



**Police Accountability Commission Meeting  
MINUTES  
Monday, March 2, 2020**

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*Commissioners Present: Mary C. Bliss, Sean Brooks, Cecilia Escamilla-Greenwald, Dillan Horton, Elaine Kahan, Judith MacBrine, Don Sherman*

*Commissioners Absent: Abram Jones*

*Also present: Kelly Stachowicz, Staff Liaison; Michael Gennaco, Independent Police Auditor; Lucas Frerichs, Council Liaison*

**1. Call to Order**

*Chairman Horton called the meeting to order at 6:35.*

**2. Approval of Agenda**

*The agenda was approved by consensus.*

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

*Stachowicz introduced new Commissioner Don Sherman.*

**4. Public Comment**

*None*

**5. Consent Items**

**A. Approval of Minutes – January 6, 2020 Meeting**

*MacBrine: Minutes note that we will have City Manager and Chief document what happened at December meeting and wants to know when that will happen. Horton will work with Escamilla Greenwald to make a record of that meeting.*

*MacBrine moved, with a second by Bliss, to approve the minutes. Motion passed with the following vote:*

*AYES – Bliss, Brooks, Horton, Kahan, MacBrine, Sherman*

*NOES – None*

*ABSENT – Escamilla-Greenwald*

**6. Regular Items**

**A. Review and Discussion of Proposed Surveillance Technology**

***Accurint Virtual Crime Center***

*Stachowicz provided information about Accurint Virtual Crime Center (AVCC).*

*Commission raised several issues, including the following:*

- Licenses – how many will the City have?*

- *What will be in place to ensure that the system is not misused by officers? (eg audit trail on account that accessed system, etc.) Gennaco explained that there are methods to track officer use of system and inappropriate use is illegal and can result in prosecution. What sort of audit reviews will be in place?*
- *What is the oversight body for this technology/consortium? What is the purpose of the Board?*
- *How accurate is data in the system? Concerns about accuracy and how data is assessed.*
- *Are other jurisdictions already using this platform and how?*
- *Has ACLU addressed concern about information sharing? What measures have other agencies taken to prevent this?*

*Public Comment:*

- *Mark – System sounds unconstitutional and is a waste of resources.*
- *Donna Russell – System is a waste of resources and data may be inappropriate. Davis Police Department is already in CLETS. Risks exposure to lawsuits.*
- *Lupita – This is violation of civil rights and bad use of resources. Surveillance Tech is powerful tool and will criminalize low income people and undocumented citizens. Need to collect demographic data of those affected by it.*
- *Tim Bruening – Concerned about surveillance technology and whether it be used to round up political protesters.*
- *Malena Kahan – Be careful. Any piece of police technology could be problematic. Need extensive certification and safeguarding process and then may have benefits. Officer involved shooting – perhaps technology would have helped note a pattern.*

*Additional Commissioner comments and questions included:*

- *Davis is Sanctuary City, does this put anyone in Davis in jeopardy?*
- *Make sure people aren't exploited.*
- *Commission expressed interest in having more time to respond.*

*Sherman moved, with a second by Escamilla Greenwald, to request more time, since Commission is not prepared to support at this time. After discussion about providing concerns to the Council, the mover and the seconder withdrew the motion.*

*The Commission requested instead that staff share the following concerns with the City Council.*

- *How are officers who use the tool trained, tracked and audited to ensure that use is appropriate?*
- *General concerns about what the oversight of the use of the tool would be, as well as questions about the role of the CVISS Board (and who provides oversight for that Board).*
- *Questions about the accuracy/validity of the data that would be shared. Can we assure that the data will be correct?*
- *Is this a good use of taxpayer dollars?*

- *Concerns about the fact that the other member agencies are not Sanctuary Cities. Will there be shared data that may endanger undocumented Davis residents?*
- *Is Davis submitting data to the system? Can this information be included in annual reports?*

***Safety Cameras/License Plate Readers (LPR) –***

*Stachowicz provided a brief overview about the Police Department proposal to place remote cameras at designated intersections and to include license plate readers with the cameras, as a means of crime deterrent.*

***Public Comment:***

- *ME Gladdis – Cameras are expensive. Be careful what is allowed.*
- *Tim Bruening – can cameras be used to round up political protestors?*
- *Lupita (speaking for Donna Russell) – Opposed to cameras or LPRs.*
- *Lupita – Facial recognition tech is not as accurate in people of color and need to call for moratorium on its use. The Police Department discriminates against people of color.*
- *AnneMarie Soika – Supports portable remote cameras as cost effective.*

***Commission discussion and questions:***

- *Questions about how and why locations were chosen. Are there specific reasons?*
- *Concerns that license plate readers are controversial, create huge amounts of private data that City then needs to safeguard, and are expensive.*
- *Concerns about placing cameras around entrances of city. Portable cameras may be marked.*
- *Would be interesting to hear from the Police Department about the cost of additional patrols, etc.*
- *Is there a sunset to the use of cameras located in specific places?*
- *Question about whether dummy cameras might be effective.*
- *Concerns about stealth surveillance being uncomfortable.*
- *Comment that the Police Department can currently ask private citizens for access to their private cameras, which can be a problem.*
- *Concern that fixed cameras threaten privacy and change relationship between public and government. Portable cameras may be useful but need use policy.*

*Horton moved, with a second by Escamilla Greenwald, that the City move forward with portable remote cameras, and not move forward with fixed cameras or LPRs. The Commission has concern about cameras but realizes that department needs some tools. There are concerns with the cost/benefit of remote cameras and the overall policy use. The Commission is highly opposed to LPRs. The Commission recommends a clear use policy*

*Bliss made a Friendly Amendment to recommend the highest resolution and quality of the portable cameras. Amendment accepted by mover and seconder.*

*Escamilla Greenwald made a Friendly Amendment to recommend that the City look for grants to stretch limited public safety dollars. Amendment accepted by mover. (Secunder requested the Amendment.)*

*The motion passed by the following vote:*

*AYES – Bliss, Brooks, Escamilla-Greenwald, Horton, Kahan, MacBrine, Sherman*

*NOES – None*

*MacBrine moved, with a second by Escamilla-Greenwald, to extend the meeting to 9pm. Motion passed by the following vote:*

*AYES – Bliss, Brooks, Escamilla-Greenwald, Horton, Kahan, MacBrine, Sherman*

*NOES – None*

**B. Review and Discussion of Proposed Armored Rescue Vehicle (ARV) Use Policy (30 minutes)**

*Stachowicz provide overview. Gennaco explained use policy is similar to other use policies and that it has a reporting back to Independent Police Auditor for review.*

*Commission Comments:*

- Sherman – Use policy is inoffensive and used primarily as rescue vehicle. In first year, have review after 30 days, then 90 days, then year.*
- Brooks – How many times is the Police Department involved in live fire incidents? What is the risk assessment that this is the mitigation to? Having this data would help understand how to approach use policy.*
- MacBrine – Frequency doesn't seem to be a lot. Probably not a high use piece of equipment.*

*Public Comment:*

- AnneMarie Soika – Should have a useful and reasonable policy. Don't need 30, 60, 90 day report out.*

*Commissioner Discussion:*

- Horton – Need to be specific about what is in the annual report. What does officer training include? Would support a near-term check in, maybe 6 months.*
- MacBrine – Report could include #2 (authorization of watch commander based on circumstances of critical incident) and #7 (administrator must approve mutual aid request).*
- Bliss – Could ask for critical debrief after the first 5 times the vehicle is used.*
- Escamilla Greenwald – Would Police Auditor still be a part of any changes to the policy? (Yes)*
- Gennaco – Many times you deploy equipment and then don't use. This would be likely in this case with this vehicle.*
- Sherman – Report after first three uses and then annually after that.*
- Gennaco – Clarified that policy says that Chief will provide information to Auditor, then Auditor will share, as appropriate, with Commission. Auditor will review whether the Police Department followed the policy or not.*
- Horton – would like some reporting on the use of the vehicle.*
- MacBrine, DS – Could Auditor add a portion to the monthly reports in first six months? (Yes)*

*The Commission moved to approve the use policy. The motion passed unanimously.*

*Commisson extended meeting another 10 minutes.*

**C. Discussion of 2020 Workplan**

*Move to next meeting.*

**7. Police Auditor Update**

*Gennaco – Legislature working through new bills on police misconduct. Certification requirements for police officers to ensure that when officer relieved from one department, s/he doesn't just go to another department. Also, on March 3 in Los Angeles County, there is a vote for Measure R, which would provide more oversight on LA County Sheriff's Office.*

*MacBrine asked whether the Police Department has implemented any of the auditor's recommendations.*

**8. Future Agenda Item Requests/Long Range Calendar**

*Commission would like to schedule a report out on the Police Department implementation of the Independent Police Auditor's recommendations.*

**9. Adjourn**

*Escamilla Greenwald moved, with a second by Brooks, to adjourn the meeting. Motion passed unanimously. The meeting adjourned at 9:07pm.*

DRAFT