



City of Davis
Police Accountability Commission Meeting Minutes
Senior Center Activity Room
Monday, December 4, 2023
6:30 p.m.

1. Call to Order & Roll Call

Chair Robert Canning called meeting to order at 6:44pm

Members Present: Robert Canning (Chair), Cecilia Escamilla-Greenwald (Vice-Chair Arr: 6:50), Dillan Horton, Don Sherman, John Myers, Elizabeth Griswold (Alternate)

Members Absent: Mary C. Bliss, Logan Legg

Others Present: Assistant City Manager Kelly Stachowicz, Police Auditor Stephen Connolly, Deputy Chief Todd Henry

2. Approval of Agenda

Sherman moved, with a second by Horton, approval of the agenda. Motion passed by the following vote:

AYES: Canning, Horton, Sherman, Myers, Griswold

NOES: None

ABSENT: Bliss, Legg, Escamilla-Greenwald

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

Horton – spoke with individual who had encounter with law enforcement (but not Davis Police Department) and tried to assist.

4. Public Comment

No public comment

5. Consent Calendar

A. Commission Minutes October 2, 2023

Recommendation: Approve

No public comment

Horton moved, with a second by Sherman, approval of the consent calendar.

AYES: Canning, Horton, Sherman, Myers, Griswold

NOES: None

ABSENT: Bliss, Legg, Escamilla-Greenwald

6. Police Auditor Update

A. Current Caseload Update

Independent Police Auditor representative Stephen Connolly provided a brief update on Auditor activities and shared the current caseload.

No public comment

7. Regular Items

A. Consideration of Purchase/Use of Unmanned Aircraft System (UAS, commonly known as an aerial drone) as Part of Surveillance Technology Ordinance

Consideration of Purchase/Use of Small Unmanned Aircraft Systems (UAS, commonly known as an aerial drone) and four additional patrol rifles as part of the Military Equipment Ordinance

Commission had the following discussion and questions related to aerials drones:

- *Concerns about imposing on privacy rights. Specific concern about AI and/or facial recognition software. (Davis will not utilize AI technology or facial recognition software on the aerial drones. Drone policy includes section addressing privacy issues.)*
- *Is policy in line with ACLU recommendations and will drone be used in accordance with ACLU criteria? Concerns about inadvertent discoveries when using drone. (Drones deployed only based on an incident and used only for that incident upon approval of supervisor. No random flying of drone. If using to search area that is protected, would need to get a warrant but if witnessing a crime in progress, then could intervene. Policy includes what DPD will NOT do with drone.)*
- *Questions about retention policy, which is one year for most video. Discussion about requiring retention for a shorter timeframe for general video capturing no specific incident.*
- *Comments about how drone could be useful for public safety, including assistance with lost/missing persons, de-escalation, etc.*
- *Does this policy embrace current case law enough? Does it have appropriate boundaries?*
- *How would public or commission know if someone's privacy was violated? (Officer could note this to supervisor; individual whose privacy violated could bring it to City's attention.)*
- *Interest in ensuring safeguards for marginalized communities.*
- *What is 3D mapping? (Use for something like a train derailment or a large public event instead of people sketching it)*

Public Comment:

M.E. Gladdis: How is data destroyed? (Automatic date set in to destroy)

Myers moved, with a second by Escamilla-Greenwald, to recommend that Council approve application by the Police Department for the purchase and use of aerial drones and to review the use of the technology through the annual surveillance review procedures. The Commission requests Council and the Police Department ensure that safeguards for marginalized communities are built into the policy.

Horton: Substitute motion to approve with inclusion of policy that restricts use to use for when drone was deployed. Motion dies for lack of a second.

Sherman: shares fear of misuse but sees more protection to the public with the technology. Thinks drones make the police department's work more efficient.

Original motion passed by the following vote:

AYES: Canning, Escamilla-Greenwald, Sherman, Myers

NOES: Griswold, Horton

ABSENT: Bliss, Legg

Consensus for Chair Canning to convey comments to the City Council.

Commission had the following discussion and questions related to the purchase of additional rifles:

Deputy Chief Henry explained the Department is requesting four additional rifles to assign to officers.

Griswold asked about reasonable alternative to the rifles? (The two options are handgun and rifle. Rifle is more accurate if there is a need for use. Every officer requires his/her own equipment.)

Myers moved, with a second by Escamilla-Greenwald to recommend to Council that they approve purchase of additional rifles.

No public comment.

Commission Discussion:

Griswold doesn't approve of spending funds for violence.

Deputy Chief Henry noted in these situations, the other party is almost always armed.

Discussion about scenarios when rifles might be used and whether non-violent approaches might be increased. Want to have discussions on how to make public feel more safe.

Friendly Amendment by Canning: in addition to motion, would also ask that Council appropriate a like amount of funds for a targeted education program for nonviolent resolution of disputes. Accepted by mover and seconder.

Motion as amended passed by the following vote:

AYES: Canning, Escamilla-Greenwald, Horton, Sherman, Myers

NOES: Griswold

ABSENT: Bliss, Legg

B. November Public Outreach Meeting Debrief

This item was held over until the January meeting.

C. Appointment of Subcommittee for Annual Review of Independent Police Auditor

Myers, Canning will be the subcommittee and will report back at a future meeting.

8. Subcommittee and Liaison Assignment Updates

A. Subcommittee on Challenges in Police Hiring Audit – (Escamilla-Greenwald, Horton, Myers) – *No update*

B. Subcommittee on Local Voices Outreach (Escamilla-Greenwald, Horton, Legg) - *No update*

9. Long Range Calendar: Upcoming Meeting Dates and/or Potential Agenda Items

Stachowicz reminded Commission that the meeting in January will be on January 8 and will also take place in the Senior Center

Request to have a discussion about Artificial Intelligence (AI) in law enforcement at a future meeting (ask auditor to provide an overview). Are there tools that use artificial intelligence? What are they and how are they used? Interested in broad overview and Davis-specific information.

Cecilia Escamilla-Greenwald announced that she would likely be stepping down because of her appointment as a Trustee to the Davis Joint Unified School District Board.

10. Adjournment

Escamilla-Greenwald moved, with a second by Horton, to adjourn the meeting. Motion passed unanimously. The meeting concluded at 8:49 pm.