



**City of Davis
Police Accountability Commission Minutes
Monday, December 6, 2021**

1. Call to Order (6:30)

Chair Horton called the meeting to order at 6:33 p.m.

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

Commissioners Absent: None

Council Liaisons Present: Mayor Partida (7:50 p.m.), Council Member Chapman

City Representatives Present: Kelly Stachowicz, Michael Gennaco, Carrie Dyer

2. Approval of Agenda

Sherman moved with second by Canning approval of the agenda as presented. Motion passed as follows:

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

NOES: None

ABSENT: Kahan (technical difficulties)

3. Brief Announcements from Staff, Commissioners, and Liaisons

- Stachowicz announced the City redistricting process is taking place*
- Alarcon confirmed when January meeting will be held*
- MacBrine submitted resignation to be effective after January meeting*

4. Public Comment

- Lupita Torres – Implement rolling cameras on police officers*
- Connor Gorman – Event on UCD quad in response to anniversary of pepper spray incident. Movement on campus to remove policing from college campus. Wants body cameras on.*

5. Consent Items

A. Approval of Minutes – November 1, 2021 Meeting

Canning moved with second by Kahan approval of the November 1 minutes as presented.

The motion passed as follows:

AYES: Alarcon, Bliss, Canning, Horton, Jones, Kahan, MacBrine, Poindexter, Sherman

NOES: None

ABSENT: Escamilla-Greenwald (technical difficulties)

6. Police Auditor Update

A. Independent Police Auditor Gennaco reviewed report from Complaint that DPD Inappropriately Handled Call for Service. Report did not have specific recommendations for the department.

Commissioner Comments/Questions:

- *Do trainings include Bias by Proxy?*
- *Are there regular audit processes in place to review interactions and behaviors to improve officer processes and interactions? Is body camera footage reviewed proactively?*
- *Commend department for real time feedback to officers on things they can do regarding de-escalation.*
- *Future audit could include de-escalation techniques that are being used.*
- *Dispatchers could benefit from training. How do they get trained to screen the calls?*
- *Commend the department for the detailed follow up letter to complainant*
- *Interest in providing training and awareness to public on bias by proxy. Public education is important.*

Public Comment:

- *Francesca Wright – Bias by Proxy is fascinating and curious about best practices for public education and dispatchers. Sending police could be wrong person to send for response based on call.*
- *Lupita Torres -Supports training for dispatch to determine when calls need police interaction.*

B. Current Caseload

- *No comments*

7. Regular Items

A. Independent Police Auditor “8 Can’t Wait” and Use of Force Audit Discussion –

The Commission discussed the recommendations made by the subcommittee. In addition to the recommendations submitted, Commissioner MacBrine recommends that the City of Davis and the Police Department submit its policy data to Campaign Zero for inclusion in the 8CantWait.org and EndAllNoKnocks.org databases.

Public Comment:

- *Francesca Wright – Thank committee for work. Suggests that recommendation in #2 include Crisis Now Response.*

Canning suggests that recommendation #2 include that Davis Police Department work with new department.

Bliss moves with second by Horton the following recommendations 1 – 7 from Gennaco be accepted and recommended to the City Council. Motion passed as follows:

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

NOES: None

ABSENT: Kahan (technical difficulties)

Horton moves additional subcommittee recommendations and comments with second by Escamilla-Greenwald. Motion passed as follows:

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

NOES: None

ABSENT: Kahan (technical difficulties)

Together the two motions are as follows:

1. *DPD should amend its Use of Force policy to prohibit the use of warning shots.
The PAC would also like to recommend that its use of force review prohibit shots fired for the purpose of summoning aid.*
2. *DPD should debrief with a mental health clinician any use of force involving persons believed to possibly be in a mental health crises to consider potential advisability and efficacy of dispatching a mental health professional to assist in future similar circumstances.
The PAC feels that this is a very important recommendation as it has the potential to be a win-win for the community and the DPD. If instituted, the DPD would once again become a leader in the country for improving police interactions and outcomes with the mental health population.*
3. *DPD should revise current DPD policy to restrict shooting from a moving vehicle. The PAC would like to recommend to DPD that they revise their current policy to match the 8 Can't Wait model policy that prohibits shooting at a moving vehicle.*
4. *Consistent with the 8 Can't Wait recommendation, DPD should amend policy to require that all officers detail the circumstances surrounding their use(s) of force to include at a minimum the eight items listed in the audit report.
The PAC has members with expertise in survey and form development. We offer our assistance to work with DPD to revise their current Use of Force form to make it easier for staff/supervisors to complete documentation to meet the recommendation above.*
5. *DPD should amend its use of force review to require supervisors entrusted with review of force to include in that review a written analysis of the propriety of the force, efforts at de-escalation, consideration of equipment, policy, training and supervision issues and writing an action plan for any remediation.
The PAC would like to recommend to DPD that the supervisor's analysis should also include statements about the reasonableness, proportionality and necessity of the use of force.*
6. *DPD should amend its use of force review to require that any force review be undertaken by a supervisor not involved in the use of force event.*
7. *DPD should add to its force reporting policies a requirement that personnel write their supplemental reports independent of any assistance or collaboration with others.*

Horton moves that the PAC hold an outreach event on Bias by Proxy with second by Escamilla-Greenwald. MacBrine makes friendly amendment to only include Bias by Proxy and no other issues. Horton accepts amendment.

Motion withdrawn after discussion to have subcommittee explore further.

Commission discussion continued on holding public workshops:

- *Concern that Bias by Proxy not have enough information to gain interest of public.*
- *Would be beneficial to have information on dispatch training, etc. and have information about meeting come from Department as well.*
- *People may be better reached by outreach from DPD*
- *Suggestion that outreach group review idea of bias by proxy workshop*

Sherman moves with second by Escamilla-Greenwald to hold 8 Can't Wait public meeting.

Motion passed as follows:

AYES: Alarcon, Escamilla-Greenwald, Horton, Jones, Kahan, Sherman

NOES: None

ABSTAIN: Bliss, Canning, MacBrine

ABSENT: None

B. Preparation for Future Agenda Item to Receive Presentation by Police Chief

The Police Chief is scheduled for the February 7th meeting for approximately one hour.

Proposed questions/comments on meeting:

- How did department respond to audit? Is there plan for moving forward with recommendations? Are there recommendations that won't be accepted?*
- What does Chief think of specific recommendations provided by PAC?*
- Would like chief to respond to questions in writing and spend meeting addressing 8 Can't Wait audit.*
- Desire to have response via factual written document prior to meeting.*
- How are officers being rewarded? Is that highlighted for staff?*
- How are lessons learned being addressed?*
- Would increasing pay and encouraging living in town be beneficial?*
- Would like the Use of Force form and associated documentation forms that are used.*

Public Comment:

- Connor Gorman – Police have bias in their response. Redirect resources from policing to community programs.*

C. Local Voices Project Update

Yolo People Power made a presentation at the October meeting of the commission and made requests of the commission. The Outreach Subcommittee (Escamilla-Greenwald, Kahan, MacBrine, Sherman) has not connected yet with Local Voices.

Public Comment:

- Francesca Wright – Would be happy to help facilitate connection.*
- Lupita Torres – Also happy to help connect Local Voices and subcommittee*

Canning moves to extend meeting another 30 minutes with second by Bliss. Motion passed as follows:

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

NOES: None

ABSENT: None

D. Subcommittee Updates

1. Appointment of New Subcommittees:

a. Annual Independent Auditor Evaluation

Horton moves with second by Jones to have Bliss, Canning, Sherman and Escamilla-Greenwald be on subcommittee to prepare IPA evaluation. Motion passed as follows:

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

NOES: None

ABSENT: Kahan (technical difficulties)

b. Annual Workplan

Horton moves with second by Jones to have Horton, Sherman, Poindexter and Kahan be on subcommittee to work on annual workplan. Motion passed as follows:

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

NOES: None

ABSENT: None

2. Crisis Now Mental Health (Bliss, Canning, MacBrine, Poindexter) –
Will bring final memo to next meeting to provide to Council subcommittee and then consider dissolving until further direction is received.

3. Mental Health – Audits (Bliss, Canning, Escamilla Greenwald, MacBrine)
The subcommittee will follow up with a meeting with Gennaco to look at timelines and direction.

4. Outreach (Escamilla-Greenwald, Kahan, MacBrine, Sherman) – *No update*

Public Comment:

- *None*

8. Future Agenda Item Requests/Long Range Calendar

January meeting – The next PAC meeting will be held on January 10, 2022

Public Comment:

- *None*

9. Adjourn

MacBrine moves with second by Canning to adjourn at 8:59 p.m. Motion passed as follows:

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

NOES: None

ABSENT: None