



City of Davis  
**Police Accountability Commission Meeting**  
**Thursday, September 5, 2019**

**MINUTES**

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*Members Present: Dillan Horton, Abram Jones, Elaine Kahan, Will Kelly, Judith MacBrine*

*Members Absent: Mary Bliss, Sean Brooks, Cecilia Escamilla-Greenwald, Keisha Liggett-Nichols*

**1. Call to Order (6:30)**

*MacBrine called meeting to order at 6:35pm.*

**2. Approval of Agenda**

*Horton moved, with a second by Kelly, approval of the agenda. Motion passed by the following vote:*

*AYES: Horton, Jones, Kahan, Kelly, MacBrine*

*NOES: None*

*ABSENT: Bliss, Brooks, Escamilla-Greenwald, Liggett-Nichols*

**3. Brief Announcements from Staff, Commissioners, and Liaisons**

*Stachowicz: Ongoing conversation with Auditor, City Manager and City Attorney about release of auditor reports. Of the two reports currently under discussion, both need some revisions in order to ensure confidentiality of the complainant and the officers. City would prefer to release all reports at once, as part of the auditor's annual report at end of calendar year.*

*Commission expressed strong preference to release the reports as they are ready, rather than to wait to release all at once. Also expressed preference to have reports posted online so that community aware of what is happening.*

*Independent Police Auditor Michael Gennaco introduced his partner from the OIR Group, Stephen Connolly.*

**4. Public Comment**

*No public comment*

**5. Consent Items**

**A. Approval of Minutes – August 22, 2019 meeting**

*Horton moved, with a second from Jones, approval of the minutes. Motion passed by the following vote:*

*AYES: Horton, Jones, Kahan, Kelly, MacBrine*

*NOES: None*

*ABSENT: Bliss, Brooks, Escamilla-Greenwald, Liggett-Nichols*

## 6. Regular Items

### A. Performance Measures

*MacBrine explained that performance measures could measure the transparency between police, city, commission and community; look at the trust between police, city, commission and community; and hold the police accountable. They could also provide a sense of restoration and healing.*

*Kelly: reviewed the PAC's Authorizing Resolution, which says the group should review auditor reports, look at policy, and perform outreach work. Measures could reflect progress in these tasks.*

*Kahan: Consider a measure that notes whether Commission recommendations are taken seriously.*

*Commission continued general discussion about whether performance measures might be helpful to the Commission.*

*Public Comment:*

*Robert Canning: In terms of what outcomes should look like, think about outcomes that relate to accountability of the police.*

*Don Sherman: Are people in Davis aware of Commission?*

*Kelly: If police department knows that internal investigations could be reviewed, then perhaps that would affect their performance.*

*The Commission will discuss this issue further at a future meeting.*

### B. Subcommittee Reports

#### 1. Outreach Subcommittee (Horton, Kahan, Kelly, Escamilla-Greenwald)

*Stachowicz: Date has been changed to Sunday, November 17, as previously discussed date conflicts with Thanksgiving. Estimated time is 2pm to 4pm. Subcommittee will work on getting a planning meeting together.*

*Staff will send out a written accounting of the exercises Sandy Holman had the group do at the August meeting.*

#### 2. Procedures Subcommittee (Bliss, Brooks, Kahan)

*No update*

#### 3. Mental Health Issues Subcommittee (Bliss, Escamilla-Greenwald, Kahan, MacBrine)

*MacBrine: Subcommittee is working to get additional information. MacBrine has talked with the vice chair of YCCC (a local organization that works with mental health clients), and they would like to come to future PAC meeting. May try to have a meeting with representatives and police department first to see if questions/issues can be resolved outside of the PAC meeting.*

4. Traffic Stop Data Subcommittee (Brooks, Escamilla-Greenwald, Kelly, MacBrine)

*No data reportable at this point but as soon as program in place and data approved by Department of Justice, then data will be released.*

*Commissioners expressed interest in being included in the loop without needing to make records requests. Would like to understand the issues, even if data not releasable yet and look now at the types of data group would like to see.*

5. City/UC Davis Police Relations Subcommittee (Jones)

*Jones: next meetings of group will be September 18 and October 16. The group has a private portion of a meeting and a public portion. He can only be present for the public portion but will try to attend and report back. He reviewed document about how to encourage student participation. Might work better to have a PAC member join or attend the UC Davis group.*

*Commission discussed ways to get student input, including having commissioners participate in UC Davis groups. Need to find students who are interested in the topic. Discussed possibility of being able to give class credit for participation in the PAC. Staff will look into this.*

*Public Comment:*

*Robert Canning – agrees with W Kelly comment re: traffic data (to have data available for the public, the more data the better)*

**C. Table Top Exercise on Public Information in Emergency Situations**

*Gennaco introduced scenario, which included the attached handout, and assigned roles to each commissioner. Commissioners had time to discuss the scenario.*

*Gennaco asked the Commissioners several questions about what they would do and issues they would need to think through, given their assigned roles. Explained the importance of needing to think ahead of time about actions in an emergency situation and having policies and procedures in place to deal with incidents.*

*Public Comment:*

*Robert Canning: Have Chaplain with you when meeting with family for and pay attention to sentinel events.*

*Kelly: Noted that while the Picnic Day incident took 48 hours before initial coverage, the response to the January 10 incident was good. City has capacity to do good work.*

*Commission talked about what the Police Department might have gleaned from the Picnic Day incident, whether the department was understaffed, whether review of department's responses ever happens in a public forum, etc. Connolly explained that it's important for a department to engage in an internal review but rare that it would happen in the public. Commissioners commented both on improvements the department has made and areas where it could still improve.*

#### **D. Police Auditor Update**

*Gennaco: One new complainant on the tracking sheet. Met with two complainants today, one already on sheet and the other a potentially new case.*

*Gennaco: SB 392 – Decision to use deadly force – only when necessary (not just when reasonable). Against fleeing felon, because public safety immediately at stake. Must decide whether there are other reasonable alternatives other than force. Unclear whether this legislation is a big deal or not. Language was significantly changed to get police groups on board with the legislation; some believe language was watered down too far, causing previous advocates to remove support. Has caused rift among advocacy groups.*

*Connolly: Bill doesn't expect officers to diagnose more than immediate threat, so it doesn't directly address how officers should react when dealing with a person with mental health issues. It does send a message to police about thinking before acting.*

*Gennaco: Gave POST millions of dollars for training for mental health response.*

*Public Comment:*

*Robert Canning: Changes like this need to happen at the training level so that shootings, etc. don't occur to begin with. His understanding is that officers don't want to take mental health individuals to the hospital unless they say they will kill themselves.*

*Kelly: Requested substantive discussion on auditor reports.*

#### **7. Future Agenda Items/Long Range Calendar Oct 3**

*Requests for future items:*

- *Auditor's Reports – individual investigations*
- *YCCC presentation*
- *Commission's recommendation process – how to make recommendations so that city moves on them.*

#### **8. Adjourn**

*Meeting adjourned at 8:40*