st day of July, 2018, by the following vote:

AYES: Arnold, Carson, Frerichs, Partida, Lee

NOES: None

ATTEST:

Brett Lee
Mayor

Zoe S. Mirabile, CMC
City Clerk