



City of Davis
Police Accountability Commission Minutes
Monday, November 1, 2021

1. Call to Order and Roll Call

Chair Horton called the meeting to order at 6:32 p.m.

Commissioners Present: Mary C. Bliss (Vice Chair), Robert Canning, Cecilia Escamilla-Greenwald, Dillan Horton (Chair), Elaine Kahan, Judith MacBrine, Morgan Poindexter (Alternate), Don Sherman

Commissioners Absent: Ignacio Alarcon, Abram Jones

Council Liaisons Present: Mayor Partida (6:55 arrival), Josh Chapman (6:50 departure)

Others Present: Kelly Stachowicz, Michael Gennaco, Carrie Dyer

2. Approval of Agenda

Bliss moved with second by Canning approval of the agenda with an edit to the Mental Health subcommittee to remove Grants/Audits from title. Motion passed as follows:

AYES: Bliss, Canning, Escamilla-Greenwald, Horton, Kahan, MacBrine, Poindexter, Sherman

NOES: None

ABSENT: Alarcon, Jones

3. Brief Announcements from Staff, Commissioners, and Liaisons

- Stachowicz announced that elections for Chair/Vice Chair will be on the January agenda.*
- Stachowicz mentioned moving the January 3rd PAC to January 10th*
- Canning mentioned New York Times article on traffic stops.*
- Chapman thanked commission work on Reimagining Public Safety*

4. Public Comment

- No public comment*

5. Consent Items

A. Approval of Minutes – October 4, 2021 Meeting

Sherman moved with second by Canning approval of the October 4 minutes as presented. The motion passed as follows:

AYES: Bliss, Canning, Escamilla-Greenwald, Horton, Kahan, MacBrine, Poindexter, Sherman

NOES: None

ABSENT: Alarcon, Jones

6. Police Auditor Update

Independent Police Auditor Michael Gennaco provided an update on Auditor activities to the PAC, including updates on legislation, current caseload and other projects.

- **New legislation**
 - AB 48, SB 98 relate to protests
 - AB 481 relating to local governments' purchase and use of militarized equipment
 - AB 26 requires officers to intercede where excessive use of force occurs. Also addresses obligation to report and a prohibition against retaliation.
 - AB 1506 has State Attorney General taking jurisdiction over any office involved shooting involving the death of unarmed civilian.
 - AB 490 extends prohibition against use of neck restraint
 - SB 2 addresses de-certifying of officers after termination
 - AB 89 increases age limit that officers can be hired to 21.
 - SB 16 expands public access to police personnel records
 - AB 958 participation in unlawful or unethical on duty behavior is grounds for termination and disclosure to further agencies.
- **Commissioner Comments/Questions:**
 - Will the information cross state lines on officer de-certification? (Only five states currently do not have certification system. National legislation would be required to address.)
 - AB 481 – seems to apply to Federal Surplus property. (Second part of bill addresses new acquisitions.)
 - Is there anything retroactively that addresses officers being hired who have been terminated from other agencies? (Not retroactive)

Public Comment:

- Lupita Torres – Thanked auditor for presentation.

7. Regular Items

A. Independent Police Auditor “8 Can’t Wait” and Use of Force Audit Discussion – The Audit Outreach Subcommittee (Bliss, Horton, MacBrine, Poindexter) reported out during this item.

Subcommittee Comments

- Desire to have improved report for annual use of force report with greater detail, including successful use of de-escalation tactics.
- Policy states that there is tactical debrief after use of force. Would like additional details on debrief and documentation on scope of them.
- Have Use of Force report match categories of Use of Force policies.
- Recognize officers who are successful in de-escalation tactics.
- Increase Use of Force categories to include canine use, pointing a gun.

General Commission Comment

- Concern that data across agencies is not comparable, so comparing Davis' use of force to other communities is misleading.
- How many calls for mental health or substance use were successfully de-escalated.
- Supports recommendations for improvement, including supervisory reporting
- Are there tools to classify lowest types of use of force?
- Curious about day to day operations and training sessions on Use of Force

- *Would like Chief to come to PAC and share details of de-escalation and day to day policing, whether police will implement audit recommendations, and whether report was shared with department. Some commissioners interested in hearing directly from officers.*
- *Public meeting will likely happen in January*

MacBrine moved with second by Horton that the PAC let the City Council know that the commission approves the Independent Police Auditor Use of Force Audit and will submit additional recommendations in the coming months. Motion passed as follows:

AYES: Bliss, Canning, Escamilla-Greenwald, Horton, Kahan, MacBrine, Poindexter, Sherman

NOES: None

ABSENT: Alarcon, Jones

Public Comment:

Lupita Torres – Relayed incidents that she’s witnessed with police interactions and use of force

Canning moves with second by Sherman extension of the meeting to 9:00 p.m. Motion passed as follows:

AYES: Bliss, Canning, Escamilla-Greenwald, Horton, Kahan, MacBrine, Poindexter, Sherman

NOES: None

ABSENT: Alarcon, Jones

B. Local Voices Project Update

Item moved to the December meeting.

C. Follow Up on Reimagining Public Safety

Stachowicz provided a verbal update on the City Council’s recent actions regarding reimagining public safety recommendations including Council support of Crisis Now and creation of new department of Social Services and Housing.

Commission Comments:

- *Interested in time line plan for recruitment of new positions, specifically Department Head.*
- *Concern about the long term funding for the department*
- *People will still call 911. How will those be handled? Dispatch training on how to respond and who to send it to. Homeless Outreach Coordinator, etc.*
- *Would like to get more information as to why parking enforcement was left in the Police Department.*

Public Comment:

- *Connor Gorman – Supports creation of new department. Would also like to move parking enforcement, redirect resources from police to other department, and have director should come from public health.*
- *Lupita Torres – Encourage City Council to hire one Native American social worker, trained to work with youth. Urges training for social workers.*

Sherman moves with second by MacBrine extending the meeting by 10 minutes. Motion passed as follow:

AYES: Bliss, Canning, Escamilla-Greenwald, Horton, Kahan, MacBrine, Poindexter, Sherman
NOES: None
ABSENT: Alarcon, Jones

D. Subcommittee Updates – All subcommittee discussion moved to December meeting due to time.

1. **Appointment of New Subcommittees:**
 - a. Annual Independent Auditor Evaluation
 - b. Annual Workplan
2. **Crisis Now Mental Health** (Bliss, Canning, MacBrine, Poindexter)
3. **Mental Health** (Bliss, Canning, Escamilla Greenwald, MacBrine)
4. **Outreach** (Escamilla-Greenwald, Kahan, MacBrine, Sherman)

8. Future Agenda Item Requests/Long Range Calendar

- Chief Pytel on Police Department report out on reactions to audit and new department
- Recommendations to Council on AB481 – Militarization Equipment
- Subsequent Audits and timelines
- Outreach on ways to increase inclusivity in community

Public Comment:

None

9. Adjourn

Greenwald moved to adjourn at 9:11. Motion passed as follows:

AYES: Bliss, Canning, Escamilla-Greenwald, Horton, Kahan, MacBrine, Poindexter, Sherman
NOES: None
ABSENT: Alarcon, Jones