

FW: Public comments agenda item 2.35 of the San José City Council meeting on December 13, 2022

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To: Agendadesk <Agendadesk@sanjoseca.gov>

From: [REDACTED]

Sent: Tuesday, December 13, 2022 12:21 PM

To: Chi-Kai Sin <[REDACTED]>; City Clerk <city.clerk@sanjoseca.gov>; The Office of Mayor Sam Liccardo <TheOfficeofMayorSamLiccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; District7 <District7@sanjoseca.gov>; District8 <district8@sanjoseca.gov>; District9 <district9@sanjoseca.gov>; District 10 <District10@sanjoseca.gov>

Subject: Public comments - agenda item 2.35 of the San José City Council meeting on December 13, 2022

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Dear Mayor and Councilmembers,

I am Victor Sin, Chair of the Santa Clara Valley Chapter of the ACLU of Northern California. I wish to address item 2.35 regarding military equipment. With over \$7.4 billion worth of equipment including grenade launchers, batons, combat vehicles, and hundreds of thousands of rifles filtered into the hands of local law enforcement agents through the U S military, the militarization of local law enforcement is a topic that can never be brushed aside. I write today to urge the Council to take very seriously the matter at hand.

Specifically, for items outside DEMIL Code A, the San Jose Police Department is recommending that items are approached on a case-by-case basis, with the police department providing 30-days notice. However, these items could also require that the Police post a use-policy within 30-days if the department does not already have that equipment. The Council should be asking these questions and digging deeper into what the police department is proposing

For example,

- The police state that materials they may wish to acquire without coming back to the Council include "clothing, backpacks, first aid kits" etc. Might it also include camouflage uniforms or clothing that appears military?
- When this Council approved the Department's Military Equipment policy earlier this year, the Mayor stated that it's important that the use policies for this type of equipment lay out situations where its use is prohibited. I don't see anything in this item about prohibited uses. Does the Council or police department plan to draft such a list for different types of military equipment?
- What are the major types of controlled equipment the police are seeking from the LESO program?

We urge the Council to ask these and more questions publicly, diligently review all military equipment requests, publish any responses by the police or analysis by the council to insure full community involvement, and to intervene in the militarization of local law enforcement in keeping with community values. We have made progress in California and in San Jose, but reverting to the tools of over policing and militarization will only lead to further harm for communities of color, immigrant and low income communities. Military equipment, even when not impacting city funds, leads to community intimidation and over policing that are anathema to community trust and community-based care strategies that bring San Jose communities the systems of safety they deserve. Thank you for your kind attention.

Respectfully,
Victor Sin

Chair (volunteer), Santa Clara Valley Chapter of the ACLU of Northern California

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