

RECOMMENDATION SUBMISSION AND RESPONSE FORM

2022 MEU #4

DISCUSSED BY SCPRC	05/20/2022	APPROVED AND IMPLEMENTED		PENDING FURTHER REVIEW	
RECEIVED BY SPD	08/17/2022	APPROVED AND PENDING		SPD UNABLE TO IMPLEMENT	
RETURNED TO SCPRC	09/09/2024	PARTIAL IMPLEMENTATION	X	DENIED	

SCPRC RECOMMENDATION

GO 410.06 Military Equipment Use

SPD policy allows the department to apply for funds prior to Council's approval under exigent circumstances.

Amend GO 410.06(G): Require SPD to seek City Council approval before any public or private funding may be spent to procure, acquire, or purchase military equipment under AB 481. Require all annual procurements, acquisitions, or purchases be submitted separately from SPD's annual report or policy updates for consideration by the Budget & Audit Committee.

SCPRC RECOMMENDATION RATIONALE

GO 410.06 currently authorizes SPD to "apply for funding prior to obtaining council approval in the case of exigent circumstances." SCPRC agrees that there might be circumstances where public funding may only be available with limited notice and require SPD to move quickly in order to apply for funding. However, this money should not be used until the City Council authorizes such action.

While SPD currently lists its projected acquisitions within its 2021 annual report, the General Order itself also lists an "annual procurement" quantity and cost for each item of equipment. Upon the City Council approving either SPD's annual report or updates to this policy, this may allow SPD to continuously stockpile military weapons and equipment on an annual basis without a cap.

This approval will increase public transparency and ensure accountability for SPD to only purchase military equipment that is cost-effective in comparison to other reasonable alternatives that can achieve the same objective of officer and civilian safety.

SPD RESPONSE

The "exigent circumstances" protocol was removed prior to approval of the last MEU period and is not contained in this year's proposed policy.

Seeking consideration of the Budget and Audit Committee for departmental purchases of approved department military equipment would be a practice that needs approval from the city manager. As a governing body request from September 2023, approved military equipment is listed and submitted to the governing body 30 days prior to procurement.

OTHER CITY DEPARTMENTS

N/A

APPENDIX

N/A