



CITY OF NOVATO
CALIFORNIA

POLICE ADVISORY AND REVIEW BOARD MEETING

Agenda

Thursday, June 3, 2021 – 5:30 PM

Teleconference Only

Board Chair

Bruce Bartel

Vice Chair

Ky Medigovich

Board Members

Leslie Biagini

Megan Brizzolara

Catherine Dacre

Jeremy Portje

Bruce Ritter

The Police Advisory & Review Board welcomes you to attend its meetings which are regularly scheduled four times per year. Your interest is encouraged and appreciated.

Pursuant to the provisions of the California Governor's Executive Order N-29-20, issued on March 17, 2020, this meeting will be held by teleconference only.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Human Resources at (415) 899-8914. Notification at least 48 hours prior to the meeting will enable the City to make reasonable accommodation to help ensure accessibility to this meeting.

Public Participation/Comment Instructions

Members of the public may participate and provide comments to the Police Advisory & Review Board as follows:

- **Written public comments** may be submitted by email to hr@novato.org. Written public comments received more than 3 hours prior to the start of the meeting will be distributed to the Police Advisory & Review Board. Written public comment received after the 3 hour deadline, including those received during and after the meeting, will be collected and placed in the public record. Written public comments will not be read during the meeting.

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- **Spoken public comments** will be accepted through the Zoom meeting platform and via telephone. To address the Police Advisory & Review Board, please read the following instructions.

Join via direct link: <https://bit.ly/3oPIGji>

Or

Select the [ZOOM Meeting link](#)

Meeting ID: 958 4823 5367

Password: 1960

Should the links above not work, please go to www.novato.org/agendas to find updated link information.

- a. You will be asked to enter an email address and name. We request that you identify yourself by names as this will be visible online and will be used to notify you when it is your turn to speak.
 - b. When the Chair calls for public comment on the item for which you want to speak, please use the “Raise Hand” feature by clicking on the hand icon at the bottom of your screen to notify the Host that you would like to speak.
 - c. The Host will unmute speakers in turn. Speakers will be notified when it is their turn to speak.
 - d. When called upon, please limit your remarks to the time limit allotted by the Chair or as specified on the agenda. Speakers will be muted when their time is up.
1. Join the meeting via telephone by calling **(669) 900-6833**
Meeting ID: 958 4823 5367
Password: 1960
 - a. When the Chair calls for public comment on the item for which you want to speak, **press *9** to activate the “Raise Hand” feature to notify the Host that you would like to speak.
 - b. The Host will unmute speakers in turn. Speakers will be notified when it is their turn to speak.
 - c. When called upon, please limit your remarks to the time limit allotted by the Chair or as specified on the agenda. Speakers will be muted when their time is up.

A. CALL TO ORDER AND ROLL CALL

B. APPROVAL OF FINAL AGENDA

C. PUBLIC COMMENT

There is a three-minute time limit to speak, although the Chair may shorten the time based on the number of speakers or other factors. A speaker may not yield their time to another speaker.

For issues raised during Public Comment that are not on the published agenda, except as otherwise proved under the Ralph M. Brown Act, no action can legally be taken. The PARB may direct that the item be referred to Human Resources for action or may schedule the item on a subsequent agenda.

D. CONSENT CALENDAR

All matters listed on the Consent Calendar are considered to be routine and will be enacted by a single vote of the PARB. There will be no separate discussion unless specific items are removed from the Consent Calendar for separate discussion and action. Any PARB member may remove an item from the Consent Calendar and place it under General Business for discussion.

D.1. Approve the meeting minutes of February 4, 2021

E. UNFINISHED AND OTHER BUSINESS

F. GENERAL BUSINESS

F.1. Introductions of Board Members

F.2. Elections of Chair and Vice Chair

F.3. Commission Training Refresher, Laura McDowall

F.4. Discuss PARB's Annual Report Presentation to Council on July 27, 2021

F.5. Review of Department Activity and Citizen Complaints Filed Since Last Meeting (Chief McCaffrey)

G. COMMITTEE AND LIASION REPORTS

G.1. Board Member Reports

G.2. Staff Liaison Report

H. ADJOURNMENT

If urgent matters arise after the publication of the regular agenda, there will be an addendum. It will be posted at the referenced locations mentioned in the Affidavit of Posting before the meeting begins.

Materials, that are submitted to members of the PARB after the distribution of the agenda packet, are available for public inspection in the City Clerk's Office, located at 922 Machin Avenue during normal business hours. Such materials shall also be made available on the City of Novato website at novato.org when practical and provided that City staff is able to post those documents prior to the meeting. Also, when non-confidential written materials are distributed to members of the PARB during a public meeting by staff or a member of the PARB, copies shall be made available to members of the public following that meeting.

AFFIDAVIT OF POSTING

I, Greg Canfield, certify that on Thursday, May 27, 2021 the agenda was posted on the City Community Service Board at 922 Machin Avenue and on the City's website at novato.org.

/Greg Canfield/

Greg Canfield, Management Analyst I



**CITY OF NOVATO
CALIFORNIA
POLICE ADVISORY AND REVIEW BOARD**

DRAFT MEETING MINUTES

**Thursday, February 4, 2021
5:30 PM**

Teleconference via ZOOM

A. CALL TO ORDER:

The meeting was called to order at 5:35 p.m. by Bruce Bartel

ROLL CALL: Present: Bruce Bartel, Board Chair
Ky Medigovich, Vice Chair
Leslie Biagini, Board Member
Bruce Ritter, Board Member

Staff Present: Jessica Deakyne, Asst. City Manager
Matthew McCaffrey, Chief of Police
Shani Combs, HR Assistant

Absent: Catherine Dacre, Board Member

B. CLOSED SESSION ANNOUNCEMENT:

There was no closed session.

C. ANNOUNCEMENTS:

There were no announcements.

D. APPROVAL OF THE FINAL AGENDA:

Motion to approve the agenda was made by Board Member, Ritter. Vice Chair Medigovich seconded. The Board voted in favor unanimously.

Motion Carried.

E. PUBLIC COMMENT:

There were no public comments.

F. UNFINISHED AND OTHER BUSINESS

F.1. Discuss Ways to Diversify PARB

- Assistant City Manager, Deakyne provided information about the application process and recruitment period. New and reappointed members will begin their service with PARB in May.
- Suggestions are welcome for promoting PARB and recruiting new members
- Increasing membership from 5 to 7, or involving ad hoc committee members are options to consider
- Translation and other accommodations can be provided to Board members and meeting attendees when advanced notice is given
- Council appoints members to City boards and committees through the application process

PUBLIC COMMENT: None

G. APPROVAL OF MINUTES:

G. 1. Motion to approve the meeting minutes of November 5, 2020 was made by Board Member, Ritter. Board Member Biagini seconded. The Board voted in favor unanimously.

Motion Carried.

H. GENERAL BUSINESS:

H.1. Review of Department Activity and Citizen Complaints Filed Since Last Meeting (Chief McCaffrey)

- One complaint filed in August was closed in December. The allegation was for performance, conduct, bias in an investigation and failure to activate a body camera during criminal investigation. Only the failure to activate body camera was sustained.
 - A performance notice was issued to the officer who did not activate their camera. The incident was not egregious and did not occur during Use of Force.
 - Unholstering of weapons automatically activates cameras, otherwise cameras are officer-activated.
- 2020 Use of Force report will be included with the end of year reporting. Some items from the report to be distributed in March include:
 - There were 10 individual Use of Force incidents: 4 taser, 4 controlled hold, 2 personal weapons (bodily, not firearm), and 2 deployments of BOLA Wrap

- PD's annual awards ceremony will be virtual. PARB members are invited
- 4 vacancies will be filled in the near future. Three by people currently going through background checks. One will soon graduate from the Police Academy. Recruitment for Police personnel is ongoing.
 - 2 officers are off work due to injury
 - 1 officer is planning to move out of state

PUBLIC COMMENT: None

I. BOARD AND STAFF COMMENTS

I.1. Discuss Possible Future Topics

- A video of Officer Bates' comprehensive presentation about the City's outreach and services for homeless can be found on the City's website
- New PARB members will be introduced at the May 6, 2021 meeting

PUBLIC COMMENT: None

J. ADJOURNMENT:

- J. 1.** Motion to adjourn the meeting was made by Board Member, Ritter. Vice Chair Medigovich seconded. Meeting adjourned at 6:50 p.m.



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novato.org

STAFF REPORT

MEETING

DATE: June 3, 2021

TO: Police Advisory & Review Board

FROM: Greg Canfield, Management Analyst I

SUBJECT: PARB's Annual Report Presentation to Council on July 27, 2021

REQUEST

Discuss the Police Advisory and Review Board's Annual Report to Council.

DISCUSSION

Make decisions on the Annual Report to Council including:

- Which Board Member will present to Council
- What edits/updates need to be made to the presentation for 2020

ATTACHMENT

Police Advisory & Review Board Annual Report presented to Council on July 28, 2020.



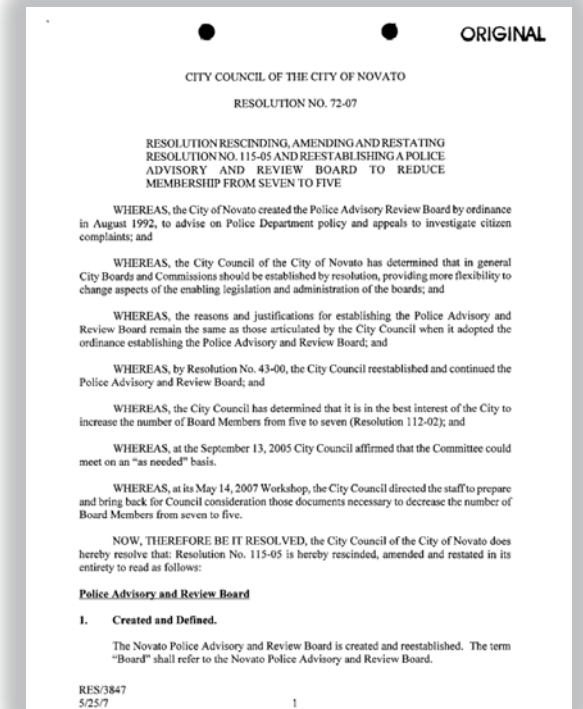
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POLICE ADVISORY & REVIEW BOARD
ANNUAL REPORT

Presented to Council July 28, 2020

HISTORY OF PARB

- Created in 1992, and re-established in 2007 to advise on Police Department Policy and appeals to investigate citizen complaints.
- Committee meets as-needed, typically 4 times a year
- Current Board Members: 5



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MEMBERS

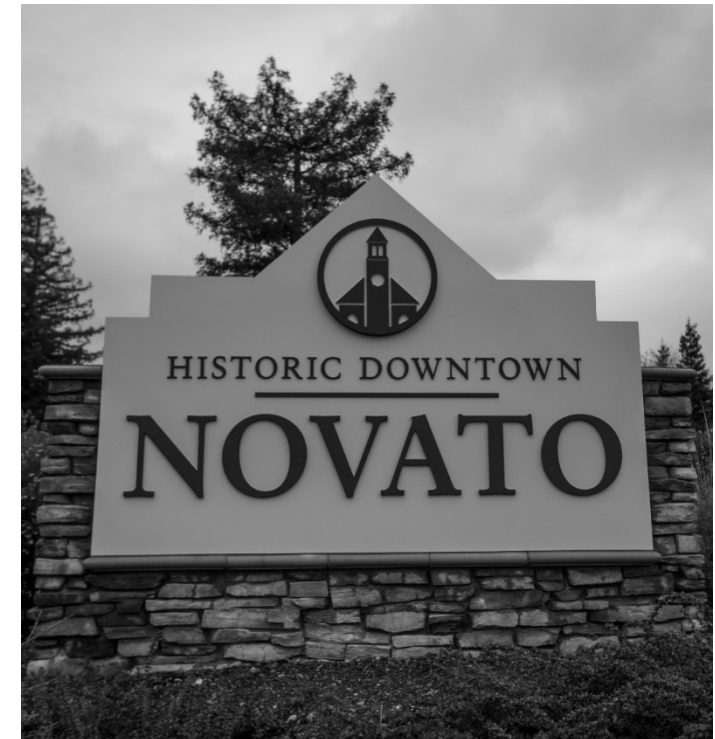
Bruce Bartel, Chair

Kyla Medigovich, Vice Chair

Leslie Biagini

Catherine Dacre

Bruce Ritter



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PURPOSES & OBJECTIVES

- **Act as a liaison** between the community, the Novato Police Department and the City Council
- **To hold hearings and conduct investigations on citizen's complaints** concerning specific programs, policies and procedures of the Police Department and to make recommendations concerning these to the Chief of Police.
- **To make recommendations** to the Police Chief regarding programs to encourage preservation of life and property.
- **To make recommendations** to the Police Chief regarding policies, programs and projects that improve delivery of police services to the Novato community.
- **To conduct investigations into Citizen Complaints** referred by the City Manager
- **To provide an annual report** after July 1st of concerning the activities of PARB



TYPICAL ITEMS REVIEWED BY PARB

- Policies & Procedures
- Media Review: Programs like, Social Media, SCRAM, NIXLE, & Ring App integration
- Annual Report
- Grants Received
- Training Programs
- Staffing, Recruitment, Promotional Boards, & Labor Negotiations



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PRIOR REVIEW OF THE CAROTID MANEUVER: MAY 9TH, 2019

- It is not a choke hold, which involves restricting air. The Carotid Maneuver involves using the crook of the arm placed around the neck of a perpetrator, thus cutting off blood supply to make them lose consciousness. The maneuver is controversial, but the Court of Appeals currently supports it as a normal procedure.
- Use of force experts teach a 12-hour training course on the maneuver with a 4-hour annual refresher.
- NPD's policy is to prohibit the Carotid Maneuver except in deadly force situations when absolutely necessary because there are many other tools that can be used, including: Taser, Extended Batons and bean bag rounds.



Carotid restraint



Chokehold



PRIOR REVIEW OF SB 1421: MAY 9TH, 2019

- Senate Bill 1421 - Effective January 1, 2019, SB 1421 requires the disclosure of records and information relating to specific types of incidents. No records currently exist for the Novato Police Department that meet the criteria detailed in SB 1421 (Penal Code Sections 832.7 & 832.8).
- Transparency tab on NPD website shows statistics, reports, policy and procedure manual, and any items related to SB 1421 would be there, too.



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PRIOR REVIEW OF POLICY 1021 LEXIPOL: NOVEMBER 14TH, 2019

- Changes made may result in non-policy procedures, including loss of indemnification.
- PARB's Policy exists separately from the complaint policy and has its own Bill of Rights, restrictions and legal responsibilities.
- PARB's complaint process includes policies for the timeframe of complaints, dispute resolutions and challenging complaints. The process as it stands has worked.
- The City prefers to use a working system that holds people accountable.



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PRIOR REVIEW OF DEPARTMENT STATISTICS: MAY 9TH, 2019

- Novato's community is 66.8% white. NPD's staff is 74.8% white. 19.1% are Hispanic.
- NPD has 61 officers, 9 of whom are women. Of those 9 women, 2 are Sergeants and 2 are Lieutenants.
- The average age of staff at NPD is 46.
- The average number of years on the job is 4.
- 31 of the 61 officers live 30 miles or more outside of Novato.
- 38 of the 61 have attained at least a Bachelors and four have a Masters.



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CITIZEN COMPLAINTS: FY 2019/2020

- Complaints 7/1/2019-6/30/2020:
 - 6/19 Excessive Force: Unfounded
 - 9/19 Discourteous Conduct: Unfounded



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EVENTS ATTENDED AS PARB REPRESENTATIVES

- Coffee with a Cop
- Shop with a Cop
- Police Department Open House
- Sundays on Sherman/Police Booth
- Department ride-alongs & dispatch observation
- Annual Department Awards Ceremony
- Promotion Ceremonies & Swearing-in Ceremonies
and many more!



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GOING FORWARD

- Continue to work with Chief of Police to review policies, in particular as they relate to use of force
- Continue to act as liaison between NPD, Council & Community
- Hold hearings and conduct investigations when citizen complaints are appealed to PARB



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QUESTIONS/COMMENTS?

