



City of Davis
Police Accountability Commission Meeting Minutes
Monday, June 5, 2023

1. Call to Order & Roll Call

Chair Robert Canning called the meeting to order at 6:32pm

Members Present: Mary C. Bliss, Robert Canning (Chair), Cecilia Escamilla-Greenwald (Vice-Chair), Dillan Horton, Don Sherman

Members Absent: John Myers, Logan Legg

2. Approval of Agenda

Horton moved, with a second by Bliss, to approve the agenda. Motion passed by the following vote:

AYES: Bliss, Canning, Escamilla-Greenwald, Sherman

NOES: None

ABSENT: Myers, Legg

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

Horton – Local PRIDE opponents were problematic, would like for PAC when timing appropriate to engage in after action review related to the stabbing incidents (as relates to law enforcement response)

Escamilla-Greenwald – Praised PRIDE activity

Sherman – When police found the alleged stabbing perpetrator, he was apprehended without violence. Commends Police Department.

Stachowicz – Neville will be sworn in.

4. Public Comment

Mason Harry – Look into detention statistics from the stabbing manhunt, especially from the Sheriff. The description was vague.

Carol Gavin – Police press conference was 4 days after stabbings. Why no press conference the night of the second stabbing or the next day. Why delay in response to homeless encampment where suspect seen. Is there a bias against certain people. Why does Police Department not have a PIO to write speeches. Why no protocol to evacuate apartment complex if there is a suspect in a unit?

5. Consent Calendar

A. Commission Minutes May 1, 2023

CEG moved, with a second by DH, to approve the minutes. Motion passed by the following vote:

AYES: Bliss, Canning, Escamilla-Greenwald, Sherman
NOES: None
ABSENT: Myers, Legg

6. Police Auditor Update

A. Current Caseload Update

Gennaco shared information about Complaint Log – two additional cases have been shared with the Police Chief to review.

Shared information on SB50. SB50 would restrict officers from stopping individuals for low level infractions unless there is another reason to stop. This also includes people in bike. Low level infractions would include: registration, position of license plate if one is correctly displayed, single light, bumper equipment. Belief is that pretext stops disproportionately affect people of color and may lead to uses of force. Police associations are opposed to the bill.

Public Comment:

Carol Gavin: Police stops disproportionately affect African Americans for random reasons. The bill is a start but will depend on how police interact with the driver.

7. Regular Items

A. Annual Review of Surveillance Technology

Escamilla-Greenwald: subcommittee has questions and comments. During stabbing incidents, many suggestions of having surveillance cameras in parks but the quality would be low. The explosive ordnance robot would have been helpful in some situations. There is a lot of information we don't know about success rate of surveillance technology that we do have. Department doesn't have crime analyst data. Proceed with caution.

- *Accurint Virtual Crime Center – description is vague. Check to see whether actual staff report says it was not deployed*
- *Body Worn and In-Car Cameras – Sherman wants more precision. PAC doesn't know circumstances in which equipment was used. What training do officers receive? Sherman would like to see training manuals provided to officers. CEG – what does MOU say about penalty for not properly using BWC? Did corrective action work? What are possible corrective actions? Gennaco: Industry standard for non-intentional violation is relatively minimal. ASK CHIEF FOR RATE OF FIRST TIME VIOLATIONS OF BWC*
- *Care Track System- no comments.*

- CelleBrite Universal Forensic Extraction Device – *Sherman concerned about use of equipment and whether use requires a warrant. (Usually need a warrant or consent.) Clarify whether warrant necessary to get into phone or whether the technology used to get warrants.*
- Crisis Negotiations Equipment – *no comments*
- Covert Personal Recording – *no comments*
- Explosive Ordnance Disposal Robot –*no comments*
- GeoTime Computer Program – *no comments*
- Global Positioning System (GPS) Tracker – *no comments*
- Automated License Plate Reader – *Can be problematic if used for wrong reasons but easier for parking enforcement to do their jobs. Make sure police not being careless. What are outward bounds of use of this technology? Should describe and define.*
- Remote Public Safety Cameras – *concern why there are no cameras near 113. Would recommend something near 113.*
- Trail Cameras – *no comments*

Would like more specificity in details on most of the technologies.

Public Comment:

Mason Harry – ALPR can it be restricted to not search certain items. (Are they just used for parking enforcement?)

Francesca Wright – this is good progress, building trust. Good to know how useful technology was. Good that Commission is working with Police Department

DH moved, seconded by DS, to extend to no later than 9pm

AYES: Bliss, Canning, Escamilla-Greenwald

NOES: Sherman

ABSENT: Myers, Legg

B. Military Equipment Annual Review – Pursuant to AB481, the Commission is asked to provide input to the City Council related to the renewal of certain equipment in the Davis Police Department inventory defined as “military equipment.” (Attachment)

Sherman concerned about flash bangs and their potential for injuries or death to innocent people. He submitted comments to Police Chief. Thinks flash bangs can kill? More research should be done.

PAC may want to look at Use Policy for Flash Bangs

Horton: PAC's task is to determine whether Flash Bangs should be banned or whether the commission wants to recommend

CEG moved to recommend that warrants would be required. No second.

Canning – are they used? Is getting a warrant practical? Don't know enough about them.

Next meeting: info on flash bangs

Public Comment:

Mason Harry – flash bangs used in houses. Example of flash bang injuring a child. Don't know what is on the other side when they throw it in.

C. Public Outreach Meeting Discussion

Canning – have police come and talk about gun storage

CEG – Would like to build bridges and trust.

Bliss – would like to talk about property crime, citywide and by district.

(Shared handout). Info from neighborhood watch programs. Do a pitch for the PAC.

Horton –

Stachowicz – UC Davis happy to partner.

D. SB 50 (Limits on traffic stops for low level violations) Review and Discussion –

This item was moved up in the agenda to after the Police Auditor Report.

Horton: Feels that traffic stop issues are the main unfinished work from the Time for the Nine recommendations. One piece was allowing non-sworn individuals from making traffic stops. Noted that Police Chief said this bill would not prevent DPD from enforcing the law. Felt that Chief gave doomsday predictions related to second major provision. If voluntary, then City could determine not to participate at all. Would like to recommend that Council support SB50.

Bliss – Police groups say these stops help prevent greater crimes. Are there any statistics on this? (Gennaco said mostly data has not been collected but in cases where there is data, it is weak. Data showing disproportionate numbers of people of color being stopped is clear. Doesn't believe that current version of bill allows civilians to make traffic stops.)

*Escamilla-Greenwald – Where does Aguiar-Curry stand on the bill? (Unknown)
Sherman – Strong undercurrent of elitism and racism and violation of 4th
Amendment to make stops based on low level violations. Why are Senators
abstaining?*

Supreme Court has ruled that pretext stops are not a violation of 4th Amendment.

Horton:

Canning: Concerned about cyclists should still have lights for safety

Public Comment:

*Mason Harry: Thinks code enforcement/private entity doing stops would be a bad
idea because it would disproportionately affect the poor.*

*Francesca Wright: Time for the Nine came out of campaign and based on local
research to look at how we can make community safer. Helps to advance an
agenda supported by three commissions and Council.*

*Carol Gavin: Years ago, people of color pulled over in Davis frequently. Example
of daughter pulled over in Daly City and police unclipped his gun, which was
frightening. Shared Beverly Hills example about not searching vehicle and larger
crime occurred later.*

*DH moved, with a second by CEG, that PAC recommend to CC a resolution in
support of SB50. Motion passed by the following vote:*

AYES: Bliss, Canning, Escamilla-Greenwald, Sherman

NOES: None

ABSENT: Myers, Legg

8. Subcommittee and Liaison Assignment Updates

A. Subcommittee on Challenges in Police Hiring Audit (Canning, Escamilla-Greenwald, Horton, Myers) – Subcommittee will report out on any activity since the last meeting.

B. Subcommittee on Local Voices Outreach (Escamilla-Greenwald, Horton, Legg)

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

Stachowicz: July meeting will be on July 10 and in a different location than Chambers.

Beginning a discussion of the May incidents if possible

10. Adjournment

CEG, MB, adjourn.

Adjourn at 9:09pm.

