



**City of Davis**  
**Police Accountability Commission Meeting**  
**Monday, June 1, 2020**

**MINUTES**

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*Commissioners Present: Mary C. Bliss (Vice Chair), Sean Brooks, Cecilia Escamilla-Greenwald, Dillan Horton (Chair), Abram Jones, Elaine Kahan, Judith MacBrine, Don Sherman*

*Commissioners Absent: None*

*Council Liaisons Present: Partida, Frerichs*

*Others Present: Staff Liaison Kelly Stachowicz, Staff Liaison Carrie Dyer, Police Auditor Michael Gennaco, Police Chief Darren Pytel*

**1. Call to Order**

*Horton called the meeting to order at 6:31 p.m.*

**2. Approval of Agenda**

*Approval of the agenda by consensus.*

**3. Brief Announcements from Staff, Commissioners, and Liaisons (5 minutes)**

- *Stachowicz – Still in emergency meeting state and City continues with Covid response and safe reopening. RIPA data will be shared with Commission when available.*
- *Escamilla-Greenwald - Request to start or end meeting in minute of silence in memory of George Floyd and others.*
- *Horton – Acknowledge residual trauma of people of color over recent events. Recognize allies. Be forward-thinking about policing in Davis.*
- *Frerichs – Appreciates the work of the PAC. This will likely be one of many dialogs in community surrounding policing.*
- *Partida – Support for the work of the PAC. Testament to the commitment of the City for wanting to have better relationships with community.*

**4. Public Comment**

- *Alan Hirsch – Supportive of commission and collaboration with police department.*
- *Shreya Deshpande, UC Davis – Defund police. Collaborate with marginalized people.*
- *Darci Silbaugh – Issues of mental illness should be in the forefront with issues in policing. In favor and support of police department.*
- *Denise Hoffner – Concern about officers not wearing face coverings during protest.*
- *Amber Griego, UC Davis Black Lives Matter group – Create platform with students to address questions of transparency, changes and how to prevent racial bias.*

- *Devon Adams – Respects Chief Pytel. Concerned regarding overarching issues of disproportionate application of the law and discretionary powers and the hypocrisy of Davis PD’s response to peaceful protesting.*
- *Shelby Salyer, External Affairs Commission Chair for ASUCD – Defund Police Department and invest in marginalized communities in Davis.*
- *Adrianna Leal, UC Davis, Concern that police are inciting violence in other areas during protests.*
- *Aurora Schumnemen, President of UCD democrats – ASUCD called for disarming of UC Davis police and petition should be expanded to City of Davis police.*
- *Connor Gorman –Direct resources from policing to programs that benefit community. Recommend reduced police budget and add to other community programs.*
- *Luanna Villanueva – Chief of Police to address issue of traffic stops of people of color in Davis.*
- *Karan Brar, UCD student –Call for open engagement with police department. Riots will continue to divide nation more.*
- *Shondreya Landrom – Every black person in Davis community is struggling right now. Advocate for Black Community. Push for police department to stand behind and protect community..*
- *Jen Higley-Chapman - Davis has a problem in that black people don’t feel safe. Divest from police and put toward creating equitable community. Improve affordable housing issues. Put pressure on school district to close achievement gap.*
- *Claire Adkison – Concern about general police attitudes. Train DPD in de-escalation of conduct.*
- *Medha Jayaraman, UCD student – Davis PD has responsibility to dialog with students. Defund Police Department.*
- *Brooke Pritchard – Change needs to happen. Would like Chief to explain de-escalation tactics.*
- *Mark Godges – Overcome adversarial relationships. Building community starts by defunding police. Engage with Transformative Justice Center.*
- *Ximena Anleu, student – Defund police and put funds towards marginalized communities. Concern about police in riot gear at peaceful protest.*
- *Maria Martinez, UCD External Affairs Vice President – Concern about how law enforcement is treating protesters and wearing riot gear..*
- *Todd Edelman - Statement from Council and DPD seemed to conflict with DPD presence at protest in riot gear.*
- *Colin Walsh – Brown Act specific that no list of names can be taken at door. Zoom asks for names and log in of speakers. People should not have to give names, especially when speaking of issues of police brutality.*
- *Alexander Scott – Listening and supportive of protest.*
- *No Name Given – Concern about request to defund and where the funds would go. Appreciates Davis Police.*
- *Sarah Zimmerman – Add voice to people looking for alternative for police in riot gear responding to protestors. Think about restorative justice.*
- *Kayla Heinemann, UC Davis - Police in riot gear is problematic. Police should consider adopting new policing strategies. Supports defunding.*

- *Rik Keller – Against use of militaristic response to protest, with use of riot gear. Antagonistic to young people.*
- *Ravinder, UC Davis– Destroying communities that we say we want to help. Without police businesses will get looted.*
- *Stacy – Concern about 2006 police incident. Showing up in riot gear incited extra concern. More investment in mental health resources instead of police resources.*
- *Nina Bingham, UC Davis – Defund police and reallocate funding.*
- *NJ , UC Davis –Understands need for riot gear. Does not support defunding the police.*
- *Erik Hendrickson – Against use of militaristic response to protest. Leaves bad impression for young people. Appreciates work of DPD but feels a bit let down.*

## **5. Consent Items**

### **A. Approval of Minutes – May 11, 2020 Meeting**

*Horton moved, with second by Escamilla-Greenwald, to approve the minutes as presented, with removal of Escamilla-Greenwald statement in work plan discussion about looking at other communities.*

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

*NOES: None*

*ABSTAIN: None*

## **6. Regular Items**

### **A. Police Restraint and Use of Force Policies**

*Police Chief Darren Pytel discussed the City of Davis Police Department Policies and Procedures related to restraint of individuals.*

- *Davis policy does not allow for what occurred with George Floyd. Policy prohibits use of the technique. Entire department policy manual and training manual is posted on website for public viewing.*

#### **Commissioner Questions and Responses from Chief**

- *Use of Force policy lists neck restraint as an option. Policy indicates approval of use in certain cases.*
  - *Bar Arm Choke Hold or Carotid Control Hold. Most departments do not allow for choke hold. Can be used during deadly force. Carotid Control Hold is technique that can be used for fleeing felon. Reserved for situations of possible great bodily harm or death.*
- *What level of bodily harm has to be reached for officers to show up in riot gear?*
  - *The decision to use protective gear is in response to information received regarding event/protest. Davis has long history of protests with limited police interaction and routinely stops traffic to help protests be safe. Do have to stop protestors from getting on freeway, as it's very dangerous. In regards to recent protest, police were operating with best information they had, which indicated the possibility of a more volatile situation. DPD received flyer proposal*

*for looting in Davis, specifically at Target and CVS. Also, same officers who responded to Sacramento came back to Davis to work. Wasn't sure what they were going to face in Davis.*

- *Can Chief share more about nature of threats against Saturday protestors?*
  - *Will share when appropriate.*
- *How do police address preparing for certain type of force, for example pharmacies that were not near event?*
  - *Pharmacies in the past have been robbed. Biggest concern that people were entering freeways and not sure who would show up in opposition.*
- *What about having community facilitated conversation regarding this issue?*
  - *Many years ago DPD met with subcommittee of Human Relations Commission and found that even when events happen far away, it creates questions and concerns locally. Community forums and facilitated conversations were created to discuss. Could move forward with creating that.*
- *Frerichs - Would like to make sure that UCD is involved in conversations.*
- *What about role(s) of other officers in situations involving use of force?*
  - *Policy states that other officers must immediately stop excessive force. Duty to intervene and duty to report. Every officer in attendance has duty to stop excessive use. There is training for officers to intervene with other officers to remove and take over.*
- *Thank the Chief for inside insight to process that goes on training.*
  - *Chief explains the policy for pursuit. Tactics for intervention are included. Fairly common for pursuits to be terminated due to risk. Shift in this area across country.*

### **Public Comment**

- *Claire Adkison- Officer in killing of George Floyd had history of excessive force complaints. What happens to officers with these issues?*
- *Natalie Wormeli, Chair of ACLU – How is Carotid Control trained? Encourage removal from policy.*
- *Devon Adams – Encouraging to hear policy of duty to stop and report excessive force. What are limitations and number of complaints an officer can receive? How quickly are officers terminated or removed from duties or just slap on the wrist? What are policies on that?*
- *Alysa Banks – Use of Force polices in regards to use of riot gear? What is the policy in which that is decided?*
- *Connor Gorman – Concern of outside agitators – data states that is not frequently true. Typically protestors are local people who are angry. What is the status of officers involved with the Picnic Day incident? When is deadly force employed?*
- *Kayla Heinemann – DPD should consider having supervisor involved in all situations. Would like changes to policy to restrict use of ability to breathe.*

- *Shreya Deshpande – How can we change police policies? Why is choke hold still being taught? Who decides which protests are considered to need use of force?*
- *Brooke Pritchard – Finds POST Pursuit Syndrome deeply troubling. What is duration of the training? Longer term training is needed? How are officers held accountable? Make information accessible, as opposed to long manuals.*
- *Colin Walsh – Grateful that PAC agendized this topic.*

**Chief Response**

- *It's up to the discretion of the supervisor to decide when riot or defensive gear can be used.*
- *Use of Force policy is worded like AB392. Language in policy is the same as in California state law.*
- *In regards to complaints – summary of complaints and use of force are listed on website. Sustained use of force results in discipline or termination. Minor misconduct starts with re-training, reprimand.*
- *In regards to Carotid Control Hold – can't recall last time was used – it is a reportable use of force. Became disfavored in the late 80s, but training continued at that time. Training includes receiving holds on officers. Keeps as option for rare times when officer may need to use. Not aware of any agency that has this outlawed.*

**Commissioner Comments**

- *Commission interested in bringing item back to review policy to see what PAC might want to recommend.*
- *Gennaco – Not aware of agency that has banned Carotid Hold. His understanding is that with Mr. Floyd that use of force was knee to neck, which is prohibited in Davis policy. Agrees that it needs to be reserved for use as DPD has in policy.*

*Horton moves to extend the meeting to 9:50. Escamilla – Greenwald seconds. Motion passed as follows:*

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

*NOES: None*

*ABSTAIN: None*

**B. Designation of New Subcommittees**

*At the last meeting, the Commission approved its workplan. Commissioner Bliss provided a list, as included in the meeting packet, of potential subcommittees, In addition to proposed chart, Horton agreed to add his name to the PAC Charter Revision committee. The RIPA subcommittee will consist of Brooks and MacBrine, which will convene, once the data becomes available.*

**Public Comment:**

- *Matt Williams – In regards to proposed budget cuts in police department, what does that do to resources for public safety?*

**C. Update on Outreach to Mental Health Community (15 minutes)**

*Commissioner MacBrine updated the Commission on her conversations with NAMI representatives about their work with Yolo County law enforcement agencies.*

- *The desired outcome for a person experiencing an episode of severe mental illness is to get the person in care and on the road to recovery.*
- *One area of uncertainty and as the result fear is making 911 calls. On March 4, Yolo NAMI had a community meeting with the leadership of all county police departments.*
- *MacBrine proposes that the PAC support and partner with Yolo NAMI (National Alliance on Mental Illness) in bringing police together to outline a good consistent countywide process for addressing SMI callouts for help. In particular, responses to 911 calls and having ambulances accompanying officers on this kind of call out are specific areas of concern.*

**Public Comment –**

- *Kayla Heinemann – Commend commission for bringing this issue to light. Supports with collaborating with Yolo NAMI.*

*Escamilla Greenwald moved, with a second by Sherman, to collaborate with NAMI, county wide local law enforcement and other mental health agencies to develop a standardized response to 911 mental health calls. Subcommittee will work on this. Motion passed as follows:*

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

*NOES: None*

*ABSTAIN: None*

**7. Police Auditor Update**

*Independent Police Auditor Michael Gennaco provided an update on Auditor activities to the PAC and commend commission on discussion on use of restraint and use of force.*

*Public Comment:*

- *Matt Williams - Auditor should work with commission to understand effects of budget cuts on policing.*
- *Connor Gorman - Concerned about police use of force and police antagonism towards labor.*

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

- *MacBrine – RIPA data*
- *Horton – Discussion on further restriction on neck restraints in policy with information provided by Police Auditor*
- *MacBrine – follow up with Police Auditor on response from police department in regards to chart*

**9. Adjourn**

*Horton moved and Bliss seconded adjournment at 10:22. Motion passed as follows:*

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

*NOES: None*

*ABSTAIN: None*