



City of Davis
Police Accountability Commission Minutes
Monday, February 7, 2022

1. Call to Order (6:30)

Chair Escamilla-Greenwald called the meeting to order at 6:33 p.m.

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

Commissioners Absent: None

Council Liaisons Present: Mayor Partida, Councilmember Chapman

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

2. Approval of Agenda

Horton moved with second by Canning approval of the agenda as presented.

Canning moves with second by Sherman to take the Police Chief item as soon as Chief arrives at the meeting. The motion passed as follows:

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

NOES: None

ABSENT: None

3. Brief Announcements from Staff, Commissioners, and Liaisons

- Stachowicz sent out a reminder that the City Clerk's office is currently recruiting for multiple commissions and encourages commissioners to help share the information.*

4. Public Comment

- . No public comment*

5. Consent Items

A. Approval of Minutes – January 10, 2022 Meeting

B. Principles of Civility for City Council, City Commissions, and Other Legislative Bodies Authorized and Governed by the City Council

Sherman moved with second by Bliss approval of the consent calendar as presented.

The motion passed as follows:

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

NOES: None

ABSENT: None

6. Police Auditor Update

Independent Police Auditor Michael Gennaco provided an update on Auditor activities to the PAC.

- *OIR has recently been appointed as police auditor for the City of West Sacramento.*
- *The Mental Health Audit will be unique based on how few there are. City of Berkeley did do something similar. Waiting to hear from DPD with information to begin Mental Health Audit.*
- *Completed review of Officer Involved Shooting and has sent to DPD for review. Waiting on response.*
- *Beginning in May there will be a public facing process for military equipment purchase and policy and procedure on use, which must go before Council. The definition for military equipment is quite broad and a use policy will need to be approved.*

Public Comment:

- *No public comment.*

7. Regular Items

A. Discussion with Police Chief Pytel. *The Commission has asked for Chief Pytel to talk to the commission about the current status of the Police Department, the response to the Police Auditor's Use of Force Audit, and to other issues related to police accountability.*

In addition to the written responses to questions from commissioners, Chief Pytel provided the following updates:

- *Staffing issues, including vacancies and leaves causing strain on staffing levels.*
- *Audit on Use of Force – Department reviewed and incorporated the vast majority of changes, some of which were already in the works. Legislative and POST changes have been incorporated. Davis is one of few agencies in state that is certified in de-escalation best practices.*
 - *Specific Audit Recommendations: Rather than prohibiting the use of warning shots, the Department changed the policy to incorporate as a last warning before deadly force*
 - *Recommendation that DPD should debrief with a mental health clinician when there is use of force – Chief Pytel noted there is not currently a use of force expert with mental health clinicians.*
 - *Restricted shooting from a moving vehicle is documented in the current policy.*
 - *DPD has updated the section in the policy that outlines all of the issues in the audit report, but the Commission suggested creating a table with recommendations and changes incorporated for easy review*
 - *Policy has been updated to include written report/analysis from supervisors of the use of force, efforts surrounding it, and next steps*
 - *DPD should add to its force reporting policies a requirement that personnel write their supplemental reports independent of any assistance or collaboration with others.*
 - *Won't be incorporated. Not always best practice. Supervisor job to review report and provide recommendations for how report can be written in a better way. When deadly force is used, officers are segregated from each other prior to statements being made.*

Commissioner Questions/Comments:

- *How many vacancies among sworn officers? Three, with other officers out on various leaves causing staffing issues*
- *What about incentivizing officers to living in town? Pay increases or other benefits/incentives go through the labor negotiation process.*
- *How many officers come from other agencies? A number have come on lateral moves.*
- *Types and lengths of de-escalation training? Last one that was POST certified was 8 hours.*
- *Who does reviews and are they annual? New employees evaluated daily for sworn, others weekly. During probation, two per year. After off probation, annually. Done by employee supervisor. Then is reviewed up the chain, prior to being given to employee.*
- *Is there a procedure for feeding back information to officer in use of force circumstances? Reviewed and addressed. Debrief of entire incident with instructors. Instructors can address any training issues. Then incorporate into department training scenarios. Policy now requires written assessment.*
- *How was the audit reviewed with department? Sent to department in writing and then followed up with conversation. In terms of how it was received, the Department is aware of local and national conversation, has to be received by officers. Concern is that there is a tremendous of information to remember while dealing with dynamic situation.*
- *Can you touch base on morale? With shift coverage, turnover, etc. employees are anxious to have staffing back up. Trainings, vacations, etc. have been deferred due to no coverage.*
- *Is there documentation for officer commendation in their file? If it comes in writing, it will go in their file.*
- *What happens when calls regarding concerns come in? Not necessarily formal complaint. Alternative Conflict Resolution process handles it then does not go in personnel file.*
- *Is there a policy if officers have excessive use of force or complaints? After three, there is early warning system.*
- *Annual Use of Force report there was difference in how things were categorized. January 2023 report will have additional data fields.*
- *What resources are being used for recruitment? With Covid, outreach has been less but department is open to reaching out to community groups and others.*
- *Has DPD had community members sit in on interviews? Mixed recommendations. Attorneys recommend that interviews are done by experts in the field. Consider all civilian or mixed panel in the future? Not best practice. This decision would need to be reviewed by City Manager & HR.*

Public Comment:

- *Connor Gorman – Look at larger structural issues and move away from policing as an institution. Important to look at use of force and policies.*

Horton moves with second by Canning to extend the meeting until 9:00 p.m. Motion passed as follows:

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

NOES: None

ABSENT: None

B. Preparation for Joint Discussion with City Council on March 1 (*Sherman, Poindexter, Bliss and Escamilla-Greenwald*) –*The Subcommittee provided an overview of the plans and preparation for the joint discussion to the full commission. They prepared a draft power point presentation and requested commissioner feedback.*

- *Suggestion to have less on slides and allow for more discussion*
- *Meeting is opportunity for PAC to get reinforcement of understanding of function or re-direction from Council.*
- *Would like opportunity to review size of police force (with creation of new social services department), budget and overtime policy.*
- *How should PAC engage public? How should it work with IPA?*

Public Comment:

- *Connor Gorman – Support idea to incorporate questions regarding structural department changes and budget.*

Subcommittee will work to finalize slide show prior to the March 1 joint discussion.

C. Subcommittee Updates. *Item postponed due to lack of time.*

1. **Mental Health – Audits** (*Bliss, Canning, Escamilla Greenwald, Poindexter*)
2. **Outreach** (*Escamilla-Greenwald, Horton, Kahan, Sherman*)

8. 2022 Workplan/Future Agenda Item Requests/Long Range Calendar *Item postponed.*

9. Adjourn

Jones moves with second by Canning to adjourn at 9:03 p.m.

The motion passed as follows:

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

NOES: None

ABSENT: None