

From: [Ginger Lua](#)
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [Trish Spencer](#); [Tracy Jensen](#); [Malia Vella](#)
Cc: [Manager Manager](#); [City Clerk](#)
Subject: [EXTERNAL] Please move military equipment from consent calendar and fulfill state law AB 481 requirements around military equipment
Date: Monday, April 15, 2024 9:04:11 AM

Dear Councilmembers,

I am an Alameda resident and I am writing to ask you to move the military equipment item from the consent calendar. State law (AB 481) requires such approvals to be made by ordinance, which cannot be done via consent. Aside from that, this item introduces new military equipment without an accompanying use policy. I am concerned about this acquisition, and also concerned that the City Council is not meeting its requirements under state law. AB 481 requires the governing body to make several determinations prior to approval:

- (1) Whether the policy safeguards the public's welfare, safety, civil rights, and civil liberties
- (2) Whether there are no reasonable or more cost-effective alternatives to meet safety objectives
- (3) Whether past use complied with current use policy

Making these determinations is the City Council's responsibility under state law. I have two requests to you: please remove the equipment without an accompanying policy from the ordinance and from further consideration today, as the three determinations required by the state law cannot be made without a policy draft to consider. Please also move the military equipment item from the consent calendar, so that Alameda's Councilmembers may fulfill their requirements under state law and ask questions that will allow them to make the above determinations.

While my hope is that my requests above will be granted in the upcoming meeting, I would be remiss if I did not take this opportunity to convey my concerns about the proposed new equipment acquisitions included under Item 5-C. While I could not find it explicitly stated within the agenda materials, it has been said that APD is looking to acquire a command control vehicle. If this is true, I am interested to know what necessitates this acquisition. As noted in the 2023 Annual Military Equipment Report, APD currently owns an Emergency Response Vehicle (ERV). While I assume that the purpose of these two vehicles is different, what I have read in the 2023 report causes me to question the necessity of the vehicles. As stated in the report, the ERV was utilized 12 times with the majority of these incidents (8 in total) being used either directly by or for the benefit of other agencies (Oakland PD and US Marshals) and/or other cities (Oakland). If the command control vehicle does not serve an immediate purpose within Alameda, I have to question why its acquisition is being considered as I don't believe that APD's equipment should be used to augment the budget of other law enforcement agencies. Of the 4 instances of usage within Alameda, one of these

is described in the report as “staged it (*the ERV*) out of view during the 4th of July parade” which raises questions as to why APD would think it necessary to have this equipment on hand during a town celebration. The mention of the ERV being present at this event leads me to a notable concern I have about the proposed acquisition of drones, particularly without an accompanying use policy. It has been noted that other police departments across the US have begun using drones at public gatherings, much like our 4th of July parade, for a variety of purposes which may include crowd observation as well as video recording. There are occasions where the observation and recording are then paired with facial recognition technology. All of these actions would be cause for concern when it comes to future public gatherings, especially events like political protest marches and rallies which fall within our First Amendment right. If and when the time comes for the city of Alameda to consider the adoption of drone technology by our police force, I highly encourage you all to consider appropriate guardrails for the use of APD’s drones including what has been proposed by the ACLU - <https://www.aclu.org/documents/curbs-needed-on-police-drone-surveillance-of-public-gatherings>

Thank you for your consideration, and I hope to be able to thank you for your leadership on this issue at City Council tomorrow.

Sincerely,
Ginger Kwan
Resident of Central Alameda

From: [Brooke Atherton El-Amine](#)
To: [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [Tracy Jensen](#); [Trish Spencer](#)
Cc: [City Clerk](#); [Manager Manager](#)
Subject: [EXTERNAL] Subject: Please move military equipment from consent calendar and fulfill state law AB 481 requirements around military equipment
Date: Sunday, April 14, 2024 8:01:23 PM

Dear Councilmembers,

I am an Alameda resident, and am writing to ask you to move the military equipment item from the consent calendar. State law (AB 481) requires such approvals to be made by ordinance, which cannot be done via consent. Aside from that, this item introduces new military equipment without an accompanying use policy. I am concerned about this acquisition, and also concerned that the City Council is not meeting its requirements under state law. AB 481 requires the governing body to make several determinations *prior* to approval:

- (1) Whether the policy safeguards the public's welfare, safety, civil rights, and civil liberties
- (2) Whether there are no reasonable or more cost-effective alternatives to meet safety objectives
- (3) Whether past use complied with current use policy

Making these determinations is the City Council's responsibility under state law. I have two requests to you: please remove the equipment without an accompanying policy from the ordinance and from further consideration today, as the three determinations required by the state law cannot be made without a policy draft to consider. Please also move the military equipment item from the consent calendar, so that Alameda's Councilmembers may fulfill their requirements under state law and ask questions that will allow them to make the above determinations.

I also encourage you to reach out to California AB 481 advocates, American Friends Service Committee, for [more information on AB 481](#), its requirements for City Councils, and possible ways you may fulfill them. You can reach them at CAHealingJustice@afsc.org.

Thank you for your consideration, and I hope to be able to thank you for your leadership on this issue at City Council next week.

Sincerely,
[name]
[address/neighborhood]

From: [Kristen Fu](#)
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [Trish Spencer](#); [Tracy Jensen](#); [Malia Vella](#)
Cc: [Manager Manager](#); [City Clerk](#)
Subject: [EXTERNAL] Please move military equipment from consent calendar and fulfill state law AB 481 requirements around military equipment
Date: Sunday, April 14, 2024 4:44:49 PM

Dear Councilmembers,

I am an Alameda resident, and am writing to ask you to move the military equipment item from the consent calendar. State law (AB 481) requires such approvals to be made by ordinance, which cannot be done via consent. Aside from that, this item introduces new military equipment without an accompanying use policy. I am concerned about this acquisition, and also concerned that the City Council is not meeting its requirements under state law. AB 481 requires the governing body to make several determinations prior to approval:

- (1) Whether the policy safeguards the public's welfare, safety, civil rights, and civil liberties
- (2) Whether there are no reasonable or more cost-effective alternatives to meet safety objectives
- (3) Whether past use complied with current use policy

Making these determinations is the City Council's responsibility under state law. I have two requests to you: 1) Please remove the equipment without an accompanying policy from the ordinance and from further consideration today, as the three determinations required by the state law cannot be made without a policy draft to consider. 2) Please also move the military equipment item from the consent calendar, so that Alameda's Councilmembers may fulfill their requirements under state law and ask questions that will allow them to make the above determinations.

I also encourage you to reach out to California AB 481 advocates, American Friends Service Committee, for more information on AB 481, its requirements for City Councils, and possible ways you may fulfill them. You can reach them at CAHealingJustice@afsc.org.

Thank you for your consideration, and I hope to be able to thank you for your leadership on this issue at City Council next week.

Sincerely,
Kristen Fu
1912 Willow Street, Alameda

--

Kristen Fu (she/her)
(650) 619-8560 | kristen.fu27@gmail.com

From: [Lean Deleon](#)
To: [Marilyn Ezzy Ashcraft](#); [Tony Daysog](#); [Trish Spencer](#); [Tracy Jensen](#); [Malia Vella](#)
Cc: [Manager Manager](#); [City Clerk](#)
Subject: [EXTERNAL] Please move military equipment from consent calendar and fulfill state law AB 481 requirements around military equipment
Date: Friday, April 12, 2024 12:12:39 PM

Dear Councilmembers,

I am an Alameda resident and am writing to ask you to move the military equipment item from the consent calendar. State law (AB 481) requires such approvals to be made by ordinance, which cannot be done via consent. Aside from that, this item introduces new military equipment without an accompanying use policy. I am concerned about this acquisition and also concerned that the City Council is not meeting its requirements under state law. AB 481 requires the governing body to make several determinations prior to approval:

- (1) Whether the policy safeguards the public's welfare, safety, civil rights, and civil liberties
- (2) Whether there are no reasonable or more cost-effective alternatives to meet safety objectives
- (3) Whether past use complied with current use policy

Making these determinations is the City Council's responsibility under state law. I have two requests to you: please remove the equipment without an accompanying policy from the ordinance and from further consideration today, as the three determinations required by the state law cannot be made without a policy draft to consider. Please also move the military equipment item from the consent calendar, so that Alameda's Councilmembers may fulfill their requirements under state law and ask questions that will allow them to make the above determinations.

I also encourage you to reach out to California AB 481 advocates, American Friends Service Committee, for more information on AB 481, its requirements for City Councils, and possible ways you may fulfill them. You can reach them at CAHealingJustice@afsc.org.

Thank you for your consideration, and I hope to be able to thank you for your leadership on this issue at City Council next week.

Sincerely,
Lean de Lon
West End Alameda

From: [Trish Spencer](#)
To: [Lara Weisiger](#)
Cc: [Jennifer Ott](#); [Nishant Joshi](#); [Yibin Shen](#)
Subject: Fwd: Police Drones
Date: Thursday, April 11, 2024 11:49:31 AM

From: michele pryor <micheledp78@gmail.com>
Sent: Thursday, April 11, 2024 10:26:15 AM
To: tspencer@alamedaca.gov <tspencer@alamedaca.gov>
Subject: [EXTERNAL] Police Drones

Dear Councilmember Spencer,

I am an Alameda homeowner and resident residing on Shoreline Drive. I am writing to ask you to move the military equipment item from the consent calendar. State law (AB 481) requires such approvals to be made by ordinance, which cannot be done via consent.

Aside from that, this item introduces new military equipment without an accompanying use policy.

Does this action safeguard the public's welfare, safety, civil rights, and civil liberties?

Is there no other reasonable or more cost-effective alternatives to meet safety objectives?

Does this action comply with current use policy

Making these determinations is the City Council's responsibility under state law. Please move the military equipment item from the consent calendar, so that Alameda's Councilmembers may fulfill their requirements under state law and ask questions that will allow them to make the above determinations.

Thank you for your consideration, and I hope to be able to thank you for your leadership on this issue at City Council next week.

Sincerely,
Michele Pryor
1825 Shoreline Drive #113
Alameda, CA 94501



Michele Pryor

From: [Transform Alameda](#)
To: [Trish Spencer](#); [City Clerk](#); [Manager Manager](#); [Marilyn Ezzy Ashcraft](#); [Malia Vella](#); [Tony Daysog](#); [Tracy Jensen](#)
Subject: [EXTERNAL] Please move military equipment from consent calendar and fulfill state law AB 481 requirements around military equipment
Date: Wednesday, April 10, 2024 10:47:00 PM

Dear City Council,

Following the excessive violence from police in response to peaceful protests in summer 2020, California's legislators introduced a new law, AB 481, that would empower communities in setting limits on police use of weapons classified as "military equipment". This law includes an annual review process in which communities, police, and city councils engage in discussion on how military equipment was used, and how the city may want to adapt its use of military equipment.

As part of that process, Alameda Police Department seeks to introduce brand new military equipment to its inventory.

POLICE DRONES

What concerns us most about police drone usage:

1. **The threat to civil liberties!** Police drones have been used at Black Lives Matter protests in Concord and at Pro- Palestinian rallies in New York City. The City Council must protect the freedom to assemble.
2. **The over-policing of BiPOC communities!** The departments stated use cases of traffic related actions and sideshow activity are areas of police enforcement well documented to over-target communities of color. Police frequently turn surveillance technologies against people of color, immigrants, and vulnerable populations. This technology can criminalize entire neighborhoods by using heat maps, storing images of people, and helping to identify residents. Using drones to increase the police presence in our communities raises the likelihood that residents will have unnecessary contact with police and that routinely leads to police violence against Black and brown people.
3. **The threat to the environment!** Use of police drones in and around critical

habitat of beach-nesting birds risks injury and nest abandonment. Would the city of Alameda be violating its own public service announcements about drone use near protected habitat from June 16, 2021? There needs to be an environment review of any plans to acquire drones by the city.

City Council has not met its legal obligations to show that the Alameda Police Department needs a drone program:

1. **Is it necessary because there is no reasonable alternative that can achieve the same objective of officer and civilian safety?** Alameda and other cities in the county already utilize the Alameda County Sheriff's Office's more than 150 + drones on the rare occasions they may be deemed appropriate.
2. **Has a use policy which will safeguard the public's welfare, safety, civil rights, and civil liberties been created?** The department has not provided the council with a draft drone use policy to review. It is illegal under state law for City Council to approve the purchase without first considering and approving the use policy.
3. **How much will purchasing the equipment cost? Is it reasonably cost effective compared to available alternatives that can achieve the same objective of officer and civilian safety?** The department has not yet provided any cost information related to the cost of acquiring, training personnel, or maintaining the equipment and any recorded materials collected. What would the increased personnel cost associated with drones be? How will this not be an increase in cost over current drone use?

City council can not give the green light to this dramatic expansion in police surveillance.

COMMAND VEHICLE

What concerns us most about the department's plan to acquire a command

vehicle?

The department's own records show that our current vehicle is used more often on loan to neighboring cities and the US Marshal service than for public safety efforts in Alameda. Do we really need to be in the military equipment loan business?

AR-15

What continues to concern us from last year's report and city council vote.

One year ago (4/4/23) City Council gave the police department the authority to acquire 20 new AR- 15 type rifles on a promise that “The policy for issuing rifles has changed for increased accountability.” **This year's military equipment report fails the transparency and accountability test.** The police auditor report reveals that in 2022 Alameda Police pointed a weapon at people 14 times, but in 2023 Alameda police pointed a weapon at people 40 times, **Over this last year Alameda Police pointed a weapon 185% more often then the year before.** Alameda police policy 300.4 (Deadly Force Application) includes 300.4.2 Display of a Firearm. At the community meeting on military equipment it was asked how many of these incidents involved an AR-15. The answer was not provided. **City Council should seek the answer and clarify through the military equipment use policy that it expects an answer each year in the annual Military Equipment Report.**

Seeking Justice, Transparency and Accountability,

Transform Alameda



[Web](#) | [Twitter](#) | [Instagram](#) | [Facebook](#)